

BILLS 1981 - 1982

HB 806 - HB 812

1576

1576

POSITION PAPER
CS for House Bill No. 806 (L&C)

"An Act relating to hazardous or toxic substances."

House Bill No. 806 requires the manufacturer and seller of hazardous or toxic substances to provide to the purchasers of these substances complete information as to the characteristics and precautions required when using. Any employer utilizing a substance included under this act must post a copy of the information for the employees to review plus provide training and safety gear. The employer must file with the Department of Labor annually, complete disclosures with regards to his activities and usage of the hazardous and toxic substances.

This bill imposes reasonable guidelines concerning handling of toxic and hazardous substances in manufacture and selling.

Minor recommendations include the following:

- 1) Under Section 18.60.051 consider adding "significant levels of toxic impurities if they exist in a mixture."
- 2) Under Section 18.60.071 consider change of mandatory requirements
- 3) Under Section 18.60.073c the confidentiality of medical records may be breached if it is left that the Department may "require." depending on size of employer e.g. less than ten.
- 4) Under Section 18.60.105 consider substances manufactured outside of the State and shipped in.

The Department supports the passage of this Bill.

Recommended by: E. S. Rabeau
E. S. Rabeau, M.D., Director
Division of Public Health

Date: 4-12-82

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date: 4-13-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for House Bill No. 806 (L&C)
 Title "An Act relating to hazardous or toxic substances."
 Requested by Commissioner's Office Rodgers Date 4/2/82

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Health/Public Health
 BRU, Program, Or Subprogram(s) Affected Communicable Disease Control/Epidemiology
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		0				
200 TRAVEL		3.0	3.3	3.6	4.0	4.4
300 CONTRACTUAL		3.0	3.3	3.6	4.0	4.4
400 COMMODITIES		3.0	3.3	3.6	4.0	4.4
500 EQUIPMENT		1.0	1.2	1.3	1.5	1.6
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		10.0	11.1	12.1	13.5	14.8

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		10.0	11.1	12.1	13.5	14.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This fiscal note covers the travel costs, training seminars, commodities and testing equipment that must be utilized by our Epidemiologists in investigating the effects of exposure in humans. As the petrochemical industry develops in Alaska more and more problems will develop, very little of the acute and chronic health effects will be known and when the risks are known they tend to be understated. As problems develop it will be incumbent upon the Epidemiologist to do in depth investigations.

The fiscal impact of this bill on the Department of Health and Social Services is due to the fact that the Department of Labor uses the epidemiological section of this department as a consultant on the hazards of toxic substances.

IV. DATE 4/12/82 PREPARED BY David Bruce
 AGENCY Dept. of Health & Social Services
 PHONE 465-3090

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

JCC

*H. Labor
H.R. 112*

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 806 (L & C)
 Title "An Act relating to hazardous or toxic substances."
 Requested by House Labor and Commerce Committee Date 4/1/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Worker Protection
 BRU, Program, or Subprogram(s) Affected Occupational Safety & Health
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	60.0	66.0	72.6	79.9	87.9
200 TRAVEL	0	9.3	5.2	5.7	6.3	7.0
300 CONTRACTUAL	0	20.4	22.4	24.7	27.2	29.8
400 COMMODITIES	0	1.5	1.7	1.8	2.0	2.2
500 EQUIPMENT	0	2.0	0	0	0	3.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	93.2	95.3	104.8	115.4	129.9

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	93.2	95.3	104.8	115.4	129.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	1	1	1	1	1
PART TIME	0	1	1	1	1	1
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes that the intent of the bill is to minimize harmful exposures to toxic and hazardous substances in work places in the state, and that the Department of Labor is to take a lead role in this effort.

As a result of this bill, two positions, an industrial hygienist and a seasonal (6 months) clerk typist, will be required.

This note assumes an effective date of July 1, 1982 and inflation rate of 10% per year.

IV. DATE 4/1/82 PREPARED BY *Nico Bus*
 AGENCY Department of Labor
 PHONE 465-2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

POSITION TITLE				GRADE/STEP	HARG. UNIT.	LOCATION	BOV.	APPROV.	DISAP.
1 Industrial Hygienist (Voluntary Compliance)				19B	G	Anchorage			
TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LOG.		
2 PFT	12	CSHB806	Not Assigned		N/A				
TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:				
1			2		<p>The Industrial Hygienist will evaluate and follow-up on the data filed with the department under the provisions of AS 18.60.072; will conduct research into which hazardous and toxic substances should be covered by the bill and develop the necessary regulations to carry out the intent of the bill; and will respond in a timely manner to the increase in requests for consultation and training services that will be experienced as a result of the focus this bill places on toxic and hazardous substances.</p> <p>Included in the contractual services costs are \$3,200 for space rent and 15.97% of salary for Management Services support.</p> <p>One-time costs are \$4,000 for moving expenses, \$500 in travel costs for training, and \$2,000 for equipment.</p>				
4 PERSONAL SERVICES:									
5 SALARY 3,146/month			37,752						
6 BENEFITS 15.92%			6,010						
7 SBS			2,188						
8 FIXED BENEFITS 160/month			1,920						
9 TOTAL PERSONAL SERVICES 01			47,870						
10 TRAVEL 02			9,250						
11 CONTRACTUAL 03			15,700						
12 COMMODITIES 04			1,000						
13 EQUIPMENT 05			2,000						
14 OTHER									
15 TOTAL COST			75,820						
RECEIPT CODE	FUNDING SOURCE								
15	FED RCPTS. 1002								
16	GF MATCH. 1003								
17	100	GEN. FUND 1001	75,820						
18	I-A RCPTS. 1005								
19	PGM RCPTS 1028								
20	OTHER								
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								
4A KEY NUMBER				COLUMN NO.					

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW
POSITION.

Page 1 of 2 REVISED
DATE _____

FY 83

1	POSITION TITLE Clerk Typist III			8B	G	LOCATION Anchorage	GOV.	APPROV.	DISAP.																												
2	TYPE OF POSITION Seasonal	STAFF MONTHS 6	RP No. CSHB806	PCN No. Not Assigned	PRIORITY	FORM 12 N/A	PAGE/LINE	LEG.																													
3	TYPE OF EXPENDITURE			AMOUNT																																	
	1	2	3																																		
4	PERSONAL SERVICES: SALARY 1,530/month x 6		9,180																																		
5	BENEFITS. 1592%		1,461																																		
6	SBS		563																																		
7	FIXED BENEFITS		960																																		
8	TOTAL PERSONAL SERVICES		01	12,164																																	
9	TRAVEL		02																																		
10	CONTRACTUAL		03	4,734																																	
11	COMMODITIES		04	500																																	
12	EQUIPMENT		05																																		
13	OTHER																																				
14	TOTAL COST			17,398																																	
<table border="1"> <thead> <tr> <th></th> <th>RECEIPT CODE</th> <th>FUNDING SOURCE</th> <th></th> </tr> </thead> <tbody> <tr> <td>15</td> <td></td> <td>FED RCPTS. 1002</td> <td></td> </tr> <tr> <td>16</td> <td></td> <td>CF MATCH. 1003</td> <td></td> </tr> <tr> <td>17</td> <td>100</td> <td>GEN. FUND 1004</td> <td>17,398</td> </tr> <tr> <td>18</td> <td></td> <td>I-A RCPTS. 1005</td> <td></td> </tr> <tr> <td>19</td> <td></td> <td>PGM RCPTS 1028</td> <td></td> </tr> <tr> <td>20</td> <td></td> <td>OTHER</td> <td></td> </tr> </tbody> </table>											RECEIPT CODE	FUNDING SOURCE		15		FED RCPTS. 1002		16		CF MATCH. 1003		17	100	GEN. FUND 1004	17,398	18		I-A RCPTS. 1005		19		PGM RCPTS 1028		20		OTHER	
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20		OTHER																																			
21	CONTINUATION																																				
22	ADDITION	X	FOR B&M USE ONLY																																		
4A KEY NUMBER _____ COLUMN NO. _____																																					

JUSTIFICATION:
 A seasonal clerk typist position will be needed to process the reports and other documents which will result from this bill.

 Included in the contractual services costs are \$1,600 for space rent and 15.97% of salary for Management Services support.

AGENCY Labor PROGRAM Worker Protection
 BRU Occupational Safety & Health
 COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

FY 33

COMMITTEE REPORT

HOUSE

42

FURTHER: FINANCE

(5)

2/15/82

Date: _____

Mr. Speaker:

The Committee on LABOR & COMMERCE has had HB 806

"An Act relating to hazardous or toxic substances."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for HB 806 [L & C] [] same title
and recommends as follows [X] new title

[] AND attaches a "Letter of Intent" [X] ~~Has~~ Fiscal Notes Supp 35

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Bruce Rose
Terry Mardis

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Bill [unclear] No Rec

Terry Mardis
CHAIRMAN

Lean

Original sponsor: Rogers

Offered: 4/2/82
Referred: Finance

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 806 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous or toxic substances; and
7 providing for an effective date."

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

9 * Section 1. AS 18.60.030 is amended by adding a new paragraph to read:

10 (12) adopt regulations further defining "hazardous substance"
11 (AS 18.60.105(11)) and "toxic substance" (AS 18.60.105(12)) and exclud-
12 ing from those definitions

13 (A) substances that because of their physical state,
14 volume, or concentration do not pose a health risk upon exposure;
15 and

16 (B) substances that are goods, drugs, cosmetics, or
17 tobacco products intended for personal consumption.

18 * Sec. 2. AS 18.60 is amended by adding new sections to read:

19 Sec. AS 18.60.051. MANUFACTURER TO PROVIDE HAZARDOUS OR TOXIC
20 SUBSTANCE INFORMATION. (a) The manufacturer of a hazardous or toxic
21 substance shall prepare and provide a person who purchases the hazardous
22 or toxic substance from the manufacturer with information specified in
23 (b) of this section that, to the best of the manufacturer's knowledge,
24 is current, accurate, and complete, based on information then reasonably
25 available to the manufacturer.

