

FILED JAN 28 1988

who's school?
Substituted for H.F. 2155 3/13/87

SENATE FILE **2098**
BY COMMITTEE ON EDUCATION
(formerly 55B#2028)
Approved (1/20/87)

(No Study Bill available)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved _____

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to payment of costs of asbestos identification,
2 encapsulation, and removal by boards of directors of school
3 districts.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2098

1 Section 1. Section 279.43, subsection 1, Code 1987, is
2 amended to read as follows:

3 1. The board of directors may pay the actual cost of
4 removal, or encapsulation, inspection and reinspection,
5 sampling, analysis, assessment, response actions, operations
6 and maintenance, training, periodic surveillance, developing
7 of management plans, and recordkeeping requirements relating
8 to the presence of asbestos existing in its school buildings
9 from any funds in the general fund of the district, funds
10 received from the schoolhouse tax authorized under section
11 278.1, subsection 7, funds from the tax levy certified under
12 section 297.5 or moneys obtained through a federal asbestos
13 loan program, to be repaid from any of the funds specified in
14 this subsection.

15 EXPLANATION

16 This bill allows school districts to use current funding
17 sources to pay for removal, encapsulation, inspection and
18 reinspection, sampling, analysis, assessment, response
19 actions, operations and maintenance, training, periodic
20 surveillance, developing of management plans, and
21 recordkeeping requirements relating to the presence of
22 asbestos in school buildings. The bill allows school
23 districts to comply with the Federal Asbestos Hazard Emergency
24 Response Act of 1986.

25 SUCCESSOR TO SSB 2028

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REVISED

STATE OF IOWA FILED
FISCAL NOTE

FEB 23 1988

LSB No. 8120S 2
Staff ID AAW

REQ. BY SENATOR RIORDAN SENATE FILE 2098

In compliance with a written request received February 10, 1988, a fiscal note for SENATE FILE 2098 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2098 relates to the payment of costs of asbestos identification, encapsulation, and removal by boards of directors of school districts and allows school districts to comply with the Federal Asbestos Hazard Emergency Response Act of 1986.

Section 1 amends Section 279.43, Iowa Code. Currently, the board of directors may pay the costs of asbestos removal or encapsulation from funds in the general fund of the district, funds received from the schoolhouse tax, funds from a tax levy certified under Section 297.5, Iowa Code, or moneys obtained through a federal asbestos loan program. This bill allows the board of directors to pay the actual cost of removal and encapsulation, inspection and reinspection, sampling, analysis, assessment, response actions, operations and maintenance, training, periodic surveillance, developing of management plans, and recordkeeping requirements relating to the presence of asbestos from funds in the general fund of the district, funds received from the schoolhouse tax, funds from a tax levy certified under Section 297.5, Iowa Code, or moneys obtained through a federal asbestos loan program.

Assumptions:

1. The estimated number of buildings to be inspected will be greater than 3,000. Storage facilities, bus garages, or auxiliary facilities such as stadiums and concession stands are not included.
2. The square footage costs for sprayed on surfacing material could include areas which were assumed to be asbestos containing, but when actually tested may not include asbestos.
3. All of the materials collected up to this point have included information about friable asbestos containing materials and does not include anything about the non-friable.
4. There is over 85 million square feet of floor space in Iowa schools.
5. The range of estimates for developing inspection and management plans varies from \$2.1 million to \$17.1 million. Currently, the Department of Education is utilizing the \$2.1 million estimate.
6. The removal of acoustical ceiling costs approximately \$3.00-5.00 per square foot, and sprayed-on fire proofing \$8.00-14.00. Removal costs are estimated at \$8.00 per square foot for 3,476,769 square feet.
7. Thermal System insulation (pipe wrap) removal costs \$5.00-10.00 per lineal foot. Removal costs are estimated at \$8.00 per linear foot for 940,297 linear feet.
8. Associated air monitoring costs, including some of the required samples and analysis, a minimum of \$400 per day.

STATE OF IOWA

FISCAL NOTE

LSB No. 8120S.2

Staff ID. AAW

REQ. BY SENATOR RIORDAN

SENATE FILE 2098

-2-

Fiscal Effects:

This bill would allow school districts to use current funding sources to pay for asbestos related costs. Currently, one school district collects \$95,420 in a tax levy for asbestos removal and encapsulation projects. The Department of Education estimates that inspection, management, and removal of asbestos in FY89 would be:

EXPENDITURES

Fiscal Year 1989

Inspection and Management	\$ 2.1 million
Asbestos Removal	
Accoustical Materials	27.8 million
Thermal System	<u>7.5 million</u>
Total	\$37.4 million

Source: Dept. of Education

(LSB 8120S.2, AAW)

Lennis C. Proby
Fiscal Director

Legislative Fiscal Bureau

Date: 2/22/88

S-5130

1 Amend Senate File 2098 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 "Sec. ____ . Section 280.14, Code 1987, is amended
 5 by adding the following new unnumbered paragraph.
 6 NEW UNNUMBERED PARAGRAPH. The board of directors
 7 of a school district may contract with the department
 8 of corrections to provide for licensed removal of
 9 asbestos from the district's facilities."

S-5130

Filed February 24, 1988

BY RAY TAYLOR

with 3/2/88 (J.R.T.)

SENATE FILE 2098

S-5186

1 Amend Senate File 2098 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 "Sec. 2. Section 279.43, subsections 2 through 6,
 5 Code 1987, are amended by striking the subsections and
 6 inserting in lieu thereof the following:
 7 2. In addition to the moneys available under
 8 subsection 1, the board of directors may submit a
 9 proposal to the qualified electors of the school
 10 district at a regular school election or at a special
 11 election, to determine whether to authorize an
 12 additional property tax levy to pay the actual cost of
 13 an asbestos project. If a majority of the qualified
 14 electors voting on the proposition approves the
 15 additional property tax levy, the property tax levy
 16 may be certified for not more than three consecutive
 17 years. The proceeds of the levy shall not exceed the
 18 actual cost of the asbestos project.
 19 3. As an alternative to subsection 2, the board
 20 may authorize the levying and imposition of a
 21 combination of an enrichment property tax and income
 22 surtax certified and levied as provided in sections
 23 442.14 through 442.20, except that approval at an
 24 election is not required to pay the actual cost of the
 25 asbestos project. The amount of tax revenue raised
 26 under this subsection shall not exceed the actual cost
 27 of the asbestos project or the maximum amount which
 28 may be raised by the levy of the combination of the
 29 taxes for the three school years, as determined under
 30 section 442.14, subsections 3 and 4, whichever amount
 31 is less.
 32 4. The taxes certified for levy under this section
 33 are in addition to any other taxes or additional
 34 enrichment amount raised for other programs as
 35 provided by law."

S-5186

Filed February 29, 1988

BY JAMES R. RIORDAN

Adopted 3/13/88 (J.R.T.)