

Date: (Filing No. H-)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**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:

COMMITTEE AMENDMENT

1 A. Representatives of an organization with a mission of protecting worker health and
2 safety; and

3 B. Representatives of an organization that advances the interests of business leaders
4 in the State.

5 Industrial sectors represented on the task force may include, but are not limited to, the
6 following manufacturing, retail and service sectors: automotive, auto body repair,
7 shipbuilding, paper manufacturing, manufacturing of apparel or apparel components,
8 medical equipment, construction, personal care product or feminine product
9 manufacturing, coatings, textiles, lumber, plastics, technology and cleaning and janitorial
10 services; and be it further

11 **Sec. 3. Duties. Resolved:** That the task force shall:

12 1. Identify priority chemicals, industries and occupations;

13 2. Consider the classes of highly toxic chemicals;

14 3. Identify publicly accessible website lists of online databases that identify highly
15 toxic chemicals and hazardous chemicals;

16 4. Identify safer alternative chemicals that may be substituted for highly toxic
17 chemicals and hazardous chemicals currently employed in industrial uses; and

18 5. Develop guidelines, including steps for the substitution of highly toxic and
19 hazardous chemicals, to assist employers in deciding whether substituting a highly toxic
20 and hazardous chemical is feasible for their business operations. The Department of
21 Labor shall refer to the federal Department of Labor, Occupational Safety and Health
22 Administration guide, "Transitioning to Safer Chemicals: A Toolkit for Employers and
23 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
25 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 This amendment, which is the majority report of the Joint Standing Committee on
29 Labor, Commerce, Research and Economic Development, replaces the bill with a resolve
30 directing the Commissioner of Labor to convene a task force to develop procedures and
31 guidelines to assist nonagricultural employers in implementing a program for the
32 substitution of highly toxic and hazardous chemicals in the workplace. The
33 commissioner must submit a report of the task force's findings and recommendations to
34 the committee no later than December 15, 2017.

35 **FISCAL NOTE REQUIRED**

36 **(See attached)**