

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2104

S.P. 777

In Senate, January 20, 1998

**An Act to Ensure Indoor Environmental Quality Assessment Assistance
for Public Schools.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SMALL of Sagadahoc.

Cosponsored by Senators: DAGGETT of Kennebec, BENNETT of Oxford.

Be it enacted by the People of the State of Maine as follows:

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4 **Sec. 1. 5 MRSA §1742-E**, as enacted by PL 1997, c. 499, §2, is amended to read:

6 **§1742-E. Bureau of General Services; asbestos,**
8 **lead and indoor environmental quality**
 assessment and mitigation services

10 1. **Asbestos, lead and indoor environmental quality**
12 **assessment and mitigation services.** The Department of
14 Administrative and Financial Services, through the Bureau of
16 General Services, Division of Safety and Environmental Services,
18 shall provide asbestos, lead and indoor air environmental quality
20 assessment and mitigation oversight services for public schools
 and state facilities. The Division of Safety and Environmental
 Services is the lead agency of the State for asbestos, lead and
 indoor air environmental quality matters to address these
 concerns in state-owned or state-leased facilities and public
 schools.

22 2. Duties of the division; IEO Assessment Account
24 established. The Division of Safety and Environmental Services
26 shall provide initial assessments and interpretations of results
28 and establish a data base of pertinent information for
30 state-owned and state-leased facilities and public schools. The
32 division shall determine an appropriate assessment protocol
34 methodology plus personnel qualifications to perform these
36 assessments within such facilities and public schools for
 nondivision personnel assisting the division. The division shall
 determine appropriate necessary exhaust air levels for rest room
 facilities within these structures. A special revenue account,
 called the "IEO Assessment Account," must be established. Funds
 in this account do not lapse and must be expended for indoor
 environmental quality purposes to provide procurement and
 maintenance of equipment, necessary training and other
 activities related to indoor environmental quality.

38 3. Reimbursement. Any public school utilizing the
40 assessment services of the Division of Safety and Environmental
42 Services shall reimburse 25% of costs to obtain the services of
44 any qualified expert or additional incurred costs for analyses
 not normally available from the division. Any reimbursed funds
 must be placed in the IEO Assessment Account.

46 **Sec. 2. Appropriation.** The following funds are appropriated
 from the General Fund to carry out the purposes of this Act.

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1998-99

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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

6

Bureau of General Services

8

All Other \$100,000

10

Appropriates funds to the IEQ Assessment Account for use by the Division of Safety and Environmental Services to perform preliminary or abbreviated comprehensive assessments of asbestos, lead and indoor environmental quality in public schools.

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SUMMARY

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The Department of Administrative and Financial Services, Bureau of General Services has provided preliminary and abbreviated comprehensive assessments in public schools in the past. Because the Division of Safety and Environmental Services within the Bureau of General Services has minimal staff, qualified experts have been retained to enable the division to assist public schools in the past on an "as needed" basis. No funds are available to retain qualified experts to assist public schools at this time. The quantity and types of indoor environmental quality problems documented in public schools are significant. It is most desirable that a state agency be available to assist the public schools to determine whether a health problem exists, the extent of any problem and potential corrective action. This bill requires a public school utilizing the division to reimburse 25% of costs to retain qualified expert assistance or to perform analyses not normally performed by the division. Placing any income such as the 25% reimbursement into the IEQ Assessment Account established in this bill will extend the effectiveness of the initial appropriation of \$100,000. The term "indoor air quality" has been changed to "indoor environmental quality" to better reflect the potential causes of documented health problems and to expand the scope of an adequate assessment of a structure.

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