

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2134

By JOINT COMMITTEE ON WAYS AND MEANS

June 17

- 1 On page 2 of the printed A-engrossed bill, delete lines 22 through 45.
- 2 On page 3, delete lines 1 through 30 and insert:
- 3 **“SECTION 3.** ORS 431.920 is amended to read:
- 4 **“431.920. (1)** The Department of Human Services shall:
- 5 *“[(1) Develop accreditation programs for training providers;]*
- 6 *“[(2) Prescribe the requirements for and the manner of testing the competency of license applicants*
7 *for the protection of the public and as required by federal law;]*
- 8 *“[(3) Prescribe those actions or circumstances that constitute failure to achieve or maintain com-*
9 *petency, or that otherwise are contrary to the public interest, for which the agency may refuse to issue*
10 *or renew or may suspend or revoke a certification;]*
- 11 *“[(4) Develop and conduct programs to screen blood lead levels, to identify hazards and to educate*
12 *the public, including parents, residential dwelling owners and child care facility operators, about the*
13 *dangers of lead-based paint hazards and of appropriate precautions that should be taken to reduce the*
14 *possibility of childhood lead poisoning; and]*
- 15 *“[(5) Impose fees to the extent necessary to pay the costs of the following:]*
- 16 *“[(a) Certification of training curriculums, up to \$1,500;]*
- 17 *“[(b) Annual renewal of training providers and curriculums, up to \$500;]*
- 18 *“[(c) Certification of trainers, up to \$500;]*
- 19 *“[(d) Annual renewal of trainer’s certification, up to \$250; and]*
- 20 *“[(e) Certification test, up to \$85.]*
- 21 **“(a) Certify firms and individuals to perform lead-based paint activities;**
- 22 **“(b) Certify firms to perform renovation;**
- 23 **“(c) Accredite training providers to provide lead-based paint activities and renovation**
24 **training;**
- 25 **“(d) Develop and approve training programs for lead-based paint activities and reno-**
26 **vation;**
- 27 **“(e) Establish standards based on best practices for the conduct of lead-based paint in-**
28 **spections, risk assessment and abatement services, renovation activities that disturb lead-**
29 **based paint and the disposal of lead-based paint that are in addition to, not inconsistent with**
30 **and not in lieu of any other workplace standards required by law;**
- 31 **“(f) Develop and conduct programs to screen blood lead levels, identify hazards and edu-**
32 **cate the public, including but not limited to parents, residential dwelling owners, pediatric**
33 **medical providers and child care facility operators, about the dangers of lead-based paint and**
34 **about appropriate precautions that may reduce the probability of childhood lead poisoning;**
- 35 **“(g) Adopt rules necessary to implement the provisions of this section and sections 4 and**

1 5 of this 2009 Act; and

2 “(h) Establish fees sufficient to recover the costs of implementing the provisions of this
3 section and sections 4 and 5 of this 2009 Act, including but not limited to fees for:

4 “(A) Certification and recertification to perform lead-based paint activities and reno-
5 vation; and

6 “(B) Accreditation and reaccreditation of lead-based paint training providers.

7 “(2) The Department of Human Services may:

8 “(a) Enter private or public property at any reasonable time with consent of the owner
9 or custodian of the property to inspect, investigate, evaluate or conduct tests or take speci-
10 mens or samples for testing, as necessary to determine compliance with section 4 of this 2009
11 Act;

12 “(b) Issue subpoenas to determine compliance with section 4 of this 2009 Act;

13 “(c) Suspend, revoke or modify a certification to perform lead-based paint activities or
14 renovation if the holder of the certification fails to comply with state or federal statutes or
15 regulations related to lead-based paint; and

16 “(d) Suspend, revoke or modify a certified renovator’s certification if the renovator fails
17 to comply with state or federal statutes or regulations related to lead-based paint.

18 “SECTION 4. (1) An individual may not perform or offer to perform, for compensation,
19 lead-based paint activities unless the individual is certified as provided under ORS 431.920 or
20 is performing lead-based paint activities under the supervision of a person certified under
21 ORS 431.920.

22 “(2) A firm may not perform, or offer to perform, lead-based paint activities or reno-
23 vation unless the firm is certified as provided under ORS 431.920 or is performing lead-based
24 paint activities or renovation under the supervision of a person certified under ORS
25 431.920.”.

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