

HOUSE BILL 164

F1

(71r1427)

ENROLLED BILL

— Ways and Means / Budget and Taxation —

Introduced by **Delegates N. King, Ali, Barkley, Barve, Bronrott, Dumais, Elmore, Feldman, Gilchrist, Hixson, Ivey, Jennings, Kaiser, Kramer, Lawton, Love, Montgomery, Olszewski, Rice, Ross, Waldstreicher, ~~and Walker~~ Walker, Bartlett, Cardin, George, Howard, Krebs, McKee, Murphy, Stukes, and F. Turner**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Education – Relocatable Classrooms – Indoor Air Quality Standards**

3 FOR the purpose of requiring the Board of Public Works, in consultation with the
4 Department of General Services *and the Department of Housing and*
5 *Community Development*, to adopt regulations to establish certain standards
6 and specifications to enhance the indoor air quality of certain relocatable

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 classrooms; *providing for the application of this Act*; and generally relating to
 2 regulations governing the indoor air quality of relocatable classrooms.

3 BY repealing and reenacting, without amendments,
 4 Article – Education
 5 Section 5–301(a)
 6 Annotated Code of Maryland
 7 (2006 Replacement Volume)

8 ~~BY repealing and reenacting, with amendments,~~
 9 ~~Article – Education~~
 10 ~~Section 5–301(b)~~
 11 ~~Annotated Code of Maryland~~
 12 ~~(2006 Replacement Volume)~~

13 *BY adding to*
 14 *Article – Education*
 15 *Section 5–301(b–1)*
 16 *Annotated Code of Maryland*
 17 *(2006 Replacement Volume)*

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Education**

21 5–301.

22 (a) In this subtitle, “Interagency Committee” means the Interagency
 23 Committee on School Construction established under § 5–302 of this subtitle.

24 ~~(b) (1) For the purposes of this section other than subsection (c), the~~
 25 ~~Board of Public Works shall define by regulation what constitutes an eligible and~~
 26 ~~ineligible public school construction or capital improvement cost.~~

27 ~~(2) (i) The purchase of relocatable classrooms shall be an eligible~~
 28 ~~public school construction or capital cost.~~

29 ~~(ii) The Board of Public Works, IN CONSULTATION WITH THE~~
 30 ~~DEPARTMENT OF GENERAL SERVICES, shall adopt regulations that define~~

1 ~~relocatable classrooms and establish the minimum specifications for relocatable~~
 2 ~~classrooms which may be purchased OR LEASED using State OR LOCAL funds.~~

3 ~~(iii) THE REGULATIONS REQUIRED UNDER SUBPARAGRAPH~~
 4 ~~(ii) OF THIS PARAGRAPH SHALL INCLUDE CRITERIA DESIGNED TO ENHANCE~~
 5 ~~INDOOR AIR QUALITY FOR THE OCCUPANTS OF THE RELOCATABLE~~
 6 ~~CLASSROOMS, INCLUDING SPECIFICATIONS THAT:~~

7 (B-1) THE BOARD OF PUBLIC WORKS, IN CONSULTATION WITH THE
 8 DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF HOUSING AND
 9 COMMUNITY DEVELOPMENT, SHALL ADOPT REGULATIONS ESTABLISHING
 10 CRITERIA DESIGNED TO ENHANCE INDOOR AIR QUALITY FOR THE OCCUPANTS
 11 OF RELOCATABLE CLASSROOMS PURCHASED OR LEASED USING STATE OR LOCAL
 12 FUNDS, INCLUDING SPECIFICATIONS THAT:

13 ~~1. (1)~~ REQUIRE EACH UNIT TO INCLUDE
 14 APPROPRIATE AIR BARRIERS TO LIMIT INFILTRATION;

15 ~~2. (2)~~ REQUIRE THAT EACH UNIT BE
 16 CONSTRUCTED IN A MANNER THAT PROVIDES PROTECTION AGAINST WATER
 17 DAMAGE THROUGH THE USE OF PROPER ROOFING MATERIALS, EXTERIOR
 18 SHEATHING, WATER DRAINAGE SYSTEMS, AND FLASHING;

19 ~~3. (3)~~ REQUIRE THAT EACH UNIT PROVIDE
 20 CONTINUOUS FORCED VENTILATION WHEN THE UNIT IS OCCUPIED;

21 ~~4. (4)~~ REQUIRE EACH UNIT TO INCLUDE A
 22 PROGRAMMABLE THERMOSTAT;

23 ~~5. (5)~~ REQUIRE EACH UNIT TO BE OUTFITTED
 24 WITH AN ENERGY EFFICIENT LIGHTING AND HEATING AND AIR-CONDITIONING
 25 ~~SYSTEM SYSTEMS; AND~~

26 ~~6. (6)~~ MANDATE THAT EACH UNIT BE
 27 CONSTRUCTED WITH BUILDING MATERIALS THAT CONTAIN LOW AMOUNTS OF
 28 VOLATILE ORGANIC COMPOUNDS (VOC).

29 ~~[(iii)](iv)~~ In the budgets for fiscal years 2006 through 2008, the
 30 Governor shall include \$1,000,000 for public school construction, in excess of the
 31 estimates of funding for public school construction contained in the fiscal year 2005

1 ~~through fiscal year 2009 Capital Improvement Plan, to be used to fund the State share~~
2 ~~of the cost of purchasing relocatable classrooms.~~

3 ~~(3) (i) The Board of Public Works shall include modular~~
4 ~~construction as an approved public school construction or capital cost.~~

5 ~~(ii) The Board of Public Works, at the recommendation of the~~
6 ~~Interagency Committee on School Construction, shall adopt regulations that:~~

7 ~~1. Define modular construction; and~~

8 ~~2. Establish the minimum specifications required for~~
9 ~~approval of modular construction as a public school construction or capital~~
10 ~~improvement cost.~~

11 ~~(4) The cost of acquiring land may not be considered a construction or~~
12 ~~capital improvement cost and may not be paid by the State.~~

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
14 construed to apply only prospectively and may not be applied or interpreted to have any
15 effect on or application to any relocatable classrooms purchased or leased before the
16 effective date of this Act.

17 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.