

ACT 186

H.B. NO. 1295

A Bill for an Act Relating to Schools.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Asbestos was commonly used in insulation and fireproofing material until it was banned in the 1970s. Asbestos does not pose a risk in finished products if left undamaged and undisturbed. However, it can pose a risk when the materials in which it is used are ground or pulverized, causing the asbestos to become airborne.

Because most of the data on asbestos-related illnesses comes from shipyard workers and miners who were exposed to large amounts of pure asbestos over long periods of time, it is unclear what effect, if any, a brief exposure to asbestos will have and what future health problems, if any, individuals may have when dust containing asbestos is inhaled.

Asbestos is found in many school buildings in Hawaii. Asbestos can present a health and safety issue for students, teachers, and anyone else present when asbestos is disturbed. While schools across the county have asbestos management plans requiring schools to inspect for asbestos and do periodic surveillance, most

school management plans do not cover the exteriors of buildings. Thus, there was an unfortunate incident at Governor Samuel Wilder King intermediate school in December 2004, when students were exposed to dust containing asbestos during an exterior renovation project that was conducted at the school.

The legislature finds that the department of education must ensure that paint and buildings are tested for asbestos prior to any renovations or painting of school facilities.

The purpose of this Act is to ensure the health of students, faculty, and visitors by requiring asbestos testing prior to any exterior or interior renovations or painting of school facilities at all department of education schools, except charter schools, provided that the surfaces have not previously been tested.

SECTION 2. The department of education shall be responsible for ensuring that asbestos testing is conducted prior to any exterior or interior renovations or painting of school facilities at all department of education schools, except charter schools, provided that the surfaces have not previously been tested.

SECTION 3. This Act shall take effect on July 1, 2005.

(Approved July 1, 2005.)