



# 130th MAINE LEGISLATURE

LD 705

LR 1043(04)

## Resolve, To Improve Air Quality and Ventilation in Maine's Public Schools

**Fiscal Note for Bill as Engrossed with:  
C "A" (H-455)  
Committee: Education and Cultural Affairs**

### Fiscal Note

Potential State Mandate - Unfunded

#### State Mandates

##### Required Activity

Under current law and Department of Education rule Chapter 125, all school administrative units (SAUs) are required to comply with air quality standards and SAUs with mechanically driven systems must comply with heating, ventilation and air conditioning rules and regulations. However, these rules and regulations are not defined in Chapter 125. This bill directs the Department of Education to amend rule Chapter 125, rule Chapter 60 and rule Chapter 61 to require standards governing air quality and ventilation systems for all schools, including those with nonmechanical ventilation systems. To the extent that the newly defined standards require some schools to upgrade their existing systems or install new systems, expenditure of local revenue may be required.

##### Unit Affected

School

##### Local Cost

Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

#### Fiscal Detail and Notes

Additional costs to the Department of Education to amend its rule Chapter 125, Basic Approval Standards: Public Schools and School Administrative Units; rule Chapter 60: New Siting Approval and rule Chapter 61: Rules for Major Capital School Construction Projects to require standards governing air quality and ventilation for all schools, including schools with mechanical and nonmechanical ventilation systems and present the provisionally adopted rules for final adoption to the Joint Standing Committee on Education and Cultural Affairs by January 4, 2022 can be absorbed within existing budgeted resources.