

1 H.957

2 Introduced by Committee on Education

3 Date:

4 Subject: Education; public health; testing; lead in school drinking water

5 Statement of purpose of bill as introduced: This bill proposes to delay until

6 December 31, 2021 the requirement that public and independent schools

7 complete testing of drinking water in school buildings for lead contamination.

8 An act relating to extending the deadline to test for lead in the drinking
9 water of school buildings

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. FINDINGS

12 The General Assembly finds that:

13 (1) 2019 Acts and Resolves No. 66 (Act No. 66) requires the
14 Department of Health to administer a program to test the drinking water in
15 school buildings and child care facilities for lead contamination.

16 (2) Act No. 66 requires testing of drinking water in all child care
17 facilities and school buildings for lead to be completed by December 31, 2020.

18 (3) As of March of 2020, testing for lead in the drinking water of all
19 child care facilities is complete, and 68 percent of all schools have completed
20 testing.

1 (4) Act No. 66 requires drinking water samples for school buildings to
2 occur during the school year in order to test the composition of drinking water
3 when students are present in school buildings.

4 (5) On March 15, 2020, Governor Scott issued Gubernatorial
5 Directive 1 related to COVID-19 dismissing all public and independent
6 schools in the State.

7 (6) On March 26, 2020, Governor Scott issued Gubernatorial
8 Directive 5 related to COVID-19 directing all public and independent schools
9 to remain dismissed for in-person instruction for the remainder of the 2019–
10 2020 school year.

11 (7) Because of the dismissal of in-person schooling and because of the
12 uncertainty of when students will return to instruction within school buildings,
13 it is likely that testing of drinking water in all school buildings will not be
14 completed by December 31, 2020 as required by Act No. 66.

15 (8) Department of Health staff assigned to administer the requirements
16 for testing of drinking water for lead in school buildings have been assigned to
17 COVID-19 response, testing, and health surveillance.

18 (9) In order to allow schools sufficient time to test drinking water for
19 lead when students are present in the remaining school buildings that require
20 testing and to allow Department of Health staff to return to administration of
21 the school drinking water testing program, the General Assembly should delay

1 until December 31, 2021 the deadline for the testing of drinking water for lead
2 in school buildings.

3 Sec. 2. 18 V.S.A. § 1243(b)(1) is amended to read:

4 (1) On or before December 31, ~~2020~~ 2021, each school district,
5 supervisory union, independent school, or child care provider in the State shall
6 collect a first-draw sample and a second flush sample from each outlet in each
7 building or facility it owns, controls, or operates. Sampling shall occur during
8 the school year of a school district, supervisory union, or independent school.

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on passage.