

SB0588_Green_Buildings_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0588 CAPITAL PROJECTS HIGH PERFORMANCE AND GREEN BUILDINGS

Bill Sponsor: Senator Hettleman

Committee: Education, Health, and Environmental Justice

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0588 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Our members are happy to see that we have a bill this session focused on ensuring that the Built to Learn monies that are providing a massive infusion of funds for construction and renovation of our schools, will be well-spent. This bill restores the intent of Maryland's High Performance Building Act which was designed to create green and healthy K-12 public schools and public buildings. Those standards were substantially weakened in 2018 in legislation that had been primarily focused on creating the Interagency Commission on School Construction.

First, although the Education Article (at Section 5-312) seemingly requires K-12 schools to be built to High Performance Building Standards, Maryland's current High Performance Building Act only applies those standards to K-12 schools and other public buildings if they are "solely funded" with State monies. This means most schools are no longer required to meet the High-Performance Buildings Standards. This bill changes that requirement to 25% of the funding from the State, which restores the intent of State responsibility and ensures that schools are again covered under the High-Performance Building Standards.

Second, the remaining buildings subject to the High-Performance Buildings Standards are no longer required to be certified that they meet those standards. This has had the predictable result that many public buildings do not meet the High-Performance Buildings Standards and that exclusion is resolved with this legislation.

Our members are strong advocates of schools being required to be net-zero or net-zero ready because we believe in not literally building more dependence on fossil fuels into our schools. We also know that it is no more expensive to build net zero or net zero ready schools than to construct conventional schools, as has demonstrated with the two new Baltimore schools that are net-zero, and that net zero schools are vastly cheaper to operate. We must embrace a net zero future for our children, and what better way to start than with the places that they learn.

We support this bill and recommend a **FAVORABLE** report in committee.

SB0588 High Perf Buildings - AIA MD Support.pdf

Uploaded by: Chris Parts

Position: FAV

14 February 2022

The Honorable Paul Pinsky
Chair of the Education Health and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Letter of Support for SB 0588
Capital Projects – High Performance and Green Buildings

Dear Chairman Pinsky and members of the Education Health and Environmental Affairs Committee:

On behalf of AIA Maryland and the nearly 2,000 Architects we represent, we ask for your support of this bill to restore the Maryland Green Building guidelines. Simply stated, this bill restores accountability to the guidelines, and it provides a stronger path for state funded, high performance buildings in Maryland.

HB0588 restores the rigor of independent third-party certification of project for either LEED Silver or 2 Green Globes paths, and it provides a path through IGCC as amended by the MD Green Building Council to be a path without third party certification. These were aspirational goals that were set in 2008 and the process of the third-party certified projects led many teams to not just settle for Silver, but to aim higher and reach LEED Gold, a level above the minimum required. The language added in HB1793 in 2019 diminished the conscientious attention to the original goals by allowing a simple sign off without a third-party review.

Clarity of projects affected by the guidelines is achieved through the language that amends the funding requirement to 25% of the funding from the state. The ambiguity of projects being “funded solely” with state funds has led to confusion and we want there to be no question when the guidelines apply.

As some of our member firms have designed projects in less densely populated locations, we have acknowledged that the rating systems benefit areas with a certain density of development. We do not want to diminish the importance of making smart decisions when planning to locate and develop schools close to population centers, and conversely, we do not want to punish schools for not having sufficient density that allows them to achieve certain credits for their location at no cost. The amended language that allows Certified in lieu Silver ratings for rural jurisdictions, simply levels the playing field. This frees the design team to make decisions in the design process that may have a greater effect on building systems for efficiency and/or occupant health.

We also believe that consistency is important across systems and regulations and this bill takes steps to align with the language of state adopted building codes. The definition of “Major Renovation” simply aligns the bill with the International Building Codes that are adopted by the state and local jurisdictions.

