



April 29, 2021

To the Distinguished Members  
Of the Health and Human Services Committee

*RE: LD 819 An Act to Reduce Lung Cancer Rates in Maine by Requiring Testing for and Mitigation of Radon in Residential Building by Landlords*

From Daniel J. Bernier representing the Central Maine Apartment Owners Association

Dear Distinguished Members:

As it has been some time since the hearing on this bill, I thought I would put some of my comments from the hearing in writing. Maine already has what is perhaps the strictest law in the country for landlords testing for Radon. In fact, Maine is one of a very small number of states which has any law regarding landlords testing for Radon.

In 14 MRS section 6030-D, Maine required all units to be tested and the test results to be disclosed to the tenant. Maine requires retesting at the request of the tenant every ten years. LD 819 would require annual testing. This really puts an unnecessary burden on landlords. If the first floor unit of the three decker tests low, there is really not a lot of point in testing the second and third floor. If a unit tested at 2, retesting is not necessary. A test of 3.9 retesting is a good idea. LD 819 legislation would mandate a lot of unnecessary testing.

Maine does not require mitigation. This was heavily discussed the last time the Maine law was amended in 2013. A landlord who is struggling financially should have the option of not renting the unit and selling the building. The Radon test results would have to be disclosed as part of the sale. I have attached a copy of the Tenants Guide to Radon put out by the EPA for you.

Thank you for your time and consideration.

Very Truly Yours,

Daniel J. Bernier Esq