

JAN 17 2007

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# A BILL FOR AN ACT

RELATING TO SCHOOLS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that existing law in Act  
2 186, Session Laws of Hawaii 2005, relating to schools, requires  
3 the department of education to be responsible to ensure that  
4 asbestos testing is conducted prior to any exterior or interior  
5 renovations or painting of school facilities, if the surfaces  
6 have not been previously tested.

7           The federal Asbestos Hazard Emergency Response Act requires  
8 asbestos testing only if there are suspected asbestos containing  
9 materials that would be affected during renovation or painting  
10 of school facilities.

11           The legislature finds that current law requiring the  
12 testing of any surface can result in unnecessary cost.

13           The purpose of this Act is to conform Hawaii law to the  
14 mandates of the federal law.

15           SECTION 2. Act 186, Session Laws of Hawaii 2005, is  
16 amended by amending section 2 to read as follows:



1           "SECTION 2. The department of education shall be  
2 responsible for ensuring that asbestos testing is conducted on  
3 all suspected asbestos-containing materials as required by the  
4 federal Asbestos Hazard Emergency Response Act of 1986 prior to  
5 any exterior or interior renovations or painting of school  
6 facilities at all department of education schools, except  
7 charter schools, provided that the surfaces have not previously  
8 been tested."

9           SECTION 3. New statutory material is underscored.

10          SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**

Department of Education; Asbestos Testing

**Description:**

Conforms Act 186, Session Laws of Hawaii 2005, with the federal Asbestos Hazard Emergency Response Act of 1986 that requires asbestos testing only of suspected asbestos-containing materials.

