

SB

1411

4/25/88 H(Fin)

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 141 (Fin) am
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Labor
Title: "An Act relating to hazardous painting certification." BRU: Labor Standards and Safety
Sponsor: Josephson, et al. Components: Occupational Safety and Health
Requestor: House Finance

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		52.0	52.0	52.0	52.0	52.0
TRAVEL		10.0	5.0	5.0	5.0	5.0
CONTRACTUAL		9.7	9.7	9.7	9.7	9.7
SUPPLIES		0.7	0.7	0.7	0.7	0.7
EQUIPMENT		1.6	0.0	0.0	0.0	0.0
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	74.0	67.4	67.4	67.4	67.4
CAPITAL						
REVENUE	0.0	100.0	150.0	50.0	100.0	150.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	74.0	67.4	67.4	67.4	67.4
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	74.0	67.4	67.4	67.4	67.4

POSITIONS:

FULL-TIME	0.0	1.0	1.0	1.0	1.0	1.0
PART-TIME						
TEMPORARY						

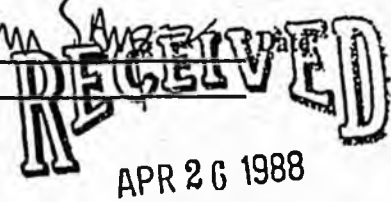
ANALYSIS: (Attach a separate page if necessary)

(See Attached)

Prepared by: Tom Stuart, Director Phone: 465 - 4870
Division: Labor Standards & Safety Date: 4/21/88

Approved by Commissioner: Jim Sampson Date: 4/21/88
Agency: Department of Labor

Distribution (by preparer) :
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)



LEGISLATIVE FINANCE

Fiscal Note Analysis
CSSB 141 (FIN) am

This bill would require the department to adopt regulations covering persons who are employed in "hazardous painting." The department would issue certificates, for a fee, to persons who complete an approved training course. The department would also enforce the provisions of the bill by inspections and through the issuance of citations.

Expenditures:

In order to effectively administer this program during FY 89, the department would require one new position, an Industrial Hygienist I. The Industrial Hygienist would help develop the required regulations and training program guidelines. Also, a tracking system would be created to monitor approved training programs and to account for certificates and fees. This position would travel to inform employer and employee organizations of the new law.

After the regulations and guidelines are in place, the industrial hygienist will assist interested parties in putting together training programs. The industrial hygienist will also audit training classes to assure that they are providing adequate training and will evaluate requests for renewal of training plans.

Revenues:

It is estimated that 1,000 persons will take the required training course and apply for a certificate during the last six months of FY 1989. During the second year, the number of applications is expected to increase to 1,500 as most persons who want to be certified will have completed training by the end of FY 1990. During the third year, the number of applicants is estimated to drop to approximately 500 as only new entrants into the painting occupation will need certification. In FY 92 and FY 93, activity is expected to increase as persons who received certificates in FY 89 and FY 90 must be re-certified. (The certification will be valid for three years).

Estimated Revenue:

	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>
Certificates Issued	1,000	1,500	500	1,000	1,500
Fee	<u>\$ 100</u> \$100,000	<u>\$ 100</u> \$150,000	<u>\$ 100</u> \$50,000	<u>\$ 100</u> \$100,000	<u>\$ 100</u> \$150,000

Assumptions:

1. An effective date of July 1, 1988 for the program except for the certification requirement that will go into effect on May 15, 1989.
2. The certificate fee would be established at \$100.

April 20, 1988
F7S3-SB-141

Position Title Industrial Hygienist I		No. of Positions 1	Range/Step 19A	Barg. Unit GGU	
Time Status PFT	Staff Months 12	Location Anchorage		Election District	
Type of Expenditure		Justification			
Amount		<p>This position would work on developing the required regulations and training programs necessitated by the bill. Also, the position would develop an in-house system to keep track of the training programs and certificate holders. As training programs are implemented, this position would ensure compliance with the provisions of this bill.</p> <p>Costs include \$10,000 for travel to inform workers and employers of the new law. This would be reduced to \$5,000 after the first year, to ensure compliance.</p> <p>Contractual costs would be as follows: \$2,000 for centrex and long-distance phone calls; \$1,000 in postage to distribute the regulation information; \$1,200 for legal advertisements concerning the implementation of regulations; \$1,100 in printing costs; and \$4,400 in departmental indirect charges based on our Federal indirect cost plan.</p> <p>Supplies of \$700 would include: \$340 of personal protective equipment (resperator, clothing, etc) for the Industrial Hygienist to use. \$360 of normal office supplies (pens, pencils, stationary,, etc.)</p> <p>One-time equipment purchase of \$1,600 would include desk, chair, telephone, bookshelf, wall panels, etc.</p>			
1	2				3
Salary	\$40,032				
Benefits	12,009				
Premium Pay					
Other					
Total Personal Services					\$52,041
Travel					10,000
Contractual					9,700
Commodities					700
Equipment		1,600			
Other					
Total Cost		\$74,041			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	\$74,041			
GF Program Receipts	1005				
Other					

**Request For
New Position**

Agency Labor
 BRU Labor Standards & Safety
 Component Occupational Safety & Health

Page 4 of 4
 Revised Date _____

FY 89

Position Title Clerk Typist III			No. of Positions 1	Range/Step 8A	Barg. Unit GGU
Time Status PFT	Staff Months 3		Location Anchorage		Election District
Type of Expenditure			Justification		
Amount			<p>This clerical position would provide support for the in-house tracking system and would process the requests for certification. Costs include normal contractual and commodities.</p> <p>The position would start nine months after the program has begun to allow time for the regulations and tracking system to be implemented. The position would work 12 months after the first year.</p>		
1	2	3			
Salary	\$4,893				
Benefits	1,614				
Premium Pay					
Other					
Total Personal Services		\$6,507			
Travel		0			
Contractual		1,700			
Commodities		150			
Equipment		0			
Other					
Total Cost		\$8,357			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	\$8,357			
GF Program Receipts	1005				
Other					

**Request For
New Position**

Agency Labor
 BRU Occupational Safety & Health
 Component Occupational Safety & Health

Page 5 of 5
 Revised Date

FY 89

SENATE COMMITTEE REPORT

FURTHER

2/29/88

DATE TURNED INTO OFFICE 3/17/88

Mr. President:

