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## TESTIMONY IN OPPOSITION TO

L.D. 358

### AN ACT TO PROTECT WORKERS FROM UNSAFE WORKING CONDITIONS WITH REGARD TO INDOOR TEMPERATURES

Senator Rafferty, Representative Sylvester and members of the Labor and Housing Committee, I am Steven Bailey, executive director of Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association in opposition to L.D. 358.

School leaders take their responsibility to keep children safe very seriously. That certainly has been demonstrated in this extraordinary year of COVID-19, where because of our precautions schools have remained one of the safest places to be for both children and adults.

This bill requires the Board of Occupational Safety and Health to establish minimum and maximum temperatures in public school buildings. Those rules would affect roughly 400 buildings across state.

We are the first to acknowledge that we have old school buildings in Maine. The list is long for districts hoping to get funded for major school construction projects, and it will be many years before aging buildings are replaced. I've attached a copy of the list to my testimony, and it also can be viewed at: <https://www.maine.gov/doe/schools/facilities/mcscp>.

Currently school personnel monitor indoor temperatures and attempt to mitigate them on hot days by opening up windows. There are times when buildings become too hot and schools must be closed for the day.

There also are buildings that get cold, and the choice is usually to put on extra sweaters or jackets.

These are imperfect mitigations, but they are practical and acknowledge that we don't have unlimited construction funds nor construction capacity to address the problem as quickly as many would like.

We welcome your suggestions short of closing schools – a proposal we do not believe the public would support.

*The Department of Education recommends the following list of School Facilities Priorities to the State Board of Education. This list is based on a rating of the overall needs of evaluated school facilities as defined in State Board of Education Chapter 61, Rules for Major Capital School Construction Projects.*

<u>Priority</u>	<u>School District</u>	<u>School Name</u>	<u>Total Points</u>
1	RSU 49/MSAD 49	Fairfield Primary School	137.69
2	RSU 54/MSAD 54	North Elementary School	124.60
3	RSU 10	Rumford Elementary School	115.19
4	Saco Public Schools	Young School	114.65
5	RSU 14	Windham Middle School	111.27
6	RSU 17/MSAD 17	Agnes Gray School	110.33
7	RSU 17/MSAD 17	Oxford Hills Middle School	109.73
8	RSU 53/MSAD 53	Manson Park School	108.73
9	Augusta Public Schools	Lillian Parks Hussey School	108.01
10	RSU 03/MSAD 03	Walker Memorial School	107.89
11	RSU 53/MSAD 53	Vickery School	107.79
12	RSU 23	Loranger Memorial School	106.71
13	Hancock Public Schools	Hancock Grammar School	106.08
14	RSU 29/MSAD 29	Houlton Elementary School	105.43
15	Portland Public Schools	Portland High School	105.24
16	RSU 03/MSAD 03	Morse Memorial School	105.05
17	RSU 12	Palermo Consolidated School	102.98
18	Ellsworth Public Schools	Hancock County Technical Center	102.85
19	Dayton Public Schools	Dayton Consolidated School	101.90
20	RSU 22	Earl C McGraw School	101.13
21	RSU 79/MSAD 1	Presque Isle High School	98.97
22	RSU 01 - LKRSU	Fisher Mitchell School	98.73
23	RSU 54/MSAD 54	Bloomfield Elementary School	97.03
24	RSU 54/MSAD 54	Canaan Elementary School	96.64
25	Portland Public Schools	Portland Arts & Technology High School	96.31
26	RSU 57/MSAD 57	Massabesic High School	96.08
27	RSU 10	Mountain Valley Middle School	95.85
28	RSU 41/MSAD 41	Penquis Valley Middle/High School	95.76
29	Cherryfield Public Schools	Cherryfield Elementary School	95.60
30	RSU 64/MSAD 64	Central High School	95.32
31	RSU 54/MSAD 54	Skowhegan Area High School and Somerset Tech Ctr	95.19
32	Saco Public Schools	C K Burns School	95.08
33	RSU 18	China Middle School	94.32
34	Scarborough Public Schools	Eight Corners Elementary School	92.31

35	Lamoine Public Schools	Lamoine Consolidated School	92.10
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<u>Priority</u>	<u>School District</u>	<u>School Name</u>	<u>Total Points</u>
36	Scarborough Public Schools	Pleasant Hill School	91.68
37	RSU 16	Minot Consolidated School	91.34
38	RSU 10	Meroby Elementary School	91.10
39	RSU 49/MSAD 49	Clinton Elementary School	90.75
40	Baileyville Public Schools	Woodland Jr-Sr High School	87.22
41	Biddeford Public Schools	Biddeford Regional Center of Technology	86.73
42	RSU 11/MSAD 11	Pittston Consolidated School	86.57
43	RSU 79/MSAD 1	Eva Hoyt Zippel School	86.49
44	Brunswick Public Schools	Brunswick Jr High School	86.38
45	RSU 54/MSAD 54	Margaret Chase Smith School	86.01
46	RSU 79/MSAD 1	Pine Street Elementary School	85.68
47	Lisbon Public Schools	Lisbon High School	85.22
48	Baileyville Public Schools	Woodland Elementary School	85.15
49	Scarborough Public Schools	Blue Point School	83.81
50	RSU 01 - LKRSU	Dike Newell School	80.42
51	RSU 75/MSAD 75	Harpwell Community School	80.06
52	RSU 41/MSAD 41	Milo Elementary School	79.94
53	RSU 40/MSAD 40	Medomak Valley High School	79.39
54	RSU 53/MSAD 53	Warsaw Middle School	79.11
55	RSU 18	Ralph M Atwood Primary School	78.26
56	RSU 12	Whitefield Elementary School	77.30
57	RSU 23	Jameson Elementary School	72.99
58	RSU 49/MSAD 49	Albion Elementary School	72.87
59	Scarborough Public Schools	Scarborough Middle School	72.37
60	Brunswick - Region 10	Maine Region Ten Technical High School	72.28
61	RSU 63/MSAD 63	Holbrook School	72.21
62	RSU 22	George B Weatherbee School	70.79
63	RSU 18	Belgrade Central School	68.76
64	RSU 63/MSAD 63	Eddington School	66.79
65	Biddeford Public Schools	John F Kennedy Memorial School	66.18
66	RSU 63/MSAD 63	Holden School	65.56
67	RSU 10	Mountain Valley High School	65.03
68	Saco Public Schools	Saco Middle School	61.75
69	RSU 18	Williams Elementary School	59.90
70	RSU 18	James H Bean School	58.49
71	RSU 23	Old Orchard Beach High School	57.95
72	Saco Public Schools	Governor John Fairfield School	52.69
73	Medway Public Schools	Medway Middle School	44.91
74	RSU 64/MSAD 64	Central Middle School	43.35