

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 819

S.P. 203

In Senate, March 5, 2021

**An Act To Reduce Lung Cancer Rates in Maine by Requiring
Testing for and Mitigation of Radon in Residential Buildings by
Landlords**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

Cosponsored by Representatives: O'CONNELL of Brewer, ROEDER of Bangor, STOVER of Boothbay.

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

2 **Sec. 1. 14 MRSA §6030-D, sub-§1**, as amended by PL 2013, c. 324, §2, is further
3 amended to read:

4 **1. Testing.** By March 1, 2014, ~~and, unless a mitigation system has been installed in~~
5 ~~that residential building, every 10 years~~ 2022 and annually thereafter ~~when requested by a~~
6 ~~tenant~~, a landlord or other person who on behalf of a landlord enters into a lease or tenancy
7 at will agreement for a residential building shall have the air of the residential building
8 tested for the presence of radon. For a residential building constructed or that begins
9 operation after March 1, 2014, a landlord or other person acting on behalf of a landlord
10 shall have the air of the residential building tested for the presence of radon within 12
11 months of the occupancy of the building by a tenant. Except as provided in subsection 5,
12 a test required to be performed under this section must be conducted by a person registered
13 with the Department of Health and Human Services pursuant to Title 22, chapter 165.

14 **Sec. 2. 14 MRSA §6030-D, sub-§3-A** is enacted to read:

15 **3-A. Mitigation.** When the test of a residential building under subsection 1 reveals a
16 level of radon of 4.0 picocuries per liter of air or above, the landlord or other person who
17 on behalf of a landlord enters into a lease or tenancy at will agreement for that building
18 shall, within 6 months, mitigate the level of radon in the residential building until it is
19 reduced to a level below 4.0 picocuries per liter of air. Mitigation services must be provided
20 by a person registered with the Department of Health and Human Services pursuant to Title
21 22, chapter 165. After mitigation has been performed pursuant to this subsection to reduce
22 the level of radon, the landlord or other person who on behalf of a landlord enters into a
23 lease or tenancy at will agreement for the residential building shall provide written notice
24 to tenants that radon levels have been mitigated.

25 **SUMMARY**

26 This bill requires landlords, beginning in 2022, to test residential buildings yearly for
27 radon. If the test reveals a level of radon of 4.0 picocuries per liter of air or above, the
28 landlord must mitigate within 6 months the level of radon in the residential building until
29 it is reduced to a level below 4.0 picocuries per liter of air.