MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

2

3

4

5

6

7

8

9

10

11

12

13

14

15 16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

Date: 5/8/17

majority

L.D. 699

(Filing No. H-135)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE

HOUSE OF REPRESENTATIVES

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT " to H.P. 490, L.D. 699, Bill, "An Act To Enact the Toxic Chemicals in the Workplace Act"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Establish the Task Force on the Substitution of Highly Toxic Chemicals in the Workplace'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

- 'Sec. 1. Task force established. Resolved: That, no later than October 1, 2017, the Commissioner of Labor, referred to in this resolve as "the commissioner," shall convene a task force, referred to in this resolve as "the Task Force on the Substitution of Highly Toxic Chemicals in the Workplace" or "the task force," to develop procedures and guidelines to assist nonagricultural employers in implementing a program for the substitution of highly toxic and hazardous chemicals in the workplace; and be it further
- Sec. 2. Task force membership. Resolved: That the membership of the task force is governed by this section.
 - 1. The commissioner shall invite the participation of:
 - A. An equal number of nonmanagement employees and management employees or employers from manufacturing, retail and service industrial sectors;
 - B. An equal number of union representatives from trade unions representing manufacturing, retail and service industrial sectors and representatives of trade associations that represent those industrial sectors; and
 - C. One or more independent scientific experts with specialties in and knowledge of toxicology and the human health effects of occupational exposure to highly toxic and hazardous chemicals who do not receive remuneration from any industry or organization in exchange for their participation, except that the expert or experts may receive compensation from a college or university based in the State.
 - 2. The commissioner may invite the participation of:

Page 1 - 128LR1218(02)-1

1

2

3

4

5

6

7

8 9

10

11

12

13

14

15

17

18

21

23

25

31

32

33

34

35

36

COMMITTEE AMENDMENT "A" to H.P. 490, L.D. 699

A. Representatives of an organization with a mission of protecting worker health and safety; and B. Representatives of an organization that advances the interests of business leaders in the State. Industrial sectors represented on the task force may include, but are not limited to, the following manufacturing, retail and service sectors: automotive, auto body repair, shipbuilding, paper manufacturing, manufacturing of apparel or apparel components, medical equipment, construction, personal care product or feminine product manufacturing, coatings, textiles, lumber, plastics, technology and cleaning and janitorial services; and be it further **Sec. 3. Duties. Resolved:** That the task force shall: 1. Identify priority chemicals, industries and occupations; 2. Consider the classes of highly toxic chemicals; 3. Identify publicly accessible website lists of online databases that identify highly toxic chemicals and hazardous chemicals; 4. Identify safer alternative chemicals that may be substituted for highly toxic 16 chemicals and hazardous chemicals currently employed in industrial uses; and 5. Develop guidelines, including steps for the substitution of highly toxic and hazardous chemicals, to assist employers in deciding whether substituting a highly toxic 19 20 and hazardous chemical is feasible for their business operations. The Department of Labor shall refer to the federal Department of Labor, Occupational Safety and Health Administration guide, "Transitioning to Safer Chemicals: A Toolkit for Employers and 22. Workers," as a basis document for developing these guidelines; and be it further 24 Sec. 4. Report. Resolved: That the commissioner shall submit a report of the task force's findings and recommendations to the Joint Standing Committee on Labor, 26 Commerce, Research and Economic Development no later than December 15, 2017. 27 SUMMARY 28 29 30

This amendment, which is the majority report of the Joint Standing Committee on Labor, Commerce, Research and Economic Development, replaces the bill with a resolve directing the Commissioner of Labor to convene a task force to develop procedures and guidelines to assist nonagricultural employers in implementing a program for the substitution of highly toxic and hazardous chemicals in the workplace. commissioner must submit a report of the task force's findings and recommendations to the committee no later than December 15, 2017.

FISCAL NOTE REQUIRED

(See attached)



128th MAINE LEGISLATURE

LD 699

LR 1218(02)

An Act To Enact the Toxic Chemicals in the Workplace Act

Fiscal Note for Bill as Amended by Committee Amendment '\(\frac{1}{4}\) (\(\frac{1}{4}\) - \(\frac{1}{3}\) Committee: Labor, Commerce, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Labor to convene a task force to develop procedures and guidelines related to implementing a program for the substitution of highly toxic and hazardous chemicals in the workplace and prepare a required report can be absorbed within existing budgeted resources.