My daughter spent her last year in elementary school in a building that was a product of this legislation and it was by far the best learning environment she had all the way through high school. The Public Schools alone that are part of this program impact nearly 20% of the Maryland residents every day. We strongly believe this path, provides better buildings, greater accountability and greater opportunities to learn about performance and improve upon state funded construction. We are not asking for an easier path to building, or one that provides any more design fees. We simply believe that a program that tracks design consistently through a program like

LEED, Green Globes or the International Green Construction Code has the rigor and input at appropriate times to make the best decisions on projects that will have the greatest long-term impact and will be the wisest use of state funds for construction. For these reasons, we ask for your support of this bill to make wise use of our state funds.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. R.', with a long horizontal line extending to the right from the end of the 'R'.

Chris Parts, AIA
Director, Past President, AIA Maryland

Copy of SB588-FAV-CJW-High Performance Buildings.p

Uploaded by: Diana Younts

Position: FAV



Committee: Education, Health & Environmental Affairs
Testimony on: SB588 - “Capital Projects - High Performance and Green Buildings”
Organization: MLC Climate Justice Wing
Person
Submitting: Diana Younts, co-chair
Position: Favorable
Hearing Date: February 15, 2022

Dear Mr. Chairman and Committee Members,

Thank you for allowing our testimony today in support of SB588. MLC’s Climate Justice Wing is a statewide coalition of over 50 grassroots and grasstops organizations focused on getting State level climate justice legislation passed.

SB588 restores the intent of Maryland’s High Performance Building Act that was to create green and healthy K-12 public schools and public buildings. Those standards were substantially weakened in 2018 in legislation that had been primarily focused on creating the Interagency Commission on School Construction. SB588 rectifies the problems created by that legislation.

First, although the Education Article seemingly requires K-12 schools to be built to High Performance Building Standards, Maryland’s current law only applies those standards to K-12 schools and other public buildings if they are “solely funded” with State monies. This means almost no schools must meet the High Performance Buildings Standards. SB588 changes that requirement to 25% of the funding from the State, which restores the intent of State responsibility. It also is an important step in the right direction of making our schools healthier and environmentally sound.

Second, under current law, the remaining buildings subject to the High Performance Buildings Standards are no longer required to be certified that they meet those standards. This has had the predictable result that many buildings do not meet the High Performance Buildings Standards. SB588 rectifies this problem by restoring those certification requirements.

We are of course strong advocates of schools being required to be net-zero or net-zero ready. However, as we navigate this legislative session, we strongly recommend a favorable report

for SB588 because it is a substantial step forward for *all* schools and lessens the risk that schools will be left with nothing from this session.

MLC Climate Justice Wing:

Assateague Coastal Trust
Maryland Legislative Coalition
MD Campaign for Environmental Human Rights
Chesapeake Climate Action Network
WISE
Frack Free Frostburg
Mountain Maryland Movement

Howard County Indivisible
Howard County Sierra Club
Columbia Association Climate change and sustainability advisory committee
HoCo Climate Action
CHEER
Climate XChange - Maryland
Mid-Atlantic Field Representative/
National Parks Conservation Association
350 Montgomery County
Glen Echo Heights Mobilization
The Climate Mobilization Montgomery County
Montgomery County Faith Alliance for Climate Solutions
Montgomery Countryside Alliance
Takoma Park Mobilization Environment Committee
Audubon Naturalist Society
Cedar Lane Unitarian Universalist Church
Environmental Justice Ministry
Coalition For Smarter Growth
DoTheMostGood Montgomery County
MCPS Clean Energy Campaign
MoCo DCC
Potomac Conservancy

Casa de Maryland
Nuclear Information & Resource Service
Clean Air Prince Georges
Laurel Resist
Greenbelt Climate Action Network
Unitarian Universalist Legislative
Ministry of Maryland
Concerned Citizens Against Industrial Cafos
Wicomico NAACP
Chesapeake Physicians for Social Responsibility
Chispa MD
Climate Law & Policy Project
Maryland Poor Peoples Campaign
Labor for Sustainability
The Nature Conservancy
Clean Air Prince Georges
350 Baltimore
Maryland Environmental Health Network
Climate Stewards of Greater Annapolis
Talbot Rising
Adat Shalom Climate Action
Chesapeake Earth Holders
Climate Parents of Prince Georges
Echotopia
Maryland NAACP State Conference,
Environmental Justice Committee

CLPP testimony SB588 021422.pdf

Uploaded by: Donald M. Goldberg

Position: FAV

Committee: Education, Health, and Environmental Affairs

Testimony on: SB0588 Capital Projects – High Performance and Green Buildings

Submitted by: Donald M. Goldberg, Executive Director

Position: Favorable

Hearing Date: February 15, 2022

Climate Law & Policy Project strongly supports Senate Bill 588 and urges a favorable report.

