

1999 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 395

Continuing the Joint Subcommittee Studying the Abatement of Lead-based Paint as the Joint Subcommittee Studying Lead Poisoning Prevention.

Agreed to by the Senate, February 25, 1999

Agreed to by the House of Delegates, February 25, 1999

WHEREAS, originally established in 1993 to ensure that the Commonwealth would be able to obtain federal grant funds intended to abate lead paint, the Joint Subcommittee Studying the Abatement of Lead-based Paint has diligently pursued the refinement of the Commonwealth's laws in this matter; and

WHEREAS, over the years of its study, the joint subcommittee has resolved various statutory issues relating to certification of lead abatement workers and contractors and has initiated a viable partnership between the Commonwealth's relevant agencies which has served its citizens well; and

WHEREAS, in 1998 the joint subcommittee recommended technical changes to the certification law; requested the Departments of Health, Professional and Occupational Regulation, and Housing and Community Development to strive to involve building officials and other local government officials in efforts to avert lead poisoning; and continued its study to monitor lead-poisoning and abatement issues, with only one meeting authorized; and

WHEREAS, at its annual meeting in 1998, the joint subcommittee heard an official from the Atlanta office of the Centers for Disease Control and Prevention, various state officials, and several parents of children with lead poisoning; and

WHEREAS, the joint subcommittee was deeply concerned upon hearing from the parents about the difficulties in obtaining assistance and the lack of lead poisoning testing for children at risk of elevated blood lead levels; and

WHEREAS, the joint subcommittee has requested that the Board of Medicine assist it by publishing an article on lead poisoning, emphasizing the dangers of childhood lead poisoning and the detection of this "silent epidemic" in its newsletter, which is distributed to every licensed physician in Virginia; and

WHEREAS, the joint subcommittee also heard from representatives of the real estate industry concerning its problems with the interaction between federally required disclosure and discrimination requirements and the lack of insurance coverage for lead poisoning; and

WHEREAS, the joint subcommittee was not aware of the serious concerns about insurance coverage, and the conflicting requirements of federal law among real estate professionals; and

WHEREAS, the joint subcommittee's expertise and experience with lead poisoning issues have been recognized as valuable assets to the Commonwealth; and

WHEREAS, the joint subcommittee has come to realize that its study has evolved and can serve the citizens of the Commonwealth well by broadening its scope to include the crucial issues relating to lead poisoning; its effects on the children and adults of this state; the many issues relating to medical practice, housing laws and issues; and the interaction between the public health community, the real estate community, the health care community, and local government officials; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee Studying the Abatement of Lead-based Paint be continued as the Joint Subcommittee Studying Lead Poisoning Prevention. The joint subcommittee shall be composed of 17 members as follows: the joint subcommittee shall include 6 legislative members; 4 ex officio members and 7 citizens to be appointed as follows: the three legislative members appointed to the Joint Subcommittee Studying the Abatement of Lead-Based Paint pursuant to the original enabling resolution, Senate Joint Resolution No. 245 (1993) and Senate Joint Resolution No. 101 (1998), except that appointments of members of the House of Delegates to fill vacancies shall also be in accordance with the principles of Rule 16 of the Rules of the House of Delegates, and the Director of the Department of Professional and Occupational Regulation, the Commissioner of the Department of Labor and Industry, the Director of the Department of Housing and Community Development, and the Commissioner of Health shall continue to serve; one additional member of the Senate, to be appointed by the Senate Committee on Privileges and Elections; two additional members of the House of Delegates, to be appointed by the Speaker of the House in accordance with the principles of Rule 16 of the Rules of the House of Delegates; one lead-abatement contractor, one local building official, and one physician with expertise in treating lead poisoning to be appointed by the Senate Committee on Privileges and Elections; and one parent of a child with lead poisoning, one member of a local governing body, one real estate professional, and one 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. The membership of the joint subcommittee shall elect a chairman who shall be a member of the General Assembly.

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In conducting its study, the joint subcommittee shall:

1. Receive reports and data and make recommendations on appropriate lead risk reduction policy in the Commonwealth;
2. Receive reports and data on the concerns related to liability for lead in housing and assess possible solutions to these concerns;
3. Receive reports and data on the prevention of lead poisoning among the citizens of the Commonwealth, particularly children;
4. Strive to involve building officials and other local government officials in the work to avert lead poisoning;
5. Receive reports and data relating to medical guidelines for the prevention, diagnosis, and treatment of lead poisoning, particularly among children;
6. Work with the Board of Medicine, the Medical Society of Virginia, and others in educating the public and the medical community on the prevention, diagnosis, and treatment of lead poisoning; and
7. Evaluate such other issues as it may deem necessary in alleviating this serious problem in Virginia.

The direct costs of this study shall not exceed \$6,400.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its final findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.