26 (b) The information that a manufacturer shall provide as required
27 in (a) of this section includes

28 (1) the chemical name, common name, and the CAS number of the
29 hazardous or toxic substance;

1 (2) the hazards or other risks in the use of the hazardous or
2 toxic substance, including

3 (A) the potential for fire, explosion, or reactivity;

4 (B) the known or suspected acute and chronic health
5 effects or risks from exposure;

6 (C) the potential avenues of exposure and symptoms of
7 overexposure;

8 (3) the proper precautions, handling practices, necessary
9 personal protective equipment, and other safety precautions in the use
10 of or exposure to the substance;

11 (4) the emergency procedures for spills, fire, disposal, and
12 first aid;

13 (5) a description in lay terms, if not otherwise provided, on
14 either a separate sheet or with the body of the information specified in
15 this section, of the specific potential health risks posed by the sub-
16 stance intended to alert a person reading the information;

17 (6) the month and year that the information was compiled and
18 the name and address of the manufacturer responsible for preparing the
19 information.

20 Sec. AS 18.60.052. WHOLESALER TO PROVIDE HAZARDOUS OR TOXIC SUB-
21 STANCE INFORMATION. (a) Except as provided in (b) of this section, a
22 wholesaler who sells a hazardous or toxic substance shall provide a
23 purchaser of the hazardous or toxic substance at the time of sale with a
24 copy of the most recent information listed under AS 18.60.051 unless the
25 purchaser indicates that

26 (1) he possesses that information; or

27 (2) he does not intend to use the substance in a workplace
28 frequented by persons other than the purchaser.

29 (b) The commissioner shall adopt regulations identifying the types

1 of hazardous or toxic substances that are required by federal law to be
2 labeled in a manner equivalent to the requirements of (a) of this sec-
3 tion. Those types of hazardous or toxic substances are excepted from
4 the provisions of (a) of this section.

5 Sec. 18.60.071. EMPLOYER TO PROVIDE HAZARDOUS SUBSTANCE INFOR-
6 MATION AND TRAINING. (a) An employer shall post in the workplace of
7 his employees the information listed in AS 18.60.051 if, as a result of
8 workplace operations, there is a hazardous or toxic substance present in
9 the workplace in a manner that employees may be exposed

10 (1) under normal conditions of work; or

11 (2) in a reasonably foreseeable emergency resulting from
12 workplace operations, including but not limited to equipment failure,
13 rupture of containers, or failure of control equipment, that may or do
14 result in a release of a hazardous or toxic substance into the work-
15 place.

16 (b) An employer required to comply with (a) of this section shall
17 furnish each new employee and, on request, any other employee with

18 (1) a copy of the information posted in accordance with (a)
19 of this section; and

20 (2) training at the employer's expense calculated to candidly
21 inform the employee of

22 (A) the location, properties, and known or suspected
23 acute and chronic health effects of the hazardous or toxic sub-
24 stances to which the employee is routinely exposed in the work-
25 place;

26 (B) the nature of the operations that could result in
27 exposure to these hazardous or toxic substances as well as any
28 necessary handling or hygienic practices or precautions;

29 (C) the purpose, proper use, and limitation of personal

1 protective equipment required by another occupational safety and
2 health standard or otherwise used in the workplace; and

3 (D) information required by AS 18.60.051.

4 Sec. 18.60.072. REPORTS TO BE FILED WITH DEPARTMENT. (a) A manu-
5 facturer, wholesaler, and employer who are subject to the requirements
6 of AS 18.60.051, 18.60.052, and 18.60.071, respectively, shall file with
7 the department an annual report that includes

8 (1) the information provided to purchasers and employees in
9 accordance with AS 18.60.051, 18.60.052, or 18.60.071 for each hazardous
10 or toxic substance specified by the department under (d) of this sec-
11 tion;

12 (2) the safety procedures and equipment actually used in the
13 workplace;

14 (3) the quantities of hazardous or toxic substances being
15 used or produced for those substances required by the department under
16 (d) of this section to be reported; and

17 (4) other information considered appropriate by the depart-
18 ment.

19 (b) A change in circumstances that would require modification of
20 the report filed under this section shall be immediately reported to the
21 department.

22 (c) The department shall comply with AS 18.60.099 to ensure pro-
23 tection of trade secrets divulged in the reports filed under this sec-
24 tion.

25 (d) The department shall adopt regulations specifying the hazar-
26 dous or toxic substances that are to be reported under this section.

27 Sec. 18.60.073. ACCESS TO RECORDS. (a) An employee, prospective
28 employee, or former employee of a manufacturer or employer subject to
29 AS 18.60.072 and physicians designated by any of these persons may

1 examine and copy a report filed with the department under AS 18.60.072
2 except for that information considered a trade secret under AS 18.60.-
3 099.

4 (b) An employee, prospective employee, former employee, a repre-
5 sentative of the commissioner, and physicians designated by any of these
6 persons may examine and copy exposure measurements taken to monitor
7 employee exposure to hazardous or toxic substances in the workplace.

8 (c) The department may require an employee or former employee of a
9 manufacturer or employer subject to AS 18.60.072 to furnish health and
10 exposure records and other information pertinent to an investigation by
11 the department of violations of AS 18.60.051, 18.60.052, or 18.60.071 -
12 18.60.073.

13 (d) The commissioner shall adopt regulations pertaining to access
14 to records and information that is required by AS 18.60.051, 18.60.052,
15 and 18.60.071 - 18.60.073. The regulations shall ensure that the depart-
16 ment, a purchaser of hazardous or toxic substances, and an employee
17 exposed to or who believes he is exposed to hazardous or toxic substances
18 have ready access to all information that is relevant to the purposes of
19 AS 18.60.051, 18.60.052, or 18.60.071 - 18.60.073 and not exempted from
20 disclosure as trade secrets.

21 Sec. 18.60.074. PUBLIC DISCLOSURE OF HAZARDOUS OR TOXIC SUBSTANCE
22 INFORMATION. The department may disclose to the public information
23 concerning hazardous or toxic substances and the circumstances under
24 which the public might be affected.

25 * Sec. 3. AS 18.60.195 is amended by adding new paragraphs to read:

26 (6) "CAS number" means the unique identification number
27 assigned by the Chemical Abstracts Service to specific chemical sub-
28 stances;

29 (7) "chemical name" means the scientific designation of a

1 substance in accordance with the nomenclature system developed by the
2 International Union of Pure and Applied Chemistry or the system developed
3 by the Chemical Abstracts Service;

4 (8) "common name" means a designation or identification such
5 as code name, code number, trade name, or brand name used to identify a
6 substance other than by its chemical name;

7 (9) "expose" or "exposure" means a situation arising from
8 work operation or usage where an employee or purchaser may ingest,
9 inhale, absorb through the skin or eyes, or otherwise come into contact
10 with a hazardous or toxic substance;

11 (10) "manufacturer" means a person who produces, synthesizes,
12 extracts, or otherwise makes a hazardous or toxic substance in the
13 state;

14 (11) "hazardous substance" means a chemical that

15 (A) is listed in the United States Department of Trans-
16 portation Hazardous Materials Table, 49 C.F.R. 172.101; and

17 (B) meets one or more of the following criteria for
18 hazard class:

19 (i) is a combustible substance;

20 (ii) is a compressed gas;

21 (iii) is an explosive;

22 (iv) is a flammable substance;

23 (v) is an organic peroxide; or

24 (vi) is an oxidizer; or

25 (C) is listed in a regulation adopted by the department
26 under AS 18.60.030(12);

27 (12) "toxic substance" means a chemical that is

28 (A) listed in the Toxic and Hazardous Substances section
29 of the regulations of the Occupational Health and Safety Act in 29

1 C.F.R. Part 1910, Subpart Z;

2 (B) listed in the most recent edition of the National
3 Institute for Occupational Safety and Health Registry of Toxic
4 Effects of Chemical Substances; or

5 (C) listed in a regulation adopted by the department
6 under AS 18.60.030(12);

7 (13) "wholesaler" means a dealer, distributor, or jobber who
8 sells a hazardous or toxic substance in the state to a person for use in
9 a workplace in a manner that subjects an employer to the requirements of
10 AS 18.60.071 or to a person who sells, or intends to sell, directly to
11 the consumer.

12 * Sec. 4. This Act takes effect January 1, 1983.
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12-2377
Lear

Introduced: 2/15/82
Referred: Labor & Commerce and
Finance

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 806

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous or toxic substances."

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

8 * Section 1. AS 18.60 is amended by adding new sections to read:

9 Sec. AS 18.60.051. MANUFACTURER TO PROVIDE HAZARDOUS OR TOXIC
10 SUBSTANCE INFORMATION. (a) The manufacturer of a hazardous or toxic
11 substance shall prepare and provide a person who purchases the hazardous
12 or toxic substance from the manufacturer with information specified in
13 (b) of this section that, to the best of the manufacturer's knowledge,
14 is current, accurate, and complete, based on information then reasonably
15 available to the manufacturer. For purposes of this section, a sub-
16 stance, mixture, or product is not considered a hazardous or toxic
17 substance if present in a physical state, volume, or concentration for
18 which there is no valid and substantial evidence that an adverse acute
19 or chronic risk to human health may occur from exposure.

20 (b) The information that a manufacturer shall provide as required
21 in (a) of this section includes

22 (1) the chemical name, common name, and the CAS number of the
23 hazardous or toxic substance;

24 (2) the hazards or other risks in the use of the hazardous or
25 toxic substance, including

26 (A) the potential for fire, explosion, or reactivity;

27 (B) the acute and chronic health effects or risks from
28 exposure;

29 (C) the potential avenues of exposure and symptoms of

1 overexposure;

2 (3) the proper precautions, handling practices, necessary
3 personal protective equipment, and other safety precautions in the use
4 of or exposure to the substance;

5 (4) the emergency procedures for spills, fire, disposal, and
6 first aid;

7 (5) a description in lay terms, if not otherwise provided, on
8 either a separate sheet or with the body of the information specified in
9 this section, of the specific potential health risks posed by the sub-
10 stance intended to alert a person reading the information;

11 (6) the month and year that the information was compiled and
12 the name and address of the manufacturer responsible for preparing the
13 information.

