

ASSEMBLY BILL

No. 80

Introduced by Assembly Member Havice

January 4, 2001

An act to add Article 4.5 (commencing with Section 32246) to Chapter 2 of Part 19 of the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 80, as introduced, Havice. School safety: lead.

Under the Lead-Safe Schools Protection Act, the State Department of Health Services is required to survey schools for the purpose of developing risk factors to predict lead contamination in public schools. Existing law requires the department to work with the State Department of Education to develop guidelines to ensure that lead hazards are minimized in the course of school repair and maintenance programs and abatement procedures.

This bill would require a school district to require its district level maintenance supervisors to participate in training offered by the State Department of Health Services through the California Lead-Safe Schools Program after which the district level maintenance supervisors would be required to train certain school district maintenance employees in procedures and methods based on the training received through the California Lead-Safe Schools Program. These training program requirements would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide

and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Article 4.5 (commencing with Section 32246) is added to Chapter 2 of Part 19 of the Education Code, to read:

Article 4.5. Lead Safety

32246. (a) Each school district shall require its district level maintenance supervisors to participate in training offered by the State Department of Health Services through the California Lead-Safe Schools Program.

(b) After participating in training pursuant to subdivision (a), district level maintenance supervisors shall train school district maintenance employees whose worksites are facilities used as public elementary schools, public preschools, and public day care facilities in procedures and methods based on the training offered by the State Department of Health Services through the California Lead-Safe Schools Program.

(c) This section applies to school districts whose supervisors and employees have not received the training required pursuant to this section within the four years immediately preceding the effective date of this section.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000),

- 1 reimbursement shall be made from the State Mandates Claims
- 2 Fund.

O