Finance Committee considered SB 141

hazardous painting certification

and recommended

replace with _____ CS SB 141 (Fix)) same title
 or adopt _____ CS _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Jim Duane
Dan Gosh
Rich Kelly

Rich Kelly do pass
Chairman signature and recommendation

Committee Backup attached

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Act relating to hazardous painting certification
Sponsor: Sen. Josephson, et al
Requestor: Senate Finance Committee

Agency Affected: Dept. of Labor
BRU: Labor Standards and Safety
Components: Occupational Safety and Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		52.0	52.0	52.0	52.0	52.0
TRAVEL		10.0	10.0	10.0	10.0	10.0
CONTRACTUAL		9.7	9.7	9.7	9.7	9.7
SUPPLIES		0.7	0.7	0.7	0.7	0.7
EQUIPMENT		1.6	1.6	1.6	1.6	1.6
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	74.0	74.0	74.0	74.0	74.0

CAPITAL						
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REVENUE	0.0	100.0	150.0	50.0	100.0	150.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	74.0	74.0	74.0	74.0	74.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	74.0	74.0	74.0	74.0	74.0

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) Industrial Hygienist I position authorized for FY 89. Program costs for FY 90 and future years are to be funded from general fund/program receipts within the department budget. (Dept. backup is attached to this note.)

Prepared by: *Rick Halford* Phone: 465-4958
Division: Senator Rick Halford, Co-chairman Date: 3/17/88
Senate Finance Committee
Approved by Commissioner: _____ Date: _____
Agency: _____

Distribution (by preparer) :

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

Fiscal Note Analysis
CSSB 141 (2d L & C)

This bill would require the department to adopt regulations covering persons who are employed in "hazardous painting." The department would issue certificates, for a fee, to persons who complete an approved training course. The department would also enforce the provisions of the bill by inspections and through the issuance of citations.

Expenditures:

In order to effectively administer this program the department would require two new positions, an Industrial Hygienist I, and a Clerk Typist III. The Industrial Hygienist would help develop the required regulations and training program guidelines. Also, a tracking system would be created to monitor approved training programs and to account for certificates and fees. This position would travel to inform employer and employee organizations of the new law.

The Clerk Typist III would begin work nine months after the Hygienist. This would allow time for the regulations to be developed and implemented. The Clerk would then process the requests for certification and operate the in-house tracking systems.

Revenues:

It is estimated that 1,000 persons will take the required training course and apply for a certificate during the last six months of FY 1989. During the second year, the number of applications is expected to increase to 1,500 as most persons who want to be certified will have completed training by the end of FY 1990. During the third year, the number of applicants is estimated to drop to approximately 500 as only new entrants into the painting occupation will need certification. In FY 92 and FY 93, activity is expected to increase as persons who received certificates in FY 89 and FY 90 must be re-certified. (The certification will be valid for three years).

Estimated Revenue:

	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>
Certificates Issued	1,000	1,500	1,500	1,000	1,500
Fee	\$100	\$100	\$100	\$100	\$100
	\$100,000	\$150,000	\$50,000	\$100,000	\$150,000

Assumptions:

1. An effective date of July 1, 1988 for the program except for the certification requirement that will go into effect on May 15, 1989.
2. The certificate fee would be established at \$100.
3. Inflation on non-personal services items will be 3% per year.

March 2, 1988

FIS3-sb-141

Position Title Industrial Hygienist I		No. of Positions 1	Range/Step 19A	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location Anchorage		Election District
Justification				
Type of Expenditure			Amount	
1	2	3		
Salary	\$40,032			
Benefits	12,009			
Premium Pay				
Other				
Total Personal Services		\$52,041		
Travel		10,000		
Contractual		9,700		
Commodities		700		
Equipment		1,600		
Other				
Total Cost		\$74,041		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	\$74,041		
GF Program Receipts	1005			
Other				

This position would work on developing the required regulations and training programs necessitated by the bill. Also, the position would develop an in-house system to keep track of the training programs and certificate holders. As training programs are implemented, this position would ensure compliance with the provisions of this bill.

Costs include \$10,000 for travel to inform workers and employers of the new law. Normal contractual, commodities, and one-time furniture purchases are also included.

**Request For
New Position**

Agency Labor
 BRU Occupational Safety & Health
 Component Occupational Safety & Health

Page 4 of 5
 Revised Date

FY 89

5-0337M'
Hein
3/16/88

Original sponsors: Josephson, Sturgulewski
and Uehling

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 141 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous painting certification;
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 63. HAZARDOUS PAINTING CERTIFICATION.

11 Sec. 18.63.010. HAZARDOUS PAINTING CERTIFICATE REQUIRED. (a) A
12 person may not employ or contract with a professional painter to
13 perform hazardous painting for compensation unless the painter holds a
14 current valid hazardous painting certificate issued by the department.
15 As a condition of employment, an employer may require a professional
16 painter to provide a copy of the certificate. It is a defense to a
17 violation of this subsection by an employer if the employer produces a
18 copy of the painter's certificate and the employer reasonably believed
19 the certificate was not falsified.

20 (b) A professional painter may not provide a falsified hazardous
21 painting certificate to an employer or make a false statement to an
22 employer regarding the painter's certification.

23 Sec. 18.63.020. ISSUANCE OF CERTIFICATE. (a) An application
24 for issuance of a hazardous painting certificate shall be on a form
25 prescribed by the department. An application for initial issuance of
26 a certificate shall include proof that the applicant completed an
27 approved basic hazardous painting certificate program not more than 30
28 days before the application was received by the department. An appli-
29 cation for certificate renewal shall include proof that the applicant

1 completed an approved supplemental hazardous painting certificate
2 program not more than 30 days before the date the application was
3 received by the department.

4 (b) The department shall issue a hazardous painting certificate
5 to an applicant who has completed an application and submitted a
6 certificate fee. A certificate is valid for three years.

7 Sec. 18.63.030. FEE. The commissioner shall establish the
8 triennial fee for a hazardous painting certificate by regulation. The
9 fee must reflect the department's approximate costs or projected costs
10 for the hazardous painting certification program.

11 Sec. 18.63.040. CERTIFICATE PROGRAMS. (a) The department shall

12 (1) establish requirements for basic and supplemental
13 hazardous painting certificate programs;

14 (2) review, and approve or disapprove, programs proposed by
15 contractors, labor organizations, public and private schools, voca-
16 tional education institutions, and others;

17 (3) assist persons who propose programs to meet require-
18 ments for approval.

