

STAND. COM. REP. NO.

1040

Honolulu, Hawaii

MAR 14 2007

RE: H.B. No. 21
H.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Education, to which was referred H.B. No. 21, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SCHOOLS,"

begs leave to report as follows:

The purpose of this measure is to clarify when testing for asbestos-containing materials is required at all public and charter school facilities under the Asbestos Hazard Emergency Response Act of 1986.

Testimony in support of this measure was submitted by the Department of Education, the Hawaii State Teachers Association, and the Hawaii Government Employees Association.

Your Committee finds that pursuant to Act 186, Session Laws of Hawaii (SLH) 2005, the Legislature required the Department of Education to take responsibility for ensuring that asbestos testing is conducted prior to the renovation or painting of school facilities. Your Committee further finds that Act 51, SLH 2005, requires the testing of both exterior and interior surfaces, if the surfaces have not previously been tested. However, under the Federal Asbestos Hazard Emergency Response Act of 1986, asbestos testing is only required on interior surfaces, including exterior hallways connecting buildings, porticos, and mechanical systems used to condition interior spaces, for all suspected asbestos-containing materials. Therefore, the law should be clarified to focus resources and efforts on testing those surfaces most likely to contain asbestos.

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As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 21, H.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Education,



NORMAN SAKAMOTO, Chair



