

**BILL:** House Bill 665  
**TITLE:** Public School Construction and State Buildings – Use of Geothermal  
**DATE:** February 27, 2020  
**POSITION:** SUPPORT WITH AMENDMENTS  
**COMMITTEE:** Appropriations Committee  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State’s boards of education, supports House Bill 665, with amendments.

Local board recognize the important role that geothermal heating and cooling systems have played in the design and construction of new schools in Maryland that achieve high performance building standards.

However, MABE objects to the bill’s absolute mandate that the Interagency Commission on School Construction (IAC) “may not approve the construction of a public school unless a geothermal energy system will be installed in the school building.” This provision, without amendment, would appear to apply to all school projects, regardless of the percentage share of state funding relative to local funding, and provide for no waiver process in cases where geothermal mechanical systems are determined to not be feasible or cost effective.

Beginning in 2008, when the High Performing Buildings Act became law, new school buildings constructed in Maryland have been required to be designed to be constructed and operated as high performance buildings in specified circumstances and with certain exceptions. Under the law passed in 2008, the Board of Public Works (BPW) established standards and procedures for implementing the newly required high performance design and construction standards. For new schools, the bill applied only to projects that had not initiated a request for proposal for the selection of an architectural and engineering consultant. In addition, the waiver process established by the BPW included review and approval by the Interagency on School Construction (IAC). In addition, the State initially provided 50% of the local share of increased school construction costs associated with the new high performance building standards.

By 2010, according to a report from Maryland’s Public School Construction Program, a total of 84 elementary, middle, and high schools in 21 of the 24 school systems across the state already had geothermal systems. In these ways, a robust high performance building program was established that not only set high standards but also provided State funding for a portion of the increased initial costs of construction and mechanical system installation and provided a waiver process.

MABE respectfully requests that any consideration of bolstering the State’s promotion of geothermal systems, or other systems such as solar panels, be accompanied by the provision of funding and the flexibility of a waiver process. Again, MABE endorses high performance building standards that ensure school systems will continue to conduct feasibility studies and install geothermal systems when appropriate, while preserving local decisions to incorporate geothermal into a hybrid system or choose an option other than geothermal.

For these reasons, MABE requests amendments to House Bill 665 to maintain high performance building standards, including the promotion of the use of geothermal heating and cooling systems, without mandating such systems in all new school projects.