

1.1 A bill for an act

1.2 relating to education finance; allowing school districts to use the health and
1.3 safety levy for costs associated with preparing for seasonal virus prevention;
1.4 amending Minnesota Statutes 2008, section 123B.57, subdivision 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 123B.57, subdivision 6, is amended to read:

1.7 Subd. 6. **Uses of health and safety revenue.** (a) Health and safety revenue may
1.8 be used only for approved expenditures necessary to correct fire and life safety hazards,
1.9 or for the removal or encapsulation of asbestos from school buildings or property
1.10 owned or being acquired by the district, asbestos-related repairs, cleanup and disposal
1.11 of polychlorinated biphenyls found in school buildings or property owned or being
1.12 acquired by the district, or the cleanup, removal, disposal, and repairs related to storing
1.13 heating fuel or transportation fuels such as alcohol, gasoline, fuel oil, and special fuel,
1.14 as defined in section 296A.01, Minnesota occupational safety and health administration
1.15 regulated facility and equipment hazards, indoor air quality mold abatement, upgrades
1.16 or replacement of mechanical ventilation systems to meet American Society of Heating,
1.17 Refrigerating and Air Conditioning Engineers standards and State Mechanical Code,
1.18 Department of Health Food Code and swimming pool hazards excluding depth correction,
1.19 and health, safety, ~~and~~ environmental management, and hand sanitizers or other capital
1.20 expenditures associated with preparing for a seasonal virus outbreak. Testing and
1.21 calibration activities are permitted for existing mechanical ventilation systems at intervals
1.22 no less than every five years. Health and safety revenue must not be used to finance a
1.23 lease purchase agreement, installment purchase agreement, or other deferred payments
1.24 agreement. Health and safety revenue must not be used for the construction of new

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2.1 facilities or the purchase of portable classrooms, for interest or other financing expenses,
2.2 or for energy efficiency projects under section 123B.65. The revenue may not be used for
2.3 a building or property or part of a building or property used for postsecondary instruction
2.4 or administration or for a purpose unrelated to elementary and secondary education.

2.5 Health and safety revenue may not be used for expenditures on education programs
2.6 associated with virus prevention, purchasing needles, or vaccines.

2.7 (b) Notwithstanding paragraph (a), health and safety revenue must not be used for
2.8 replacement of building materials or facilities including roof, walls, windows, internal
2.9 fixtures and flooring, nonhealth and safety costs associated with demolition of facilities,
2.10 structural repair or replacement of facilities due to unsafe conditions, violence prevention
2.11 and facility security, ergonomics, building and heating, ventilating and air conditioning
2.12 supplies, maintenance, and cleaning activities. All assessments, investigations,
2.13 inventories, and support equipment not leading to the engineering or construction of a
2.14 project shall be included in the health, safety, and environmental management costs in
2.15 subdivision 8, paragraph (a).

2.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2012
2.17 and later.