

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1023

H.P. 760 House of Representatives, March 30, 1987
Reference to the Committee on Energy and Natural
Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative WHITCOMB of Waldo.

Cosponsored by Representatives HANLEY of Paris, BROWN of
Gorham and Senator BRAUN of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **Resolve, to Direct a Comprehensive**
2 **Examination of the Health Threat of Radon**
3 **and its Derivatives upon Maine Citizens.**
4

5 **Commission established. Resolved:** That the Maine
6 Study Commission on Radon is established. The com-
7 mission shall be comprised of the following 12 mem-
8 bers: 2 Senators to be appointed by the President of
9 the Senate; 2 members of the House of Representatives
10 to be appointed by the Speaker of the House; one mem-
11 ber from the Division of Health Engineering to be ap-
12 pointed by the Commissioner of Human Services; 2 mem-
13 bers from the University of Maine System, one of whom
14 shall represent the Department of Engineering and one
15 of whom shall represent the Cooperative Extension
16 Service, to be appointed by the Chancellor of the
17 University of Maine System; and 2 members represent-
18 ing real estate brokers and salesmen, one member

1 representing the construction industry, one member
2 representing the Maine Municipal Association and one
3 physician to be appointed by the Governor; and be it
4 further

5 **Duties. Resolved:** That the commission shall un-
6 dertake a comprehensive study with the ultimate task
7 of establishing standards and programs to protect the
8 citizens of this State from the dangers of radon gas
9 and radon progeny contamination. The study shall in-
10 clude, but not be limited to, the following issues:

11 1. Coordination of efforts of various state and
12 local agencies to deal with radon related problems,
13 including at least the Division of Health Engineer-
14 ing, the Department of Environmental Protection, the
15 Real Estate Commission, the Plumbers' Examining
16 Board, the Maine Municipal Association and municipal
17 officers and others involved with municipal building
18 codes and regulations;

19 2. Standards used in the collection of
20 radon-related data, including the establishment of a
21 schedule of exposure and risk probabilities, and
22 whether the high-risk areas in the State may be de-
23 termined through a series of tests;

24 3. Testing methodology available, including ex-
25 ploration of the technological possibilities to en-
26 sure the utmost accuracy in testing for radon and
27 radon progeny contamination presence and exposure;

28 4. Examination of current or emerging methods
29 used in other states or jurisdictions for dealing
30 with radon-related issues;

31 5. Certification standards for inspection for
32 radon and radon progeny presence and installation of
33 corrective or remedial devices, including a determi-
34 nation of which persons, agency or agencies shall be
35 allowed or certified to conduct testing and the es-
36 tablishment of a certification mechanism for install-
37 ers of devices to remedy or correct a radon exposure
38 problem;

39 6. Establishment of standards for new home con-
40 struction and corrective and remedial measures, tak-

1 ing into consideration building standards and the
2 fact that the dangers of radon are often undetectable
3 until after construction is completed;

4 7. Examination of the various questions of legal
5 liability, especially the possible liabilities of
6 construction contractors and sellers of real estate,
7 including homeowners and real estate brokers and
8 salesmen;

9 8. Providing education and information to the
10 public, including availability of tests, schedules of
11 high-risk areas and information on corrective and re-
12 medial measures;

13 9. Establishment of parameters for mandatory
14 state action in unusual or extremely high-risk
15 radon-related situations, including radon gas or
16 radon progeny presence in state institutions; and

17 10. Assistance provided by the state, including
18 provision of radon and radon progeny testing kits to
19 homeowners at cost, assistance in laboratory process-
20 ing and interpretation of test result data and other
21 forms of assistance; and be it further

22 **Staff. Resolved:** That the Office of Policy and
23 Legal Analysis shall provide such staff assistance as
24 the commission requires; and be it further

25 **Compensation. Resolved:** That legislative members
26 shall receive the legislation per diem and other mem-
27 bers of the commission shall be compensated for actu-
28 al expenses; and be it further

29 **Appropriation. Resolved:** That the sum of \$5,000
30 be appropriated from the General Fund in order to
31 carry out the purposes of this resolve; and be it
32 further

33 **Report. Resolved:** That the committee shall sub-
34 mit its report together with any record implementing
35 legislation to the Second Regular Session of the
36 113th Legislature by March 15, 1988.

1 STATEMENT OF FACT

2 The dangers of radon gas and radon progeny are a
3 possible health risk to many Maine adults and chil-
4 dren who draw their water from deep wells. Responsi-
5 bility for state action in support of efforts by in-
6 dividuals to lessen exposure to radon-related dangers
7 needs greater coordination.

8 Towards this end of greater coordination, this
9 resolve creates the Maine Study Commission on Radon.
10 Among its duties, the commission shall strive to es-
11 tablish stricter standards for data collection and
12 certification standards for inspection for radon and
13 radon progeny and certification standards to govern
14 the installation of remedial or corrective measures.

15 The commission is also responsible, through coord-
16 ination with other state and local agencies, for de-
17 veloping standards for new home construction, for
18 dissemination of educational and informational mate-
19 rial and for addressing questions of legal liabili-
20 ties surrounding radon-related problems.

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