

# MAINE STATE LEGISLATURE

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Date: 3/5/18

L.D. 1542  
(Filing No. H-628)

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1063, L.D. 1542, Bill, "An Act To Support Lead Abatement in Older Residential Properties"

Amend the bill in section 1 in §4981 in subsection 1 by striking out all of paragraphs A to E (page 1, lines 11 to 38 and page 2, lines 1 to 9 in L.D.) and inserting the following:

'A. The Maine State Housing Authority shall establish eligibility standards for participation in the program, including, but not limited to, the following.

(1) Housing units or housing projects consisting of households with incomes up to 100% of the area median income as established by the United States Department of Housing and Urban Development, whether the housing is owned by an individual or a for-profit or nonprofit entity, are eligible.

(2) Annual rent for a housing unit or housing project receiving project funds may not exceed 30% of the area median income as established by the United States Department of Housing and Urban Development for 4 years after completion of the abatement work.

(3) Housing that serves as a child care location for children under 6 years of age is eligible as long as the owner has an annual income at or below 100% of the area median income as established by the United States Department of Housing and Urban Development.

The Maine State Housing Authority may adopt the eligibility standards pursuant to this paragraph by routine technical rule as described in Title 5, chapter 375, subchapter 2-A.

B. All lead abatement performed pursuant to the program must comply with industry standards for lead abatement, including pre-abatement inspection and post-abatement inspection of the housing and other standards established by the Department of Environmental Protection. If the pre-abatement inspection identifies the presence of lead in or on the windows, replacement of those windows must be recommended.

**COMMITTEE AMENDMENT**

R. of S.

1 C. An owner of housing that receives lead abatement assistance under the program  
2 shall pay a portion of the abatement costs as follows:

3 (1) At least 10% of the costs of abatement; or

4 (2) At least 25% of the costs of abatement if a child who is a resident of, or who  
5 receives child care services in, the housing has been determined to have lead  
6 poisoning, as defined in Title 22, section 1315, subsection 5-C.'

7 Amend the bill in section 1 in §4981 in subsection 2 in the 4th and 5th lines (page 2,  
8 lines 16 and 17 in L.D.) by striking out the following: "received under Title 36, section  
9 4641-B, subsection 4-B, paragraph H and any" and inserting the following: 'appropriated  
10 or allocated by the Legislature for the purpose of this section and'

11 Amend the bill by striking out all of sections 2 and 3 and inserting the following:

12 '**Sec. 2. Appropriations and allocations.** The following appropriations and  
13 allocations are made.

14 **HOUSING AUTHORITY, MAINE STATE**

15 **Lead Abatement Fund N261**

16 Initiative: Allocates one-time funds to provide grants for the abatement of lead paint  
17 hazards in residential housing and for the cost of establishing and administering the lead  
18 abatement program.

|    |                                       |                |                    |
|----|---------------------------------------|----------------|--------------------|
| 19 | <b>FUND FOR A HEALTHY MAINE</b>       | <b>2017-18</b> | <b>2018-19</b>     |
| 20 | All Other                             | \$0            | \$4,000,000        |
| 21 |                                       |                |                    |
| 22 | <b>FUND FOR A HEALTHY MAINE TOTAL</b> | <u>\$0</u>     | <u>\$4,000,000</u> |
| 23 |                                       |                |                    |

24 **SUMMARY**

25 This amendment removes the restrictions in the bill regarding which municipalities  
26 are eligible to receive grants from the Lead Abatement Fund and decreases the portion of  
27 the abatement costs that the owner of housing that receives lead abatement assistance  
28 must pay.

29 The amendment also changes the funding for the lead abatement program,  
30 eliminating the provision of the bill that increases the real estate transfer tax and instead  
31 making a one-time allocation of \$4,000,000 from the Fund for a Healthy Maine.

32 **FISCAL NOTE REQUIRED**

33 (See attached)



# 128th MAINE LEGISLATURE

LD 1542

LR 568(03)

An Act To Support Lead Abatement in Older Residential Properties

Fiscal Note for Bill as Amended by Committee Amendment *A (H-628)*  
 Committee: Labor, Commerce, Research and Economic Development

Fiscal Note Required: Yes

## Fiscal Note

|                                   | FY 2017-18 | FY 2018-19  | Projections<br>FY 2019-20 | Projections<br>FY 2020-21 |
|-----------------------------------|------------|-------------|---------------------------|---------------------------|
| <b>Net Cost (Savings)</b>         |            |             |                           |                           |
| Fund for a Healthy Maine          | \$0        | \$4,000,000 | \$0                       | \$0                       |
| <b>Appropriations/Allocations</b> |            |             |                           |                           |
| Fund for a Healthy Maine          | \$0        | \$4,000,000 | \$0                       | \$0                       |

### Fiscal Detail and Notes

This bill includes a one-time Fund for a Healthy Maine allocation of \$4,000,000 in fiscal year 2018-19 to a newly created Lead Abatement Fund within the Maine State Housing Authority to provide grants for the abatement of lead paint hazards in residential housing and for the cost of establishing and administering the program. Sufficient funds are available within the Fund for a Healthy Maine to cover the one-time allocation.