

A Bill for an Act Relating to Schools.

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

SECTION 1. Act 186, Session Laws of Hawaii 2005, makes the department of education responsible for ensuring that asbestos testing is conducted prior to any exterior or interior renovations or painting of school facilities, if the surfaces have not been previously tested.

The federal Asbestos Hazard Emergency Response Act of 1986 requires asbestos testing on interior surfaces only if there are suspected asbestos-containing materials that would be affected during renovation or painting of school facilities.

The legislature finds that the current law, which requires testing of any surfaces, can result in unnecessary costs.

The purpose of this Act is to clarify that asbestos testing of school facilities is to be conducted only on all suspected asbestos-containing materials, including exterior surfaces, and as required by the federal Asbestos Hazard Emergency Response Act of 1986 for interior surfaces, prior to any exterior or interior renovations or painting of school facilities, including conversion charter school facilities.

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

“SECTION 2. The department of education shall be responsible for ensuring that asbestos testing is conducted on all suspected asbestos-containing materials, including exterior surfaces, and as required by the federal Asbestos Hazard Emergency Response Act of 1986 for interior surfaces, prior to any exterior or interior renovations or painting of school facilities at all department of education and conversion charter schools~~[-, except charter schools,];~~ provided that the surfaces have not previously been tested.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved March 27, 2007.)