

MAINE STATE LEGISLATURE

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L.D. 1936

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MAJORITY
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1439, L.D. 1936, Bill, "An Act to Regulate Lead Smart Renovators and Lead Sampling Technicians"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 38 MRSA §1296, first ¶, as enacted by PL 1997, c. 375, §14, is amended to read:

A person engaged in any renovation, remodeling, maintenance or repair project involving lead-based paint not subject to the licensing and certification requirements of this chapter shall take reasonable precautions to prevent the release of lead to the environment, including the cleanup, removal and appropriate disposal of all visible lead-based paint debris generated by the project. Activities that may result in the release of lead to the environment include, but are not limited to, removal of lead paint by using open-flame burning or torching, machine sanding or grinding without high-efficiency particulate exhaust control, uncontained hydro blasting or high-pressure washing, abrasive blasting or sandblasting without containment and high-efficiency particulate exhaust control and using heat guns operated above 1,100 degrees Fahrenheit. If the commissioner finds, after investigation, that any location at which lead dust, lead chips or other lead-contaminated wastes are or were handled or otherwise came to be located may create a danger to public health or the safety of any person or to the environment, the commissioner may order the person responsible for the lead dust,

COMMITTEE AMENDMENT

ADS

COMMITTEE AMENDMENT "A" to H.P. 1439, L.D. 1936

2 lead chips or lead-contaminated waste to cease the activity
immediately or to prevent that activity and to take an action
4 necessary to terminate or mitigate the danger or likelihood of
danger. The commissioner may also order any person contributing
6 to the danger or likelihood of danger to cease or prevent that
contribution.'

8 Further amend the bill by inserting at the end before the
summary the following:

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'FISCAL NOTE

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This amendment replaces the bill and eliminates the fiscal
16 impact of the original bill. There is no fiscal impact as a
result of this amendment.'

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SUMMARY

This is the majority report of the Joint Standing Committee
22 on Natural Resources.

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Current law requires persons who are engaged in any
renovation, remodeling, maintenance or repair project involving
26 lead-based paint but who are not licensed to engage in lead-based
paint activities to take reasonable precautions to prevent the
28 release of lead to the environment. This amendment specifies
that those reasonable precautions include the cleanup, removal
30 and appropriate disposal of all visible lead-based paint debris
generated by the project.

32

The amendment also adds language stating that activities
34 that may result in the release of lead to the environment
include, but are not limited to, removal of lead-based paint by
36 using open-flame burning or torching, machine sanding or grinding
without high-efficiency particulate exhaust control, uncontained
38 hydro blasting or high-pressure washing, abrasive blasting or
sandblasting without containment and high-efficiency particulate
40 exhaust control and using heat guns operated above 1,100 degrees
Fahrenheit.

42

This amendment also adds a fiscal note.