14 Sec. AS 18.60.052. SELLER OTHER THAN MANUFACTURER TO PROVIDE
15 HAZARDOUS OR TOXIC SUBSTANCE INFORMATION. (a) Except as provided in
16 (b) of this section, a person other than a manufacturer who sells a
17 hazardous or toxic substance shall provide a direct purchaser of the
18 hazardous or toxic substance at the time of sale with a copy of the most
19 recent information prepared and supplied under AS 18.60.051 unless the
20 purchaser indicates that he possesses that information.

21 (b) The commissioner shall adopt regulations identifying the types
22 of hazardous or toxic substances that are required by federal law to be
23 labeled in a manner equivalent to the requirements of (a) of this sec-
24 tion. Those types of hazardous or toxic substances are excepted from
25 the provisions of (a) of this section.

26 Sec. 18.60.071. EMPLOYER TO PROVIDE HAZARDOUS SUBSTANCE INFOR-
27 MATION AND TRAINING. (a) An employer shall post in the workplace of
28 his employees the information required by AS 18.60.051 if, as a result
29 of workplace operations, there is a hazardous or toxic substance present

1 in the workplace in a manner that employees may be exposed

2 (1) under normal conditions of work; or

3 (2) in a reasonably foreseeable emergency resulting from
4 workplace operations, including but not limited to equipment failure,
5 rupture of containers, or failure of control equipment, that may or do
6 result in a release of a hazardous or toxic substance into the workplace.

7 (b) An employer required to comply with (a) of this section shall
8 furnish each new employee and, on an annual basis, all other employees
9 with

10 (1) a copy of the information posted in accordance with (a)
11 of this section; and

12 (2) training at the employer's expense calculated to candidly
13 inform the employees of

14 (A) the location, properties, and acute and chronic
15 health effects of the hazardous or toxic substances to which the
16 employees are routinely exposed in the workplace;

17 (B) the nature of the operations that could result in
18 exposure to these hazardous or toxic substances as well as any
19 necessary handling or hygienic practices or precautions;

20 (C) the purpose, proper use, and limitation of personal
21 protective equipment required by any other Occupational Health and
22 Safety Act standard or otherwise used in the workplace; and

23 (D) information required by AS 18.60.051.

24 Sec. 18.60.072. REPORTS TO BE FILED WITH DIVISION. (a) A manufac-
25 turer, seller other than the manufacturer, and employer who are subject
26 to the requirements of AS 18.60.051, 18.60.052, and 18.60.071, respec-
27 tively, shall file with the division of occupational safety and health
28 an annual report that includes

29 (1) the information provided to purchasers and employees in

1 accordance with AS 18.60.051, 18.60.052, or 18.60.071;

2 (2) the safety procedures and equipment actually used in the
3 workplace;

4 (3) the quantities of hazardous or toxic substances being
5 used or produced; and

6 (4) other information considered appropriate by the division.

7 (b) A change in circumstances that would require modification of
8 the report filed under this section shall be immediately reported to the
9 division.

10 (c) The division shall comply with AS 18.60.099 to ensure protec-
11 tion of trade secrets divulged in the reports filed under this section.

12 Sec. 18.60.073. ACCESS TO RECORDS. (a) An employee, prospective
13 employee, or former employee of a manufacturer or employer subject to
14 AS 18.60.072 and physicians designated by any of these persons may
15 examine and copy a report filed with the division of occupational safety
16 and health under AS 18.60.072 except for that information considered a
17 trade secret under AS 18.60.099.

18 (b) An employee, prospective employee, former employee, a repre-
19 sentative of the director, and physicians designated by any of these
20 persons may examine and copy exposure measurements taken to monitor
21 employee exposure to hazardous or toxic substances in the workplace.

22 (c) The division may require an employee or former employee of a
23 manufacturer or employer subject to AS 18.60.072 to furnish health and
24 exposure records and other information pertinent to an investigation by
25 the division of violations of AS 18.60.051, 18.60.052, or 18.60.071 -
26 18.60.073.

27 Sec. 18.60.074. PUBLIC DISCLOSURE OF HAZARDOUS OR TOXIC SUBSTANCE
28 INFORMATION. The division of occupational safety and health may disclose
29 to the public information concerning hazardous or toxic substances and

1 the circumstances under which the public might be affected. The division
2 may not publicly disclose the name of the employer, manufacturer, or
3 seller who may be associated with the hazardous or toxic substance to
4 which the release of information pertains.

5 * Sec. 2. AS 18.60.105 is amended by adding new paragraphs to read:

6 (6) "CAS number" means the unique identification number
7 assigned by the Chemical Abstracts Service to specific chemical sub-
8 stances;

9 (7) "chemical name" means the scientific designation of a
10 substance in accordance with the nomenclature system developed by the
11 International Union of Pure and Applied Chemistry or the system developed
12 by the Chemical Abstracts Service;

13 (8) "common name" means a designation or identification such
14 as code name, code number, trade name, or brand name used to identify a
15 substance other than by its chemical name;

16 (9) "expose" or "exposure" means a situation arising from
17 work operation or usage where an employee or purchaser may ingest,
18 inhale, absorb through the skin or eyes, or otherwise come into contact
19 with a hazardous or toxic substance;

20 (10) "manufacturer" means a person who produces, synthesizes,
21 extracts, or otherwise makes a hazardous or toxic substance;

22 (11) "hazardous substance" means a chemical that

23 (A) is listed in the United States Department of Trans-
24 portation Hazardous Materials Table, 49 C.F.R. 192.101; and

25 (B) meets one or more of the following criteria for
26 hazard class:

27 (i) is a combustible substance;

28 (ii) is a compressed gas;

29 (iii) is an explosive;

1 (iv) is a flammable substance;

2 (v) is an organic peroxide; or

3 (vi) is an oxidizer;

4 (12) "toxic substance" means a chemical that is listed in the
5 Toxic and Hazardous Substances section of the regulations of the Occupa-
6 tional Health and Safety Act labeling standard in 29 C.F.R. Part 1910,
7 Subpart Z.
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CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

1 (iv) is a flammable substance;

2 (v) is an organic peroxide; or

3 (vi) is an oxidizer;

4 (12) "toxic substance" means a chemical that is listed in the
5 Toxic and Hazardous Substances section of the regulations of the Occupa-
6 tional Health and Safety Act labeling standard in 29 C.F.R. Part 1910,
7 Subpart Z.
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FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Committee Substitute for House Bill 806 No. 2 (2 attachments)
 Title "An Act relating to hazardous or toxic substances."
 Requested by House Labor and Commerce Date 3/16/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Worker Protection
 BRU, Program, or Subprogram(s) Affected Occupational Safety and Health
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	74.4	78.1	85.9	94.5	103.9
200 TRAVEL	0	9.3	4.8	5.3	5.8	6.4
300 CONTRACTUAL	0	23.9	26.3	28.9	31.8	35.0
400 COMMODITIES	0	2.0	2.2	2.4	2.7	2.9
500 EQUIPMENT	0	2.0	0	0	0	3.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	111.6	111.4	122.5	134.8	151.2

FUNDING (Thousands of Dollars)

GENERAL FUND	0	111.6	111.4	122.5	134.8	151.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	2	2	2	2	2
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes that the intent of the bill is to minimize harmful exposures to toxic and hazardous substances in work places in the state, and that the Department of Labor is to take a lead role in this effort.

As a result of this bill, two positions, an industrial hygienist and a clerk typist, will be required.

This note assumes an effective date of July 1, 1982 and inflation rate of 10% per year.

IV. DATE 3/16/82 PREPARED BY Nico Bus
 AGENCY Department of Labor
 PHONE 465-2720

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

DI-

1	POSITION TITLE Industrial Hygienist (Voluntary Compliance)			CHANGE/STEP 50B	BARG. UNIT. TC	LOCATION Anchorage	GOV. Fed.	APPROV.	DISAPP.						
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No. CSHB806	PCN No. NOT ASSIGNED	PRIORITY	FORM 12 PAGE/LINE N/A									
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:									
	1	2	3												
4	PERSONAL SERVICES: SALARY 20.44/hour		40,011	<p>The Industrial Hygienist will evaluate and follow-up on the data filed with the department under the provisions of AS 18.60.072, and to respond in a timely manner to the increase in requests for consultation and training services that will be experienced as a result of the focus this bill places on toxic and hazardous substances.</p> <p>Included in the contractual services costs are \$3,200 for space rent and 15.97% of salary for Management Services support.</p> <p>One time costs are \$4,000 for moving expenses, \$500 in travel costs for training and \$2,000 for equipment.</p>											
5	BENEFITS 15.92%		6,370												
6	SBS		2,188												
7	FIXED BENEFITS		1,574												
8	TOTAL PERSONAL SERVICES		50,143												
9	TRAVEL		9,250												
10	CONTRACTUAL		16,060												
11	COMMODITIES		1,000												
12	EQUIPMENT		2,000												
13	OTHER														
14	TOTAL COST		78,453												
15	RECEIPT CODE	FUNDING SOURCE													
16		FED RCPTS. 1002													
17	100	GF MATCH. 1003													
18		GEN. FUND 1004		78,453											
19		I-A RCPTS. 1005													
20		PGM RCPTS 1028													
21		OTHER													
21	CONTINUATION			FOR B&M USE ONLY											
22	ADDITION	X													
4A-KEY NUMBER				COLUMN NO.											

