

MAINE STATE LEGISLATURE

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S.
R. of S.

1

L.D. 2246

2

(Filing No. S-429)

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STATE OF MAINE

4

SENATE

5

113TH LEGISLATURE

6

SECOND REGULAR SESSION

7

COMMITTEE AMENDMENT " A " to S.P. 858, L.D. 2246,
8 Bill, "AN ACT to Require State-Leased Buildings to
9 Meet Certain Air Quality Standards."

10

Amend the Bill by striking out everything after
11 the enacting clause and inserting in its place the
12 following:

13

'Sec. 1. 5 MRSA §1742, sub-§22, as amended by
14 PL 1987, c. 407, §2, is further amended to read:

15

22. Drug-related seized property. To review and
16 comment on all records provided by the Commissioner of
17 Public Safety relating to the disposition of
18 drug-related seized property pursuant to Title 22,
19 section 2387, subsection 5; and

20

Sec. 2. 5 MRSA §1742, sub-§23, as enacted by PL
21 1987, c. 407, §3, is amended to read:

22

23. Inventory of land. To periodically inventory
23 all land owned by any state agency and, together with
24 other state agencies, determine land that is needed by
25 state agencies for other uses and land that is
26 surplus. Prior to offering any land for sale, the
27 commissioner shall review with the Maine State Housing
28 Authority and other state agencies the information
29 derived from the inventory.

R. of S

1 A. By February 1, 1988, the commissioner shall
2 provide an initial report on the status of the
3 land inventory to the joint standing committees of
4 the Legislature having jurisdiction over economic
5 development; state and local government; and
6 appropriations and financial affairs.

7 B. Notwithstanding any other provision of law,
8 the procedure for the distribution of surplus
9 state property for the purpose of this subsection
10 shall take priority over any other procedure for
11 the disbursement of surplus state land.

12 C. Nothing in this subsection shall be construed
13 to pertain to public reserved lands which are
14 exempt from this subsection-; and

15 Sec. 3. 5 MRSA §1742, sub-§24, is enacted to
16 read:

17 24. Application of minimum air ventilation
18 standards. Beginning September 1, 1988, to apply the
19 ANSA-ASHARE Indoor Air Quality and Ventilation
20 Standards contained in the proposed revision, 1981 R,
21 July 15, 1986, as prepared by the American Society of
22 Heating, Refrigeration and Air Conditioning Engineers,
23 Inc. or more stringent standards to buildings occupied
24 by state employees during normal working hours. These
25 standards shall be applied to buildings which are
26 constructed or substantially renovated by the State
27 after September 1, 1988, and to buildings for which
28 the State enters into new leases or renews leases
29 following the date in this subsection. For the
30 purpose of this subsection, "substantial renovation"
31 means any renovation for which the cost exceeds 50% of
32 the buildings' value.

33 A. The bureau, in cooperation with a
34 labor-management committee established to look at
35 this issue, shall develop a plan by which
36 priorities are established for improving indoor
37 air quality and ventilation standards in buildings
38 occupied by state employees. This plan shall
39 include data gathering and analysis of air quality
40 in a sample number of buildings by which
41 reasonable projections and estimates concerning
42 air quality can be established. The bureau shall

P. of 5

COMMITTEE AMENDMENT " A " to S.P. 858, L.D. 2246

1 report its findings to the joint standing
2 committee of the Legislature having jurisdiction
3 over state and local government no later than
4 January 16, 1989. This report, at a minimum,
5 shall contain the following:

6 (1) A description of the extent of the
7 problem, if any, with respect to air quality
8 and ventilation in buildings occupied by
9 state employees;

10 (2) Priorities of locations for which the
11 improvement of air quality is necessary.
12 These locations shall be areas occupied by
13 state employees during normal working hours;

14 (3) A timetable by which these priorities
15 could be addressed;

16 (4) A description of what may be necessary
17 to address these priorities, including
18 feasible alternatives;

19 (5) The costs of addressing these
20 priorities; and

21 (6) If possible, locations leased by the
22 State which may not meet the air quality
23 standards defined in this subsection.

24 Nothing in this paragraph may be construed to
25 require the bureau to conduct an in depth analysis
26 for each building or to present technical data for
27 each building occupied by state employees.

28 B. The indoor air quality and ventilation
29 standards applied by the bureau shall remain in
30 effect until the Board of Occupational Safety and
31 Health adopts air quality and ventilation
32 standards.

33 Sec. 4. 5 MRSA §1877, sub-§10 is enacted to
34 read:

35 10. Indoor air quality and ventilation
36 improvements. The commissioner shall develop

1 priorities for improving indoor air quality and
2 ventilation in preparing budget requests for the
3 repair and capital improvement of state buildings.

