

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1079

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H.P. 802

House of Representatives, March 5, 2019

### An Act To Require Public Schools To Periodically Test for Radon

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Reference to the Committee on Health and Human Services suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT  
Clerk

Presented by Representative WARREN of Hallowell.  
Cosponsored by Senator GRATWICK of Penobscot and  
Representatives: COREY of Windham, KESCHL of Belgrade, PIERCE of Falmouth, Senators:  
MILLETT of Cumberland, SANBORN, L. of Cumberland.

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

2 **Sec. 1. 20-A MRSA §4013** is enacted to read:

3 **§4013. Radon**

4 **1. Testing required.** In accordance with a schedule developed by the department, a  
5 school administrative unit shall hire a person registered with the division of  
6 environmental health within the Department of Health and Human Services under the  
7 Radon Registration Act to test an occupied elementary school, secondary school or other  
8 building of the school administrative unit every 5 years for radon. The method of testing  
9 must comply with school testing standards recommended by the United States  
10 Environmental Protection Agency. The school administrative unit shall maintain, make  
11 available for review and notify parents, faculty and staff of test results under this  
12 subsection. The school administrative unit shall report radon test results to the  
13 Department of Education and the Department of Health and Human Services. The  
14 Department of Health and Human Services shall prepare a report of the test results from  
15 all school administrative units tested and no later than October 1, 2025 and every 5 years  
16 thereafter shall submit the report to the Legislature and the Governor.

17 **2. Funding.** When funds are available, the department shall disburse money to  
18 school administrative units to use for radon testing. The department shall adopt rules to  
19 implement this subsection. Rules adopted pursuant to this subsection are routine  
20 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

21 **3. New schools.** A school administrative unit, when building a new elementary  
22 school, secondary school or other building, shall use radon-resistant new construction  
23 techniques as shown in the United States Environmental Protection Agency document,  
24 "Radon Prevention in the Design and Construction of Schools and Other Large  
25 Buildings" or subsequent document issued by the United States Environmental Protection  
26 Agency.

27 **Sec. 2. Testing schedule.** The Department of Education shall establish a schedule  
28 for testing for radon in school buildings pursuant to the Maine Revised Statutes, Title  
29 20-A, section 4013, subsection 1 that ensures that such testing is conducted in 20% of  
30 school administrative units in the State each year beginning in 2020.

31 **SUMMARY**

32 This bill requires school administrative units to test schools and other buildings for  
33 radon every 5 years. The radon testing must comply with the United States  
34 Environmental Protection Agency's recommended testing standards for schools. A  
35 school administrative unit must notify parents, faculty and staff of the test results and  
36 must report test results to the Department of Education and the Department of Health and  
37 Human Services. The Department of Health and Human Services must report these  
38 results every 5 years to the Governor and the Legislature.

1           The bill also requires school administrative units to build new schools and buildings  
2 using radon-resistant new construction techniques as recommended by the United States  
3 Environmental Protection Agency.