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION

Page 1 of 2 REVISED DATE _____

FY 83

1	POSITION TITLE Clerk Typist III			PAR. / STEP 8B	BAIG. UNIT. G	LOCATION Anchorage	GOV.	APPROV.	DISAPP.					
2	TYPE OF POSITION PFT	STAFF MONTHS 12	PP No. CSHR806	PCN No. NOT ASSIGNED	PRIORITY	FORM 12 N/A	PAGE/LINE							
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:								
	1	2	3											
4	PERSONAL SERVICES: SALARY 1,530/month		18,360		A clerk typist position will be needed to process the reports and other documents which will result from this bill. Included in the contractual services costs are \$3,200 for space rent and 15.97% of salary for Management Services support									
5	BENEFITS .1592%		2,923											
6	SBS		1,125											
7	FIXED BENEFITS		1,920											
8	TOTAL PERSONAL SERVICES 01		24,328											
9	TRAVEL 02													
10	CONTRACTUAL 03		7,800											
11	COMMODITIES 04		1,000											
12	EQUIPMENT 05													
13	OTHER													
14	TOTAL COST		33,128											
15	RECEIPT CODE	FUNING SOURCE												
16		FED RCPTS. 1002												
17	100	GF MATCH. 1003												
18		GEN. FUND 1004		33,128										
19		I-A RCPTS. 1005												
20		PGM RCPTS 1028												
20		OTHER												
21	CONTINUATION													
22	ADDITION		X FOR B&M USE ONLY											
4A KEY NUMBER		COLUMN NO.												

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

Page 2 of 2 REVISED DATE _____

FY 83

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill No. 806 #3 (2 attachments)
 Title "An Act relating to hazardous or toxic substances."
 Requested by Rogers Date 2-22-82

II. FISCAL DETAIL
 Agency Affected Department of Health and Social Services
 Program Category Affected Health/Public Health
 BRU, Program, Or Subprogram(s) Affected Communicable Disease Control/Epidemiology
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		0				
200 TRAVEL		3.0	3.3	3.6	4.0	4.4
300 CONTRACTUAL		3.0	3.3	3.6	4.0	4.4
400 COMMODITIES		3.0	3.3	3.6	4.0	4.4
500 EQUIPMENT		1.0	1.2	1.3	1.5	1.6
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		10.0	11.1	12.1	13.5	14.8

FUNDING (Thousands of Dollars)

GENERAL FUND		10.0	11.1	12.1	13.5	14.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

All inflation at 10%

This fiscal note covers the travel costs, training seminars, commodities and testing equipment that must be utilized by our Epidemiologists in investigating the effects of exposure in humans. As the petrochemical industry develops in Alaska more and more problems will develop, very little of the acute and chronic health effects will be known and when the risks are known they tend to be understated. As problems develop it will be incumbent upon the Epidemiologist to do in depth investigations.

The fiscal impact of this bill on the Department of Health and Social Services is due to the fact that the Department of Labor uses the epidemiological section of this department as a consultant on the hazards of toxic substances.

IV. DATE 2-22-82 PREPARED BY David Bruce
 AGENCY Dept. of Health & Social Services
 Original: Legislative Finance PHONE 465-3090
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

JCC

1	POSITION TITLE Industrial Hygienist (Voluntary Compliance)			RANGE/STEP 50B	BARG. UNIT. LTC	LOCATION Anchorage	APPROV. [Signature]	DISAPP. [Signature]
2	TYPE OF POSITION PFT	STAFF MONTHS 6	RP No. CSHB806 AM	PCN No. NOT ASSIGNED	PRIORITY	FORM 12 PAGE/LINE N/A	APPROV. [Signature]	DISAPP. [Signature]
3	TYPE OF EXPENDITURE			AMOUNT				
	1	2	3					
4	PERSONAL SERVICES:							
	SALARY	3,146/month X 6 months	18,876					
5	BENEFITS	15.92%	3,005					
6	SBS		1,094					
7	FIXED BENEFITS		960					
8	TOTAL PERSONAL SERVICES		01	23,935				
9	TRAVEL		02	6,875				
10	CONTRACTUAL		03	7,850				
11	COMMODITIES		04	500				
12	EQUIPMENT		05	2,000				
13	OTHER							
14	TOTAL COST			41,160				
JUSTIFICATION:								
<p>The Industrial Hygienist will evaluate and follow-up on the data filed with the department under the provisions of AS 18.60.072; will conduct research into which hazardous and toxic substances should be covered by the bill and develop the necessary regulations to carry out the intent of the bill; and will respond in a timely manner to the increase in requests for consultation and training services that will be experienced as a result of the focus this bill places on toxic and hazardous substances.</p> <p>Included in the contractual services costs are \$1,600 for space rent and 15.97% of salary for Management Services support.</p> <p>One time costs are \$4,000 for moving expenses, \$500 in travel costs for training and \$2,000 for equipment.</p>								
	RECEIPT CODE	FUNDING SOURCE						
15		FED RCPTS. 1002						
16		GF MATCH. 1001						
17	100	GEN. FUND 1001		41,160				
18		I-A RCPTS 1005						
19		PGM RCPTS 1028						
20		OTHER						
21	CONTINUATION							
22	ADDITION	X	FOR B&M USE ONLY					
AA-KEY NUMBER _____ COLUMN NO. _____								

AGENCY Labor PROGRAM Worker Protection
 BRU Occupational Safety & Health
 COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

FY 83

1	Clock Typist III	BB	G	Anchorage	GOV	
2	PERSONAL	6	CSHB806	Not Assigned	FORM 12	PAGE/LINE
					N/A	

1	TYPE OF EXPENDITURE	2	AMOUNT
	1	2	3
4	PERSONAL SERVICES:		
	SALARY 1,530/month x 6	9,180	
	BENEFITS 15.92%	1,461	
	SBS	563	
7	FIXED BENEFITS	960	
	TOTAL PERSONAL SERVICES		12,164
	TRAVEL		
3	CONTRACTUAL		4,734
	BENEFITS		500
	TRAVEL		
	OTHER		
	TOTAL CONTRACTUAL		17,398

JUSTIFICATION:
 A seasonal clerk typist position will be needed to process the reports and other documents which will result from this bill.

Included in the contractual services costs are \$1,600 for space rent and 15.97% of salary for Management Services support.

1	FUNDING SOURCE	2	AMOUNT
100	FED HCPTS		
	STATE		
	GEN FUND		17,398
	TRANSCTS		
	PGM HCPTS		
	OTHER		

CONTINUATION
 ADDITION FOR BSM USE ONLY

AA AGENCY NUMBER _____ COLLEGE NO. _____

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health
 COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION

2 HB 806

17 30

ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND... Session

HOUSE ... BILL..... NO. 806...

By ..Rogers.....

"An Act relating to hazardous or toxic substances."

hazardous substances

Introduced in the House 2/15, 19 82

HISTORY IN THE HOUSE

19 82

2 15

Read first time and referred to Committee on Labor & Commerce and Finance
Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

POSITION PAPER
CS for House Bill No. 806 (L&C)

"An Act relating to hazardous or toxic substances."

House Bill No. 806 requires the manufacturer and seller of hazardous or toxic substances to provide to the purchasers of these substances complete information as to the characteristics and precautions required when using. Any employer utilizing a substance included under this act must post a copy of the information for the employees to review plus provide training and safety gear. The employer must file with the Department of Labor annually, complete disclosures with regards to his activities and usage of the hazardous and toxic substances.

This bill imposes reasonable guidelines concerning handling of toxic and hazardous substances in manufacture and selling.

Minor recommendations include the following:

- 1) Under Section 18.60.051 consider adding "significant levels of toxic impurities if they exist in a mixture."
- 2) Under Section 18.60.071 consider change of mandatory requirements depending on size of employer e.g. less than ten.
- 3) Under Section 18.60.105 consider substances manufactured outside of the State and shipped in.
- 4) Under Section 18.60.073c the confidentiality of medical records may be breached if it is left that the Department may "require."

The Department supports the passage of this Bill.

Recommended by: E. S. Rabeau
E. S. Rabeau, M.D., Director
Division of Public Health

Date: March 15, 1982

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date: 3-16-82

Bill No. Committee Substitute for House Bill 806

Date March 12, 1982

Title "An Act relating to hazardous or toxic substances."

Contact: Judy Knight
465-270

Judy Knight
Richard Arab
Richard Arab
465-4856

As part of its occupational safety and health program, the Department of Labor enforces regulations to protect employees from certain hazardous and toxic substances, and provides consultation and training services to employers and employees on the safe handling and use of these substances. The department's occupational safety and health staff can presently only cover approximately seven percent of Alaska worksites during a year. Because it has historically been difficult to identify specific workplaces in the state where toxic and hazardous substances are present, the reporting provisions of this bill would enhance the department's efforts to direct its limited occupational safety and health resources to those workplaces where hazardous exposures actually exist.

Often employers and employees are not aware of the toxic or other harmful qualities of a particular substance being used or handled in the workplace. The labeling and training requirements provided in this bill would go a long way toward filling this void. This would, in turn, effect implementation of protective measures or controls by the employer to safeguard his employees.

Many employees would, no doubt, look to the Department of Labor for assisting them in providing the required training and in implementing effective protective measures. Accordingly, if this bill is passed, we would anticipate an increase in the demand for consultative and training services. A fiscal note is attached which reflects the costs associated with providing the increased services.

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 806 (L&C) No. 1
 Title "An Act relating to hazardous or toxic substances."
 Requested by House Labor and Commerce Committee Date 4/1/82

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Worker Protection
 BRU, Program, or Subprogram(s) Affected Occupational Safety & Health
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY82	FY 83	FY 84	FY 85	FY86	FY87
100 PERSONAL SERVICES	0	36.1	66.0	72.6	79.9	87.9
200 TRAVEL	0	6.9	5.2	5.7	6.3	7.0
300 CONTRACTUAL	0	12.6	24.2	26.7	29.3	32.2
400 COMMODITIES	0	1.0	1.7	1.8	2.0	2.2
500 EQUIPMENT	0	2.0	0	0	0	3.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	58.6	97.1	106.8	117.5	132.3

FUNDING (Thousands of Dollars)

GENERAL FUND	0	58.6	97.1	106.8	117.5	132.3
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	1	1	1	1	1
PART TIME SEASONAL	0	1	1	1	1	1
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes that the intent of the bill is to minimize harmful exposures to toxic and hazardous substances in work places in the state, and that the Department of Labor is to take a lead role in this effort.

As a result of this bill, two positions, an industrial hygienist and a seasonal (6 months) clerk typist, will be required.

This note assumes an effective date of January 1, 1983 and inf. rate of 10% per year.

IV. DATE 4/1/82 PREPARED BY Nico Bus
 AGENCY Department of Labor
 PHONE 465-2720

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

16206

#2

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 806

Title "An Act relating to hazardous or toxic substances."