4 Sec. 5. 26 MRSA §42, as amended by PL 1977, c.
5 615, is further amended to read:

6 §42. Powers and duties

7 The bureau shall collect, assort and arrange
8 statistical details relating to all departments of
9 labor and industrial pursuits in the State; to trade
10 unions and other labor organizations and their effect
11 upon labor and capital; to the number and character of
12 industrial accidents and their effect upon the
13 injured, their dependent relatives and upon the
14 general public; to other matters relating to the
15 commercial, industrial, social, educational, moral and
16 sanitary conditions prevailing within the State,
17 including the names of firms, companies or
18 corporations, where located, the kind of goods
19 produced or manufactured, the time operated each year,
20 the number of employees classified according to age
21 and sex and the daily and average wages paid each
22 employee; and the exploitation of such other subjects
23 as will tend to promote the permanent prosperity of
24 the industries of the State. The director is
25 authorized and empowered, subject to the approval of
26 the Governor, to accept from any other agency of
27 government, individual, group or corporation such
28 funds as may be available in carrying out this
29 section, and meet such requirements with respect to
30 the administration of such funds, not inconsistent
31 with this section, as are required as conditions
32 precedent to receiving such funds. An accounting of
33 such funds and a report of the use to which they were
34 put shall be included in the biennial report to the
35 Governor. Each agency of government shall cooperate
36 fully with the bureau's efforts to compile labor and
37 industrial statistics. The director shall cause to be
38 enforced all laws regulating the employment of minors
39 and women; all laws established for the protection of
40 health, lives and limbs of operators in workshops and
41 factories, on railroads and in other places; all laws
42 regulating the payment of wages, and all laws enacted
43 for the protection of the working classes. He shall,

R. of S.

COMMITTEE AMENDMENT "A " to S.P. 858, L.D. 2246

1 on or before the first day of July, biennially, report
2 to the Governor, and may make such suggestions and
3 recommendations as he may deem necessary for the
4 information of the Legislature. He may from time to
5 time cause to be printed and distributed bulletins
6 upon any subject that shall be of public interest and
7 benefit to the State; and may conduct a program of
8 research, education and promotion to reduce industrial
9 accidents. The bureau shall be responsible for the
10 enforcement of indoor air quality and ventilation
11 standards with respect to state-owned buildings and
12 buildings leased by the State. The bureau shall
13 enforce air quality standards in a manner to ensure
14 that corrections to problems found in buildings be
15 made over a reasonable period of time, using consent
16 agreements and other approaches as necessary and
17 reasonable.

18 Sec. 6. 26 MRSa §565-A is enacted to read:

19 §565-A. Air quality and ventilation; evaluation of
20 buildings; standards

21 1. Advise and propose standards. The board shall
22 work with the Bureau of Public Improvements with
23 respect to evaluation of indoor air quality and
24 ventilation in buildings occupied by state employees
25 and the preparation of the report pursuant to Title 5,
26 section 1742, subsection 24, paragraph A.

27 A. The board may advise the Bureau of Public
28 Improvements and propose for consideration by the
29 bureau air quality and ventilation standards that
30 are more stringent than the minimum standards as
31 defined in Title 5, section 1742, subsection 24.'

32 STATEMENT OF FACT

33 The intent of this amendment is to ensure that
34 state-owned or leased buildings in which state
35 employees work contain a healthy air quality
36 environment. The Bureau of Labor Standards shall
37 enforce air quality standards in a manner to ensure
38 that corrections to problems found in buildings be
39 made over a reasonable period of time, using consent

H. of S.
COMMITTEE AMENDMENT " A " to S.P. 858, L.D. 2246

1 agreements and other approaches as necessary and
2 reasonable. The Bureau of Labor Standards shall
3 ensure that critical health and safety problems are
4 addressed immediately.

5 This amendment requires the Board of Occupational
6 Safety and Health to adopt improved standards for
7 indoor air quality and ventilation by July 1, 1989.
8 Until new standards are adopted, state lease renewals
9 after September 1, 1988, all new state leases for
10 space, all new state buildings and all major
11 renovations will comply with the current standards
12 established by the American Society of Heating,
13 Refrigeration and Air Conditioning Engineers, Inc.
14 The Commissioner of Administration will develop
15 priorities for improving air quality in preparing
16 budget requests for the repair and capital improvement
17 of state buildings.

18 Enforcement of the indoor air quality and
19 ventilation standards will be the responsibility of
20 the Bureau of Labor Standards. The Bureau of Labor
21 Standards enforces occupational safety and health
22 standards in the public sector.

23 The Bureau of Public Improvements, with the
24 assistance of the Board of Occupational Safety and
25 Health, will conduct a survey on a sample number of
26 buildings occupied by state employees to determine the
27 extent of the problem, in a general sense, that has to
28 be addressed. The Bureau of Public Improvements will
29 develop a plan in cooperation with a labor-management
30 team established for this purpose to approach the
31 problem, and will report its findings to the Joint
32 Standing Committee on State and Local Government by
33 January 16, 1989. The report will indicate the extent
34 of the problem, the priorities that need to be
35 addressed, the means of addressing the priorities,
36 including feasible alternatives, and the costs of
37 these alternatives.

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Page 6-LR5344

Reported by Senator Baldacci for the Committee on State
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