19 (b) A basic hazardous painting certificate program must include
20 instruction and written and practical testing in methods of ventila-
21 tion, respirator selection, chemical reaction to body tissue, proper
22 use of painting tools, knowledge of relevant health and safety laws
23 and regulations, including relevant portions of state occupational
24 safety and health standards adopted by reference under 8 AAC 61.010,
25 and other appropriate subjects. A basic hazardous painting certifi-
26 cate program may not exceed 16 hours of instruction and testing. A
27 supplemental hazardous painting certificate program shall include
28 instruction and written and practical testing necessary to ensure that
29 a person who completes the program will be knowledgeable about new

1 developments and changes related to hazardous painting that have
2 occurred since the person completed a basic hazardous painting cer-
3 tificate program.

4 (c) A hazardous painting certificate program conducted by an
5 employer of a person enrolled in the program may include safety in-
6 struction required under AS 18.60.066.

7 Sec. 18.63.050. INSPECTIONS AND CITATIONS. The department shall

8 (1) inspect job sites to assure that persons performing
9 hazardous painting are certified as required under AS 18.63.010(a) and
10 are performing the work safely;

11 (2) issue citations to persons who employ or contract with
12 a professional painter in violation of AS 18.63.010(a); and

13 (3) issue citations to professional painters who violate
14 AS 18.63.010(b).

15 Sec. 18.63.060. REGULATIONS. The department may adopt regula-
16 tions necessary for the implementation of this chapter.

17 Sec. 18.63.070. PENALTY. The department may impose a civil fine
18 of not more than \$200 for a first violation, and not more than \$1,000
19 for a subsequent violation, of this chapter or a regulation adopted
20 under this chapter.

21 Sec. 18.63.100. DEFINITIONS. In this chapter

22 (1) "department" means the Department of Labor;

23 (2) "hazardous painting" means the application of a sub-
24 stance containing a pigment or containing or combined with a toxic or
25 hazardous substance, as defined in AS 18.60.105, in vaporized, liquid,
26 or particulate form to create a coating that will adhere to a surface
27 to protect or preserve the surface; "hazardous painting" does not
28 include the application of water-based paint that does not contain
29 emulsion epoxies or isocyanates;

1 (3) "professional painter" means a painting contractor, an
2 employee of a painting contractor, or a person engaged in the business
3 of painting, but does not include a casual laborer, a commercial
4 artist, or a person who creates artworks.

5 * Sec. 2. AS 18.63.020, 18.63.030, 18.63.040, 18.63.060, 18.63.070, and
6 18.63.100, added by sec. 1 of this Act, take effect immediately under
7 AS 01.10.070(c).

8 * Sec. 3. AS 18.63.010 and 18.63.050, added by sec. 1 of this Act, take
9 effect May 15, 1989.

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FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Act relating to hazardous painting certification
 Sponsor: Sen. Josephson, et al
 Requestor: Senate Finance Committee

Agency Affected: Dept. of Labor
 BRU: Labor Standards and Safety
 Components: Occupational Safety and Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		52.0				
TRAVEL		10.0				
CONTRACTUAL		9.7				
SUPPLIES		0.7				
EQUIPMENT		1.6				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	74.0				
CAPITAL						
REVENUE	0.0	100.0	150.0	50.0	100.0	150.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	74.0		0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	74.0		0.0	0.0	0.0

POSITIONS:

FULL-TIME		1				
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) Industrial Hygienist I position authorized for FY 89. Program costs for FY 90 and future years are to be funded from general fund/program receipts within the department budget. (Dept. backup is attached to this note.)

Prepared by: _____ Phone: 465-4958
 Division: Senator Rick Halford, Co-chairman Date: _____
 Senate Finance Committee
 Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

FISCAL NOTE

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BRU: Labor Standards and Safety
Components: Occupational Safety and Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		58.5	77.5	77.5	77.5	77.5
TRAVEL		10.0	5.0	5.2	5.3	5.5
CONTRACTUAL		11.4	17.3	17.8	18.4	18.9
SUPPLIES		0.9	1.4	1.4	1.5	1.5
EQUIPMENT		1.6	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	82.4	101.2	101.9	102.7	103.4

CAPITAL						
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REVENUE	0.0	100.0	150.0	50.0	100.0	150.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	82.4	101.2	101.9	102.7	103.4
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	82.4	101.2	101.9	102.7	103.4

POSITIONS:

FULL-TIME	2.0	2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

In the department's FY 90 budget and future budgets, this program is to be funded from general fund/program receipts. (Department backup is attached to this fiscal note.)

Prepared by: _____ Phone: 465-4958
Division: Senator Rick Halford, Co-chairman Date: _____
Senate Finance Committee

Approved by Commissioner: _____ Date: _____
Agency: _____

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 141 (2d L&C)

PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to hazardous painting certification."
Sponsor: Josephson, et al.
Requestor: Senate Finance

Agency Affected: Labor
BRU: Labor Standards and Safety
Components: Occupational Safety and Health

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CONTRACTUAL		11.4	17.3	17.8	18.4	18.9
SUPPLIES		0.9	1.4	1.4	1.5	1.5
EQUIPMENT		1.6	0.0	0.0	0.0	0.0
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	82.4	101.2	101.9	102.7	103.4

CAPITAL						
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REVENUE	0.0	100.0	150.0	50.0	100.0	150.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	82.4	101.2	101.9	102.7	103.4
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	82.4	101.2	101.9	102.7	103.4

POSITIONS:

FULL-TIME	2.0	2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Tom Stuart, Director Phone: 465 - 4870
Division: Labor Standards & Safety Date: 3/4/88

Approved by Commissioner: Jim Sampson Date: 3/4/88
Agency: Department of Labor

Distribution (by preparer) :
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

MAR 3 1988
LEGISLATIVE FINANCE

Fiscal Note Analysis
CSSB 141 (2d L & C)

This bill would require the department to adopt regulations covering persons who are employed in "hazardous painting." The department would issue certificates, for a fee, to persons who complete an approved training course. The department would also enforce the provisions of the bill by inspections and through the issuance of citations.

