



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1116

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S.P. 336

In Senate, March 7, 2019

### An Act To Strengthen the Lead Poisoning Control Act

(EMERGENCY)

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Reference to the Committee on Health and Human Services 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 LIBBY of Androscoggin.  
Cosponsored by Representative MOONEN of Portland and  
Senators: GRATWICK of Penobscot, MOORE of Washington, Representatives: BROOKS of  
Lewiston, CLOUTIER of Lewiston, HANDY of Lewiston, MELARAGNO of Auburn,  
MORALES of South Portland.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** immediately amending the Lead Poisoning Control Act is required to  
4 ensure the safety of children; and

5           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
6 the meaning of the Constitution of Maine and require the following legislation as  
7 immediately necessary for the preservation of the public peace, health and safety; now,  
8 therefore,

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

10           **Sec. 1. 22 MRSA §1314-A,** as enacted by PL 1991, c. 810, §1, is amended to  
11 read:

12           **§1314-A. Goal**

13           The goal of the State in the area of lead poisoning is to eradicate childhood lead  
14 poisoning by the year ~~2010~~ 2030 through the elimination of potential sources of  
15 environmental lead. By January 1, ~~1997~~ 2025, the department shall submit a report to the  
16 joint standing committee of the Legislature having jurisdiction over ~~human resource~~  
17 health and human services matters regarding progress made toward this goal. The report  
18 must include any recommendations the department may have to revise the goal, along  
19 with any necessary legislation.

20           **Sec. 2. 22 MRSA §1317-D, sub-§4,** as enacted by PL 2001, c. 683, §3 and  
21 affected by §10, is amended to read:

22           **4. Testing of children not covered by MaineCare program.** The program must  
23 require the testing of blood lead levels of all children not covered by the MaineCare  
24 program at one year of age and 2 years of age ~~unless, in the professional judgment of the~~  
25 ~~provider of primary health care, in conjunction with the use of the lead poisoning risk~~  
26 ~~assessment tool, the child's level of risk does not warrant a blood lead level test.~~ The  
27 drawing of blood for the testing may be done in the health care provider's office or may  
28 be referred to another laboratory.

29           **Sec. 3. 22 MRSA §1322-E, sub-§3, ¶F,** as amended by PL 2007, c. 628, Pt. A,  
30 §4, is further amended to read:

31           F. Funding for educational programs and information for owners of rental property  
32 used for residential purposes; ~~and~~

33           **Sec. 4. 22 MRSA §1322-E, sub-§3, ¶G,** as enacted by PL 2007, c. 628, Pt. A,  
34 §5, is amended to read:

35           G. Implementation of the lead-safe housing registry by the Department of  
36 Environmental Protection pursuant to Title 38, chapter 12-B and achieving the goal  
37 of elimination of childhood lead poisoning risks in the State; and



- 1           3. Increases the lead poisoning prevention fee from 25¢ to 50¢ per gallon of paint  
2 and allows up to 50% of the fee to be used for mandated dwelling inspections and  
3 mandated orders to remove lead hazards; and
- 4           4. Makes permanent 5 Environmental Specialist III positions created in 2015 and  
5 necessary to the operation of the lead poisoning risk assessment and blood lead level  
6 testing program.