

SB0655/934239/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 655
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “High” and insert “Capital Projects –”; strike beginning with “Community” in line 2 down through “Guidelines” in line 3 and substitute “Alterations”; after line 3, insert:

“(Green Building Restoration Act)”;

strike beginning with “repealing” in line 4 down through the first “requirement” in line 9 and substitute “altering the application of certain high performance building requirements to apply to capital projects for which a certain amount of funding for certain aspects of the project is from State funds”; in line 12, after “standards;” insert “requiring the Maryland Green Building Council to ensure that certain State buildings, public schools, and community colleges meet certain high performance building requirements; prohibiting the use of certain guidelines for a new public school building to meet certain high performance building requirements;”; after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 5–312

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)”;

in line 16, strike “and (e)”; in line 21, after “Section” insert “3–602.1(a) and (e) and”.

AMENDMENT NO. 2

On page 1, after line 25, insert:

(Over)

“Article – Education

5–312.

(a) In this section, “high performance building” has the meaning stated in § 3–602.1 of the State Finance and Procurement Article.

(b) This section applies to the construction of new schools that have not initiated a Request For Proposal for the selection of an architectural and engineering consultant on or before July 1, 2009.

(c) Except as provided in subsection (d) of this section, a new school that receives State public school construction funds shall be constructed to be a high performance building.

(d) (1) The Interagency Commission shall establish a process to allow a school system to obtain a waiver from complying with subsection (c) of this section.

(2) The waiver process shall:

(i) Include a review by the Interagency Commission to determine if the construction of a high performance building is not practicable; and

(ii) Require the approval of a waiver by the Interagency Commission.

(e) For fiscal years 2010 through 2014 only, the State shall pay 50% of the local share of the extra costs, identified and approved by the Interagency Commission, that are incurred in constructing a new school to meet the high performance building requirements of this section.

**SB0655/934239/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 655
Page 3 of 4**

(f) The Interagency Commission shall adopt regulations to implement the requirements of this section.”.

On page 2, after line 1, insert:

“(a) (1) In this section the following words have the meanings indicated.

(2) “High performance building” means a building that:

(i) meets or exceeds the current version of the U.S. Green Building Council’s LEED (Leadership in Energy and Environmental Design) Green Building Rating System Silver rating;

(ii) achieves at least a comparable numeric rating according to a nationally recognized, accepted, and appropriate numeric sustainable development rating system, guideline, or standard approved by the Secretaries of Budget and Management and General Services; or

(iii) complies with a nationally recognized and accepted green building code, guideline, or standard reviewed and recommended by the Maryland Green Building Council and approved by the Secretaries of Budget and Management and General Services.

(3) “Major renovation” means the renovation of a building where:

(i) the building shell is to be reused for the new construction;

(ii) the heating, ventilating, and air conditioning (HVAC), electrical, and plumbing systems are to be replaced; and

(iii) the scope of the renovation is 7,500 square feet or greater.”.

(Over)

**SB0655/934239/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 655
Page 4 of 4**

in lines 2, 4, 9, and 10, in each instance, strike the bracket; in line 3, strike the brackets; in the same line, strike “that are funded solely with” and substitute “FOR WHICH MORE THAN 50% OF THE FUNDING FOR THE ACQUISITION, CONSTRUCTION, OR RENOVATION OF THE PROJECT IS FROM”;

in line 29, strike “AND”; and in line 30, strike the bracket.

On page 3, strike beginning with “develop” in line 1 down through the bracket in line 6 and substitute “ENSURE THAT STATE BUILDINGS, PUBLIC SCHOOLS, AND COMMUNITY COLLEGES THAT ARE REQUIRED TO MEET THE HIGH PERFORMANCE BUILDING REQUIREMENTS UNDER § 3–602.1 OF THIS ARTICLE OR § 5–312 OF THE EDUCATION ARTICLE MEET THOSE REQUIREMENTS”;

after line 6, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That any guidelines developed before July 1, 2020, by the Maryland Green Building Council to implement § 4–809(f)(6) of the State Finance and Procurement Article may not be used for a new public school building to meet the high performance building requirements under § 5–312 of the Education Article or § 3–602.1 of the State Finance and Procurement Article.”;

and in line 7, strike “2.” and substitute “3.”.