Expenditures:

In order to effectively administer this program the department would require two new positions, an Industrial Hygienist I, and a Clerk Typist III. The Industrial Hygienist would help develop the required regulations and training program guidelines. Also, a tracking system would be created to monitor approved training programs and to account for certificates and fees. This position would travel to inform employer and employee organizations of the new law.

The Clerk Typist III would begin work nine months after the Hygienist. This would allow time for the regulations to be developed and implemented. The Clerk would then process the requests for certification and operate the in-house tracking systems.

Revenues:

It is estimated that 1,000 persons will take the required training course and apply for a certificate during the last six months of FY 1989. During the second year, the number of applications is expected to increase to 1,500 as most persons who want to be certified will have completed training by the end of FY 1990. During the third year, the number of applicants is estimated to drop to approximately 500 as only new entrants into the painting occupation will need certification. In FY 92 and FY 93, activity is expected to increase as persons who received certificates in FY 89 and FY 90 must be re-certified. (The certification will be valid for three years).

Estimated Revenue:

	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>
Certificates Issued	1,000	1,500	500	1,000	1,500
Fee	<u>\$ 100</u> \$100,000	<u>\$ 100</u> \$150,000	<u>\$ 100</u> \$50,000	<u>\$ 100</u> \$100,000	<u>\$ 100</u> \$150,000

Assumptions:

1. An effective date of July 1, 1988 for the program except for the certification requirement that will go into effect on May 15, 1989.
2. The certificate fee would be established at \$100.
3. Inflation on non-personal services items will be 3% per year.

March 2, 1988
FIS3-sb-141

Position Title Industrial Hygienist I			No. of Positions 1	Range/Step 19A	Barg. Unit GGU
Time Status PFT	Staff Months 12		Location Anchorage		Election District
Type of Expenditure			Justification		
Amount			<p>This position would work on developing the required regulations and training programs necessitated by the bill. Also, the position would develop an in-house system to keep track of the training programs and certificate holders. As training programs are implemented, this position would ensure compliance with the provisions of this bill.</p> <p>Costs include \$10,000 for travel to inform workers and employers of the new law. Normal contractual, commodities, and one-time furniture purchases are also included.</p>		
1	2	3			
Salary	\$40,032				
Benefits	12,009				
Premium Pay					
Other					
Total Personal Services		\$52,041			
Travel		10,000			
Contractual		9,700			
Commodities		700			
Equipment		1,600			
Other					
Total Cost		\$74,041			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	\$74,041			
GF Program Receipts	1005				
Other					

**Request For
New Position**

Agency Labor
 BRU Occupational Safety & Health
 Component Occupational Safety & Health

Page 4 of 5
 Revised Date

FY 89

Position Title Clerk Typist III		No. of Positions 1	Range/Step 8A	Barg. Unit GGU
Time Status PFT	Staff Months 3	Location Anchorage		Election District
Type of Expenditure		Justification		
1	2	3		
Salary	\$4,893	<p>This clerical position would provide support for the in-house tracking system and would process the requests for certification. Costs include normal contractual and commodities.</p> <p>The position would start nine months after the program has begun to allow time for the regulations and tracking system to be implemented. The position would work 12 months after the first year.</p>		
Benefits	1,614			
Premium Pay				
Other				
Total Personal Services	\$6,507			
Travel		0		
Contractual		1,700		
Commodities		150		
Equipment		0		
Other				
Total Cost		\$8,357		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	\$8,357		
GI* Program Receipts	1005			
Other				

**Request For
New Position**

Agency Labor
 BRU Occupational Safety & Health
 Component Occupational Safety & Health

Page 5 of 5
 Revised Date

FY 89

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An act relating to hazardous painting certification."
Sponsor: Josephson
Requestor: Senate Judiciary

Agency Affected: Labor
BRU: Labor Standards and Safety
Components: Occupational Safety and Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		64.8	77.5	77.5	77.5	77.5
TRAVEL		10.0	5.0	5.2	5.3	5.5
CONTRACTUAL		13.2	17.3	17.8	18.4	18.9
SUPPLIES		1.1	1.4	1.4	1.5	1.5
EQUIPMENT		1.6	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	90.7	101.2	101.9	102.7	103.4

CAPITAL						
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REVENUE	0	100.0	150.0	50.0	100.0	150.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND		90.7	101.2	101.9	102.7	103.4
FEDERAL FUNDS						
OTHER						
TOTAL	0	90.7	101.2	101.9	102.7	103.4

POSITIONS:

FULL-TIME		2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Tom Stuart, Director Phone: 465-4870
Division: Labor Standards and Safety Date: 1/15/88

Approved by Commissioner: Jim Sampson Date: 1/15/88
Agency: Labor

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

*Only this
FN
appears in
SFC files*

Fiscal Note Analysis
CSSB 141 (L&C)

This bill would require the department to adopt regulations covering persons who are employed in "hazardous painting." The department would issue certificates, for a fee, to persons who complete an approved training course. The department would also enforce the provisions of the bill by inspections and through the issuance of citations.

Expenditures:

In order to effectively administer this program the department would require two new positions, an Industrial Hygienist I, and a Clerk Typist III. The Industrial Hygienist would help develop the required regulations and training program guidelines. Also, a tracking system would be created to monitor approved training programs and to account for certificates and fees. This position would travel to inform employer and employee organizations of the new law.

The Clerk Typist III would begin work six months after the Hygienist. This would allow time for the regulations to be developed and implemented. The Clerk would then process the requests for certification and operate the in-house tracking systems.

Revenues:

It is estimated that 1,000 persons will take the required training course and apply for a certificate during the last six months of FY 1989. During the second year, the number of applications is expected to increase to 1,500 as most persons who want to be certified will have completed training by the end of FY 1990. During the third year, the number of applicants is estimated to drop to approximately 500 as only new entrants into the painting occupation will need certification. In FY 92 and FY 93, activity is expected to increase as persons who received certificates in FY 89 and FY 90 must be re-certified. (The certification will be valid for three years).

Estimated Revenue:

	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>
Certificates Issued	1,000	1,500	500	1,000	1,500
Fee	$\frac{\$ 100}{\$100,000}$	$\frac{\$ 100}{\$150,000}$	$\frac{\$ 100}{\$50,000}$	$\frac{\$ 100}{\$100,000}$	$\frac{\$ 100}{\$150,000}$

Assumptions:

1. An effective date of July 1, 1988 for the program except for the certification requirement that will go into effect on January 1, 1989.
2. The certificate fee would be established at \$100.
3. Inflation on non-personal services items will be 3% per year.

