



# Maine Developmental Disabilities Council

February 9, 2021

## Testimony Neither For Nor Against LD 206, “Resolve, Regarding Legislative Review of Portions of Chapter 234: Lead Testing in School Drinking Water Rule”

Senator Claxton, Representative Meyer and the distinguished members of the Joint Committee on Health and Human Services.

My name is Nancy Cronin and I am the Executive Director of the Maine Developmental Disabilities Council (DD Council)<sup>1</sup>. I stand neither for nor against as I am completely supportive in ensuring that schools water supply is free of lead but I do not believe that the current rule, and bill, goes far enough to protect our children.

This is not the typical kind of bill I would stand in front of you and testify about but the effects of Lead in water impacts education and development in profound ways. The stakes are simply too high not to speak. Multiple studies have demonstrated that Lead causes deficits in cognition, academic performance, attention, and behavior in children. Recent studies, such as a study published by the Journal of Public Health & Practice notes that there is evidence that exposure to Lead in preschool children can actually precipitate Developmental Disabilities.<sup>2</sup> Our schools currently have four-year old’s attending and soon they may have 3 year old’s.

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<sup>1</sup> Councils on Developmental Disabilities were created through the Developmental Disabilities Assistance and Bill of Rights Act (DD Act) in 1970. Maine’s DD Council has been advocating for individuals with Developmental Disabilities (DD) for over 40 years. The DD Council is a federally-funded, independent organization with members from across the state, including persons with disabilities, family members, and representatives of public and private agencies which provide services and/or funding for services for individuals with developmental disabilities.

As required in federal law<sup>1</sup>, our purpose is to promote systems change to ensure that all individuals with developmental disabilities are able to live and fully participate in their communities of choice. Working in partnership with people with disabilities, parents, advocates, and policy makers, Maine’s DD Council works to promote the independence, integration, and inclusion of all people with disabilities through advocacy, capacity building, and systems change activities throughout the state of Maine and on the national level. The DD Council’s mission is **to create a Maine in which all people are valued and respected because we believe communities are stronger when everyone is included**. The Maine DD Council employs four full-time staff who are responsible for all of the internal projects, external grants, and business of the Council.

<sup>2</sup> Delgado PhD, Christine F. et. al. (2017) Lead Exposure and Developmental Disabilities in Preschool-Aged Children, Journal of Public Health Management & Practice Accessed on 2/5/2021 at [http://www.chris.miami.edu/publications/research/Delgado\\_et\\_al\\_2017\\_JPHMP.pdf](http://www.chris.miami.edu/publications/research/Delgado_et_al_2017_JPHMP.pdf)

The World Health Organization's fact sheet discusses how "lead exposure accounted for 63.2% of the global burden of idiopathic developmental intellectual disabilities and 10.3% of the global burden of hyperintensive heart disease."<sup>3</sup> It is not just preschool aged children that can be affected by lead – the effects of lead is damaging to all children. But I don't think I need to convince any of you that ingesting lead is simply not good for human beings.

This bill aims at setting levels of acceptable lead in our children's water supply. That is critical and unfortunately, this resolve sets the level of 15 parts per billion (ppb) however the American Academy of Pediatrics calls for a standard of no more than 1ppb in school drinking water. It is part of the public trust that our children will be safe at schools.

- **Please Amend the rule to Replace "15 ppb" with "1 ppb" everywhere it occurs in the rule.**

The Department has made clear in the rule that it intends for schools to be tested only once. This is completely inadequate for public health and doesn't meet the statutory intent. Schools need to test water's lead levels more often.

- **Please Add Section 3(C): "After an initial round of testing, the Department shall assign schools to a testing schedule that will ensure roughly 1/5 of schools are tested each year, such that each school is tested once per five years. After the initial testing, the Department may exempt schools that were constructed after January 1, 2014 from further testing. The Department will notify schools of the schedule and provide testing materials in accordance with section 3(A)."**

Lastly, parents need to be assured of the results of the water testing. After all, they not only are sending their children to school they are some of the property tax payers that are paying for the school. They have the ultimate right to know that their schools are safe.

- **Please Amend section 6(c) to read: "Schools must distribute public notice as soon as practicable within 10 3 days of receiving lab results"**

Thank you for the opportunity to speak.

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<sup>3</sup> World Health Organization (2021) Fact Sheet Accessed On 2/5/2021 at <https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health>

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I apologize for writing the testimony I initially submitted addressed to the Education Committee. This version amends that error.

Nancy Cronin