

TERRI L. HILL, M.D.
Legislative District 12
Baltimore and Howard Counties

Health and Government Operations
Committee

Subcommittees

Government Operations
and Estates and Trusts

Public Health and
Minority Health Disparities



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 214
Annapolis, Maryland 21401
410-841-3378 · 301-858-3378
800-492-7122 Ext. 3378
Fax 410-841-3197 · 301-858-3197
Terri.Hill@house.state.md.us

District Office
410-884-4380
Fax 410-884-5481

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House Bill 43
Department of General Services – Energy – Conserving Standards
(Maryland Sustainable Buildings Act of 2022)

Dear Chairman Pendergrass, Chairman McIntosh, Vice Chair Melnyk, Vice-Chair Chang, and members of the Joint Committee,

It isn't often that we, as legislators, are presented with the opportunity to address a significant problem and save money, as House Bill 236 allows us to do. While reducing long-term State building energy use costs, we decrease the up to a million birds in the U.S. which die annually due to building strikes, and help mitigate the environmental and ecological impacts of climate change. That is why this legislation has been worked on, improved by, and passed by these committees and chamber in the last sessions.

The main arguments:

- Over the past decades, increased use of transparent glass, particularly in tall buildings and skyscrapers, has threatened energy conservation efforts, cost the State money, and contribute to climate change.
- Incorporation in construction reduces energy maintenance costs, resulting in net savings to the buildings and facilities budget.
- Pre-pandemic, the economic contribution of birding and other avian-related industries and activities to Maryland's Total Industrial Output is calculated by the Maryland Ornithological Society as over \$909 million annually, generates 10,807 full and part-time jobs, and produces over \$88.4 million in state and local revenue annually.
- Birds control insect and other vermin populations, are key players in seed dispersal and pollination, serve as nourishment, and provide comfort, companionship, entertainment, protection and employment.
- Buildings with a high percentage of transparent glass/plexiglass facades act as death traps as birds and are the second-highest cause of U.S. bird deaths,

second to predation by feral cats. Substitution of bird-safe glass or plexiglass in facades reduces bird strikes on buildings by up to 90%.

- LEED Pilot Credit 55 compliant architectural elements and bird-safe windows increase a building's energy efficiency without causing negative light-related health impacts on the people who work in the buildings.
- The bill upholds Maryland's responsibilities as a signatory to the Migratory Bird Treaty Act of 191 and is consistent with the State mandate under the High Performance Building Act of 2008 that newly constructed state buildings meet or exceed U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) silver rating criteria or the equivalent.

As Maryland has committed to protecting, and our agencies are obligated to minimize, to the extent practicable, our operational costs and adverse effects on migratory birds, HB43 requires the Maryland Department of General Services to apply "to the extent practicable" and within "budgetary constraints" to the operational use of interior and exterior lighting must be appropriately shielded and minimized from midnight to dawn during specified times of the year. The standards would apply to newly constructed, acquired, or substantially altered state buildings and be updated regularly. Having standardized rules allows for cost-neutral incorporation of such architectural elements in the design and planning stage, reducing energy consumption substantially, and making State buildings more sustainable.

Passing HB43, The Maryland Sustainable Buildings Act of 2022, is a win-win. By requiring the incorporation of bird-safe standards in the planning, design, and construction of new State buildings and significant renovations, we can decrease the number of deadly bird strikes, maintain and even enhance architectural aesthetics, and save taxpayer dollars.

I respectfully request a favorable report.