Position Title Industrial Hygienist I		No. of Positions 1	Range/Step 19A	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location Anchorage		Election District
Type of Expenditure		Justification		
1	2	3		
Salary	40,032	This position would work on developing the required regulations and training programs necessitated by the bill. Also, the position would develop an in-house system to keep track of the training programs and certificate holders. As training programs are implemented, this position would ensure compliance with the provisions of this bill.		
Benefits	12,009			
Premium Pay				
Other				
Total Personal Services		52,041		
Travel		10,000		
Contractual		9,700		
Commodities		700		
Equipment		1,600		
Other				
Total Cost		74,041		
Funding Source for Total Cost		Costs include \$10,000 for travel to inform workers and employers of the new law. Normal contractual, commodities and one-time furniture purchases are also included.		
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	74,041		
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Labor
 BRU Occupational Safety and Health
 Component Occupational Safety and Health

Page 4 of 5
 Revised Date

FY 89

Position Title Clerk Typist III		No. of Positions 1	Range/Step 8A	Barg. Unit GGU
Time Status PFT	Staff Months 6	Location Anchorage		Election District
Type of Expenditure		Amount		
1	2	3		
Salary	9,786			
Benefits	2,936			
Premium Pay	--			
Other	--			
Total Personal Services		12,722		
Travel		0		
Contractual		3,522		
Commodities		350		
Equipment		0		
Other		0		
Total Cost		16,594		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	16,594		
GF Program Receipts	1005			
Other				
Justification				
<p>This clerical position would provide support for the in-house tracking system and would process the requests for certification. Costs include normal contractual and commodities.</p> <p>The position would start six months after the program has begun to allow time for the regulations and tracking system to be implemented. The position would work 12 months after the first year.</p>				

**Request For
New Position**

Agency Labor
 BRU Occupational Safety and Health
 Component Occupational Safety and Health

Page 5 of 5
 Revised Date

FY 89

1 IN THE SENATE

BY JOSEPHSON

2

SENATE BILL NO. 141

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to hazardous painting certification."

7

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 18 is amended by adding a new chapter to read:

10

CHAPTER 63. HAZARDOUS PAINTING CERTIFICATION.

11

Sec. 18.63.010. HAZARDOUS PAINTING CERTIFICATE REQUIRED. A

12

person may not be employed to perform hazardous painting without having in actual possession a current valid hazardous painting certificate issued by the department.

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Sec. 18.63.020. ISSUANCE OF CERTIFICATE. (a) An application

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for issuance of a hazardous painting certificate shall be on a form prescribed by the department. An application for initial issuance of a certificate shall include proof that the applicant completed an approved basic hazardous painting certificate program not more than 30 days before the application was received by the department. An application for certificate renewal shall include proof that the applicant completed an approved supplemental hazardous painting certificate program not more than 30 days before the date the application was received by the department.

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(b) The department shall issue a hazardous painting certificate to an applicant who has completed an application and submitted a certificate fee. A certificate is valid for three years.

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Sec. 18.63.030. FEE. The commissioner shall establish the triennial fee for a hazardous painting certificate by regulation.

29

1 Sec. 18.63.040. CERTIFICATE PROGRAMS. (a) The department shall
2 (1) establish requirements for basic and supplemental
3 hazardous painting certificate programs;

4 (2) review, and approve or disapprove, programs proposed by
5 contractors, labor organizations, public and private schools, voca-
6 tional education institutions, and others;

7 (3) assist persons who propose programs to meet require-
8 ments for approval.

9 (b) A basic hazardous painting certificate program shall include
10 instruction and written and practical testing in methods of ventila-
11 tion, respirator selection, chemical reaction to body tissue, proper
12 use of painting tools, knowledge of relevant health and safety laws
13 and regulations, including relevant portions of 29 C.F.R. 1910, and
14 other appropriate subjects. A supplemental hazardous painting certif-
15 icate program shall include instruction and written and practical
16 training necessary to ensure that a person who completes the program
17 will be knowledgeable about new developments and changes related to
18 hazardous painting that have occurred since the person completed a
19 basic hazardous painting certificate program.

20 (c) A hazardous painting certificate program conducted by an
21 employer of a person enrolled in the program must also meet the re-
22 quirements of AS 18.60.066.

23 Sec. 18.63.050. INSPECTIONS AND CITATIONS. The department shall

24 (1) inspect job sites to assure that persons employed to
25 perform hazardous painting are certified and are performing the work
26 safely; and

27 (2) issue citations to persons who are performing hazardous
28 painting without being certified or without having a certificate on
29 their persons, and to their employers or contractors.

1 Sec. 18.63.060. REGULATIONS. The department may adopt regula-
2 tions necessary for the implementation of this chapter.

3 Sec. 18.63.070. PENALTY. The department may impose a civil fine
4 of not more than \$1,000 on a person who violates this chapter or a
5 regulation adopted under this chapter. In addition to imposing a
6 civil fine, the department may suspend or revoke a certificate, and
7 may require a person to again complete a basic or supplemental hazard-
8 ous painting certificate program as a condition of recertification.

9 Sec. 18.63.100. DEFINITIONS. In this chapter

10 (1) "department" means the Department of Labor;

11 (2) "hazardous painting" means the application of a pigment
12 containing or combined with a toxic or hazardous substance, as defined
13 in AS 18.60.105, in vaporized or liquid form to create a coating that
14 will adhere to a surface to protect or preserve the surface.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 29, 1988

SUBJECT: Hazardous painting certification
(CSSB 141 (2d L&C))

TO: Senator John Binkley
Senator Rick Halford *EW*
Co-Chairmen, Senate Finance Committee

FROM: Edward H. Hein
Legislative Counsel

The Senate Labor and Commerce Committee made an amendment to CSSB 141 (Jud) which does not achieve the result the committee intended as well as it could have, and which creates a needless and perhaps confusing redundancy.

At page 3, lines 18 - 22, of CSSB 141 (2d L&C), the committee inserted a new sentence specifying the penalty for a professional painter who violates Sec. 18.63.010(b). The penalty is the same as is already provided in the bill for any violation of AS 18.63. The intent of the committee, as I understand it, was to send a message to the Department of Labor that it is to fine the painter-employee, not the employer, when the painter lies about being certified.

