

# HOUSE BILL 164

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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**

Introduced and read first time: January 25, 2007

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 28, 2007

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## 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, to adopt regulations to establish certain  
5 standards and specifications to enhance the indoor air quality of certain  
6 relocatable classrooms; and generally relating to regulations governing the  
7 indoor air quality of relocatable classrooms.

8 BY repealing and reenacting, without amendments,  
9 Article - Education  
10 Section 5-301(a)  
11 Annotated Code of Maryland  
12 (2006 Replacement Volume)

13 BY repealing and reenacting, with amendments,  
14 Article - Education  
15 Section 5-301(b)

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### 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.



1 Annotated Code of Maryland  
2 (2006 Replacement Volume)

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

5 **Article – Education**

6 5–301.

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

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

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

14 (ii) The Board of Public Works, **IN CONSULTATION WITH THE**  
15 **DEPARTMENT OF GENERAL SERVICES**, shall adopt regulations that define  
16 relocatable classrooms and establish the minimum specifications for relocatable  
17 classrooms which may be purchased OR LEASED using State OR LOCAL funds.

18 **(III) THE REGULATIONS REQUIRED UNDER SUBPARAGRAPH**  
19 **(II) OF THIS PARAGRAPH SHALL INCLUDE CRITERIA DESIGNED TO ENHANCE**  
20 **INDOOR AIR QUALITY FOR THE OCCUPANTS OF THE RELOCATABLE**  
21 **CLASSROOMS, INCLUDING SPECIFICATIONS THAT:**

22 **1. REQUIRE EACH UNIT TO INCLUDE APPROPRIATE**  
23 **AIR BARRIERS TO LIMIT INFILTRATION;**

24 **2. REQUIRE THAT EACH UNIT BE CONSTRUCTED IN A**  
25 **MANNER THAT PROVIDES PROTECTION AGAINST WATER DAMAGE THROUGH THE**  
26 **USE OF PROPER ROOFING MATERIALS, EXTERIOR SHEATHING, WATER**  
27 **DRAINAGE SYSTEMS, AND FLASHING;**

28 **3. REQUIRE THAT EACH UNIT PROVIDE CONTINUOUS**  
29 **FORCED VENTILATION WHEN THE UNIT IS OCCUPIED;**

1                           **4. REQUIRE EACH UNIT TO INCLUDE A**  
2 **PROGRAMMABLE THERMOSTAT;**

3                           **5. REQUIRE EACH UNIT TO BE OUTFITTED WITH AN**  
4 **ENERGY EFFICIENT LIGHTING AND HEATING AND AIR-CONDITIONING SYSTEM;**  
5 **AND**

6                           **6. MANDATE THAT EACH UNIT BE CONSTRUCTED**  
7 **WITH BUILDING MATERIALS THAT CONTAIN LOW AMOUNTS OF VOLATILE**  
8 **ORGANIC COMPOUNDS (VOC).**

9                           [(iii)](IV) In the budgets for fiscal years 2006 through 2008, the  
10 Governor shall include \$1,000,000 for public school construction, in excess of the  
11 estimates of funding for public school construction contained in the fiscal year 2005  
12 through fiscal year 2009 Capital Improvement Plan, to be used to fund the State share  
13 of the cost of purchasing relocatable classrooms.

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

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

18                           1. Define modular construction; and  
19                           2. Establish the minimum specifications required for  
20 approval of modular construction as a public school construction or capital  
21 improvement cost.

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

24                           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2007.