

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 237

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; and in the sponsor line, strike "Delegate Hubbard" and substitute "Delegates Hubbard, D. Davis, Guns, Nathan-Pulliam, Oaks, and C. Mitchell".

AMENDMENT NO. 2

On page 1, in line 2, strike "Targeted" and substitute "Lead -"; in the same line, strike "Program" and substitute "- Work Practices and Accreditation Exemption"; in line 5, after "criteria" insert ", screening methods,"; in line 6, strike "assure statewide coordinated" and substitute "assist local governments to provide"; strike beginning with "specifying" in line 7 down through "Program;" in line 10; in line 15, strike "providing for the termination of a certain portion of this Act" and substitute "making this Act an emergency measure; providing for a delayed effective date for certain portions of this Act"; and in line 19, after "6-303" insert "and 6-821".

On page 2, strike in their entirety lines 6 through 11, inclusive.

AMENDMENT NO. 3

On page 2, in line 29, strike "(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,"; in line 30, strike "ASSURE THE STATEWIDE COORDINATED" and substitute "ASSIST LOCAL GOVERNMENTS, IF NECESSARY, TO PROVIDE"; strike beginning with "(2)" in line 33 down through "WITH" in line 34 and substitute:

"(B) A LOCAL HEALTH DEPARTMENT THAT RECEIVES THE RESULTS OF A BLOOD LEAD TEST INDICATING THAT A CHILD UNDER 6 YEARS OF AGE HAS AN";

and in line 34, strike "LEVELS" and substitute "LEVEL".

(Over)

On pages 2 and 3, strike beginning with “CONSIST” in line 35 on page 2 through “(II)” in line 1 on page 3, and substitute “NOTIFY:

(1) THE CHILD’S PARENTS; AND

(2)”.

On page 3, in line 2, strike the colon and substitute “, THE OWNER OF THE RENTAL DWELLING UNIT WHERE THE CHILD RESIDES.”; and strike in their entirety lines 3 through 28, inclusive.

On pages 5 and 6, strike in their entirety the lines beginning with line 29 on page 5 through line 22 on page 6, inclusive.

AMENDMENT NO. 4

On page 4, in line 11, after the semicolon, insert “AND”; strike beginning with “AND” in line 13 down through “SOURCE;” in line 14; strike beginning with “IN” in line 20 down through “POISONING” in line 21, and substitute “, EXCEPT THAT CHILDREN RESIDING IN AREAS OF HIGHEST RISK MAY BE SCREENED BY A VENOUS BLOOD TEST”; strike beginning with “PRIORITY” in line 23 down through “AREAS” in line 24 and substitute “RISK, AS”; in line 26, after the semicolon, insert “AND”; strike in their entirety lines 27 and 28, inclusive; in line 29, strike “(3)” and substitute “(2)”; and strike beginning with the semicolon in line 31 down through “APPROPRIATE” in line 33.

AMENDMENT NO. 5

On page 5, after line 28, insert:
“6-821.

(a) (1) Whenever an owner of an affected property intends to make repairs or perform maintenance work that will disturb the paint on interior surfaces of an affected property, the owner shall make reasonable efforts to ensure that all persons who are not persons at risk are not present in the area where work is performed and that all persons at risk are removed from the affected property when the work is performed.

(2) A tenant shall allow access to an affected property, at reasonable times, to the owner to perform any work required under this subtitle.

(3) If a tenant must vacate an affected property for a period of 24 hours or more in

order to allow an owner to perform work that will disturb the paint on interior surfaces, the owner shall pay the reasonable expenses that the tenant incurs directly related to the required relocation.

(b) (1) If an owner has made all reasonable efforts to cause the tenant to temporarily vacate an affected property in order to perform work that will disturb the paint on interior surfaces, and the tenant refuses to vacate the affected property, the owner may not be liable for any damages arising from the tenant's refusal to vacate.

(2) If an owner has made all reasonable efforts to gain access to an affected property in order to perform any work required under this subtitle, and the tenant refuses to allow access, even after receiving reasonable advance notice of the need for access, the owner may not be liable for any damages arising from the tenant's refusal to allow access.

(c) All hazard reduction treatments required to be performed under this subtitle shall be performed by or under the supervision of personnel accredited under § 6-1002 of this title.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WORK PRACTICE REQUIREMENTS AND ACCREDITATION REQUIREMENTS ADOPTED UNDER SUBTITLE 10 OF THIS TITLE MAY NOT BE REQUIRED FOR REPAIR, MAINTENANCE, OR RENOVATION WORK, OR RISK REDUCTION TREATMENTS IN AFFECTED PROPERTY THAT RESULTS IN DISTURBANCE OF A LEAD CONTAINING SUBSTANCE ON SURFACES INVOLVING 6 SQUARE FEET OR LESS OF SURFACE AREA IN A ROOM, EXCEPT FOR WINDOW REMOVAL OR REPLACEMENT. THE PERSON PERFORMING REPAIR, MAINTENANCE, OR RENOVATION WORK OR RISK REDUCTION TREATMENTS UNDER THIS SUBSECTION SHALL REMOVE ALL VISIBLE DEBRIS FROM THE AFFECTED PROPERTY BEFORE THE PERSON LEAVES THE AFFECTED PROPERTY.”.

AMENDMENT NO. 6

On page 6, in line 27, strike the first “and”; in line 28, after “Planning,” insert “and representatives of local health and environmental departments,”; strike beginning with “as” in line 30 down through “regulation” in line 31; in line 34, strike “Sections 1 and 3” and substitute “Section 1”; and strike in their entirety lines 36 and 37, inclusive, and substitute:

(Over)

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all of the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.