

state legislation alert



February 23, 1973
NO. 11 (Maine)

TO: All NPCA members in Maine
NPCA Legislative Committee
All Officers, New England Coatings Association, Inc.

Subject: Maine House Bill 474 - Lead Poisoning Control Act; and
Maine House Bill 480 - Prohibiting Use of Spray Paint Cans
in State Controlled Areas.

A. LEAD POISONING CONTROL ACT (House Bill No. 474)

1. Status: Introduced on February 1, 1973 by Representative Mary Najarian,
(D.-Cumberland County), 173 Pleasant Avenue, Portland, Maine.
Referred to House Committee on Health and Institutional Services.

2. Brief Synopsis:

- a. Defines "lead base substance" as any paint, plaster or other surface material or substance containing more than .5% lead by weight, calculated as lead metal in the total non-volatile content on or before January 1, 1974, or more than .06% lead by weight, calculated as lead metal, in the total non-volatile content after January 1, 1974.
- b. Prohibits use or application of lead base substances on:
 - 1. any exposed interior surface of a dwelling;
 - 2. any fixtures or other objects used, installed or located in or upon any exposed surface of a dwelling or intended to be so used, installed or located; and
 - 3. toys or household furniture.
- c. Prohibits sale of toys, household furniture or fixtures (as defined above) if the exterior finish contains a lead base substance.

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All addresses are urged to advise their representatives in the Maine legislature of their opposition to the bill as presently worded and urge amendments mentioned above, namely, deletion of the .06% standard and limiting the labeling requirements to products sold to the general public. As a fallback position from complete deletion of the .06% standard, the bill should be amended to make the lead content standard .5% "or such lower standard for lead content in residential paints as may hereafter be established by Federal law or regulation." This fallback position would automatically make the Maine standard the same as the Federal standard now or in the future.

B. PROHIBITING USE AND POSSESSION OF SPRAY PAINT CANS IN STATE CONTROLLED AREAS (House Bill No. 480)

1. Status: Introduced on February 1, 1973 by Representative Walter A. Birt, (R. - Penobscot County), 33 Pine Street, East Millinocket, Me. Referred to Committee on Natural Resources.

2. Brief Synopsis:

- a. The bill prohibits the use or personal possession of a spray can containing paint in a state-owned or leased structure, park or other area by persons other than employees of the State or persons having contracts with the State when the possession and use of such products is in the course of employment.

3. COMMENTS:

This bill is apparently intended to combat the graffiti problem. At least it does not place restrictions on the sale of aerosols as has been proposed in other jurisdictions.

Your representative in the Maine legislature should be able to provide you with copies of these bills in the shortest time. NPCA will also furnish copies on request.

N. R. Bach
N. R. Bach
Council

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