

(P. 232) 2/10/94 *House - Do Pass*

FILED JAN 20 1994

SENATE FILE **2044**  
BY COMMITTEE ON BUSINESS AND  
LABOR RELATIONS

(SUCCESSOR TO SSB 2022)

Passed Senate, <sup>(P. 155)</sup> Date 1/31/94 Passed House, <sup>(P. 1133)</sup> Date 4-5-94  
Vote: Ayes 45 Nays 0 Vote: Ayes 93 Nays 2  
Approved April 12, 1994

A BILL FOR

1 An Act relating to technical differences between an asbestos  
2 license and an asbestos permit.

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

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**S.F. 2044**

1 Section 1. Section 88B.3, subsection 4, Code 1993, is  
2 amended to read as follows:

3 4. At least once a year, during an actual asbestos  
4 project, the division shall conduct an on-site inspection of  
5 each ~~licensee's~~ permittee's procedures for removing and  
6 encapsulating asbestos.

7 Sec. 2. Section 88B.5, subsection 1, Code 1993, is amended  
8 to read as follows:

9 1. To apply for a license, ~~a business entity~~ an individual  
10 shall submit an application to the division in the form  
11 required by the division and shall pay the fee prescribed by  
12 the division.

13 Sec. 3. Section 88B.9, subsections 1 and 3, Code 1993, are  
14 amended to read as follows:

15 1. In an emergency that results from a sudden, unexpected  
16 event that is not a planned renovation or demolition, the  
17 commissioner may waive the requirement for a ~~license~~ permit.

18 3. If the business entity is not primarily engaged in the  
19 removal or encapsulation of asbestos, the commissioner may  
20 waive the requirement for a ~~license~~ permit if worker  
21 protection requirements are met or an alternative procedure is  
22 approved pursuant to subsection 2.

23 Sec. 4. Section 88B.11, Code 1993, is amended to read as  
24 follows:

25 88B.11 BIDS FOR GOVERNMENTAL PROJECTS.

26 A state agency or political subdivision shall not accept a  
27 bid in connection with any asbestos project from a business  
28 entity ~~which~~ that does not hold a ~~license~~ permit from the  
29 division at the time the bid is submitted.

30 EXPLANATION

31 This bill corrects Code references to delineate the  
32 difference between an asbestos license, which is issued to  
33 individuals, and an asbestos permit, which is issued to  
34 business entities.

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Buhr. Chair  
Connolly  
Furman

SSB. 2022  
Business + Labor Relations

SENATE/HOUSE FILE 2044  
BY (PROPOSED DEPARTMENT OF  
EMPLOYMENT SERVICES BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

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27 bid in connection with any asbestos project from a business  
28 entity ~~which~~ that does not hold a ~~license~~ permit from the  
29 division at the time the bid is submitted.

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#### EXPLANATION

31 This bill corrects Code references to delineate the  
32 difference between an asbestos license, which is issued to  
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34 business entities.

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#### BACKGROUND STATEMENT

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SUBMITTED BY THE AGENCY

The asbestos removal and encapsulation law uses the words "license" and "permit". The language needs to be clarified that permits are available for business entities and licenses are available for individuals.

SENATE FILE 2044

AN ACT  
RELATING TO TECHNICAL DIFFERENCES BETWEEN AN ASBESTOS LICENSE  
AND AN ASBESTOS PERMIT.

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

Section 1. Section 88B.3, subsection 4, Code 1993, is amended to read as follows:

4. At least once a year, during an actual asbestos project, the division shall conduct an on-site inspection of each licensee's permittee's procedures for removing and encapsulating asbestos.

Sec. 2. Section 88B.5, subsection 1, Code 1993, is amended to read as follows:

1. To apply for a license, a-business-entity an individual shall submit an application to the division in the form required by the division and shall pay the fee prescribed by the division.

Sec. 3. Section 88B.9, subsections 1 and 3, Code 1993, are amended to read as follows:

1. In an emergency that results from a sudden, unexpected event that is not a planned renovation or demolition, the commissioner may waive the requirement for a license permit.

3. If the business entity is not primarily engaged in the removal or encapsulation of asbestos, the commissioner may waive the requirement for a license permit if worker protection requirements are met or an alternative procedure is approved pursuant to subsection 2.

Sec. 4. Section 88B.11, Code 1993, is amended to read as follows:

88B.11 BIDS FOR GOVERNMENTAL PROJECTS.

A state agency or political subdivision shall not accept a bid in connection with any asbestos project from a business

entity which that does not hold a license permit from the division at the time the bid is submitted.

\_\_\_\_\_  
LEONARD L. BOSWELL  
President of the Senate

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HAROLD VAN MAANEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2044, Seventy-fifth General Assembly.

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JOHN P. DWYER  
Secretary of the Senate

Approved April 12, 1994

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TERRY E. BRANSTAD  
Governor