
By: **Senators Pinsky, Van Hollen, and Frosh**
Introduced and read first time: February 4, 2000
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Public School Construction - Use of Solar Energy - Pilot Program**

3 FOR the purpose of establishing a pilot program to use solar energy in new school
4 construction projects in the State; requiring a county board of education to
5 include a certain use of solar energy in certain construction projects under
6 certain circumstances; requiring a county board to submit a certain grant
7 application to the Department of Education under certain circumstances;
8 requiring the Department to arrange certain financing for the project under
9 certain circumstances; funding the pilot program; authorizing the Department
10 to adopt certain regulations; and generally relating to the pilot program to use
11 solar energy in new school construction projects in the State.

12 BY adding to

13 Article - Education
14 Section 5-301.1
15 Annotated Code of Maryland
16 (1999 Replacement Volume)

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

19 **Article - Education**

20 5-301.1.

21 (A) IN THIS SECTION, "ASSOCIATED COST INCREASES" MEANS THE
22 DIFFERENCE, DETERMINED IN COOPERATION WITH THE MARYLAND ENERGY
23 ADMINISTRATION, BETWEEN THE LIFE-CYCLE COST IF SOLAR ENERGY IS USED FOR
24 AT LEAST 20% OF THE ENERGY OR DEMAND NEEDS OF A PUBLIC SCHOOL
25 CONSTRUCTION PROJECT AND THE LIFE-CYCLE COST IF SOLAR ENERGY IS NOT
26 USED FOR THE ENERGY OR DEMAND NEEDS OF A PROJECT, IF USING SOLAR ENERGY
27 IS MORE EXPENSIVE THAN NOT USING SOLAR ENERGY FOR IMPLEMENTING THE
28 PROJECT.

1 (B) THERE IS A PILOT PROGRAM TO USE SOLAR ENERGY IN NEW SCHOOL
2 CONSTRUCTION PROJECTS IN THE STATE.

3 (C) (1) THE PILOT PROGRAM SHALL OPERATE AS PROVIDED IN THIS
4 SUBSECTION.

5 (2) A COUNTY BOARD SHALL:

6 (I) USE SOLAR ENERGY FOR AT LEAST 20% OF THE ENERGY OR
7 DEMAND NEEDS OF A NEW PUBLIC SCHOOL CONSTRUCTION PROJECT SUBMITTED
8 TO THE BOARD OF PUBLIC WORKS FOR APPROVAL;

9 (II) APPLY TO THE DEPARTMENT FOR A GRANT UNDER PARAGRAPH
10 (4) OF THIS SUBSECTION BEFORE SUBMITTING A PROJECT TO THE BOARD OF PUBLIC
11 WORKS FOR APPROVAL IF THE COUNTY BOARD DOES NOT USE SOLAR ENERGY FOR
12 AT LEAST 20% OF THE ENERGY OR DEMAND NEEDS OF THE PROJECT BECAUSE OF
13 THE ASSOCIATED COST INCREASES; OR

14 (III) SHOW CAUSE, FOR REASONS OTHER THAN THE ASSOCIATED
15 COST INCREASES, IN THE SUBMISSION TO THE BOARD OF PUBLIC WORKS WHY THE
16 COUNTY BOARD DOES NOT USE SOLAR ENERGY FOR AT LEAST 20% OF THE ENERGY
17 OR DEMAND NEEDS OF THE PROJECT.

18 (3) A GRANT APPLICATION OF A COUNTY BOARD SHALL BE FOR AN
19 AMOUNT EQUAL TO THE ASSOCIATED COST INCREASES.

20 (4) WITHIN A REASONABLE AMOUNT OF TIME, THE DEPARTMENT
21 SHALL:

22 (I) REVIEW THE GRANT APPLICATION;

23 (II) ARRANGE, IF POSSIBLE, PARTIAL PRIVATE FINANCING FOR A
24 GRANT TO SUBSIDIZE THE COST OF USING SOLAR ENERGY FOR AT LEAST 20% OF THE
25 ENERGY OR DEMAND NEEDS OF THE PROJECT; AND

26 (III) MATCH THE PRIVATE FINANCING IN AN AMOUNT EQUAL TO
27 THREE TIMES THE AMOUNT OF THE PRIVATE FINANCING.

28 (5) (I) IF THE TOTAL AMOUNT OF THE GRANT INCLUDING
29 DEPARTMENT AND PRIVATE FINANCING IS EQUAL TO OR GREATER THAN THE
30 ASSOCIATED COST INCREASES, THEN:

31 1. THE DEPARTMENT SHALL AWARD A GRANT IN THE
32 AMOUNT OF THE ASSOCIATED COST INCREASES TO THE COUNTY BOARD TO ASSIST
33 IN FINANCING THE PROJECT; AND

34 2. THE COUNTY BOARD SHALL SUBMIT A PROJECT
35 INCLUDING THE USE OF SOLAR ENERGY FOR AT LEAST 20% OF THE ENERGY OR
36 DEMAND NEEDS OF THE PROJECT AND INCLUDING THE GRANT FINANCING TO THE
37 BOARD OF PUBLIC WORKS FOR APPROVAL.

1 (II) IF THE TOTAL AMOUNT OF THE GRANT INCLUDING
2 DEPARTMENT AND PRIVATE FINANCING IS LESS THAN THE ASSOCIATED COST
3 INCREASES, THEN THE COUNTY BOARD MAY SUBMIT A PROJECT THAT DOES NOT
4 USE SOLAR ENERGY TO THE BOARD OF PUBLIC WORKS FOR APPROVAL.

5 (D) FOR FISCAL YEAR 2001 AND EACH SUCCEEDING FISCAL YEAR, THE
6 GOVERNOR SHALL INCLUDE FUNDS IN THE STATE BUDGET TO IMPLEMENT THIS
7 SECTION.

8 (E) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS
9 SECTION.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2000.