A more appropriate place to have inserted this kind of provision is in Sec. 18.63.050, at page 3, lines 7 - 12. That section directs the department to issue citations to employers and contractors who violate Sec. 18.63.010(a). I would recommend at page 3, after line 12, inserting a new paragraph to read: "(3) issue citations to professional painters who violate AS 18.63.010(b)." Then I would delete the second sentence of Sec. 18.63.070, at page 3, lines 18 - 22.

If you have any questions or comments about this matter, feel free to contact me at your convenience.

cc: Senator Tim Kelly, Chairman
Senate Labor and Commerce Committee

EHH:gc
WKG2:09

*The attached proposed Finance
CS reflects the above changes.*

Bill No. Committee Substitute for
Senate Bill 141 (2d L&C)

Title "An Act relating to hazardous
painting certification."

Date March 7, 1988

Contact: Richard Arab
465-4856

Eileen Plate
465-2700

Committee Substitute for Senate Bill 141 is designed to assure the competency of persons employed to perform hazardous painting in the state and thereby prevent harmful exposures to workers who apply toxic and hazardous paints, to their co-workers and to the public.

Under the provisions of this bill, persons who are employed to perform hazardous painting must complete an approved training program and be certified. The training program would consist of instruction in and a demonstration of each person's knowledge and skill in using safe work practices and appropriate protective equipment. The bill limits the certification requirements to only the more hazardous painting applications and thereby excludes from the certification requirements low toxicity water-based paints widely used in residential painting.

Today, many solvents, metals, pesticides, isocyanates, and carcinogens are applied to surfaces in Alaska because highly resistant surfaces are needed for the harsh environment which exists in many parts of the state. Exposure to those toxic and hazardous substances can cause a variety of adverse health effects. For example:

- Nerve and brain damage, including memory and coordination impairment, result from chronic solvent exposures. Hepatitis and increased incidence of accidents also result from acute solvent exposures;
- Heavy metal poisoning occurs from exposure to lead, cadmium and other metals;
- Asthma and anaphylactic shock occurs from isocyanate exposures;
- Pesticide poisoning occurs from exposure to wood preservative additives such as penta chlorophenol.
- Heart attacks can occur from overexposure to methylene chloride; and
- Cancer can result from exposure to chromate paint pigments and benzene solvents;

These occupational diseases and injuries can be prevented by using appropriate work practices and proper protective equipment. The public and building occupants near painting projects can be better warned and protected by certified painters who use appropriate isolation and curing times. Workers' families, as well as other members of the community, need to be protected from the exposure to toxic material, such as lead chromate, brought home on the individual worker's person or clothing.

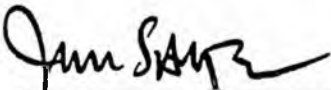
POSITION PAPER/Department of Labor

Under the provisions of this bill, the Department of Labor would establish minimum requirements for certification training programs; review and approve such programs; issue certificates to persons who present evidence of having completed an approved training program; and enforce the certification requirements.

The May 15, 1989 effective date set out in Section 3 of the bill will provide the lead time needed to develop the training program curriculum and to educate employers on the certification requirements. It will likewise provide industry with the lead time to have training programs in place and workers trained by the effective date.

The Department supports the provisions of this bill.

APPROVED:



Jim Sampson, Commissioner
Department of Labor

Original sponsors: Josephson, Sturgulewski
and Uehling

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR SENATE BILL NO. 141 (2d L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to hazardous painting certification;

7

and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 18 is amended by adding a new chapter to read:

10

CHAPTER 63. HAZARDOUS PAINTING CERTIFICATION.

11

Sec. 18.63.010. HAZARDOUS PAINTING CERTIFICATE REQUIRED. (a) A

12

person may not employ or contract with a professional painter to

13

perform hazardous painting for compensation unless the painter holds a

14

current valid hazardous painting certificate issued by the department.

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As a condition of employment, an employer may require a professional

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painter to provide a copy of the certificate. It is a defense to a

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violation of this subsection by an employer if the employer produces a

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copy of the painter's certificate and the employer reasonably believed

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the certificate was not falsified.

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(b) A professional painter may not provide a falsified hazardous

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painting certificate to an employer or make a false statement to an

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employer regarding the painter's certification.

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Sec. 18.63.020. ISSUANCE OF CERTIFICATE. (a) An application

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for issuance of a hazardous painting certificate shall be on a form

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prescribed by the department. An application for initial issuance of

26

a certificate shall include proof that the applicant completed an

27

approved basic hazardous painting certificate program not more than 30

28

days before the application was received by the department. An appli-

29

cation for certificate renewal shall include proof that the applicant

1 completed an approved supplemental hazardous painting certificate
2 program not more than 30 days before the date the application was
3 received by the department.

4 (b) The department shall issue a hazardous painting certificate
5 to an applicant who has completed an application and submitted a
6 certificate fee. A certificate is valid for three years.

7 Sec. 18.63.030. FEE. The commissioner shall establish the
8 triennial fee for a hazardous painting certificate by regulation. The
9 fee must reflect the department's approximate costs or projected costs
10 for the hazardous painting certification program.

11 Sec. 18.63.040. CERTIFICATE PROGRAMS. (a) The department shall

12 (1) establish requirements for basic and supplemental
13 hazardous painting certificate programs;

14 (2) review, and approve or disapprove, programs proposed by
15 contractors, labor organizations, public and private schools, voca-
16 tional education institutions, and others;

17 (3) assist persons who propose programs to meet require-
18 ments for approval.

19 (b) A basic hazardous painting certificate program must include
20 instruction and written and practical testing in methods of ventila-
21 tion, respirator selection, chemical reaction to body tissue, proper
22 use of painting tools, knowledge of relevant health and safety laws
23 and regulations, including relevant portions of state occupational
24 safety and health standards adopted by reference under 8 AAC 61.010,
25 and other appropriate subjects. A basic hazardous painting certifi-
26 cate program may not exceed 16 hours of instruction and testing. A
27 supplemental hazardous painting certificate program shall include
28 instruction and written and practical testing necessary to ensure that
29 a person who completes the program will be knowledgeable about new

1 developments and changes related to hazardous painting that have
2 occurred since the person completed a basic hazardous painting cer-
3 tificate program.

