

MAINE STATE LEGISLATURE

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L.D. 1368
(Filing No. S- 348)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 494, L.D. 1368, Bill, "An Act to Authorize a Bond Issue in the Amount of \$5,000,000 to Deal with Asbestos and other Health Related Indoor Air Quality Hazards in Public School Facilities and State Facilities"

Amend the bill in the title in the first line by striking out the following: "\$5,000,000" and inserting in its place the following: '\$12,000,000' and in the last line by striking out the following: "Facilities" and inserting in its place the following: 'Facilities, Vocational-Technical Institutes'

Further amend the bill in section 1 in the 6th line (page 1, line 14 in L.D.) by striking out the following: "\$5,000,000" and inserting in its place the following: '\$12,000,000'

Further amend the bill in section 1 in the 8th line (page 1, line 16 in L.D.) by striking out the following: "school" and inserting in its place the following: 'schools, Maine's Vocational-Technical Institute System facilities'

Further amend the bill in section 1 in the 8th line (page 1, line 16 in L.D.) by inserting after the following: "section 6." the following: 'For purposes of this Act, the term "public school" includes private schools approved for tuition purposes that have school enrollments of at least 60% publicly funded students.'

Further amend the bill in section 1 in the 4th line from the end (page 1, line 18 in L.D.) by striking out the following: "20" and inserting in its place the following: '10'

Further amend the bill by striking out all of section 5 and inserting in its place the following:

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Director of Public Improvements. In expending these funds the director shall ensure that:

COMMITTEE AMENDMENT "A" to S.P. 494, L.D. 1368

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1. All asbestos abatement and management activities undertaken with these funds are consistent with priorities and recommendations set forth in the adopted management plans for accessible asbestos containing materials in the facilities.

2. All asbestos abatement and management activities undertaken with these funds are conducted in accordance with the requirements of Public Law 1987, chapter 448, and the United States Asbestos Hazard Emergency Response Act of 1986, and regulations adopted thereto and the appropriate regulations adopted by the United States Occupational Safety and Health Administration and the Maine Board of Occupational and Safety and Health.

3. All activities related to radon, chemical and biological contaminant detection and elimination shall be conducted in accordance with provisions of the Toxic Substances Control Act, United States Code, Title 15, Section 2601, as amended.

4. Funds provided by this bond issue are expended through a process which ensures that indoor air quality problems which affect, or have the potential for affecting, the health of building occupants will receive the highest priority, whether located in a state, Maine Vocational-Technical Institute System or public school facility.

5. Consistent with the provisions of subsection 4, the following asbestos management services are provided to state and public school facilities and are listed below in priority order:

- A. Abatement of imminent hazards;
- B. Abatement of priority 1 and priority 2 hazards as identified by the adopted management plans;
- C. Abatement of friable asbestos-containing materials in inaccessible areas impacted by facility construction projects conducted after January 1, 1989;
- D. Provision of engineering and hygiene activities specifically related to asbestos abatement conducted after January 1, 1989; and
- E. For those projects that are not eligible under paragraph A, B or C above, provision of services or financial support equivalent to 25% of the costs, up to a maximum of \$100,000 for any one school district, of abating asbestos-containing materials in public school areas impacted by facility construction projects conducted after January 1, 1989.

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1 6. Funds provided by this bond issue may be expended for
3 training, assistance and equipment which is directly related to
5 preventing the development of indoor air quality hazards in state
7 and public school facilities.

9 7. Of the funds provided by this bond issue, \$150,000 shall
11 be allocated to the Department of Educational and Cultural
13 Services to be disbursed as matching funds to school
15 administrative units for the removal of hazardous chemicals as
17 defined in rules promulgated by the Department of Educational and
19 Cultural Services. The Department of Educational and Cultural
21 Services, in consultation with the Department of Administration,
23 shall coordinate the removal of hazardous chemicals on a regional
25 basis and shall oversee and ensure the cost effectiveness of
27 removal efforts.'

29 Further amend the bill by striking out all of section 6 and
31 inserting in its place the following:

33 '**Sec. 6. Allocations from General Fund bond issue; air quality
35 hazards in public schools and state facilities.** The proceeds of the sale
37 of bonds shall be expended as designated in the following
39 schedule:

25	Identification and Correction of Health	\$10,000,000
27	Related Indoor Air Quality Hazards in Public	
29	Schools, including asbestos, radon,	
31	chemicals and biological hazards.	
33	Identification and Correction of Health	\$2,000,000
35	Related Indoor Air Quality Hazards in State	
37	and Maine Vocational-Technical Institute	
39	System Facilities, including asbestos,	
41	radon, chemicals and biological hazards.	
43	Total	<u>\$12,000,000'</u>

45 Further amend the bill in section 10 in the question in the
47 first line (page 3, line 24 in L.D) by striking out the
49 following: "\$5,000,000" and inserting in its place the
51 following: '\$12,000,000'

53 Further amend the bill in section 10 in the 13th line (page
55 3, line 26 in L.D.) by inserting after the following: "schools"
57 the following: 'and removal of hazardous chemicals from public
59 schools'

61 Further amend the bill by inserting at the end before the
63 statement of fact the following:

'FISCAL NOTE

