§1322-F.  Lead poisoning prevention fee

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

(WHOLE SECTION TEXT EFFECTIVE UNTIL CONTINGENCY: See T. 22, §1322-F, sub-
§4)

1.  Fee imposed.  Beginning July 1, 2006, a fee is imposed on manufacturers or wholesalers of
    paint sold in the State to support the Lead Poisoning Prevention Fund under section 1322-E.  The fee
    must be imposed at the manufacturer or wholesaler level, in the amount of 25¢ per gallon of paint
    estimated to have been sold in the State during the prior year, as determined by rule adopted by the
department.
[PL 2005, c. 403, §1 (NEW).]

2.  Rules. By July 1, 2006, the department shall adopt rules to implement this section, including
    rules to determine which manufacturers or wholesalers of paint sold in the State are responsible for the
    fees imposed under subsection 1 and rules establishing the estimated number of gallons of paint sold
    in the State in the prior year for each manufacturer and rules determining the manner of payment.  The
    rules must provide for waivers of payment for manufacturers and wholesalers of paint that is sold in
    low quantities in the State.  The costs for development of these rules and for administration of the Lead
    Poisoning Prevention Fund must be reimbursed from the fees collected.  The rules must specify that
    the first payment of fees is due by April 1, 2007.  Rules adopted pursuant to this subsection are routine
    technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2005, c. 403, §1 (NEW).]

3.  Enforcement. The Attorney General shall enforce payment of fees under this section through
    an action in Superior Court in Kennebec County and may collect costs and attorney's fees.
[PL 2005, c. 403, §1 (NEW).]

4.  Contingent repeal. This section is repealed when the Commissioner of Health and Human
    Services certifies that a period of 24 months has elapsed since the Department of Health and Human
    Services identified a child with an elevated blood lead level through screening by health care providers
    under section 1317-C.  The Commissioner of Health and Human Services shall provide notice to the
    Secretary of the Senate, the Clerk of the House of Representatives and the Office of the Revisor of
    Statutes when this condition has been met.  For purposes of this subsection, "elevated blood lead level"
    means a confirmed level of blood lead that is equal to or exceeds 5 micrograms per deciliter.
[PL 2019, c. 479, §3 (AMD).]

SECTION HISTORY


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