SB588 expands the definition of “high performance building” in several ways. First, it enlarges the definition of “major renovation” to include renovations that exceed 50% of building area, 50% of assessed value, change in load or occupancy, or replacement of HVAC, plumbing or electrical systems.

Second, it includes buildings that are at least 25% State funded in the requirement that capital projects to construct or renovate buildings 7,500 square feet or greater be high performance.

We agree with these modifications to high performance building requirements. SB588 will ensure that, in the future, many more State buildings, public schools, and community colleges are constructed or renovated to high performance standards. If anything, we would like to see this mandate extended to require that 25% State-funded construction and modification of buildings 7,500 square feet or greater be net-zero energy or, at a minimum, net-zero ready.

We also strongly support direction from the General Assembly to the Maryland Green Building Council to ensure that State buildings, public schools, and community colleges that are required to be high performance buildings are in compliance with that mandate, as well as SB588’s reporting requirements.

HB588 is not a fully realized building policy for a carbon-free future, but it is a major step in the right direction, and CLPP supports it. We urge a favorable vote.

USGBC Comments SB 588_Feb 14,2022.pdf

Uploaded by: Elizabeth Beardsley

Position: FAV



FOUNDERS

David Gottfried
Michael Italiano
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February 15, 2022

Chairman Paul Pinsky
Chair, Education and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

RE: U.S. Green Building Council Support for SB 588

Dear Chairman Pinsky and Members of the EHEA Committee:

On behalf of the U.S. Green Building Council (USGBC), a non-profit organization with nearly 9,000 member companies nationwide, and our strong community in Maryland, the below are our comments in support of SB 588. USGBC also supports SB 528, the Climate Solutions Now Act of 2022, in particular the high-performance building and net zero provisions and critical funding; if appropriate we would support folding the third-party certification requirements of SB 588 into SB 528.

About USGBC

USGBC is a nonprofit organization dedicated to transforming the way buildings and communities are designed, built and operated, enabling an environmentally and socially responsible, healthy, and prosperous world. Best known for the successful Leadership in Energy & Environmental Design (LEED) green building certification system, we leverage our education, credentials, events, communications, and policy advocacy activities to support the public and private sectors in advancing high-performance, cost-effective, buildings that save energy, water and money.

A core area of our work is green schools, public schools that are well designed, and constructed to facilitate learning, health and wellness, and decrease operating budgets through reduced utility costs. Green schools also protect student and teacher health by ensuring a clean and healthy indoor environment in the school, as well as providing programs and services for good nutrition and physical activity.

Why SB588 is Needed

Historically Maryland has long been a leader in green schools. However, unfortunately a phrase added to a complex bill in 2018 threatens Maryland's green schools' leadership. Prior to this change, state-funded

public schools in Maryland fell under the state green building program, and were required to achieve and obtain green building certification, with several options available, or meet the adopted version of the IgCC code. The enactment of the 21st Century Schools Act however, required the Maryland Green Building Council, a state entity, to establish green school guidelines achieving the equivalent of, but without, certification; thus school projects are being built without the benefit of green school verification processes.

The guidelines established by the Maryland Green Building Council in October 2019 are not equivalent to achieving LEED certification. The only requirement in the Guidelines is for an architect or engineer to note that the project meets one of the previous compliance paths. This removes any accountability or verification that the school will be built as a leadership standard high performing school.

Independent-third party verification is a crucial step in building high performing schools. Certification provides valuable transparency and assurance to the State Legislature and to the public that tax dollars are resulting in high performing schools by verifying project teams are delivering on key aspects of design plans and goals. This accountability is needed to optimize the ability for each school to have the beneficial cost/benefit, health, and environmental outcomes previously outlined. For example, for LEED, third party subject matter experts review project team documentation and submittals to determine compliance with mandatory prerequisites and with chosen credits, such as confirmation of design energy performance.

