

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 307 - L.D. 490

**An Act to Designate the Department of Health and Human Services as the  
Implementing Department of the Lead-safe Housing Registry**

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

**Sec. 1. 22 MRSA §1322-E, sub-§3, ¶G,** as enacted by PL 2007, c. 628, Pt. A, §5, is amended to read:

G. Implementation of the lead-safe housing registry by the ~~Department of Environmental Protection~~ department pursuant to Title 38, chapter 12-B and achieving the goal of elimination of childhood lead poisoning risks in the State section 1331.

**Sec. 2. 22 MRSA §1331** is enacted to read:

**§1331. Registry of leased lead-safe residential dwellings**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Lead-based paint" has the same meaning as in Title 38, section 1291, subsection 16.

B. "Residential dwelling" has the same meaning as in Title 38, section 1291, subsection 26-A.

**2. Registry.** The department shall maintain a registry of leased residential dwellings built before 1978 that are lead-safe as designated by the residential dwelling owners in accordance with subsection 3.

**3. Designation as lead-safe.** A leased residential dwelling may be designated as lead-safe for the purposes of this section if the residential dwelling owner has submitted to the department an application for the leased residential dwelling to be placed on the registry created pursuant to subsection 2. Submission of an application to the registry is voluntary on the part of the residential dwelling owner.

**4. Application.** The application under subsection 3 must be submitted together with a report by a lead inspector that indicates that the leased residential dwelling has been tested for the presence of lead-based paint and lead-contaminated dust or a report by a lead dust sampling technician that indicates the leased residential dwelling has been tested for lead-

contaminated dust. The report must indicate that the leased residential dwelling meets the requirements for inclusion on the registry in accordance with the standards and procedures established by the department.

**Sec. 3. 38 MRSA §1291, sub-§19-A,** as enacted by PL 2007, c. 628, Pt. B, §1, is repealed.

**Sec. 4. 38 MRSA §1291, sub-§23-A,** as enacted by PL 2007, c. 628, Pt. B, §2, is repealed.

**Sec. 5. 38 MRSA §1298,** as amended by PL 2009, c. 501, §14, is repealed.