

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

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

‘**Sec. 1. 38 MRSA §§1299 and 1300** are enacted to read:

§ 1299. Adoption of federal renovation, repair and painting rule

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

A. "Minor repair and maintenance activities" has the meaning set forth in 40 Code of Federal Regulations, Section 745.83 (2016).

B. "Renovation" has the meaning set forth in 40 Code of Federal Regulations, Section 745.83 (2016). "Renovation" does not include activities subject to the licensing and certification requirements of this chapter or minor repair and maintenance activities.

C. "Target housing" has the meaning set forth in 15 United States Code, Section 2681, subsection 17 (2016).

2. Compliance with federal rule. A person that performs a renovation for compensation in target housing shall comply with all of the requirements of the United States Environmental Protection Agency's renovation, repair and painting rule set forth in 40 Code of Federal Regulations, Part 745, Subpart E (2016).

3. Guidance. The commissioner shall develop and make available guidance documents for homeowners and persons who perform renovations regarding the requirements of the United States Environmental Protection Agency's renovation, repair and painting rule set forth in 40 Code of Federal Regulations, Part 745, Subpart E (2016).

§ 1300. Lead Paint Renovation Certification Fund

1. Fund established. The Lead Paint Renovation Certification Fund, referred to in this section as "the fund," is established as a nonlapsing fund administered by the department. The fund consists of money appropriated to it by the Legislature from the General Fund and eligible investment earnings from fund assets. The fund must be held separate from all other money, funds and accounts, and all eligible investment earnings from fund assets must be credited to the fund.

2. Fund purposes. The department shall administer the fund to provide grants to up to 250 individuals and business entities each year to offset the costs to those individuals and business entities associated with obtaining certification from the United States Environmental Protection Agency under 40 Code of Federal Regulations, Part 745, Subpart E (2016).

3. Grants. The department shall establish procedures and criteria for the grant application process, eligibility for grants and the award and use of grants made under this section.

4. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Lead Paint Renovation Certification Fund N240

Initiative: Provides ongoing funding to the Department of Environmental Protection to provide grants to a total of approximately 250 individuals and business entities each year to offset the costs associated with obtaining certification from the United States Environmental Protection Agency under 40 Code of Federal Regulations, Part 745, Subpart E.

GENERAL FUND	2017-18	2018-19
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

Remediation and Waste Management 0247

Initiative: Provides funding for one full-time Environmental Specialist III position to establish procedures and award criteria for the grant application process, to determine eligibility of grant applicants and to manage the grant program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,163	\$78,351
All Other	\$2,521	\$2,521
GENERAL FUND TOTAL	\$59,684	\$80,872

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$159,684	\$180,872
DEPARTMENT TOTAL - ALL FUNDS	\$159,684	\$180,872

SUMMARY

This amendment replaces the bill and requires all individuals and business entities that renovate housing constructed prior to 1978 to comply with the United States Environmental Protection Agency's renovation, repair and painting rule, 40 Code of Federal Regulations, Part 745, Subpart E (2016). The amendment requires the Commissioner of Environmental Protection to prepare guidance materials to explain the renovation, repair and painting rule's requirements.

The amendment also provides a \$100,000 annual appropriation to the Department of Environmental Protection to provide grants to up to 250 individuals and business entities each year to offset the costs associated with obtaining certification from the United States Environmental Protection Agency to engage in renovation of housing constructed prior to 1978. The amendment also adds an appropriations and allocations.

FISCAL NOTE REQUIRED

(See attached)