Requested by House Labor and Commerce

RECEIVED

Date 3/16/82

MAR 18 1982

II. FISCAL DETAIL

LEGISLATIVE FINANCE

Agency Affected Labor

Program Category Affected Worker Protection

BRU, Program, or Subprogram(s) Affected Occupational Safety and Health

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	74.4	73.1	85.9	94.5	103.9
200 TRAVEL	0	9.3	4.8	5.3	5.8	6.4
300 CONTRACTUAL	0	23.9	26.3	28.9	31.8	35.0
400 COMMODITIES	0	2.0	2.2	2.4	2.7	2.9
500 EQUIPMENT	0	2.0	0	0	0	3.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	111.6	111.4	122.5	134.8	151.2

FUNDING (Thousands of Dollars)

GENERAL FUND	0	111.6	111.4	122.5	134.8	151.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	2	2	2	2	2
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes that the intent of the bill is to minimize harmful exposures to toxic and hazardous substances in work places in the state, and that the Department of Labor is to take a lead role in this effort.

As a result of this bill, two positions, an industrial hygienist and a clerk typist, will be required.

This note assumes an effective date of July 1, 1982 and inflation rate of 10% per year.

IV. DATE 3/16/82

PREPARED BY Nico Bus
 AGENCY Department of Labor
 PHONE 465-2720

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

1	POSITION TITLE Industrial Hygienist (Voluntary Compliance)			RANGE/STEP 50B	BARG. UNIT. TC	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No. CSHB806	PCN No. NOT ASSIGNED	PRIORITY	FORM 12 PAGE/LINE N/A	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		<p>JUSTIFICATION:</p> <p>The Industrial Hygienist will evaluate and follow-up on the data filed with the department under the provisions of AS 18.60.072, and to respond in a timely manner to the increase in requests for consultation and training services that will be experienced as a result of the focus this bill places on toxic and hazardous substances.</p> <p>Included in the contractual services costs are \$3,200 for space rent and 15.97% of salary for Management Services support.</p> <p>One time costs are \$4,000 for moving expenses, \$500 in travel costs for training and \$2,000 for equipment.</p>			
	1	2	3						
4	PERSONAL SERVICES: SALARY 20.44/hour		40,011						
5	BENEFITS 15.92%		6,370						
6	SBS		2,188						
7	FIXED BENEFITS		1,574						
8	TOTAL PERSONAL SERVICES		50,143						
9	TRAVEL		9,250						
10	CONTRACTUAL		16,060						
11	COMMODITIES		1,000						
12	EQUIPMENT		2,000						
13	OTHER								
14	TOTAL COST		78,453						
	RECEIPT CODE	FUNDING SOURCE							
15		FED RCPTS. 1002							
16		GF MATCH. 1003							
17	100	GEN. FUND 1004		78,453					
18		I-A RCPTS. 1005							
19		PGM RCPTS 1028							
20		OTHER							
21	CONTINUATION								
22	ADDITION		X FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

AGENCY Labor PROGRAM Worker Protection

BRI Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

Page 1 of 2 REVISED DATE _____

FY 83

1	POSITION TITLE Clerk Typist III			RANGE/STEP 8B	BARG. UNIT. G	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No. CSHB806	PCN No. NOT ASSIGNED	PRIORITY	FORM 12 N/A	PAGE/LINE	LEG.	

3	TYPE OF EXPENDITURE	AMOUNT
	1	2
4	PERSONAL SERVICES: SALARY 1,530/month	18,360
5	BENEFITS .1592%	2,923
6	SBS	1,125
7	FIXED BENEFITS	1,920
8	TOTAL PERSONAL SERVICES 01	24,328
9	TRAVEL 02	
10	CONTRACTUAL 03	7,800
11	COMMODITIES 04	1,000
12	EQUIPMENT 05	
13	OTHER	
14	TOTAL COST	33,128

JUSTIFICATION:
 A clerk typist position will be needed to process the reports and other documents which will result from this bill.
 Included in the contractual services costs are \$3,200 for space rent and 15.97% of salary for Management Services support

	RECEIPT CODE	FUNDING SOURCE
15		FED RCPTS. 1002
16		GF MATCH. 1003
17	100	GEN. FUND 1004
18		I-A RCPTS. 1005
19		PGM RCPTS 1028
20		OTHER

21 CONTINUATION
 22 ADDITION X **FOR B&M USE ONLY**

4A KEY NUMBER _____ COLUMN NO. _____

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

Page 2 of 2 REVISED DATE _____

FY 83

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 806 ^{#3} (2 attachments)
Title "An Act relating to hazardous or toxic substances."
Requested by Rogers Date 2-22-82

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
Program Category Affected Health/Public Health
BRU, Program, Or Subprogram(s) Affected Communicable Disease Control/Epidemiology
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		0				
200 TRAVEL		3.0	3.3	3.6	4.0	4.4
300 CONTRACTUAL		3.0	3.3	3.6	4.0	4.4
400 COMMODITIES		3.0	3.3	3.6	4.0	4.4
500 EQUIPMENT		1.0	1.2	1.3	1.5	1.6
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		10.0	11.1	12.1	13.5	14.8

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		10.0	11.1	12.1	13.5	14.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

All inflation at 10%

This fiscal note covers the travel costs, training seminars, commodities and testing equipment that must be utilized by our Epidemiologists in investigating the effects of exposure in humans. As the petrochemical industry develops in Alaska more and more problems will develop, very little of the acute and chronic health effects will be known and when the risks are known they tend to be understated. As problems develop it will be incumbent upon the Epidemiologist to do in depth investigations.

The fiscal impact of this bill on the Department of Health and Social Services is due to the fact that the Department of Labor uses the epidemiological section of this department as a consultant on the hazards of toxic substances.

IV. DATE 2-22-82 PREPARED BY David Bruce
AGENCY Dept. of Health & Social Services

Original: Legislative Finance PHONE 465-3090
cc: Budget and Management
Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

JCC

1	POSITION TITLE Industrial Hygienist (Voluntary Compliance)			RANGE/STEP 50B	BARG. UNIT. LTC	LOCATION Anchorage	BOV	APPROV	DIBAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 6	RP No. CSHB806 AM	PCN No. NOT ASSIGNED	PRIORITY	FORM 12 PAGE/LINE N/A	LIC		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES: SALARY 3,146/month X 6 months			18,876					
5	BENEFITS 15.92%			3,005					
6	SBS			1,094					
7	FIXED BENEFITS			960					
8	TOTAL PERSONAL SERVICES			01	23,935				
9	TRAVEL			02	6,875				
10	CONTRACTUAL			03	7,850				
11	COMMODITIES			04	500				
12	EQUIPMENT			05	2,000				
13	OTHER								
14	TOTAL COST				41,160				
15	RECEIPT CODE	FUNDING SOURCE							
16		FED RCPTS. 1002							
17	100	GF MATCH. 1001							
18		GEN. FUND 1001		41,160					
19		I-A RCPTS. 1005							
20		PGM RCPTS 1028							
21		OTHER							
21	CONTINUATION								
22	ADDITION			X	FOR B&M USE ONLY				
AA-KEY NUMBER _____ COLUMN NO. _____									

JUSTIFICATION:
 The Industrial Hygienist will evaluate and follow-up on the data filed with the department under the provisions of AS 18.60.072; will conduct research into which hazardous and toxic substances should be covered by the bill and develop the necessary regulations to carry out the intent of the bill; and will respond in a timely manner to the increase in requests for consultation and training services that will be experienced as a result of the focus this bill places on toxic and hazardous substances.

Included in the contractual services costs are \$1,600 for space rent and 15.97% of salary for Management Services support.

One time costs are \$4,000 for moving expenses, \$500 in travel costs for training and \$2,000 for equipment.

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

Page 1 of 2 REVISED DATE _____ HB 806

FY 83

1 Clerk Typist III			BB	6	Anchorage	GOV		
2 TYPE OF POSITION	STAFF MONTHS	HP NO.	PCN No.	PRIORITY	FORM 12	PAGE/LINE		
Seasonal	6	CS11806	Not Assigned		N/A			

3 TYPE OF EXPENDITURE	2	3
1		AMOUNT
PERSONAL SERVICES:		
4 SALARY 1,530/month x 6	9,180	
5 BENEFITS, 15.92%	1,461	
6 SBS	563	
7 FIXED BENEFITS	960	
TOTAL PERSONAL SERVICES	12,164	
8 TRAVEL		
9 CONTRACTUAL		4,734
10 MEMBERS		500
11 EQUIPMENT		
12 OTHER		
TOTAL COST		17,398

JUSTIFICATION:
 A seasonal clerk typist position will be needed to process the reports and other documents which will result from this bill.

 Included in the contractual services costs are \$1,600 for space rent and 15.97% of salary for Management Services support.

13 DEPT CODE	FUNDING SOURCE	
	FLO RCPTS 1992	
	GE MATCH 1994	
100	GEN FUND 1994	17,398
	LEABGETS 1994	
	PGM RCPTS 1994	
	OTHER	

14 CONTINUATION
 15 ADDITION FOR O&M USE ONLY

16 KEY NUMBER _____ COLUMN NO. _____

AGENCY Labor PROGRAM Worker Protection

BRU Occupational Safety & Health

COMPONENT Occupational Safety & Health

13 REQUEST FOR NEW POSITION.

2 HB 806

Original sponsor: Rogers

Offered: 4/2/82
Referred: Finance

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 806 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous or toxic substances; and
7 providing for an effective date."

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

9 * Section 1. AS 18.60.030 is amended by adding a new paragraph to read:

10 (12) adopt regulations further defining "hazardous substance"
11 (AS 18.60.105(11)) and "toxic substance" (AS 18.60.105(12)) and exclud-
12 ing from those definitions

13 (A) substances that because of their physical state,
14 volume, or concentration do not pose a health risk upon exposure;
15 and

16 (B) substances that are goods, drugs, cosmetics, or
17 tobacco products intended for personal consumption.

