

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2021**

(b) In the case of transit-oriented development districts, ongoing costs of adding to an existing transit system or creating a new transit service and limited strictly to transit operator salaries, transit vehicle fuel and transit vehicle parts replacements;

(8) Costs associated with the development of fisheries and wildlife or marine resources projects;

(9) Costs related to the construction or operation of municipal or plantation public safety facilities, the need for which is related to general economic development within the municipality or plantation, not to exceed 15% of the captured assessed value of the development district;

(10) Costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of those projects. If an area within a municipality or plantation is unserved with respect to broadband service, as defined by the ConnectMaine Authority as provided in Title 35-A, section 9204-A, subsection 1, broadband and fiber optics expansion projects may serve residential or other nonbusiness or non-commercial areas in addition to business or commercial areas within the municipality or plantation; and

(11) Costs associated with the operation and financial support of:

(a) Affordable housing in the municipality or plantation to serve ongoing economic development efforts, including the further development of the downtown tax increment financing districts; and

(b) Housing programs and services to assist those who are experiencing homelessness in the municipality or plantation as defined in the municipality's or plantation's development program.

**Sec. 7. 30-A MRSA §5225, sub-§1, ¶D**, as amended by PL 2011, c. 101, §15, is further amended to read:

D. Costs of constructing or improving facilities or buildings leased by State Government or a municipal or plantation government that are located in improved downtown tax increment financing districts; and

**Sec. 8. 30-A MRSA §5225, sub-§1, ¶E** is enacted to read:

E. Costs associated with the development and operation of affordable housing or housing services for persons who are experiencing homelessness as defined in the municipality's or plantation's development program.

See title page for effective date.

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**CHAPTER 262**

**H.P. 770 - L.D. 1042**

**An Act To Protect State Workers from Exposure to Harmful Substances**

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

**Sec. 1. 5 MRSA §1742-G** is enacted to read:

**§1742-G. Bureau of General Services; inventory of asbestos, lead, black mold and other substances that may be harmful to human health in state-owned and state-leased buildings**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bureau" means the Bureau of General Services within the department.

B. "Department" means the Department of Administrative and Financial Services.

C. "State-owned building" means a building owned by the State in which persons employed by a state agency perform job duties, including, but not limited to, maintenance and repair work.

**2. Initial inventory.** The bureau shall inventory all state-owned buildings to identify the presence of asbestos, lead, black mold and other substances that may be harmful to human health. The department shall require property owners of buildings leased to the State to conduct a similar inventory and provide the results of the inventory to the bureau prior to executing a new lease or renewing or extending an existing lease and, with respect to a lease that on the effective date of this subsection has a remaining term of more than 2 years, within 12 months of the effective date of this subsection. The bureau shall enter the results of the inventories into the database established and maintained by the bureau pursuant to subsection 3.

**3. Database.** The bureau shall establish and maintain an electronic database including, for each state-owned building or state-leased building:

A. The results of the inventories completed by the bureau and by the property owners of state-leased buildings pursuant to subsection 2;

B. Detailed plans for the remediation, abatement or containment of asbestos, lead, black mold and other substances that may be harmful to human health found in state-owned buildings and state-leased buildings; and

C. Data on the completion of planned remediation, abatement or containment under paragraph B.

**4. Access to database.** The database established and maintained pursuant to subsection 3 must be readily accessible electronically to:

A. Collective bargaining agents of employees who work in state-owned buildings or state-leased buildings;

B. State employees whose usual work sites are state-owned buildings or state-leased buildings that contain asbestos, lead, black mold or other substances that may be harmful to human health;

C. Individuals who perform maintenance, repair and custodial services in state-owned buildings or state-leased buildings;

D. Firefighters responsible for providing services to state-owned buildings or state-leased buildings;

E. The Department of Labor;

F. The Department of Health and Human Services, Maine Center for Disease Control and Prevention; and

G. Members of the joint standing committee of the Legislature having jurisdiction over state and local government matters.

**5. Building maintenance or repair.** Prior to any maintenance or repair of a state-owned building by a person employed by a state agency, the bureau shall review the building's records in the database established and maintained pursuant to subsection 3 or inventory the state-owned building if the state-owned building has not already been inventoried pursuant to subsection 2 and add the results of the inventory into the database established and maintained pursuant to subsection 3. If asbestos, lead, black mold or other substances that may be harmful to human health are found in the state-owned building to be maintained or repaired by a person employed by a state agency, the bureau shall inform the person performing the maintenance or repair work and provide appropriate protective gear.

**6. Monitoring, abatement and remediation.** To promote a safe and healthy environment in state-owned buildings, the bureau's division of safety and environmental services shall:

A. Provide statewide monitoring of state-owned buildings to continuously identify the presence of

health hazards in state-owned buildings, including, but not limited to, asbestos, lead, black mold and other substances that may be harmful to human health;

B. Conduct routine building inventories and testing as appropriate to discover and assess the presence of health hazards in state-owned buildings, including, but not limited to, asbestos, lead, black mold and other substances that may be harmful to human health;

C. Identify any abatement, remediation, containment and maintenance necessary to address and prevent potential health hazards in state-owned buildings, including, but not limited to, asbestos, lead, black mold and other substances that may be harmful to human health; and

D. Work with state departments and state agencies to develop safety protocols and train state employees on safety protocols.

**7. Biennial report.** The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters that describes the conditions of state-owned buildings and state-leased buildings and areas of concern by February 1st of every even-numbered year.

**8. Rules.** The department may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

**Sec. 2. Safety education; black mold standards; safety committees.** The Department of Administrative and Financial Services and the Department of Labor shall work together with collective bargaining organizations representing state employees to promote health and safety education of state employees, to identify appropriate standards for black mold prevention and remediation in state-owned buildings and state-leased buildings similar to the standards recommended by the United States Environmental Protection Agency and to develop a framework for regionally based safety committees.

See title page for effective date.

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**CHAPTER 263**

**H.P. 772 - L.D. 1044**

**An Act To Protect the Rights of  
Certain Incarcerated  
Individuals**

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

**Sec. 1. 34-A MRSA §1208-B, sub-§2,** as enacted by PL 2015, c. 335, §22, is amended to read: