

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

*M*  
R.O.S.

L.D. 945

2  
4  
DATE: 5-30-01

(Filing No. H-631)

6  
8  
**EDUCATION AND CULTURAL AFFAIRS**

10 Reproduced and distributed under the direction of the Clerk of  
12 the House.

14  
16  
**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

18  
20 COMMITTEE AMENDMENT "A" to H.P. 725, L.D. 945, Bill, "An  
22 Act to Increase the Personnel and Air Quality Oversight of School  
24 Construction"

Amend the bill by striking out the title and substituting  
the following:

26 **'Resolve, to Establish a Task Force to Examine the Establishment  
28 and Implementation of State Standards for Indoor Air Quality in  
Maine Schools'**

30 Further amend the bill by striking out everything after the  
32 title and before the concept draft summary and inserting in its  
place the following:

34 **'Emergency preamble. Whereas, Acts and resolves of the  
36 Legislature do not become effective until 90 days after  
adjournment unless enacted as emergencies; and**

38 **Whereas, this resolve establishes the Task Force to Examine  
40 the Establishment and Implementation of State Standards for  
Indoor Air Quality in Maine Schools; and**

42 **Whereas, this resolve is necessary as an emergency measure  
44 to afford adequate time for the issues to be appropriately  
addressed by the task force; and**

46 **Whereas, in the judgment of the Legislature, these facts  
48 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
50 necessary for the preservation of the public peace, health and  
safety; now, therefore, be it**

**COMMITTEE AMENDMENT**

R. of S.

2           **Sec. 1. Task force established. Resolved:** That the Task Force to  
Examine the Establishment and Implementation of State Standards  
4 for Indoor Air Quality in Maine Schools, referred to in this  
resolve as the "task force," is established; and be it further

6           **Sec. 2. Task force membership. Resolved:** That the task force  
8 consists of 4 members appointed as follows:

10           1. One representative of the Department of Education,  
appointed by the Commissioner of Education, with knowledge of the  
12 State's laws and rules related to the construction and renovation  
of school facilities;

14           2. One representative of the Bureau of General Services  
within the Department of Administrative and Financial Services,  
16 appointed by the Commissioner of Administrative and Financial  
Services, with knowledge of the State's laws and rules related to  
18 the construction and renovation of school facilities;

20           3. One representative of the Bureau of Air Quality within  
the Department of Environmental Protection, appointed by the  
22 Commissioner of Environmental Protection, with knowledge of  
federal and state laws, regulations, standards and guidelines  
24 related to indoor air quality in public facilities; and

26           4. One representative of the Bureau of Health within the  
Department of Human Services, appointed by the Commissioner of  
28 Human Services, with knowledge of federal and state laws,  
regulations, standards and guidelines related to indoor air  
30 quality in public facilities; and be it further

32           **Sec. 3. Chair. Resolved:** That the Governor shall appoint the  
34 chair of the task force from among the members; and be it further

36           **Sec. 4. Appointments; convening of task force. Resolved:** That all  
appointments must be made no later than 30 days following the  
38 effective date of this resolve. The appointing authorities shall  
notify the Governor once all appointments have been completed.  
40 Within 15 days after appointment of all members, the chair shall  
call and convene the first meeting of the task force; and be it  
42 further

44           **Sec. 5. Duties. Resolved:** That the task force shall examine  
the following issues concerning the establishment and  
46 implementation of indoor air quality standards for school  
facilities:

48

R. O. S.

COMMITTEE AMENDMENT "A" to H.P. 725, L.D. 945

1           1. The current status of indoor air quality standards or  
2 guidelines for school facilities within the state systems for  
3 inspecting and approving the construction or renovation of school  
4 facilities, including the building standards codes and other  
5 applicable laws and rules;

6  
7           2. The indoor air quality guidelines for the design and  
8 construction of schools established by the Indoor Environments  
9 Division of the United States Environmental Protection Agency;

10  
11           3. The best practices and guidelines for promoting indoor  
12 air quality in schools recommended by the Task Force on School  
13 Air Quality and endorsed by the Maine Indoor Air Quality Council;

14  
15           4. The relationship between existing staffing levels in  
16 state agencies and the ability to regulate the construction,  
17 renovation and maintenance of school facilities to provide  
18 healthy and productive learning environments, including the  
19 capacity of state agencies to inspect and determine the extent to  
20 which existing and new school facilities meet existing or  
21 proposed indoor air quality standards for school facilities;

22  
23           5. The advisability of establishing indoor air quality  
24 standards for school facilities within the State or adopting the  
25 indoor air quality guidelines for the design and construction of  
26 schools established by the Indoor Environments Division of the  
27 United States Environmental Protection Agency, including the  
28 roles and responsibilities of state agencies and local education  
29 agencies in implementing and enforcing state standards and the  
30 possible benefits and detriments for students and education  
31 personnel in school facilities; and

32  
33           6. If appropriate, recommendations for an implementation  
34 plan, including the levels of funding and personnel necessary, to  
35 provide adequate state oversight so that indoor air quality  
36 standards for school facilities may be enforced; and be it further

37           **Sec. 6. Public hearings. Resolved:** That, in examining these  
38 issues, the task force may hold public hearings to receive  
39 comments and collect data from the public; and be it further

40  
41           **Sec. 7. Staff assistance; technical assistance. Resolved:** That, upon  
42 approval of the Governor, the Department of Education shall  
43 provide staff services to the task force. The task force may  
44 also seek technical assistance from members of the Task Force on  
45 School Air Quality, the Maine Indoor Air Quality Council or any  
46 other agency, institution or group that it determines appropriate  
47 to support the work of the task force; and be it further

2           **Sec. 8. Report. Resolved:** That the task force shall submit a  
3 report that includes its findings and recommendations, including  
4 suggested legislation, to the Joint Standing Committee on  
5 Education and Cultural Affairs and the Legislative Council by  
6 November 15, 2001. The task force is not authorized to introduce  
7 legislation. Following receipt and review of the report, the  
8 Joint Standing Committee on Education and Cultural Affairs may  
9 report out a bill to the Second Regular Session of the 120th  
10 Legislature. If the task force requires an extension of time to  
11 complete its report, it may apply to the Legislative Council,  
12 which may grant the extension.

13           **Emergency clause.** In view of the emergency cited in the  
14 preamble, this resolve takes effect when approved.'

15           Further amend the bill by inserting at the end before the  
16 summary the following:  
17

18  
19   **FISCAL NOTE**

20  
21           The Department of Education, the Department of  
22 Administrative and Financial Services, the Department of  
23 Environmental Protection and the Department of Human Services  
24 will incur some minor additional costs to participate as members  
25 of the Task Force to Examine the Establishment and  
26 Implementation of State Standards for Indoor Air Quality in Maine  
27 Schools. These costs can be absorbed within the departments'  
28 existing budgeted resources.  
29

30           The Department of Education will incur some minor additional  
31 costs to provide staff assistance to the task force. These costs  
32 can be absorbed within the department's existing budgeted  
33 resources.'  
34

35   **SUMMARY**

36  
37           This amendment changes the bill to a resolve and establishes  
38 the Task Force to Examine the Establishment and Implementation of  
39 State Standards for Indoor Air Quality in Maine Schools to  
40 examine the advisability of establishing and implementing indoor  
41 air quality standards for school facilities. The task force is  
42 to report to the Joint Standing Committee on Education and  
43 Cultural Affairs and the Legislative Council by November 15, 2001.  
44  
45

46           The amendment also adds a fiscal note to the bill.