

HOUSE RESEARCH

Bill Summary

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Overview

A school district with a building problem related to health or safety concerns may submit an application to the Commissioner of Education for authorization to receive health and safety revenue. Health and safety revenue varies depending on the district's qualifying projects. Health and safety revenue may be used for the following purposes:

- 4 to remove or encapsulate asbestos
- 4 to dispose of polychlorinated biphenyls (PCBs)
- 4 to remove and dispose of fuel oils
- 4 to eliminate a fire hazard
- 4 to remove a life safety hazard
- 4 to correct certain air quality problems

This bill simplifies the health and safety application process, reduces the volume of materials that a school district must submit to the Department of Education for project approval, and eliminates mandatory management assistance.

Section

1 Capital expenditure; health and safety.

Subd. 1. Health and safety levy application. Authorizes a school district to apply for health and safety revenue by submitting a budget based on its Uniform Accounting and Reporting Standards (UFARS) data instead of on an adopted health and safety program.

Subd. 2. Health and safety policy. Allows a school district to qualify for health and safety revenue by adopting a health and safety policy. Eliminates requirements for the district to develop detailed comprehensive plans for hazardous substance removal, fire and life safety repairs, and environmental management in order to have health and safety revenue approved.

Subd. 3. Health and safety revenue. Clarifies the calculation of health and safety revenue.

Subd. 4. Health and safety levy. Unchanged.

Subd. 5. Health and safety aid. Unchanged.

Subd. 6. Uses of health and safety revenue. Adjusts the list of items that are eligible for health and safety revenue to include a number of specific projects that have been authorized by the Department of Education.

Subd. 6a. Restrictions on health and safety revenue. Clarifies that health and safety revenue may not be used to finance lease purchase agreements or installment purchase agreements, to purchase portable classrooms, for energy efficiency projects, or for projects in buildings that are used for purposes unrelated to elementary and secondary education.

Subd. 6b. Health and safety projects. Requires each health and safety revenue application to be accompanied by a description of each project for which funding is requested in such detail as to leave a satisfactory audit trail. States that project descriptions do not need to include itemized details such as material types, room location, or square footage of the project. Allows districts to require funding for projects based on self-assessments, safety committee recommendations, management assistance reports, insurance inspections, or fire marshal orders. Allows the Commissioner of Education to approve projects based on projected expenditures. Requires all project costs to be reported in the appropriate UFARS categories, and for certain costs, specifies the UFARS account for which they must be reported.

Subd. 6c. Appeals process. Creates an appeals process for districts to follow if the district is denied authority to proceed with a health and safety project. The commissioner may request that a third party evaluate any project with a cost in excess of \$10,000.

Subd. 7. Proration. Unchanged.

Subd. 8. Health, safety and environmental management cost. Prohibits the Department of Education from requiring a school district to use specific management assistance services for health and safety projects. Eliminates the commissioner's authority to contract with other providers of management assistance for school districts except at the request of a school district.