



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 631

H.P. 461

House of Representatives, February 17, 2011

### An Act To Update the Radon Registration Act

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative SANBORN of Gorham.  
Cosponsored by Senator BRANNIGAN of Cumberland and  
Representatives: BELIVEAU of Kittery, DUCHESNE of Hudson, LOVEJOY of Portland,  
MacDONALD of Boothbay, ROCHELO of Biddeford, WAGNER of Lewiston.

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

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 B, §6, is repealed and the following enacted in its place:

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

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

7 **§775. Radon mitigation; registration required**

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

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

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

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

19 **§780. Fees**

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

27 **SUMMARY**

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