18 * Sec. 2. AS 18.60 is amended by adding new sections to read:

19 Sec. AS 18.60.051. MANUFACTURER TO PROVIDE HAZARDOUS OR TOXIC
20 SUBSTANCE INFORMATION. (a) The manufacturer of a hazardous or toxic
21 substance shall prepare and provide a person who purchases the hazardous
22 or toxic substance from the manufacturer with information specified in
23 (b) of this section that, to the best of the manufacturer's knowledge,
24 is current, accurate, and complete, based on information then reasonably
25 available to the manufacturer.

26 (b) The information that a manufacturer shall provide as required
27 in (a) of this section includes

28 (1) the chemical name, common name, and the CAS number of the
29 hazardous or toxic substance;

1 (2) the hazards or other risks in the use of the hazardous or
2 toxic substance, including

3 (A) the potential for fire, explosion, or reactivity;

4 (B) the known or suspected acute and chronic health
5 effects or risks from exposure;

6 (C) the potential avenues of exposure and symptoms of
7 overexposure;

8 (3) the proper precautions, handling practices, necessary
9 personal protective equipment, and other safety precautions in the use
10 of or exposure to the substance;

11 (4) the emergency procedures for spills, fire, disposal, and
12 first aid;

13 (5) a description in lay terms, if not otherwise provided, on
14 either a separate sheet or with the body of the information specified in
15 this section, of the specific potential health risks posed by the sub-
16 stance intended to alert a person reading the information;

17 (6) the month and year that the information was compiled and
18 the name and address of the manufacturer responsible for preparing the
19 information.

20 Sec. AS 18.60.052. WHOLESALER TO PROVIDE HAZARDOUS OR TOXIC SUB-
21 STANCE INFORMATION. (a) Except as provided in (b) of this section, a
22 wholesaler who sells a hazardous or toxic substance shall provide a
23 purchaser of the hazardous or toxic substance at the time of sale with a
24 copy of the most recent information listed under AS 18.60.051 unless the
25 purchaser indicates that

26 (1) he possesses that information; or

27 (2) he does not intend to use the substance in a workplace
28 frequented by persons other than the purchaser.

29 (b) The commissioner shall adopt regulations identifying the types

1 of hazardous or toxic substances that are required by federal law to be
2 labeled in a manner equivalent to the requirements of (a) of this sec-
3 tion. Those types of hazardous or toxic substances are excepted from
4 the provisions of (a) of this section.

5 Sec. 18.60.071. EMPLOYER TO PROVIDE HAZARDOUS SUBSTANCE INFOR-
6 MATION AND TRAINING. (a) An employer shall post in the workplace of
7 his employees the information listed in AS 18.60.051 if, as a result of
8 workplace operations, there is a hazardous or toxic substance present in
9 the workplace in a manner that employees may be exposed

10 (1) under normal conditions of work; or

11 (2) in a reasonably foreseeable emergency resulting from
12 workplace operations, including but not limited to equipment failure,
13 rupture of containers, or failure of control equipment, that may or do
14 result in a release of a hazardous or toxic substance into the work-
15 place.

16 (b) An employer required to comply with (a) of this section shall
17 furnish each new employee and, on request, any other employee with

18 (1) a copy of the information posted in accordance with (a)
19 of this section; and

20 (2) training at the employer's expense calculated to candidly
21 inform the employee c

22 (A) the location, properties, and known or suspected
23 acute and chronic health effects of the hazardous or toxic sub-
24 stances to which the employee is routinely exposed in the work-
25 place;

26 (B) the nature of the operations that could result in
27 exposure to these hazardous or toxic substances as well as any
28 necessary handling or hygienic practices or precautions;

29 (C) the purpose, proper use, and limitation of personal

1 protective equipment required by another occupational safety and
2 health standard or otherwise used in the workplace; and

3 (D) information required by AS 18.60.051.

4 Sec. 18.60.072. REPORTS TO BE FILED WITH DEPARTMENT. (a) A manu-
5 facturer, wholesaler, and employer who are subject to the requirements
6 of AS 18.60.051, 18.60.052, and 18.60.071, respectively, shall file with
7 the department an annual report that includes

8 (1) the information provided to purchasers and employees in
9 accordance with AS 18.60.051, 18.60.052, or 18.60.071 for each hazardous
10 or toxic substance specified by the department under (d) of this sec-
11 tion;

12 (2) the safety procedures and equipment actually used in the
13 workplace;

14 (3) the quantities of hazardous or toxic substances being
15 used or produced for those substances required by the department under
16 (d) of this section to be reported; and

17 (4) other information considered appropriate by the depart-
18 ment.

19 (b) A change in circumstances that would require modification of
20 the report filed under this section shall be immediately reported to the
21 department.

22 (c) The department shall comply with AS 18.60.099 to ensure pro-
23 tection of trade secrets divulged in the reports filed under this sec-
24 tion.

25 (d) The department shall adopt regulations specifying the hazar-
26 dous or toxic substances that are to be reported under this section.

27 Sec. 18.60.073. ACCESS TO RECORDS. (a) An employee, prospective
28 employee, or former employee of a manufacturer or employer subject to
29 AS 18.60.072 and physicians designated by any of these persons may

1 examine and copy a report filed with the department under AS 18.60.072
2 except for that information considered a trade secret under AS 18.60.-
3 099.

4 (b) An employee, prospective employee, former employee, a repre-
5 sentative of the commissioner, and physicians designated by any of these
6 persons may examine and copy exposure measurements taken to monitor
7 employee exposure to hazardous or toxic substances in the workplace.

8 (c) The department may require an employee or former employee of a
9 manufacturer or employer subject to AS 18.60.072 to furnish health and
10 exposure records and other information pertinent to an investigation by
11 the department of violations of AS 18.60.051, 18.60.052, or 18.60.071 -
12 18.60.073.

13 (d) The commissioner shall adopt regulations pertaining to access
14 to records and information that is required by AS 18.60.051, 18.60.052,
15 and 18.60.071 - 18.60.073. The regulations shall ensure that the depart-
16 ment, a purchaser of hazardous or toxic substances, and an employee
17 exposed to or who believes he is exposed to hazardous or toxic substances
18 have ready access to all information that is relevant to the purposes of
19 AS 18.60.051, 18.60.052, or 18.60.071 - 18.60.073 and not exempted from
20 disclosure as trade secrets.

21 Sec. 18.60.074. PUBLIC DISCLOSURE OF HAZARDOUS OR TOXIC SUBSTANCE
22 INFORMATION. The department may disclose to the public information
23 concerning hazardous or toxic substances and the circumstances under
24 which the public might be affected.

25 * Sec. 3. AS 18.60.105 is amended by adding new paragraphs to read:

26 (6) "CAS number" means the unique identification number
27 assigned by the Chemical Abstracts Service to specific chemical sub-
28 stances;

29 (7) "chemical name" means the scientific designation of a

1 substance in accordance with the nomenclature system developed by the
2 International Union of Pure and Applied Chemistry or the system developed
3 by the Chemical Abstracts Service;

4 (8) "common name" means a designation or identification such
5 as code name, code number, trade name, or brand name used to identify a
6 substance other than by its chemical name;

7 (9) "expose" or "exposure" means a situation arising from
8 work operation or usage where an employee or purchaser may ingest,
9 inhale, absorb through the skin or eyes, or otherwise come into contact
10 with a hazardous or toxic substance;

11 (10) "manufacturer" means a person who produces, synthesizes,
12 extracts, or otherwise makes a hazardous or toxic substance in the
13 state;

14 (11) "hazardous substance" means a chemical that

15 (A) is listed in the United States Department of Trans-
16 portation Hazardous Materials Table, 49 C.F.R. 172.101; and

17 (B) meets one or more of the following criteria for
18 hazard class:

19 (i) is a combustible substance;

20 (ii) is a compressed gas;

21 (iii) is an explosive;

22 (iv) is a flammable substance;

23 (v) is an organic peroxide; or

24 (vi) is an oxidizer; or

25 (C) is listed in a regulation adopted by the department
26 under AS 18.60.030(12);

27 (12) "toxic substance" means a chemical that is

28 (A) listed in the Toxic and Hazardous Substances section
29 of the regulations of the Occupational Health and Safety Act in 29

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C.F.R. Part 1910, Subpart Z;

(B) listed in the most recent edition of the National Institute for Occupational Safety and Health Registry of Toxic Effects of Chemical Substances; or

(C) listed in a regulation adopted by the department under AS 18.60.030(12);

(13) "wholesaler" means a dealer, distributor, or jobber who sells a hazardous or toxic substance in the state to a person for use in a workplace in a manner that subjects an employer to the requirements of AS 18.60.071 or to a person who sells, or intends to sell, directly to the consumer.

* Sec. 4. This Act takes effect January 1, 1983.

Introduced: 2/15/82
Referred: Labor & Commerce and
Finance

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 806

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous or toxic substances."

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

8 * Section 1. AS 18.60 is amended by adding new sections to read:

9 Sec. AS 18.60.051. MANUFACTURER TO PROVIDE HAZARDOUS OR TOXIC
10 SUBSTANCE INFORMATION. (a) The manufacturer of a hazardous or toxic
11 substance shall prepare and provide a person who purchases the hazardous
12 or toxic substance from the manufacturer with information specified in
13 (b) of this section that, to the best of the manufacturer's knowledge,
14 is current, accurate, and complete, based on information then reasonably
15 available to the manufacturer. For purposes of this section, a sub-
16 stance, mixture, or product is not considered a hazardous or toxic
17 substance if present in a physical state, volume, or concentration for
18 which there is no valid and substantial evidence that an adverse acute
19 or chronic risk to human health may occur from exposure.

20 (b) The information that a manufacturer shall provide as required
21 in (a) of this section includes

22 (1) the chemical name, common name, and the CAS number of the
23 hazardous or toxic substance;

24 (2) the hazards or other risks in the use of the hazardous or
25 toxic substance, including

26 (A) the potential for fire, explosion, or reactivity;

27 (B) the acute and chronic health effects or risks from
28 exposure;

29 (C) the potential avenues of exposure and symptoms of

1 overexposure;

2 (3) the proper precautions, handling practices, necessary
3 personal protective equipment, and other safety precautions in the use
4 of or exposure to the substance;

5 (4) the emergency procedures for spills, fire, disposal, and
6 first aid;

7 (5) a description in lay terms, if not otherwise provided, on
8 either a separate sheet or with the body of the information specified in
9 this section, of the specific potential health risks posed by the sub-
10 stance intended to alert a person reading the information;

11 (6) the month and year that the information was compiled and
12 the name and address of the manufacturer responsible for preparing the
13 information.

