

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Update the Radon Registration Act

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

Sec. 1. 22 MRSA §772, sub-§3, as enacted by PL 1989, c. 657, §1 and amended by PL 2003, c. 689, Pt. B, §6, is repealed and the following enacted in its place:

3. Division. "Division" means the division of environmental health within the Department of Health and Human Services.

Sec. 2. 22 MRSA §775, as enacted by PL 1989, c. 657, §1, is amended to read:

§ 775. Radon mitigation; registration required

A person may not offer advice or plans to reduce the level of radon in new or existing structures or contract to modify an existing structure in a manner intended to reduce the level of radon unless registered with the division.

Sec. 3. 22 MRSA §776, sub-§2, as enacted by PL 1989, c. 657, §1, is amended to read:

2. New construction. A builder utilizing preventive or safeguarding measures in new construction as recommended in "Radon-resistant Residential New Construction" EPA/60018-881087 published by the United States Environmental Protection Agency or an equivalent publication as determined by the departments specified in the Maine Uniform Building and Energy Code, adopted pursuant to Title 10, chapter 1103;

Sec. 4. 22 MRSA §780, as enacted by PL 1989, c. 657, §1, is amended to read:

§ 780. Fees

The department shall determine a schedule of fees to defray the costs of the registration programs established in sections 774 and 775. Fees may not exceed \$150 for registrants under section 774 or \$75 for registrants under section 775 are determined by the department by rule. The fees collected must be placed in the Radon Relief Fund established in section 784. The fee schedule must provide for initial registration and biennial registration fees. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

The bill amends the Radon Registration Act by updating the lead agency name, clarifying who the act applies to, making new construction comply with the Maine Uniform Building and Energy Code and requiring the Department of Health and Human Services to set fees by rule.