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Date: (Filing No. S- )

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 143, L.D. 441, Bill, “An Act To Require Certification under the United States Environmental Protection Agency's Lead Renovation, Repair and Painting Rule”

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).

**COMMITTEE AMENDMENT**

1 **§1300. Lead Paint Renovation Certification Fund**

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

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

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

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

19 **Sec. 2. Appropriations and allocations.** The following appropriations and  
20 allocations are made.

21 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

22 **Lead Paint Renovation Certification Fund N240**

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

28	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
29	All Other	\$100,000	\$100,000
30			
31	GENERAL FUND TOTAL	<u>\$100,000</u>	<u>\$100,000</u>

32 **Remediation and Waste Management 0247**

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

1	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
2	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
3	Personal Services	\$57,163	\$78,351
4	All Other	\$2,521	\$2,521
5			
6	GENERAL FUND TOTAL	\$59,684	\$80,872

7	<b>ENVIRONMENTAL PROTECTION,</b>		
8	<b>DEPARTMENT OF</b>		
9	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
10			
11	GENERAL FUND	\$159,684	\$180,872
12			
13	DEPARTMENT TOTAL - ALL FUNDS	\$159,684	\$180,872
14			

15 **SUMMARY**

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

22 The amendment also provides a \$100,000 annual appropriation to the Department of  
 23 Environmental Protection to provide grants to up to 250 individuals and business entities  
 24 each year to offset the costs associated with obtaining certification from the United States  
 25 Environmental Protection Agency to engage in renovation of housing constructed prior to  
 26 1978. The amendment also adds an appropriations and allocations.

27 **FISCAL NOTE REQUIRED**

28 **(See attached)**