Respecting costs, LEED embodies a life cycle approach and has been shown repeatedly to save money over the life of a building through reduced utility costs and other benefits. The Fiscal Note for SB588, posted on February 14, notes that the “cost of having to once again obtain third-party certification of LEED status for public school buildings has an operational effect on projects, but it is only a small fraction of total project costs and, thus, likely has little or no noticeable effect on local capital expenditures.”

It is imperative for Maryland school districts to stretch available dollars by constructing green buildings with lower operating costs and by using health-supporting green building technologies. Certified green buildings do just that. For example, for Cherry Hill Elementary, a LEED Gold certified school, certification guided the project team to add additional



wall and roof insulation, better windows, reduced lighting power density, and a highly efficient HVAC system that allowed the project to achieve a 28% energy cost savings.

SB588 Would Protect Taxpayer Funds and Restore Accountability

SB588 would restore certification and verification for Maryland's schools projects and hence protect taxpayers by ensuring they are getting a green school. SB588 would also replace the provision added in 2018, rescinding the special schools guidance without certification, with a requirement that the key state entity, the Maryland Green Building Council staffed by the Department of General Services, ensure that state buildings, schools, and community colleges comply with the statute.

Regarding the latter, we believe that all programs established by the state legislature should be fully implemented and include adequate tracking to ensure legislative intent is realized. Maryland has had a green building program for many years and we concur with the Maryland General Assembly Department of Legislative Services Fiscal Note that the Council must only confirm that a project has received the third-party verification (rather than conduct the verification itself), and that DGS can likely carry out that responsibility, and the related reporting requirement, with existing staff.

Enacting SB 588 is critical for the state in building the highest performing, operationally efficient, and healthy schools, therefore we urge the Committee to support SB 588. Please contact me at (571) 970-7916, ebeardsley@usgbc.org, if there are any questions or comments.

Respectfully,



Elizabeth Beardsley
Senior Policy Counsel
U.S. Green Building Council



SB588_IndivisibleHoCoMD_FAV_ElizabethFixsen.pdf

Uploaded by: Elizabeth Fixsen

Position: FAV



SB588 - Capital Projects - High Performance and Green Buildings
Testimony before
Senate Education, Health, and Environmental Affairs Committee
February 15, 2022
Position: Favorable

Mr. Chair, Madame Vice Chair and members of the committee, my name is Elizabeth Fixsen, and I represent the 750+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today in **support of SB588**, altering certain provisions in the definition and application of high performance building requirements. We appreciate the leadership of Senator Hettleman for sponsoring this legislation.

This bill expands State's high-performance building requirement to apply to any capital project (including major public school renovations) for which more than 25% of the funding of the project is State funds, and to more building renovation projects. The bill applies the high-performance building requirement to two new categories of capital projects if more than 25% of their funding comes from the State: (1) any non-school local capital project; and (2) major public school renovation projects. The bill also broadens the definition of a "major renovation" for the purpose of complying with the bill. Furthermore, the bill reinstates a requirement that new public school buildings obtain independent certification of their "green" status, and requires the Maryland Green Building Council (MGBC) to ensure compliance with the bill's requirements.

The effect of the bill is that more new construction and renovation in Maryland will be subject to "green" codes ensuring that the projects meet "high-performance" standards. More "green" buildings that conserve energy, reduce the use of raw materials, and save costs contribute to Maryland's campaign to protect the environment and combat climate change.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable report.

