

SENATE JOINT RESOLUTION NO. 103

Continuing the Joint Subcommittee to Study Lead Poisoning Prevention. Report.

Agreed to by the Senate, February 8, 2006
Agreed to by the House of Delegates, March 6, 2006

WHEREAS, Senate Joint Resolution No. 245 (1993) established the Joint Subcommittee to Study Abatement of Lead-Based Paint to create a regulatory program for lead contractors, professionals, and workers in order for Virginia to be eligible for federal housing grant funding in 1994; and

WHEREAS, lead poisoning, as evidenced by elevated blood-lead levels, has permanent neurological effects on young children, impairing cognitive functions and development, often resulting in mental retardation, causing irritability and inappropriate behaviors, damaging hearing and eye sight, and generally affecting health; and

WHEREAS, the joint subcommittee's study has evolved from a focus on lead-based paint abatement to a comprehensive forum relating to activities to reduce lead poisoning, particularly among children; and

WHEREAS, Senate Joint Resolution No. 380 (2005) last continued the study to monitor the development of a clearinghouse of health databases and data repositories and to assist state agencies in all appropriate ways in obtaining additional federal grant funds; and

WHEREAS, during 2005, the Department of Housing and Community Development was awarded a new \$3 million federal grant that will primarily be used for units that have been cited for multiple incidents of lead poisoning; and

WHEREAS, the joint subcommittee was informed in 2005 of the revised federal requirements for the award of grants for states' lead poisoning elimination programs that require compliance with 10 essential lead program elements, two of which Virginia does not currently have: regulatory authority to require abatement of lead hazards in housing units containing children with elevated blood lead levels and statutory protection for clients from retaliatory eviction or discrimination related to disclosure of lead hazards; and

WHEREAS, the joint subcommittee was also told that its actions have saved large sums through its data-sharing initiatives and that the clearinghouse of databases may be a resource for preparation of grant applications to maximize federal and private foundation funding, conducting various health-related studies, identifying health outcomes among at-risk populations, and supporting projects for sharing protected health information; and

WHEREAS, upon seeking input from the agencies participating in the lead activities and data sharing partnership, the joint subcommittee was told that being able to reference the joint subcommittee on grant applications and to cite the support and cooperation between the agencies and the legislature has been a strong factor in obtaining favorable decisions on grant applications; and

WHEREAS, the Centers for Disease Control and Prevention's goal for elimination of lead poisoning is 2010, and the 2006 grant process will be competitive; thus having the joint subcommittee as a forum and advocate for enhancing its programs has been and would be significant for the Department of Health's new application; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee to Study Lead Poisoning Prevention be continued. The joint subcommittee shall have a total membership of 19 members that shall consist of four members of the Senate appointed by the Senate Committee on Rules; six members of the House of Delegates appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two nonlegislative citizen members, one of whom shall be a lead-abatement contractor and one of whom shall be a local building official, appointed by the Senate Committee on Rules; three nonlegislative citizen members, one of whom shall be a member of a local governing body, one of whom shall be a licensed physician with expertise in treating lead poisoning or other expert working in a medical school with expertise in preventing lead poisoning, and one of whom shall be an expert in assisting real estate professionals and property owners in developing safe work practices for remodeling buildings constructed prior to 1978, to be appointed by the Speaker of the House of Delegates; and the Commissioner of Health, the Commissioner of the Department of Labor and Industry, the Director of the Department of Housing and Community Development, and the Director of the Department of Professional and Occupational Regulation or their designees to serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. The current members appointed by the Senate Committee on Rules shall continue to serve until replaced. The current members appointed by the Speaker of the House of Delegates shall be subject to

reappointment. Vacancies shall be filled by the original appointing authority. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall:

1. Monitor the development of the reference database of statewide health-related data to determine its usefulness in containing health care costs and improving health care outcomes, including among children who may be exposed to lead risks or may have elevated blood lead levels;
2. Seek to obtain the two essential lead program elements needed by the Department of Health to be competitive in the 2006 federal grant process; and
3. Continue to assist the agencies of the Commonwealth to obtain funding for activities to protect Virginia's children from lead risks.

Administrative staff support shall continue to be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall continue to be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to two meetings for the 2006 interim and two meetings for the 2007 interim, and the direct costs of this study shall not exceed \$6,000 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members or a majority of the House members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2006, and for the second year by November 30, 2007, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2006 and 2007 interim.