

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 179

H. P. No. 321

House of Representatives, January 25, 1951.

Referred to the Committee on Labor, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Peterson of Bar Harbor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT to Create an Industrial Safety Code Commission.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 25, §§ 9-A - 9-D, additional. Chapter 25 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 9-A to 9-D, inclusive, to read as follows:

‘Industrial Safety Code Commission

Sec. 9-A. Definitions. When used in sections 9-A to 9-D inclusive, unless the context clearly requires otherwise:

“Amendment” shall mean such modification or change in a code as shall be intended to be of universal or general application;

“Code” shall mean a standard body of rules for safety and health formulated, adopted and issued by the commission under the provisions of sections 9-A to 9-D, inclusive;

“Commission” shall mean the industrial safety code commission.

Sec. 9-B. Industrial safety code commission. There is hereby created within the department of labor and industry an industrial safety code commission consisting of 9 members, 3 of whom shall be owners, managers or safety engineers of industrial plants located in the state of Maine, 3 of

whom shall be employees, 2 of whom shall be representatives of casualty insurance companies licensed to do business in the state and the 9th member shall be the commissioner of labor and industry who shall be ex officio chairman of the commission. Each member shall be appointed by the commissioner of labor and industry with the approval of the governor and council for a term of 3 years or until their successors have been duly appointed and qualified. Vacancies shall be filled for the unexpired term in the same manner as the original appointments. A member of the commission may be removed for cause by the governor and council. The industrial accident commissioners and the commissioner of health and welfare shall be ex officio members of the said commission, but shall have no vote.

The 8 appointed members of the commission shall serve without salary and shall receive their necessary expenses incurred in the discharge of their duties. The commissioner of labor and industry shall approve and countersign all vouchers for expenditures under the provisions of this section.

Sec. 9-C. Code-making power. The commission shall have the power to make, amend and repeal advisory codes for the prevention of accidents or occupational diseases in every employment or place of employment, including the repair and maintenance to render such places of employment safe; provided that no such codes or amendments thereof shall be effective unless and until approved by the commissioner of labor and industry. The commissioner of labor and industry and the commissioner of health and welfare shall each have the right to propose to the commission such codes or amendments to existing codes as they may deem necessary to carry out the intent of sections 9-A to 9-D, inclusive.

In the performance of its duties, the commission may appoint special industry committees composed of such number of qualified persons as the commission may determine to suggest advisory codes or amendments thereto for their particular industry.

All such codes or amendments thereto, when adopted, shall be as far as possible consistent with the then existing safety codes of such engineering bodies as the American Society of Mechanical Engineers, the American Standards Association, the American Society of Safety Engineers and other accepted codes. The codes adopted under the provisions of sections 9-A to 9-D, inclusive, shall be advisory standards for the information of industry, labor and the public.

Sec. 9-D. Limitation. Nothing in the provisions of sections 9-A to 9-D,

inclusive, shall be construed to repeal or to limit or restrict in any way the present state law, statute, regulation or order governing the safety or health of employees in any place of employment.'