

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.