

# SENATE BILL 552

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71r2613  
CF HB 164

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By: **Senators Garagiola, Forehand, Hogan, Lenett, McFadden, Raskin, Rosapepe, and ~~Simonaire~~ Simonaire, Jones, and Madaleno**

Introduced and read first time: February 2, 2007

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 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 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  
7 classrooms; providing for the application of this Act; and generally relating to  
8 regulations governing the indoor air quality of relocatable classrooms.

9 BY repealing and reenacting, without amendments,  
10 Article – Education  
11 Section 5–301(a)  
12 Annotated Code of Maryland  
13 (2006 Replacement Volume)

14 ~~BY repealing and reenacting, with amendments,~~  
15 ~~Article – Education~~  
16 ~~Section 5–301(b)~~  
17 ~~Annotated Code of Maryland~~  
18 ~~(2006 Replacement Volume)~~

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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 BY adding to  
 2 Article – Education  
 3 Section 5–301(b–1)  
 4 Annotated Code of Maryland  
 5 (2006 Replacement Volume)

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

8 **Article – Education**

9 5–301.

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

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

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

17 ~~(ii) The Board of Public Works, IN CONSULTATION WITH THE~~  
 18 ~~DEPARTMENT OF GENERAL SERVICES, shall adopt regulations that define~~  
 19 ~~relocatable classrooms and establish the minimum specifications for relocatable~~  
 20 ~~classrooms which may be purchased using State funds.~~

21 ~~(iii) THE REGULATIONS REQUIRED UNDER SUBPARAGRAPH~~  
 22 ~~(ii) OF THIS PARAGRAPH SHALL INCLUDE CRITERIA DESIGNED TO ENHANCE~~  
 23 ~~INDOOR AIR QUALITY FOR THE OCCUPANTS OF THE RELOCATABLE~~  
 24 ~~CLASSROOMS, INCLUDING SPECIFICATIONS THAT:~~

25 (B–1) THE BOARD OF PUBLIC WORKS, IN CONSULTATION WITH THE  
 26 DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF HOUSING  
 27 AND COMMUNITY DEVELOPMENT, SHALL ADOPT REGULATIONS ESTABLISHING  
 28 CRITERIA DESIGNED TO ENHANCE INDOOR AIR QUALITY FOR THE OCCUPANTS  
 29 OF RELOCATABLE CLASSROOMS PURCHASED OR LEASED USING STATE OR  
 30 LOCAL FUNDS, INCLUDING SPECIFICATIONS THAT:

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

3                   ~~2.~~ **(2) REQUIRE THAT EACH UNIT BE CONSTRUCTED IN A**  
4 **MANNER THAT PROVIDES PROTECTION AGAINST WATER DAMAGE THROUGH THE**  
5 **USE OF PROPER ROOFING MATERIALS, EXTERIOR SHEATHING, WATER**  
6 **DRAINAGE SYSTEMS, AND FLASHING;**

7                   ~~3.~~ **(3) REQUIRE THAT EACH UNIT PROVIDE CONTINUOUS**  
8 **FORCED VENTILATION WHEN THE UNIT IS OCCUPIED;**

9                   ~~4.~~ **(4) REQUIRE EACH UNIT TO INCLUDE A**  
10 **PROGRAMMABLE THERMOSTAT;**

11                   ~~5.~~ **(5) REQUIRE EACH UNIT TO BE OUTFITTED WITH ~~AN~~**  
12 **ENERGY EFFICIENT LIGHTING AND HEATING AND AIR-CONDITIONING ~~SYSTEM~~**  
13 **SYSTEMS; AND**

14                   ~~6.~~ **(6) MANDATE THAT EACH UNIT BE CONSTRUCTED**  
15 **WITH BUILDING MATERIALS THAT CONTAIN LOW AMOUNTS OF VOLATILE**  
16 **ORGANIC COMPOUNDS (VOC).**

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

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

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

- 26                   1. Define modular construction; and
- 27                   2. Establish the minimum specifications required for  
28 approval of modular construction as a public school construction or capital  
29 improvement cost.

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.