

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 761

H.P. 560

House of Representatives, March 7, 1995

An Act to Establish a Lead Poisoning Fund.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DAGGETT of Augusta.

Cosponsored by Representatives: KONTOS of Windham, MADORE of Augusta, POULIN of Oakland, Senator: FERGUSON of Oxford.

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

4 **Sec. 1. 22 MRSA §1327** is enacted to read:

6 **§1327. Lead Poisoning Fund**

8 There is established the Lead Poisoning Fund, referred to in
10 this section as the "fund," for the purposes of providing
12 low-interest loans for lead paint abatement and providing grants
14 for chelation treatments.

16 **1. Low-interest loan program.** The fund may provide
18 low-interest loans to owners of dwellings, premises, children's
20 homes and preschool facilities to finance lead paint abatement.
22 The terms of the loan program must include the following.

24 A. To qualify for the program the property owner must
26 demonstrate to the commissioner a plan for lead paint
28 abatement that satisfies all of the requirements of this
30 chapter.

32 B. The interest rate must be calculated by the commissioner
34 at least every 6 months and may be no more than 2 percentage
36 points above the prime rate most recently established by the
38 Federal Reserve Board.

40 C. The repayment period for the loan may not exceed 10
42 years.

44 D. The loan must be secured by a security interest in the
46 dwelling, premises, home or facility.

48 **2. Chelation treatment.** The fund may provide grants for
50 chelation treatment in cases of extreme need. The terms of the
52 chelation grants must include the following.

A. To qualify for a grant the applicant must demonstrate to
the commissioner that a member of the applicant's household
requires chelation treatment.

B. The income of the household must be limited to no more
than 300% of the federal poverty level.

C. There may be no other source of funds to pay for the
chelation treatment.

D. The amount of the grant may not exceed \$5000 per
household member requiring chelation treatment.

3. Administration of the fund; rulemaking. The
commissioner shall administer the fund and shall adopt all rules
necessary to administer the fund.

2 **Sec. 2. 36 MRSA §1811-B** is enacted to read:

4 **§1811-B. Additional assessment on paint sales**

6 An additional assessment is imposed on the value of all
8 paint sold at retail in this State. The rate of the assessment
10 is 25¢ on each gallon of paint sold. Payment of the assessment
12 imposed by this section must be made to the State Tax Assessor
14 before February 1, 1996 and every 3 months thereafter, must be
16 accompanied by forms prescribed by the State Tax Assessor and
18 must be credited to the Lead Poisoning Fund established pursuant
20 to Title 22, section 1327.

22 **STATEMENT OF FACT**

24 This bill establishes the Lead Poisoning Fund for the
purposes of providing low-interest loans for lead paint abatement
and providing grants for chelation treatments. The loans may be
for up to 10 years. The chelation treatment grants may be for up
to \$5000 and are available to households with incomes below 300%
of the federal poverty level. The fund is administered by the
Commissioner of Human Services. This bill imposes an additional
assessment of 25¢ per gallon of paint sold at retail in the State
to provide funds for the Lead Poisoning Fund.