
SENATE BILL NO. 185—SENATORS COPENING, PARKS, WIENER;
BREEDEN, COFFIN, HARDY, LEE, MATHEWS AND WOODHOUSE

MARCH 9, 2009

JOINT SPONSORS: ASSEMBLYMEN BOBZIEN; AIZLEY, HOGAN,
MASTROLUCA AND MUNFORD

Referred to Committee on Health and Education

SUMMARY—Requires school districts to use environmentally sensitive cleaning and maintenance products. (BDR 34-742)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring the State Board of Education to adopt regulations setting forth the standards for environmentally sensitive cleaning and maintenance products for use in the public schools; requiring school districts to ensure that only environmentally sensitive cleaning and maintenance products are used in the public schools; prescribing the process for a waiver under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 2** of this bill expresses the intent of the Legislature with regard to the
2 manner in which school districts may reduce the potential exposure of pupils and
3 school personnel to potentially hazardous chemicals and substances.

4 **Section 3** of this bill requires the State Board of Education to adopt regulations
5 setting forth the standards for environmentally sensitive cleaning and maintenance
6 products for use in the public schools in this State. **Section 3** also requires school
7 districts to ensure that only environmentally sensitive cleaning and maintenance
8 products are used in the public schools in accordance with the regulations adopted
9 by the State Board. **Section 3** further provides that a school district may submit a
10 written request to the Department of Education for a waiver from these
11 requirements under certain circumstances.



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12 **Section 5** of this bill requires school districts to ensure that the public schools
13 within the school district comply with the requirements of **section 3** of this bill on
14 or before July 1, 2010.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 386 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *The Legislature declares that:*

4 1. *Children are particularly vulnerable to and may be*
5 *severely affected by exposure to chemicals, hazardous wastes and*
6 *other environmental hazards that may be used for cleaning and*
7 *maintenance in the public schools; and*

8 2. *It is the intent of the Legislature to reduce the possible*
9 *exposure of pupils and school personnel to potentially hazardous*
10 *chemicals and substances which are used in the cleaning and*
11 *maintenance of the public schools in this State.*

12 **Sec. 3.** 1. *The State Board shall, in consultation with each*
13 *school district, the State Department of Conservation and Natural*
14 *Resources, the Department of Health and Human Services and*
15 *other interested parties, including, without limitation,*
16 *representatives of the cleaning and maintenance product industry,*
17 *nongovernmental agencies and organizations, and parents and*
18 *legal guardians of pupils enrolled in the school district, adopt*
19 *regulations setting forth the standards for environmentally*
20 *sensitive cleaning and maintenance products for use in the public*
21 *schools.*

22 2. *The Department shall provide a sample list of approved*
23 *environmentally sensitive cleaning and maintenance products to*
24 *each school district based upon the standards prescribed pursuant*
25 *to subsection 1.*

26 3. *Except as otherwise provided in subsection 4, each school*
27 *district shall ensure that the public schools within the school*
28 *district use only environmentally sensitive cleaning and*
29 *maintenance products in accordance with the regulations adopted*
30 *pursuant to subsection 1.*

31 4. *If the board of trustees of a school district determines that*
32 *the costs associated with the purchase or use of environmentally*
33 *sensitive cleaning and maintenance products are unreasonable*
34 *and would place an undue burden on the efficient operation of the*
35 *school district or a particular school within the school district, the*
36 *board of trustees may submit a written request to the Department*
37 *for a waiver from purchasing and using environmentally sensitive*
38 *cleaning and maintenance products for the school district as a*



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1 *whole or for a particular school or schools within the school*
2 *district.*

3 *5. If a waiver is granted by the Department pursuant to*
4 *subsection 4, the waiver is effective for 1 year after the date of its*
5 *approval and a renewal may be requested on an annual basis in*
6 *the manner set forth in subsection 4.*

7 *6. As used in this section, "environmentally sensitive cleaning*
8 *and maintenance products" means cleaning and maintenance*
9 *products that reduce the chemicals, hazardous wastes and other*
10 *environmental hazards to which pupils and school personnel may*
11 *be exposed.*

12 **Sec. 4.** On or before January 1, 2010, the State Board of
13 Education shall adopt the regulations required by section 3 of this
14 act.

15 **Sec. 5.** On or before July 1, 2010, each school district shall:

16 1. Ensure that only environmentally sensitive cleaning and
17 maintenance products are used in the public schools within the
18 school district in accordance with the regulations adopted pursuant
19 to section 3 of this act; or

20 2. Request a waiver from the Department of Education
21 pursuant to section 3 of this act.

22 **Sec. 6.** 1. On or before January 1, 2011, the board of trustees
23 of each school district shall prepare and submit to the Department of
24 Education a written report regarding the implementation of the use
25 of environmentally sensitive cleaning and maintenance products in
26 the public schools within the school district. The report must
27 include, without limitation:

28 (a) A description of the cleaning and maintenance products that
29 were replaced, if any;

30 (b) A description of the environmentally sensitive cleaning and
31 maintenance products that are used in the public schools within the
32 school district;

33 (c) A description of any requests for a waiver that the school
34 district submitted to the Department and the status of the request;
35 and

36 (d) An evaluation of the effectiveness of the use of
37 environmentally sensitive cleaning and maintenance products on the
38 health and safety of the pupils and school personnel in the school
39 district.

40 2. On or before February 1, 2011, the Department of Education
41 shall submit a written report to the Director of the Legislative
42 Counsel Bureau for transmission to the 76th Session of the Nevada
43 Legislature regarding the implementation of the use of
44 environmentally sensitive cleaning and maintenance products in



1 school districts in this State. The report must include, without
2 limitation:

3 (a) A compilation of the reports submitted by each school
4 district pursuant to subsection 1; and

5 (b) A description of the requests for a waiver submitted by
6 school districts to the Department pursuant to section 3 of this act,
7 including, without limitation:

8 (1) The number of waivers that were granted by the
9 Department and the justification for each waiver; and

10 (2) The number of waivers that were denied by the
11 Department and the reasons for each denial.

12 **Sec. 7.** This act becomes effective on July 1, 2009.

