



131st MAINE LEGISLATURE

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Legislative Document

No. 490

H.P. 307

House of Representatives, February 7, 2023

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

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative CRAVEN of Lewiston.

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

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

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

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

8 **§1331. Registry of leased lead-safe residential dwellings**

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

11 A. "Lead-based paint" has the same meaning as in Title 38, section 1291, subsection
12 16.

13 B. "Residential dwelling" has the same meaning as in Title 38, section 1291, subsection
14 26-A.

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

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

23 **4. Application.** The application under subsection 3 must be submitted together with
24 a report by a lead inspector that indicates that the leased residential dwelling has been tested
25 for the presence of lead-based paint and lead-contaminated dust or a report by a lead dust
26 sampling technician that indicates the leased residential dwelling has been tested for lead-
27 contaminated dust. The report must indicate that the leased residential dwelling meets the
28 requirements for inclusion on the registry in accordance with the standards and procedures
29 established by the department.

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

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

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

35 **SUMMARY**

36 This bill replaces the Department of Environmental Protection with the Department of
37 Health and Human Services as the agency responsible for implementing the registry of
38 leased lead-safe residential dwellings.