

An Act To Reduce Lung Cancer Rates in Maine by Requiring Testing for and Mitigation of Radon in Residential Buildings by Landlords

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

The wording of the original bill will be amended to read in full as follows:

THIS WILL BE ENACTED AS A NEW SECTION 785 OF TITLE 22, PART 2, CHAPTER 165---- (Note to reader : this is the public health section of the law and section 784 is currently entitled “ Radon Relief Fund”)

1.The Maine DHHS shall, in consultation with a stakeholder group, develop a voluntary radon testing and mitigation program to reward, recognize, promote and assist landlords, homeowners, builders who wish to participate in the Maine Gold Standard for Radon Testing and Mitigation Initiative to begin operation on or by July 1, 2022.

- **STANDARDS FOR LANDLORDS TO PARTICIPATE:**

In addition to rulemaking established by the Maine DHHS the minimum conditions for a landlord to participate and be recognized as a Gold Standard designated landlord:

1. Fully comply with the US EPA standards of radon testing once every 2 years. All radon results released publicly available.
2. All costs of radon testing to be paid for by the state and mitigation to occur in accordance with section 3 MITIGATION as outlined

below. The first \$600 in mitigation expenses, if required, is to be paid for by the State of Maine.

- **STANDARDS FOR HOME SELLERS TO PARTICIPATE**

Before the conveyance of any residential real property in accordance with this chapter, the property must be tested for the presence of radon, arsenic and uranium. For purposes of this section, "residential real property" has the same meaning as in section 171, subsection 6.

- **STANDARDS FOR HOME BUILDERS TO PARTICIPATE**

(Note to Reader: THIS WOULD BE APPLICABLE IN ONLY THOSE MAINE TOWNS WHICH HAVE A POPULATION OF LESS THAN 4000 WHICH IS SEVERAL HUNDRED IN NUMBER. THE RECENTLY ADOPTED MAINE BUILDING CODE IS NOT MANDATORY IN TOWNS OF LESS THAN 4000).

To be developed by DHHS to recognize homebuilders who adopt active radon resistant practices as set out by the US EPA. Such homes built by such builders will receive a Gold Standard award following a state authorized home inspection after completion of construction, prior to any sale.

2. Each Gold Standard designation for this initiative will be specific to a specifically constructed and inspected home that complies with the best practices for residential properties and , or new homes being constructed,

as applicable, as recommended by the US EPA for radon testing and mitigation..

3. **Mitigation.** When the test of a residential building under subsection 1 reveals a level of radon of 4.0 picocuries per liter of air or above, the landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement for that building shall, within 6 months, mitigate the level of radon in the residential building until it is reduced to a level below 4.0 picocuries per liter of air. Mitigation services must be provided by a person registered with the Department of Health and Human Services pursuant to Title 22, chapter 165. After mitigation has been performed pursuant to this subsection to reduce the level of radon, the landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement for the residential building shall provide written notice to tenants that radon levels have been mitigated.