

and study it now, I think it's more realistic to have a penalty that Senator Wesely's proposing than one that's in the orig...that's in the statutes at the present time. There is one part of the amendment that I have a little problem with and that's the last sentence on page 2 of the amendment. It's on line 9, each day a violation continues shall constitute a separate offense. So you can see that the penalty would still be...would be great. But in talking to the staff or the Health Committee, she tells me that the department would have an opportunity to waive this if a person, the employee or the employer, acted in good faith. So I guess, with that, I certainly want to support the reconsideration motion and support the amendment because we really need this all across our state because I know in my district we're having some problems with the asbestos removal and some of these people don't even know that there's such a law as this on the books. So I would urge your support for the reconsideration motion and then support the amendment.

SPEAKER BARRETT: Thank you. Further discussion of the reconsideration motion. Senator Nelson, followed by Senator Smith.

SENATOR NELSON: Yes. Senator Wesely, would you respond to a question, please.

SPEAKER BARRETT: Senator Wesely, would you respond?

SENATOR NELSON: I've not...I have to almost apologize a little bit about, the same as Senator Hannibal, and somewhat caught me. On your amendment, on page 1159, Section...part 3, subsection, any business entity which engages in an asbestos project but which uses employees who do not hold a certificate shall be assessed a penalty, and so on and so forth, my understanding and I am caught a little bit short on this so clarify this for me, please, that only one person needs to have that certificate and the others are what we call trained or supervised workers. And so the way I read your amendment is it says, which uses employees who are...do not...are not certified. In other words, a business, let's say they had 10 employees doing a project, you only need to have one person certified and the balance are trained workers. And I think that law is effective January 1, 1990. Correct me on that, would you, please, or for the record. I have a pro...