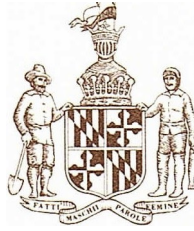


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Health and Government
Operations Committee

Subcommittees
Government Operations and
Health Facilities

Public Health and Minority
Health Disparities



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 8, 2023

House Bill 6

Department of General Services – Energy–Conserving Standards
(Maryland Sustainable Buildings Act of 2023)

Dear Chair Peña-Melnyk, Chair Barnes, Vice-chair Kelly, Vice-chair Chang, and Members of the Committees,

House Bill 6 is our opportunity, as legislators, to address an urgent and significant ecologic, economic, and environmental problem while simultaneously saving money. By modifying our building construction and operation standards, we can reduce energy costs to the state and decrease the up to a billion U.S. annual bird building-strike deaths. A complement to the 2030 Greenhouse Gas Emissions Reduction Act Plan, **HB6** would modify the State’s High Performance Green Building Program, thereby complementing the State’s Climate Solutions Now Act of 2022, which left this important issue unaddressed. It also substantially improves on former Governor Larry Hogan’s 2019 “Maryland Leads by Example” initiative to achieve a 10% reduction in the energy consumption of state-owned buildings by 2029.

HB6 requires the

- Department of General Services to establish LEED 55 standards, periodically updated, for newly constructed, acquired, or substantially altered state buildings. The LEED 55 standards incorporate “bird-safe” designs for cladding, thus conserving energy **and** minimizing adverse impacts on birds;
- Maryland Green Building Council to include the standards in any requirements that the Council establishes for participation in a higher-performance building program;
- shielding from dusk to dawn, and minimization by use of automated technologies of building lighting, to the extent practicable and within budgetary constraints; and
- that the bill’s directives apply “to the extent practicable and within budgetary constraints.

Buildings account for more than 40 percent of energy use and almost a third of greenhouse gas emissions worldwide. This includes consumption and conservation efficiencies related to construction design, materials, and operations. The trend of the past decades has been to incorporate greater amounts of glass/plexiglass into building facades. While architecturally and artistically appealing, the increased use of transparent glass, particularly in the lower four stories, has threatened to undo energy conservation efforts, cost the State money, and contribute to climate unsustainability. Untreated transparent glass/plexiglass is energy inefficient and acts as death traps. Birds, unable to detect the glass, fly into the structure walls at high velocities and die. Next to predation by domesticated and feral cats, this is the second-highest cause of bird deaths in the United States. <https://abcbirds.org/glass-collisions/>.

Conversely, use of U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) credit 55 bird-safe windows and/or architectural elements - including ultraviolet patterned, matte, opaque, etched, stained, or frosted glass Plexiglas®- measurably increases a building’s energy efficiency and reduce bird strikes by up to 90%. When incorporated in the design and planning stage, their use is cost neutral.

Birds enhance our quality of life, 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. 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, generating 10, 807 full and part-time jobs, and producing \$88.4 million in state and local revenue. As a signatory to the Migratory Bird Treaty Act of 1918, Maryland has committed to protecting, and our agencies are obligated to minimize, to the extent practicable, adverse effects on migratory birds.

Incorporation of bird-safe designs in construction reduces energy maintenance costs, resulting in net savings to the buildings and facilities budget. This is consistent with the State's mandate under the High-Performance Building Act of 2008 that newly constructed state buildings meet or exceed U.S. Green Building Council's LEED silver rating criteria or the equivalent.

HB6 has passed the House twice, and a Senate bill passed both chambers only to be die in the final minutes Sine Die. I hope for better success with both this year. Passing **HB6**, The Maryland Sustainable Buildings Act of 2023, is a win-win. By requiring the incorporation of LEED credit 55 bird-safe standards in the planning, design, and construction of new State buildings and significant renovations, mandating utilization of light shielding and automatic controls, we can decrease the number of deadly bird strikes, maintain- even enhance - architectural aesthetics, and save taxpayer dollars on building operational energy cost.

I respectfully request a favorable report with the sponsor's technical amendment putting the cross-filed bills in the same posture.

A handwritten signature in black ink, appearing to be "D. J. ...", written in a cursive style.