

## 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.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative KESSLER of South Portland.

2	Sec. 1. 22 MRSA §1643 is enacted to read:
3	§1643. Radon, arsenic and uranium education to state employees
4 5 6 7 8	The department shall annually provide educational information about poisoning from radon, arsenic, uranium and other air or water pollutants to state employees via electronic communication. The department and the Department of Administrative and Financial Services, Bureau of Human Resources may coordinate as necessary to provide this information to state employees.
9 10	<b>Sec. 2. 30-A MRSA §4852, sub-§2, ¶A,</b> as repealed and replaced by PL 1989, c. 48, §§5 and 31, is amended by amending subparagraph (5) to read:
11 12 13	(5) Pay the administrative costs of state public bodies or other public instrumentalities and private, nonprofit corporations directly associated with housing projects; and
14 15	<b>Sec. 3. 30-A MRSA §4852, sub-§2, ¶A,</b> as repealed and replaced by PL 1989, c. 48, §§5 and 31, is amended by amending subparagraph (6) to read:
16 17	(6) Otherwise make the costs of single-family or multi-unit residential housing affordable by persons of low-income-; and
18 19	<b>Sec. 4. 30-A MRSA §4852, sub-§2, ¶A,</b> as repealed and replaced by PL 1989, c. 48, §§5 and 31, is amended by enacting a new subparagraph (7) to read:
20 21	(7) Pay for the cost of testing for or mitigation of mold, radon, arsenic, uranium or other air or water pollutants.
22 23	<b>Sec. 5. 30-A MRSA §4862, sub-§2, ¶E,</b> as enacted by PL 2009, c. 372, Pt. E, §1, is amended to read:
24 25 26	E. Replace hazardous, unhealthy and inefficient manufactured homes that do not meet the United States Department of Housing and Urban Development standards under 24 Code of Federal Regulations, Part 3280; and
27 28	<b>Sec. 6. 30-A MRSA §4862, sub-§2,</b> ¶ <b>F,</b> as enacted by PL 2009, c. 372, Pt. E, §1, is amended to read:
29 30 31	F. Reduce the State's greenhouse gas emissions, lower dependence on foreign oil and ease the energy burden on households in the State by increasing the energy efficiency of housing in the State-; and
32	Sec. 7. 30-A MRSA §4862, sub-§2, ¶G is enacted to read:
33 34	G. Authorize the payment of the cost of testing for or mitigation of mold, radon, arsenic, uranium or other air or water pollutants.
35 36	<b>Sec. 8. 32 MRSA §13197, sub-§3,</b> as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:
37 38 39 40	<b>3.</b> Core requirement. The commission may establish a core educational requirement for each license type, not to exceed 6 clock hours, in which case the remaining requirement shall <u>must</u> be fulfilled from elective programs approved by the commission. The commission shall include in the core educational requirement a program or course

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

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approved by the commission related to reden argenic arenium and other air or water
approved by the commission related to radon, arsenic, uranium and other air or water pollutants. This requirement does not apply to agency and company licenses.
Sec. 9. 33 MRSA §459-A is enacted to read:
§459-A. Testing for radon, arsenic and uranium required for residential real
<u>property</u>
Before the conveyance of any residential real property in accordance with this chapter, the property must be tested for the presence of radon, arsenic and uranium. For purposes of this section, "residential real property" has the same meaning as in section 171, subsection 6.
Sec. 10. 35-A MRSA §10109, sub-§4, ¶K is enacted to read:
K. The trust shall provide programs that include customer education on the risk of radon exposure related to weatherization work. The trust shall provide incentives to pay for testing for and mitigation of mold, radon or other air pollutants that may be exacerbated by weatherization work performed at a home.
Sec. 11. 35-A MRSA §10110, sub-§2, ¶M is enacted to read:
M. The trust shall provide programs that include customer education on the risk of radon exposure related to weatherization work. The trust shall provide incentives to pay for testing for and mitigation of mold, radon or other air pollutants that may be exacerbated by weatherization work performed at a home.
Sec. 12. 35-A MRSA §10111, sub-§1, ¶C is enacted to read:
C. The trust shall provide programs that include customer education on the risk of radon exposure related to weatherization work. The trust shall provide incentives to pay for testing for and mitigation of mold, radon or other air pollutants that may be exacerbated by weatherization work performed at a home.
<b>Sec. 13. 35-A MRSA §10119, sub-§2, ¶B,</b> as amended by PL 2019, c. 306, §6, is further amended by enacting a new subparagraph (5) to read:
(5) Weatherization programs must include customer education on the risk of radon exposure related to weatherization work. The trust shall provide incentives to pay for testing for and mitigation of mold, radon or other air pollutants that may be exacerbated by weatherization work performed at a home.
SUMMARY
This bill:
1. Requires the Department of Health and Human Services to annually provide educational information about poisoning from radon, arsenic, uranium and other air or water pollutants to state employees via electronic communication;
2. Authorizes the Housing Opportunities for Maine Program funds to be used to pay for the cost of testing for and mitigation of mold, radon, arsenic, uranium or other air or water pollutants;

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

- 4. Requires the Real Estate Commission to include in the core educational requirements a program or course related to radon, arsenic, uranium and other air or water pollutants;
- 5. Requires any residential real property to be tested for the presence of radon, arsenic and uranium before it can be conveyed; and
- 6. Provides that the Regional Greenhouse Gas Initiative Trust Fund, the Heating Fuels Efficiency and Weatherization Fund and the electric efficiency and conservation programs and natural gas conservation program under the Efficiency Maine Trust provide programs that include customer education on the risk of radon exposure related to weatherization work and provide incentives to pay for testing for and mitigation of mold, radon or other air pollutants that may be exacerbated by weatherization work performed at a home.