

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1437

H.P. 1053

House of Representatives, April 12, 2021

**An Act To Reduce Poisoning from Radon, Arsenic and Other Air or
Water Pollutants by Expanding Education, Testing and Mitigation
Regarding Those Pollutants**

Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KESSLER of South Portland.

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

2 **Sec. 1. 22 MRSA §1643** is enacted to read:

3 **§1643. Radon, arsenic and uranium education to state employees**

4 The department shall annually provide educational information about poisoning from
5 radon, arsenic, uranium and other air or water pollutants to state employees via electronic
6 communication. The department and the Department of Administrative and Financial
7 Services, Bureau of Human Resources may coordinate as necessary to provide this
8 information to state employees.

9 **Sec. 2. 30-A MRSA §4852, sub-§2, ¶A**, as repealed and replaced by PL 1989, c.
10 48, §§5 and 31, is amended by amending subparagraph (5) to read:

11 (5) Pay the administrative costs of state public bodies or other public
12 instrumentalities and private, nonprofit corporations directly associated with
13 housing projects; ~~and~~

14 **Sec. 3. 30-A MRSA §4852, sub-§2, ¶A**, as repealed and replaced by PL 1989, c.
15 48, §§5 and 31, is amended by amending subparagraph (6) to read:

16 (6) Otherwise make the costs of single-family or multi-unit residential housing
17 affordable by persons of low-income; and

18 **Sec. 4. 30-A MRSA §4852, sub-§2, ¶A**, as repealed and replaced by PL 1989, c.
19 48, §§5 and 31, is amended by enacting a new subparagraph (7) to read:

20 (7) Pay for the cost of testing for or mitigation of mold, radon, arsenic, uranium
21 or other air or water pollutants.

22 **Sec. 5. 30-A MRSA §4862, sub-§2, ¶E**, as enacted by PL 2009, c. 372, Pt. E, §1,
23 is amended to read:

24 E. Replace hazardous, unhealthy and inefficient manufactured homes that do not meet
25 the United States Department of Housing and Urban Development standards under 24
26 Code of Federal Regulations, Part 3280; ~~and~~

27 **Sec. 6. 30-A MRSA §4862, sub-§2, ¶F**, as enacted by PL 2009, c. 372, Pt. E, §1,
28 is amended to read:

29 F. Reduce the State's greenhouse gas emissions, lower dependence on foreign oil and
30 ease the energy burden on households in the State by increasing the energy efficiency
31 of housing in the State; and

32 **Sec. 7. 30-A MRSA §4862, sub-§2, ¶G** is enacted to read:

33 G. Authorize the payment of the cost of testing for or mitigation of mold, radon,
34 arsenic, uranium or other air or water pollutants.

35 **Sec. 8. 32 MRSA §13197, sub-§3**, as enacted by PL 1987, c. 395, Pt. A, §212, is
36 amended to read:

37 **3. Core requirement.** The commission may establish a core educational requirement
38 for each license type, not to exceed 6 clock hours, in which case the remaining requirement
39 ~~shall~~ must be fulfilled from elective programs approved by the commission. The
40 commission shall include in the core educational requirement a program or course

1 approved by the commission related to radon, arsenic, uranium and other air or water
2 pollutants. This requirement does not apply to agency and company licenses.

3 **Sec. 9. 33 MRSA §459-A** is enacted to read:

4 **§459-A. Testing for radon, arsenic and uranium required for residential real**
5 **property**

6 Before the conveyance of any residential real property in accordance with this chapter,
7 the property must be tested for the presence of radon, arsenic and uranium. For purposes
8 of this section, "residential real property" has the same meaning as in section 171,
9 subsection 6.

10 **Sec. 10. 35-A MRSA §10109, sub-§4, ¶K** is enacted to read:

11 K. The trust shall provide programs that include customer education on the risk of
12 radon exposure related to weatherization work. The trust shall provide incentives to
13 pay for testing for and mitigation of mold, radon or other air pollutants that may be
14 exacerbated by weatherization work performed at a home.

15 **Sec. 11. 35-A MRSA §10110, sub-§2, ¶M** is enacted to read:

16 M. The trust shall provide programs that include customer education on the risk of
17 radon exposure related to weatherization work. The trust shall provide incentives to
18 pay for testing for and mitigation of mold, radon or other air pollutants that may be
19 exacerbated by weatherization work performed at a home.

20 **Sec. 12. 35-A MRSA §10111, sub-§1, ¶C** is enacted to read:

21 C. The trust shall provide programs that include customer education on the risk of
22 radon exposure related to weatherization work. The trust shall provide incentives to
23 pay for testing for and mitigation of mold, radon or other air pollutants that may be
24 exacerbated by weatherization work performed at a home.

25 **Sec. 13. 35-A MRSA §10119, sub-§2, ¶B**, as amended by PL 2019, c. 306, §6, is
26 further amended by enacting a new subparagraph (5) to read:

27 (5) Weatherization programs must include customer education on the risk of radon
28 exposure related to weatherization work. The trust shall provide incentives to pay
29 for testing for and mitigation of mold, radon or other air pollutants that may be
30 exacerbated by weatherization work performed at a home.

31 **SUMMARY**

32 This bill:

33 1. Requires the Department of Health and Human Services to annually provide
34 educational information about poisoning from radon, arsenic, uranium and other air or
35 water pollutants to state employees via electronic communication;

36 2. Authorizes the Housing Opportunities for Maine Program funds to be used to pay
37 for the cost of testing for and mitigation of mold, radon, arsenic, uranium or other air or
38 water pollutants;

1 3. Authorizes the Maine Energy, Housing and Economic Recovery Program funds to
2 be used to pay for the cost of testing for and mitigation of mold, radon, arsenic, uranium or
3 other air or water pollutants;

4 4. Requires the Real Estate Commission to include in the core educational requirements
5 a program or course related to radon, arsenic, uranium and other air or water pollutants;

6 5. Requires any residential real property to be tested for the presence of radon, arsenic
7 and uranium before it can be conveyed; and

8 6. Provides that the Regional Greenhouse Gas Initiative Trust Fund, the Heating Fuels
9 Efficiency and Weatherization Fund and the electric efficiency and conservation programs
10 and natural gas conservation program under the Efficiency Maine Trust provide programs
11 that include customer education on the risk of radon exposure related to weatherization
12 work and provide incentives to pay for testing for and mitigation of mold, radon or other
13 air pollutants that may be exacerbated by weatherization work performed at a home.