Elizabeth Fixsen
Savage, MD 20763

High Perf Testimony SB 0588_Ferretto 22_0215.pdf

Uploaded by: Lisa Ferretto

Position: FAV

LISA M. FERRETTO, AIA, LEED AP BD+C, WELL AP, Eco-Districts AP, GGP

February 14, 2022

Senator Pinsky
Chair of the Education, Health, and Environmental Affairs Committee

Re: SB 588 Capital Projects – High Performance and Green Buildings
Position: Favorable

Dear Senator Pinsky and members of the Committee,

Thank you for the opportunity to provide testimony in support of Senate Bill 588, High Performance and Green Buildings, which amends and clarifies the requirements and intent of the Maryland High Performance Building Act. I am a sustainability architect and advocate, and am a member of both the AIA, American Institute of Architects, as well as USGBC, the U.S. Green Building Council. I am also a representative on the AIA Large Firm roundtable collaborating with other Sustainability Directors in other large architecture firms across the country. I have served as a member of the MD Green Building Council (MDGBC) for three years and am currently serving as a Commissioner for Baltimore City's Commission on Sustainability. As parts of both groups, I have worked in task forces to review codes and rating systems in detail, to facilitate paths to find equivalency with LEED Silver legislation.

Senate Bill 588 restores the intent of the Maryland High Performance Building Act by four main alterations.

1. The first removes section 4-809 (6), the language added as part of HB 1783 in 2019. This unnecessary section required the MDGBC to *“develop guidelines for new public-school buildings to achieve the equivalent of ... LEED... without requiring an independent certification.”* This language is not needed as the existing law did not require independent certification. In 2014, while I was on the MDGBC, we updated the Green Building Program to include a path without certification, the IgCC, the International Green Construction Code. As stated in the [MDGBC IgCC Supplement](#): *“The State of Maryland has enabled use of the ... (IgCC) for all state and local jurisdictions ... The Maryland Green Building Council has adopted the IgCC as amended ... as an alternate compliance path to the minimum LEED Silver Certification for buildings developed under the State High Performance Buildings Act.”* The IgCC path, does not require independent certification – but has a code framework in place to ensure equivalency with LEED Silver. The addition of this confusing 4-809 (6) language and the subsequent “guidelines” developed, allows Public Schools to have the architect or engineer of record to simply state that the project complies with one of the rating systems without documentation or validation. Removing this language in this bill restores the original intent of State accountability by simply reverting to the following previous compliance paths:
 - a. Without an independent third-party certification
 - i. IgCC as amended by the MDGBC
 - b. With an independent third-party certification
 - i. LEED Silver
 - ii. 2 Green Globes
2. SB 588 amends the percentage of state funding required. The existing bill stated that only capital projects *“funded solely”* with State funds are required to meet the High-Performance Building Act. This created a loophole, where if projects received a small amount of outside funding from other sources, they did not have to comply. This bill amends the requirement to *“25% of the funding”* from the State, which aligns the funding requirement with other bills and restores the intent of State responsibility.

3. SB 588 amends the LEED certification level required for Schools (and Public Safety Buildings) located in rural areas that choose to follow the LEED compliance path. Within the LEED rating system, approximately 10 points are awarded to projects that are located in urban areas with density and quality transit –the difference between a “Certified” and “Silver” rating. As a Sustainability advocate, I understand the reason for rewarding development located in urban areas – the benefits of reduced infrastructure and reduced carbon emissions due to transportation. However, rural schools that cannot choose the location of their school. This bill amends the requirement for rural schools (and public safety buildings), following the LEED path, from a “Silver” to “Certified” rating and restores the intent of green schools for all.

4. And lastly, SB 588 amends the definition of “Major Renovation” to be in line with the Building Codes.

The alterations in SB 588, High Performance and Green Buildings, restores the intent of the original High-Performance Bill. It also requires that the Maryland Green Building Council report on the status of the Program ensuring that Maryland continues to be an accountable and responsible Sustainability leader, protecting our state finances (including taxpayers’ investments), the natural environment of our beautiful State, and most importantly the people –for improved health and wellbeing.

Sincerely;

A handwritten signature in black ink, appearing to read "Lisa M. Ferretto". The signature is fluid and cursive, with the first name "Lisa" and last name "Ferretto" clearly distinguishable.

