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Date: (Filing No. H- )

**STATE AND LOCAL GOVERNMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 770, L.D. 1042, “An Act To Protect State Workers from Exposure to Harmful Substances”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'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 office 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 office building" means a building owned by the State in which persons employed by a state agency regularly perform job duties.

**2. Initial inventory.** The bureau shall inventory all state-owned office 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 office building or state-leased building:

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

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

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

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

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

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

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

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

19          E. The Department of Labor;

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

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

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

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

37          A. Provide statewide monitoring of state-owned office buildings to continuously  
38          identify the presence of health hazards in state-owned office buildings, including, but  
39          not limited to, asbestos, lead, black mold and other substances that may be harmful to  
40          human health;

41          B. Conduct routine building inventories and testing as appropriate to discover and  
42          assess the presence of health hazards in state-owned office buildings, including, but

1 not limited to, asbestos, lead, black mold and other substances that may be harmful to  
2 human health;

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

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

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

13 **8. Rules.** The department may adopt rules to implement this section. Rules adopted  
14 pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter  
15 2-A.

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

23 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
24 number to read consecutively.

## 25 SUMMARY

26 This amendment, which is the minority report of the committee, limits the scope of the  
27 bill to state-owned office buildings.