14 Sec. AS 18.60.052. SELLER OTHER THAN MANUFACTURER TO PROVIDE
15 HAZARDOUS OR TOXIC SUBSTANCE INFORMATION. (a) Except as provided in
16 (b) of this section, a person other than a manufacturer who sells a
17 hazardous or toxic substance shall provide a direct purchaser of the
18 hazardous or toxic substance at the time of sale with a copy of the most
19 recent information prepared and supplied under AS 18.60.051 unless the
20 purchaser indicates that he possesses that information.

21 (b) The commissioner shall adopt regulations identifying the types
22 of hazardous or toxic substances that are required by federal law to be
23 labeled in a manner equivalent to the requirements of (a) of this sec-
24 tion. Those types of hazardous or toxic substances are excepted from
25 the provisions of (a) of this section.

26 Sec. 18.60.071. EMPLOYER TO PROVIDE HAZARDOUS SUBSTANCE INFOR-
27 MATION AND TRAINING. (a) An employer shall post in the workplace of
28 his employees the information required by AS 18.60.051 if, as a result
29 of workplace operations, there is a hazardous or toxic substance present

1 in the workplace in a manner that employees may be exposed

2 (1) under normal conditions of work; or

3 (2) in a reasonably foreseeable emergency resulting from
4 workplace operations, including but not limited to equipment failure,
5 rupture of containers, or failure of control equipment, that may or do
6 result in a release of a hazardous or toxic substance into the workplace.

7 (b) An employer required to comply with (a) of this section shall
8 furnish each new employee and, on an annual basis, all other employees
9 with

10 (1) a copy of the information posted in accordance with (a)
11 of this section; and

12 (2) training at the employer's expense calculated to candidly
13 inform the employees of

14 (A) the location, properties, and acute and chronic
15 health effects of the hazardous or toxic substances to which the
16 employees are routinely exposed in the workplace;

17 (B) the nature of the operations that could result in
18 exposure to these hazardous or toxic substances as well as any
19 necessary handling or hygienic practices or precautions;

20 (C) the purpose, proper use, and limitation of personal
21 protective equipment required by any other Occupational Health and
22 Safety Act standard or otherwise used in the workplace; and

23 (D) information required by AS 18.60.051.

24 Sec. 18.60.072. REPORTS TO BE FILED WITH DIVISION. (a) A manufac-
25 turer, seller other than the manufacturer, and employer who are subject
26 to the requirements of AS 18.60.051, 18.60.052, and 18.60.071, respec-
27 tively, shall file with the division of occupational safety and health
28 an annual report that includes

29 (1) the information provided to purchasers and employees in

1 accordance with AS 18.60.051, 18.60.052, or 18.60.071;

2 (2) the safety procedures and equipment actually used in the
3 workplace;

4 (3) the quantities of hazardous or toxic substances being
5 used or produced; and

6 (4) other information considered appropriate by the division.

7 (b) A change in circumstances that would require modification of
8 the report filed under this section shall be immediately reported to the
9 division.

10 (c) The division shall comply with AS 18.60.099 to ensure protec-
11 tion of trade secrets divulged in the reports filed under this section.

12 Sec. 18.60.073. ACCESS TO RECORDS. (a) An employee, prospective
13 employee, or former employee of a manufacturer or employer subject to
14 AS 18.60.072 and physicians designated by any of these persons may
15 examine and copy a report filed with the division of occupational safety
16 and health under AS 18.60.072 except for that information considered a
17 trade secret under AS 18.60.099.

18 (b) An employee, prospective employee, former employee, a repre-
19 sentative of the director, and physicians designated by any of these
20 persons may examine and copy exposure measurements taken to monitor
21 employee exposure to hazardous or toxic substances in the workplace.

22 (c) The division may require an employee or former employee of a
23 manufacturer or employer subject to AS 18.60.072 to furnish health and
24 exposure records and other information pertinent to an investigation by
25 the division of violations of AS 18.60.051, 18.60.052, or 18.60.071 -
26 18.60.073.

27 Sec. 18.60.074. PUBLIC DISCLOSURE OF HAZARDOUS OR TOXIC SUBSTANCE
28 INFORMATION. The division of occupational safety and health may disclose
29 to the public information concerning hazardous or toxic substances and

1 the circumstances under which the public might be affected. The division
2 may not publicly disclose the name of the employer, manufacturer, or
3 seller who may be associated with the hazardous or toxic substance to
4 which the release of information pertains.

5 * Sec. 2. AS 18.60.105 is amended by adding new paragraphs to read:

6 (6) "CAS number" means the unique identification number
7 assigned by the Chemical Abstracts Service to specific chemical sub-
8 stances;

9 (7) "chemical name" means the scientific designation of a
10 substance in accordance with the nomenclature system developed by the
11 International Union of Pure and Applied Chemistry or the system developed
12 by the Chemical Abstracts Service;

13 (8) "common name" means a designation or identification such
14 as code name, code number, trade name, or brand name used to identify a
15 substance other than by its chemical name;

16 (9) "expose" or "exposure" means a situation arising from
17 work operation or usage where an employee or purchaser may ingest,
18 inhale, absorb through the skin or eyes, or otherwise come into contact
19 with a hazardous or toxic substance;

20 (10) "manufacturer" means a person who produces, synthesizes,
21 extracts, or otherwise makes a hazardous or toxic substance;

22 (11) "hazardous substance" means a chemical that

23 (A) is listed in the United States Department of Trans-
24 portation Hazardous Materials Table, 49 C.F.R. 192.101; and

25 (B) meets one or more of the following criteria for
26 hazard class:

- 27 (i) is a combustible substance;
28 (ii) is a compressed gas;
29 (iii) is an explosive;

1 (iv) is a flammable substance;

2 (v) is an organic peroxide; or

3 (vi) is an oxidizer;

4 (12) "toxic substance" means a chemical that is listed in the
5 Toxic and Hazardous Substances section of the regulations of the Occupa-
6 tional Health and Safety Act labeling standard in 29 C.F.R. Part 1910,
7 Subpart Z.
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COMMITTEE REPORT
SENATE

4/12/82

FURTHER: Judiciary and Finance

Date: 4/29/82

Mr. President: HEALTH, EDUCATION &
SOCIAL SERVICES

The Committee on _____ has had CSHB 812(Fin)
making a special appropriation to the Dept. of Education to enable
freshmen to attend Mount Edgecumbe High School

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

do pass [] do not pass

[] do pass with attached amendments(s)

replace with SCS for CSHB 812 (HESS) same title
and recommends maj no rec new title

AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

2 Colletta do pass

MEMBERS HAVING
OTHER RECOMMENDATIONS:

1 V. Fisher no-rec
~~1 Jerry Thompson no Rec~~
~~1 Stark N Pan No Rec~~

1 Charles H. R.
CHAIRMAN
no rec



Official Business

Alaska State Legislature

Senate

Committee on

Health, Education & Social Services

Charlie Parr, Chairman
Terry Stimson, Vice-Chairman
Vic Fischer
Tim Kelly
Mike Colletta

Pouch V
State Capitol
Juneau, Alaska 99811

465-4907
465-4908

April 28, 1982

LETTER OF INTENT
ON
COMMITTEE SUBSTITUTE (HESS) For HB 812

The Senate Health, Education and Social Services Committee, in forwarding HB 812, is not taking any position on the issue of state operation of the Mount Edgecumbe High School. This decision should be made by the Legislature after receipt of the recommendations of the Blue Ribbon Commission on the status of Mount Edgecumbe High School.

It is the intent of the Senate HESS Committee that the Department of Education shall, in administering the appropriation for the freshman class, allow school districts to select students to the maximum extent possible.

A handwritten signature in cursive script, appearing to read "Charles H. Parr".

Senator Charles H. Parr
Chairman

Original sponsors: Adams, Bettisworth,
Fuller, et al

Offered: 4/30/82
Referred: Finance

Funding Information

General Fund \$1,100,000
Other Funds -0-
\$1,100,000

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 812 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Education to enable freshmen to attend Mount
8 Edgecumbe High School; making a special appropriation
9 to the Blue Ribbon Commission on the Status of Mount
10 Edgecumbe High School; and providing for an effective
11 date."

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

13 * Section 1. The sum of \$1,000,000 is appropriated from the general fund
14 to the Department of Education to be used to enable freshmen to attend Mount
15 Edgecumbe High School during the school year beginning in 1982.

16 * Sec. 2. The sum of \$100,000 is appropriated from the general fund to
17 the Blue Ribbon Commission on the Status of Mount Edgecumbe High School.

18 * Sec. 3. The unexpended and unobligated portions of the appropriations
19 made by this Act lapse into the general fund June 30, 1983.

20 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

Cook

Original sponsors: Adams, Bettisworth,
Fuller, et al

Offered: 4/2/82
Referred: Rules

Funding Information	
General Fund	\$1,000,000
Other Funds	-0-
	<u>\$1,000,000</u>

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 812 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Education to enable freshmen to attend Mount
8 Edgecumbe High School; and providing for an effective
9 date."

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

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ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND Session

HOUSE BILL..... NO. 812...

By Adams, Bettisworth, Fuller
Grussendorf, Haugen and
Martin

"An Act making a special appropriation to the Department of Education for state match of federal money for the operation of Mount Edgcumbe High School; and providing for an effective date."

approp./Mt. Edgcumbe H.School

Introduced in the House 2/16 19.82

HISTORY IN THE HOUSE

19 82	Feb 16	Read first time and referred to Committee on HESS and Finance
	Mar 22	Reported back with recommendation that there; 3 days, 1 more to Finance
	Apr 2	Finance reported CS (Fin) 7 days, 1 more to Rules
	Apr 8	Read second time and CS HB 812 (Fin) adopted
	Apr 8	Read third time and
	Apr 8	PASS 2d Effective Date Yeas 36 Nays 4 Absent 0 Excused 0
		Reconsideration PASS Effective Date Yeas Nays Absent Excused
	Apr 11-12	Reported correctly engrossed Signed by Speaker Sent to Senate

Emilio Lloyd
CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

1982	4 12	Read first time and referred to Committee on
	4 14	Reported back with HESS replace recommendation that w/SES 1 do
	4 30	per 3 no no, letter of intent to Sen
		Read second time and
		Read third time and
		PASS Effective Date Yeas Nays Absent Excused
		Reconsideration PASS Effective Date Yeas Nays Absent Excused
		Reported correctly engrossed Signed by President Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.



Official Business

Alaska State Legislature

Senate

Committee on

Health, Education & Social Services

Charlie Parr, Chairman
Terry Stimson, Vice-Chairman
Vic Fischer
Tim Kelly
Mike Colletta

Pouch V
State Capitol
Juneau, Alaska 99811

465-4907
465-4908

April 28, 1982

LETTER OF INTENT

ON

COMMITTEE SUBSTITUTE (HESS) For HB 812

The Senate Health, Education and Social Services Committee, in forwarding HB 812, is not taking any position on the issue of state operation of the Mount Edgecumbe High School. This decision should be made by the Legislature after receipt of the recommendations of the Blue Ribbon Commission on the status of Mount Edgecumbe High School.

It is the intent of the Senate HESS Committee that the Department of Education shall, in administering the appropriation for the freshman class, allow school districts to select students to the maximum extent possible.

A handwritten signature in cursive script, appearing to read "Charles H. Parr".

Senator Charles H. Parr
Chairman

Original sponsors: Adams, Bettisworth,
Fuller, et al

Offered: 4/2/82
Referred: Rules

Funding Information

General Fund	\$1,000,000
Other Funds	- 0
	<u>\$1,000,000</u>

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 812 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Department of Education to enable freshmen to attend Mount Edgumbe High School; and providing for an effective date."

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

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* Sec. 2. The unexpended and unobligated portion of the appropriation made by this Act lapses into the general fund June 30, 1983.

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* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-070(c).

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Original sponsors: Adams, Bettisworth,
Fuller, et al

Offered: 4/30/82
Referred: Finance

Funding Information

General Fund	\$1,100,000
Other Funds	-0-
	<u>\$1,100,000</u>

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 812 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Education to enable freshmen to attend Mount
8 Edgumbe High School; making a special appropriation
9 to the Blue Ribbon Commission on the Status of Mount
10 Edgumbe High School; and providing for an effective
11 date."

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21 070(c).

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UNITED STATES GOVERNMENT

Memorandum

TO : Representative Albert Adams
Alaska State Legislature

FROM : Education Program Administrator
Mt. Edgecumbe High School

SUBJECT: Estimated Budget - FY 83

DATE: March 30, 1982

Attached is an estimated budget for the state funds requested through HB 812. These estimates include education and facility maintenance and operation costs, based on three hundred fifty students. We believe if we are permitted to enroll a freshman class for school year 1982-83, it will affect the enrollment of other 10th, 11th, and 12th grade students in a positive way.

The Bureau has informed us our FY 83 allotment will be:

Education	\$ 1,893,000.00
Maintenance/Operations	<u>2,600,000.00</u>
	4,493,000.00

Our fiscal year begins October 1.

FY 82 funding level is:

Education	\$ 2,795,451.00
Maintenance/Operations	<u>3,520,300.00</u>
	\$ 6,315,751.00

A decrease for FY 83 of \$ 1,822,751.00.

I do wish to point out, our FY 82 level of funding for education is not sufficient. The only method we have to not overspend before the end of FY 82 is to place all of our education employees, approximately 75, on extended non-pay status during the summer months. We have had to furlough employees for the past two summers in order to meet budget cuts. This has resulted in an even greater salary disparity for federal education employees when compared to the public school systems.

I also want to emphasize the Mt. Edgecumbe budget for FY 1983 is based upon a school closure at the end of school year 1982-83. The \$1,893,000 does not include money for closing or RIF (reduction-in-force) costs, or the start up of a new school year in August and September 1983-84.

The estimated budget projections for the allotment from HB 812 are estimates only covering the school year 1982-83 to June 5, 1983.



Also, when we received the information from our D. C. office that we would not be allowed to enroll a freshman class, and that our budget would be reduced, we had to initiate a substantial reduction in our work force. The personnel listing you see on the HB 812 FY 83 budget projection is a listing of teachers and positions we would retain. Without the additional funds and a freshman class, we would have to release those teaching and support positions. Needless to say, the overall effect on the curricular offerings and delivery system would be disastrous. With funding from the State, we would be able to support a freshman class, and keep our scope and depth of curricular offerings to a quality level:

At Mt. Edgecumbe, we require four years of English, two years of math, three and one-half years of social studies, two years of home economics and shop, two years of science, and one-half year of health and personal finance, as well as, a good choice of electives. It takes an adequate number of teachers to offer the courses so each student can meet the graduation requirements. We have a high education standard and we believe time spent in learning for each individual is the key to achievement. This also takes an adequate staff to ensure each individual has a share of the teacher's time to enable adequate progress.

We also believe, it is essential for us to have the ability to serve the speciality areas of special education and remedial education so that we can fully meet the education needs of all our students. Without State funds for FY 83, our capability to fully meet the needs of students would be seriously diminished.

Since we are the home and school away from home, we must provide the education support and opportunities normally provided by the home. Thus we provide tutoring in the dorms in the evening, library hours in the evening, and recreation programs in the evening, as well as, the basic care given by the dorm staff. Without these State funds, we would have to cancel 85% of the support we give our students. With all these services, we are indirectly telling the kids, education is important.

Music and art are two very important areas of our student's lives, and an important part of their individual growth and development. Without State funds, we would have to consolidate the teaching of those areas, with some other teacher. This action always causes each program to lose much of its effectiveness and success. With State funds, we would be able to keep these two important teachers at the school.

I hope this is somewhat understandable. Feel free to categorize the budget projections, if you believe you should.

LaRoy Demmert

FY 83STAFF

English Teacher	24,000
Art Teacher	25,000
Music Teacher	20,557
Math Teacher	23,000
Science Teacher	18,800
Shop Teacher/part time	11,500
Special Education	27,000
Personnel Office	20,000
Clerk	12,500
Dormitory Attendants (5)	75,000
Tutoring - Library - Arts & Crafts Freshman Athletics	15,000

STAFF-SERVICES

Staff Training	3,000
HHG Relocation (employee)	8,000

TESTING/COUNSELING

Student Testing	500
Exceptional Child Testing/Evaluation	2,000
Intensive Counseling-Social Services	2,000

STUDENT TRANSPORT

Freshman/Other student transport	88,400 (3 one-way trips+ emergency trvl) (to school and home)
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SUPPLIES/SERVICES

Food Services/Freight/Food	70,000
Home Economics Supplies	1,000
Shop Supplies	800
Dorm Supplies	1,500
Dorm Linen-sheets/towels	1,000
Student/Dorm Laundry Services	125,000
Office Supplies	1,000
GSA Vehicle	3,900

SPORTS/ACTIVITIES

Recreation	500
Fastore track and field meet	2,000
Fastore cross country meet	3,000
Freshman basketball (boys/girls)	2,000
Sports - basketball official fees	1,500

GRAND TOTAL	589,457
-------------	---------

Close out based on enrollment of 200 students

with assistance from state & new students incl. Freshmen

	<u>Increase</u>	
952,400 (64 Program)	164,000	1,116,400
145,000 (65 Program)	75,000	220,000
<u>1,502,000 (Personal Services)</u>	<u>171,000</u>	<u>1,673,000</u>
2,599,400	410,000	3,009,400

Program Element

- 64 Utilities & Operations - increase is for opening Boy's Dorm and consists of energy, custodial, utility, communication, protection, grounds and streets costs.
- 65 Repair & maintenance - increases are for materials and supplies needed for additional building space required for the increase in enrollment.

Personal Services

Employees required to operate and maintain additional building space required for increase in enrollment: 1-pipefitter, 1-boiler plant operator, 2-carpenters.

COMMITTEE REPORT

HOUSE

FURTHER:

(11)

3/22/82

Date: 4/1/82

Mr. Speaker:

The Committee on FINANCE has had HB 312

"An Act making a special appropriation to the Department of Education for state match of federal money for the operation of Mount Edgecumbe High School; and providing for an effective date."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 312 same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]
CHAIRMAN

Cook

Original sponsors: Adams, Bettisworth,
Fuller, et al

Funding Information

General Fund	\$1,000,000
Other Funds	-0-
	<u>\$1,000,000</u>

1 IN THE HOUSE BY THE FINANCE COMMITTEE
 2 CS FOR HOUSE BILL NO. 812 (Finance)
 3 IN THE LEGISLATURE OF THE STATE OF ALASKA
 4 TWELFTH LEGISLATURE - SECOND SESSION

A BILL

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 15 made by this Act lapses into the general fund June 30, 1983.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
 17 070(c).

Funding Information
General Fund \$2,880,000
Other Funds -0-
\$2,880,000

Introduced: 2/16/82
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY ADAMS, BETTISWORTH, FULLER,
GRUSSENDORF, HAUGEN AND MARTIN

2 HOUSE BILL NO. 812

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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17 070(c).

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Cookv

Original sponsors: Adams, Bettisworth,
Fuller, et al

Funding Information

General Fund	\$1,000,000
Other Funds	-0-
	<u>\$1,000,000</u>

IN THE HOUSE

BY THE FINANCE COMMITTEE

CS FOR HOUSE BILL NO. 812 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

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General Fund \$2,880,000
Other Funds -0-
\$2,880,000

Introduced: 2/16/82
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY ADAMS, BETTISWORTH, FULLER,
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TO : Representative Albert Adams
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FROM : Education Program Administrator
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SUBJECT: Estimated Budget - FY 83

DATE: March 30, 1982

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GRAND TOTAL 589,457

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