Lisa M. Ferretto, AIA, LEED AP BD+C, WELL AP, Eco-Districts AP, GGP

Capital Projects 2022.pdf

Uploaded by: nanci Wilkinson

Position: FAV

Committee: Senate Education, Health and Environmental Affairs

Legislation: SB0588 Capital Projects - High Performance Green Buildings

Organization: Environmental Justice Ministry Cedar Lane Unitarian Universalist Church

Position: Favorable

Hearing: February 15, 2022

Dear Committee Chair and Committee Members:

The Environmental Justice Ministry of the Cedar Lane Unitarian Universalist Church supports SB 0588 to improve the carbon footprint of schools, state buildings, and community colleges. The bill will ensure schools or public safety buildings that receive 25% or more of their construction funding from state funds, the Maryland Green Building Council must ensure that those state buildings, public schools, and community colleges meet high performance building standard requirements.

Nanci Wilkinson

Environmental Justice Ministry Team

Cedar Lane Unitarian Universalist Church

SB588_Hettleman_FAV.pdf

Uploaded by: Shelly Hettleman

Position: FAV

SHELLY HETTLEMAN
Legislative District 11
Baltimore County

Judicial Proceedings Committee

Joint Committee on Children, Youth,
and Families

Joint Committee on the Chesapeake
and Atlantic Coastal Bays Critical Area



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11 Bladen Street, Room 203
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Shelly.Hettleman@senate.state.md.us

The Senate of Maryland

ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTLEMAN SB588 Capital Projects - High Performance and Green Buildings

The purpose of SB 588 is to ensure that certain state funded capital projects meet high performance building requirements. Expanding upon current law that already requires newly constructed school buildings and community colleges to be high performance buildings, the bill would extend the high performance building requirement to capital projects that have more than 25% of their funding from the state to non-school local capital projects and major public school renovations.

The bill also reinstates the requirement that new public school buildings obtain independent certification to verify that they have been built according to the required standards. Under current law, guidelines do not provide an accountability system to ensure that our schools will be high performing green schools. Even if a project team elects to obtain a letter of opinion, the term “independent third party” is not well defined and makes possible purchasing compliance from unqualified consultants.

Why is it important to have green schools? Whereas standard buildings waste and use tons of materials each year, green buildings minimize waste and use fewer resources. They save water and energy and reduce utility costs while also protecting the health of teachers and students. Green buildings minimize environmental impact, improve health and academic outcomes, are fiscally responsible, and encourage students to become literate about sustainability issues.

A 2018 study by the U.S. General Services Administration (GSA) found that high performance buildings save energy, save water, cost less to operate, produce less waste, and have more satisfied occupants compared with typical buildings. The high performance buildings showed 23% lower energy use, 28% lower water use, 23% lower building operating expenses, and 9% less waste landfilled.

SB 588 would require once again that green schools be built with an independent certification to verify they have been built according to the required standards. It will also require that other capital projects, including schools, that are built with at least 25% of state funds are to be constructed using either LEED Silver, two Green Globes, or with the 2012 IgCC standards. If we are requiring the use of higher green standards to build schools, we should also hold capital projects that are being built with public funds to those high standards as well. I ask for your support of SB 588. Thank you.

SB0588 - High Performance and Green Buildings - Te

Uploaded by: Joseph Jakuta

Position: FWA

Committee: Education, Health, and Environmental Affairs
Testimony on: SB 588 - “Capital Projects - High Performance and Green Buildings”

Organization: Climate Parents of Prince George’s
Person Submitting: Joseph Jakuta, Lead Volunteer
Position: Favorable, with Amendment
Hearing Date: February 15, 2022



Dear Mr. Chairman and Committee Members:

Thank you for considering our testimony in support of SB 588 - “Capital Projects - High Performance and Green Buildings.” Climate Parents is a campaign to reduce climate change causing pollution in our schools and our group is active in Prince George’s County. In particular, we are currently working directly with Prince George’s County Public Schools (PGCPS) technical staff and other advocates to develop a Climate Action Plan for PGCPS.

SB588 restores the intent of Maryland’s High Performance Building Act that was to create green and healthy K-12 public schools and public buildings. Those standards were substantially weakened in 2018 in legislation that had been primarily focused on creating the Interagency Commission on School Construction (IAC). SB588 rectifies the problems created by that legislation.

