

# 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 electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2022 to March 30, 2023**

**FIRST SPECIAL SESSION**  
**April 5, 2023 to July 26, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 29, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**OCTOBER 25, 2023**

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

---

---

**Augusta, Maine**  
**2023**

than the duration of the annual fair of that lessee or the game night under section 1832, subsection 2-B, and each gambling apparatus must have its own separate lease. Gambling apparatus or implements leased under this section:

- A. May be operated only for the exclusive benefit of an eligible organization or committee under section 1832, subsection 2-B or for the exclusive benefit of the agricultural society, except that the agricultural society may pay a distributor up to 50% of gross gaming revenue in accordance with subsection 2; and
- B. Must bear the name and address of the distributor.

Sec. 11. 21-A MRSA §1006 is enacted to read:

**§1006. Proceeds of game night**

A party committee, political action committee or ballot question committee registered under this chapter that conducts a game night pursuant to Title 17, section 1832, subsection 2-B shall report to the commission all proceeds from the game night in a manner prescribed by rule by the commission. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 392**

**H.P. 745 - L.D. 1173**

**An Act Directing the Bureau of General Services to Ensure Adequate Air Quality in All State-owned and State-leased Buildings**

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

Sec. 1. 5 MRSA §1742-G, as enacted by PL 2021, c. 262, §1, is amended to read:

**§1742-G. Bureau of General Services; inventory of asbestos, lead, black mold, radon 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, radon 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 mitigation, remediation, abatement or containment of asbestos, lead, black mold, radon 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 mitigation, 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, radon 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, radon 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, mitigation, 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, radon 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, radon and other substances that may be harmful to human health;

C. Identify any mitigation, 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, radon 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. State House radon testing; report.** By January 15, 2024, the Department of Administrative

and Financial Services, Bureau of General Services shall test the air quality in the State House for the presence of radon and shall submit a report with the results of the testing to the Legislative Council. The report must also include recommendations on mitigation measures to reduce exposure to harmful levels of radon by persons working in or visiting the State House.

See title page for effective date.

---

---

**CHAPTER 393**

**H.P. 886 - L.D. 1372**

**An Act to Amend the Workers' Compensation Self-insurance Laws to Allow for the Use of Fronting Companies**

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

**Sec. 1. 39-A MRSA §403, sub-§4-B** is enacted to read:

**4-B. Group self-insurance reinsurance fronting arrangements.** This subsection governs group self-insurance reinsurance fronting arrangements.

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Fronting arrangement" means a situation in which a fronting company issues a policy for workers' compensation insurance to an employer member of a group self-insurer licensed under this Title and cedes all of the premium and exposure of the policy for out-of-state employees to the self-insured group.

(2) "Fronting company" means an entity that engages in a fronting arrangement. A fronting company may be owned by one or more group self-insurers or by a group self-insurance reinsurance account.

(3) "National Association of Insurance Commissioners" has the same meaning as in Title 24-A, section 15.

(4) "Superintendent" means the Superintendent of Insurance.

B. Beginning June 1, 2024 and until May 31, 2029, an employer member of a group self-insurer licensed under this Title may insure its employees through a fronting arrangement under the following conditions.

(1) The group self-insurer must:

(a) Be a member of a group self-insurance reinsurance account, and the assets of the