4 (c) A hazardous painting certificate program conducted by an
5 employer of a person enrolled in the program may include safety in-
6 struction required under AS 18.60.066.

7 Sec. 18.63.050. INSPECTIONS AND CITATIONS. The department shall

8 (1) inspect job sites to assure that persons performing
9 hazardous painting are certified as required under AS 18.63.010(a) and
10 are performing the work safely; and

11 (2) issue citations to persons who employ or contract with
12 a professional painter in violation of AS 18.63.010(a).

13 Sec. 18.63.060. REGULATIONS. The department may adopt regula-
14 tions necessary for the implementation of this chapter.

15 Sec. 18.63.070. PENALTY. The department may impose a civil fine
16 of not more than \$200 for a first violation, and not more than \$1,000
17 for a subsequent violation, of this chapter or a regulation adopted
18 under this chapter. If a professional painter makes a false statement
19 as to the painter's certification or shows a false certification to an
20 employer the department may impose a civil fine of not more than \$200
21 for a first violation, and not more than \$1,000 for a subsequent vio-
22 lation.

23 Sec. 18.63.100. DEFINITIONS. In this chapter

24 (1) "department" means the Department of Labor;

25 (2) "hazardous painting" means the application of a sub-
26 stance containing a pigment or containing or combined with a toxic or
27 hazardous substance, as defined in AS 18.60.105, in vaporized, liquid,
28 or particulate form to create a coating that will adhere to a surface
29 to protect or preserve the surface; "hazardous painting" does not

1 include the application of water-based paint that does not contain
2 emulsion epoxies or isocyanates;

3 (3) "professional painter" means a painting contractor, an
4 employee of a painting contractor, or a person engaged in the business
5 of painting, but does not include a casual laborer, a commercial
6 artist, or a person who creates artworks.

7 * Sec. 2. AS 18.63.020, 18.63.030, 18.63.040, 18.63.060, 18.63.070, and
8 18.63.100, added by sec. 1 of this Act, take effect immediately under
9 AS 01.10.070(c).

10 * Sec. 3. AS 18.63.010 and 18.63.050, added by sec. 1 of this Act, take
11 effect May 15, 1989.

Original sponsors: Josephson, Sturgulewski
and Uehling

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 141 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous painting certification;
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 63. HAZARDOUS PAINTING CERTIFICATION.

11 Sec. 18.63.010. HAZARDOUS PAINTING CERTIFICATE REQUIRED. A
12 person may not employ or contract with a professional painter to
13 perform hazardous painting for compensation unless the painter holds a
14 current valid hazardous painting certificate issued by the department.

15 Sec. 18.63.020. ISSUANCE OF CERTIFICATE. (a) An application
16 for issuance of a hazardous painting certificate shall be on a form
17 prescribed by the department. An application for initial issuance of
18 a certificate shall include proof that the applicant completed an
19 approved basic hazardous painting certificate program not more than 30
20 days before the application was received by the department. An appli-
21 cation for certificate renewal shall include proof that the applicant
22 completed an approved supplemental hazardous painting certificate
23 program not more than 30 days before the date the application was
24 received by the department.

25 (b) The department shall issue a hazardous painting certificate
26 to an applicant who has completed an application and submitted a
27 certificate fee. A certificate is valid for three years.

28 Sec. 18.63.030. FEE. The commissioner shall establish the
29 triennial fee for a hazardous painting certificate by regulation. The

1 fee must reflect the department's approximate costs or projected costs
2 for the hazardous painting certification program.

3 Sec. 18.63.040. CERTIFICATE PROGRAMS. (a) The department shall

4 (1) establish requirements for basic and supplemental
5 hazardous painting certificate programs;

6 (2) review, and approve or disapprove, programs proposed by
7 contractors, labor organizations, public and private schools, voca-
8 tional education institutions, and others;

9 (3) assist persons who propose programs to meet require-
10 ments for approval.

11 (b) A basic hazardous painting certificate program must include
12 instruction and written and practical testing in methods of ventila-
13 tion, respirator selection, chemical reaction to body tissue, proper
14 use of painting tools, knowledge of relevant health and safety laws
15 and regulations, including relevant portions of state occupational
16 safety and health standards adopted by reference under 8 AAC 61.010,
17 and other appropriate subjects. A basic hazardous painting certifi-
18 cate program may not exceed 16 hours of instruction and testing. A
19 supplemental hazardous painting certificate program shall include
20 instruction and written and practical testing necessary to ensure that
21 a person who completes the program will be knowledgeable about new
22 developments and changes related to hazardous painting that have
23 occurred since the person completed a basic hazardous painting cer-
24 tificate program.

25 (c) A hazardous painting certificate program conducted by an
26 employer of a person enrolled in the program may include safety in-
27 struction required under AS 18.60.066.

28 Sec. 18.63.050. INSPECTIONS AND CITATIONS. The department shall

29 (1) inspect job sites to assure that persons performing

1 hazardous painting are certified as required under AS 18.63.010 and
2 are performing the work safely; and

3 (2) issue citations to persons who employ or contract with
4 a professional painter in violation of AS 18.63.010.

5 Sec. 18.63.060. REGULATIONS. The department may adopt regula-
6 tions necessary for the implementation of this chapter.

7 Sec. 18.63.070. PENALTY. The department may impose a civil fine
8 of not more than \$200 for a first violation, and not more than \$1,000
9 for a subsequent violation, of this chapter or a regulation adopted
10 under this chapter.

11 Sec. 18.63.100. DEFINITIONS. In this chapter

12 (1) "department" means the Department of Labor;

13 (2) "hazardous painting" means the application of a sub-
14 stance containing a pigment or containing or combined with a toxic or
15 hazardous substance, as defined in AS 18.60.105, in vaporized, liquid,
16 or particulate form to create a coating that will adhere to a surface
17 to protect or preserve the surface; "hazardous painting" does not
18 include the application of water-based paint that does not contain
19 emulsion epoxies or isocyanates;

20 (3) "professional painter" means a painting contractor, an
21 employee of a painting contractor, or a person engaged in the business
22 of painting, but does not include a casual laborer, a commercial
23 artist, or a person who creates artworks.

24 * Sec. 2. AS 18.63.020, 18.63.030, 18.63.040, 18.63.060, 18.63.070, and
25 18.63.100, added by sec. 1 of this Act, take effect immediately under
26 AS 01.10.070(c).

27 * Sec. 3. AS 18.63.010 and 18.63.050, added by sec. 1 of this Act, take
28 effect January 1, 1989.

Original sponsors: Josephson, Sturgulewski
and Uehling

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR SENATE BILL NO. 141 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to hazardous painting certification;
and providing for an effective date."

7

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 18 is amended by adding a new chapter to read:

10

CHAPTER 63. HAZARDOUS PAINTING CERTIFICATION.

11

Sec. 18.63.010. HAZARDOUS PAINTING CERTIFICATE REQUIRED. A

12

person may not employ or contract with a professional painter to
perform hazardous painting for compensation unless the painter holds a
current valid hazardous painting certificate issued by the department.

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Sec. 18.63.020. ISSUANCE OF CERTIFICATE. (a) An application

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for issuance of a hazardous painting certificate shall be on a form
prescribed by the department. An application for initial issuance of
a certificate shall include proof that the applicant completed an
approved basic hazardous painting certificate program not more than 30

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days before the application was received by the department. An appli-
cation for certificate renewal shall include proof that the applicant
completed an approved supplemental hazardous painting certificate
program not more than 30 days before the date the application was
received by the department.

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(b) The department shall issue a hazardous painting certificate
to an applicant who has completed an application and submitted a
certificate fee. A certificate is valid for three years.

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Sec. 18.63.030. FEE. The commissioner shall establish the
triennial fee for a hazardous painting certificate by regulation. The

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1 fee must reflect the department's approximate costs or projected costs
2 for the hazardous painting certification program.

3 Sec. 18.63.040. CERTIFICATE PROGRAMS. (a) The department shall

4 (1) establish requirements for basic and supplemental
5 hazardous painting certificate programs;

6 (2) review, and approve or disapprove, programs proposed by
7 contractors, labor organizations, public and private schools, voca-
8 tional education institutions, and others;

9 (3) assist persons who propose programs to meet require-
10 ments for approval.

11 (b) A basic hazardous painting certificate program must include
12 instruction and written and practical testing in methods of ventila-
13 tion, respirator selection, chemical reaction to body tissue, proper
14 use of painting tools, knowledge of relevant health and safety laws
15 and regulations, including relevant portions of state occupational
16 safety and health standards adopted by reference under 8 AAC 61.010,
17 and other appropriate subjects. A basic hazardous painting certifi-
18 cate program may not exceed 16 hours of instruction and testing. A
19 supplemental hazardous painting certificate program shall include
20 instruction and written and practical training necessary to ensure
21 that a person who completes the program will be knowledgeable about
22 new developments and changes related to hazardous painting that have
23 occurred since the person completed a basic hazardous painting cer-
24 tificate program.

25 (c) A hazardous painting certificate program conducted by an
26 employer of a person enrolled in the program must also meet the re-
27 quirements of AS 18.60.066.

28 Sec. 18.63.050. INSPECTIONS AND CITATIONS. The department shall

29 (1) inspect job sites to assure that persons performing

1 hazardous painting are certified as required under AS 18.63.010 and
2 are performing the work safely; and

3 (2) issue citations to persons who employ or contract with
4 a professional painter in violation of AS 18.63.010.

5 Sec. 18.63.060. REGULATIONS. The department may adopt regula-
6 tions necessary for the implementation of this chapter.

7 Sec. 18.63.070. PENALTY. The department may impose a civil fine
8 of not more than \$1,000 on a person who violates this chapter or a
9 regulation adopted under this chapter.

10 Sec. 18.63.100. DEFINITIONS. In this chapter

11 (1) "department" means the Department of Labor;

12 (2) "hazardous painting" means the application of a sub-
13 stance containing a pigment or containing or combined with a toxic or
14 hazardous substance, as defined in AS 18.60.105, in vaporized, liquid,
15 or particulate form to create a coating that will adhere to a surface
16 to protect or preserve the surface; "hazardous painting" does not
17 include the application of water-based paint that does not contain
18 emulsion epoxies or isocyanates;

19 (3) "professional painter" means a painting contractor, an
20 employee of a painting contractor, or a person engaged in the business
21 of painting, but does not include a casual laborer, a commercial
22 artist, or a person who creates artworks.

23 * Sec. 2. AS 18.63.020, 18.63.030, 18.63.040, 18.63.060, 18.63.070, and
24 18.63.100, added by sec. 1 of this Act, take effect immediately under
25 AS 01.10.070(c).

26 * Sec. 3. AS 18.63.010 and 18.63.050, added by sec. 1 of this Act, take
27 effect July 1, 1988.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2-26-87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

FURTHER: JUDICIARY
Finance

2/23/87

DATE TURNED INTO OFFICE 5/15/87

Mr. President:

LABOR & COMMERCE Committee considered SB 141

~~relating to~~ hazardous painting certification..

and recommended:

replace with CS SB 141 (Ldc) same title
 attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Rich [unclear] No Pass
Mike [unclear]
Fab [unclear]

Tim Kelly - No Rec

Chairman signature and recommendation

Committee Backup Attached

notification of arising on 1-14-87

SENATE COMMITTEE REPORT

L E C

FURTHER: FINANCE

5/15/87

DATE TURNED INTO OFFICE _____

Mr. President:

JUDICIARY Committee considered SB 141

hazardous painting certification

and recommended:

replace with CS FOR SB 141 (Jud); same title
 or adopt CS FOR _____; new title
and a may needs do pass.

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

1 Joe Josephson
1 Curtis Stungulovich

2 Jim Lick No Rec.

Committee Backup Attached

Kuttala *Do pass*
Chairman signature and recommendation

SENATE COMMITTEE REPORT

FURTHER FINANCE

2/3/88

DATE TURNED INTO OFFICE 2/26/88

Mr. President:

Labor and Commerce Committee ^{re} Considered SB 141

hazardous painting certification

and recommended

replace with CS SB141 2nd (LIC) same title
 or adopt CS new title

attached amendment(s) and *and majority do pass*

do pass

do not pass

no recommendation

individual recommendations

further referral to _____ *FN*

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous

zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Pub. Kelly
Mike Szemura

Tim Kelly - No Rec
Chairman signature and recommendation

Committee Backup attached