First, although the Education Article § 5–312 seemingly requires K-12 schools to be built to High Performance Building Standards (HPBS), State Financing and Procurement Article § 3–602.1 only applies those standards to K-12 schools and other public buildings if they are “solely funded” with money from the State of Maryland. This means only schools in Wicomico and Somerset Counties must meet the HPBSs.¹ SB588 changes that requirement to 25% of the funding from the State, which will return to a situation where all schools will need to meet HPBSs. It also is an important step in the right direction of making our schools healthier and efficient by vastly improving the energy efficiency requirements of schools and improving the air quality within schools.

Second, under current law, the remaining buildings subject to the HPBS are no longer required to be certified that they meet those standards. This has had the predictable result that many buildings do not meet the HPBS. SB588 rectifies this problem by restoring those certification requirements.

We would like to see one amendment to SB 588. The current HPBS program contains an option for the Secretaries of Budget and Management and General Services to allow for equivalent standards. Through our collaboration with PGCPS buildings engineers we have found that the LEED program can sometimes be problematic since LEED was not designed with schools in mind and can lead to higher construction costs. School systems often need to rely on equivalent programs such as Green Globe², International Green Construction Code (IgCC)³, or ASHRAE Advanced Energy Design Guide for K-12 School Buildings⁴. The bill should be amended to either specify equivalents that are acceptable for these alternatives under § 3–602.1 (a)(2)(ii) or include an option under § 3–602.1 (a)(2)(ii) for the IAC to determine equivalent programs for schools as is done for other buildings in § 3–602.1 (a)(2)(iii).

¹ IAC. State and Local Cost Shares. https://iac.mdschoolconstruction.org/?page_id=4067

² <https://www.greenglobe.com/green-globe-certification>

³ <https://www.iccsafe.org/products-and-services/i-codes/2018-i-codes/igcc/>

⁴ <https://www.document-center.com/standards/show/ASHRAE-ADVANCED>

We would note that while the technical fixes in SB 588 and our proposed amendment are necessary, in order to reach net zero emissions by 2045 more is needed and we actively support other legislation to get our schools closer to net zero and eliminate harmful fossil fuel use in them.

We encourage a **FAVORABLE** report, with **AMENDMENT**, for this important legislation.

'22 SB 588 Capital Projects - HPGBs DGS LOI EHEA 2

Uploaded by: Ellen Robertson

Position: INFO

Larry Hogan
Governor

Boyd K. Rutherford
Lt Governor



Ellington E. Churchill, Jr.
Secretary

Nelson E. Reichart
Deputy Secretary

OFFICE OF THE SECRETARY

BILL: **Senate Bill 588**
Capital Projects – High Performance and Green Buildings

COMMITTEE: Senate Education, Health and Environmental Affairs

DATE: February 15, 2022

POSITION: Letter of Information

Upon review of Senate Bill 588 – Capital Projects – High Performance and Green Buildings, the Department of General Services (DGS) provides these comments for your consideration.

The Maryland Green Building Council (M-GBC) resides within the Department of General Services (DGS). Under Senate Bill 588, the Design and Construction division and the Capital Grants within DGS would both be impacted by Senate Bill 588.

The bill would alter the definition of “major renovation” thus increasing the number of buildings required to comply with the High-Performance Green Building Program (HPGBP). For example, if an electrical system is replaced within an existing facility, the entire facility would be required to be brought into compliance with the HPGBP. This may include the replacement of finishes throughout the facility, window, the addition of insulation and thermal breaks for the entire envelope, or the replacement of mechanical and plumbing equipment. An electrical system replacement valued at one million dollars could conceivably increase by five (5) times that amount to bring a facility into HPGBP compliance.

The bill changes the requirement for compliance with the HPGBP to facilities funded 25% or more in State capital funds from a current 100% level thus applying the bill’s requirements to capital grant recipients. Many of these grantees are small, nonprofit entities. It may be difficult for these grantees to manage the bill’s requirements and may require additional staff or outsourcing to knowledgeable entities which will increase their operating costs. For DGS this will require additional staff in the Grants division to perform necessary and required compliance functions.

For additional information, contact Ellen Robertson at 410-260-2908.

