

Fiscal Estimate Narratives

DPI 9/22/2005

LRB Number	05-2219/1	Introduction Number	SB-325	Estimate Type	Original
Subject					
Indoor environmental quality in schools					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a school board is required to provide safe and healthful facilities. Current law also requires the Department of Commerce (department) to administer the laws relating to the safety of public buildings, which include a requirement that the department or, in certain cases, a county, city, village, or town (political subdivision) review plans for the construction or alteration of, or an addition to, a public building for compliance with the rules of the department before construction is started.

This bill creates certain provisions relating to indoor environmental quality in schools, which the bill defines to include any public elementary or secondary school in the state. The bill requires all of the following:

1. The secretary of commerce to establish a special committee to be called the "Indoor Environmental Quality in Schools Task Force" (task force) to do all of the following:
 - a. Advise the department in the development of a management plan to improve indoor environmental quality in schools (management plan).
 - b. Recommend training requirements for school maintenance employees and a schedule for implementation of those training requirements.
 - c. Recommend educational materials regarding indoor environmental quality in schools and develop guidelines for making that information available to students, parents, guardians, legal custodians, teachers, and other school employees.
 - d. Identify interim changes that can be readily implemented to improve indoor environmental quality in schools pending full compliance with this bill.
 - e. Identify the need for additional resources and authority for school boards so as to promote good indoor environmental quality for students, teachers, and other school employees.
 - f. Recommend for promulgation by the department rules to implement the bill.
 - g. On completion of its duties, report its findings and recommendations to the governor and the legislature and then cease to exist on the date on which the department promulgates rules to implement the bill, unless the secretary of commerce determines that the operations of the department require the task force to continue in existence after that date.
2. The department to establish the management plan by the first day of the 12th month beginning after the month in which the task force submits its report, and the school board of each school district (school board) to ensure that each school building under the control of the school board is in compliance with the management plan by the first day of the 12th month beginning after the month in which the department establishes the management plan.
3. The department to establish indoor environmental quality training requirements for school maintenance employees and a schedule for the implementation of those training requirements by the first day of the 12th month beginning after the month in which the department establishes the management plan.
4. The department, beginning on the first day of the 12th month beginning after the month in which the department establishes the management plan, to make available in printed format and by the Internet, educational materials regarding indoor environmental quality in schools and a summary of the management plan to all students enrolled in each school district, to the parents, guardians, and legal custodians of those students, and to all teachers and other employees of each school district.
5. A school board that becomes aware of any information concerning the indoor environmental quality of a specific school building, including test results, to make that information available to all students assigned to the school building, the parents, guardians, and legal custodians of those students, and all teachers and other employees assigned to the school building.

6. A school board to include in a contract for the preparation of plans and specifications for the construction of a new school building, for a structural addition to an existing school building, or for an alteration to an existing school building that will cause a material change to the mechanical systems and equipment of that building a provision to ensure that the design of the new building, addition, or alteration facilitates good indoor environmental quality for all occupants of the spaces affected by the design in accordance with the management plan and facilitates operation and maintenance of the spaces, systems, and equipment affected by the design in a manner that promotes good indoor environmental quality in accordance with the management plan.

7. A school board, before approving a contract for the construction of a new school building, for a structural addition to an existing school building, or for an alteration to an existing school building that will cause a material change to the mechanical systems and equipment of that building, to determine that the plan and schedule for the construction, addition, or alteration consider and address concerns about indoor environmental quality during the construction process; the transfer from the designers and builders to school maintenance employees of information necessary for the proper operation and maintenance of the new building, addition, or alteration and its systems and equipment so as to promote good indoor environmental quality in accordance with the management plan; and the implementation of proper commissioning procedures, including testing of any new systems or equipment, before occupancy of the spaces affected by the project.

8. The department or any political subdivision that is authorized to examine the plans for the construction or alteration of, or an addition to, a public building to determine that the design for the construction of a new school building, for a structural addition to an existing school building, or for an alteration to an existing school building that will cause a material change to the mechanical systems and equipment of that building facilitates good indoor environmental quality for the occupants of the spaces affected by the design in accordance with the management plan before the department or political subdivision may approve those plans.

9. The department to notify the school board if the department determines that the school board is not in compliance with the bill and to make that information available, in printed format and by the Internet, to the students assigned to a school building, the parents, guardians, and legal custodians of those students, all teachers and other employees assigned to a school building, and the general public if the department determines that the noncompliance poses a risk to the health and safety of the occupants of any school building.

State Fiscal Effect:

The bill requires the State Superintendent of Public Instruction or his or her designee to serve on the Indoor Environmental Quality in Schools Task Force. Actual and necessary expenses are to be paid from the appropriation account under section 20.505 (4) (ba) of the Statutes. However, it should be noted that section 20.505 (4) (ba) of the Statutes was repealed by section 401a of 2005 Wisconsin Act 25. DPI would need to be reimbursed through another appropriation.

The bill gives the Secretary of Commerce authority to request other state agencies to assist the Department of Commerce in administering the proposed section 101.29 of the statutes. It is assumed that DPI would bill the Department of Commerce for services DPI provided under this provision if the cost of providing those services could not be absorbed by DPI's budget.

Local Fiscal Effect:

The department does not possess the necessary data to determine what costs would be required of school districts under this bill. Therefore, local costs are indeterminate. District costs could include the following items, some of which could be expensive:

1.) Training costs if school districts are responsible for training their own employees according to Department of Commerce standards.

2.) Reporting information regarding the indoor environmental quality of school buildings. Conveying this information to all students assigned to the school building, the parents, guardians, and legal custodians of those students, and all teachers and other school district employees assigned to the school building will require the expenditure of resources (labor, postage, etc.).

3.) Additional requirements for construction-related contracts, which could mean more scrutiny of such contracts. This in turn could result in higher legal fees and greater architectural and/or engineering costs.

4.) Costs of dealing with non-compliance issues.

5.) Additional costs associated with requiring school boards to comply with subchapters I (Regulation of Industry: General Provisions) and IV (Inspection of Electrical Construction and Certification of Master Electricians, Contractors, Journeymen and Beginning Electricians) of chapter 101 (Department of Commerce - Regulation of Industry, Buildings and Safety) of the statutes; and chapter 145 (Plumbing and Fire Protection Systems and Swimming Pool Plan Review) of the statutes; as well as rules promulgated under those sections or under sections 254.11 to 254.178 (part of toxic substances subchapter).

6.) Anything else required by the management plan that will be developed by the Department of Commerce.

Long-Range Fiscal Implications