

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 441

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S.P. 143

In Senate, February 7, 2017

**An Act To Require Certification under the United States  
Environmental Protection Agency's Lead Renovation, Repair and  
Painting Rule**

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.  
Cosponsored by Representative PIERCE of Dresden and  
Senators: KATZ of Kennebec, VOLK of Cumberland, Representatives: BROOKS of Lewiston,  
FULLER of Lewiston, GOLDEN of Lewiston, HANDY of Lewiston.

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

2 **Sec. 1. 38 MRSA §1299** is enacted to read:

3 **§1299. Certification under federal renovation, repair and painting rule**

4 **1. Pre-1978 construction; painting, renovation, remodeling, maintenance and**  
5 **repair contracts.** A person or entity that contracts with an owner to engage in a painting,  
6 renovation, remodeling, maintenance or repair activity on a building constructed before  
7 1978, which activity is not subject to the licensing and certification requirements of this  
8 chapter, shall ensure that a person certified by the United States Environmental Protection  
9 Agency under 40 Code of Federal Regulations, Part 745, Subpart E is present at the site  
10 when a painting, renovation, remodeling, maintenance or repair activity occurs.

11 **2. Housing assistance; maintenance.** A person performing maintenance on a multi-  
12 unit residential building, the owner of which receives public money in the form of a  
13 housing assistance subsidy or voucher, must be certified by the United States  
14 Environmental Protection Agency under 40 Code of Federal Regulations, Part 745,  
15 Subpart E.

16 **SUMMARY**

17 This bill requires contractors engaged in painting, renovation, remodeling,  
18 maintenance or repair activities on buildings constructed before 1978 to have on-site a  
19 person certified by the United States Environmental Protection Agency under the federal  
20 renovation, repair and painting rule. It also requires persons performing maintenance on  
21 a multi-unit residential building, the owner of which receives public money in the form of  
22 a housing subsidy or voucher, to be certified by the United States Environmental  
23 Protection Agency.