

Committee: Appropriations

Testimony on: HB 458 - “Public School Construction – Grant Programs, Approvals, and Administration – Alterations”

Organization: Climate Parents of Prince George’s

Person Submitting: Joseph Jakuta, Lead Volunteer

Position: Favorable

Hearing Date: February 14, 2023



Dear Mr. Chairman and Committee Members:

Thank you for considering our testimony to HB 458. 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 recently worked directly with Prince George’s County Public Schools (PGCPS) technical staff and other advocates to develop a first in the national School Climate Change Action Plan.

We are focusing our testimony on one aspect of the legislation that affects Md. Code Ann., Education §5-327, most specifically that Interagency Commission on School Construction (IAC) shall develop its life cycle cost analysis (LCCA) in conjunction with the Department of General Services (DGS). This is a necessary step to ensure that LCCA is consistent across state government. In parsing the regulations and guidance produced by DGS and IAC there are clear discrepancies, the documents are not updated on the same timeframe¹, and much of the IAC’s approach to LCCA is not spelled out in regulations², but in guidance. The portion of the HB 458 we are commenting on will help to alleviate these issues and make sure DGS and IAC are more in sync on the important question of LCCA.

We have seen in our county that proper long-term planning in school construction leads to environmentally friendly and cost effective construction. Since the Prince George’s Alternative Construction Financing program has placed long-term considerations on the private companies constructing the buildings, namely through handback mechanisms, the buildings are built with a more appropriate look at the full life cycle of the project. Having well thought out LCCA allows all construction that comes through the IAC to have to consider long-term costs to the taxpayers and the environment.

If possible we would like to see a trigger to initiate a revision of the LCCA that IAC relies on. There have been many important pieces of legislation that affect long-term planning, most especially the climate goals set in the Climate Solutions Now Act and the LCCA approach needs to keep these goals in mind. However, while this legislation could imply that IAC must update their LCCA since it was not developed in conjunction with DGS prior to this, there should be a more explicit trigger that an updated LCCA process be developed in light of this change in the legislative directive. This process should be developed with a feedback process as is done for regulations in the state of Maryland.

We encourage a **FAVORABLE** report for this important legislation.

¹ For instance the Department of General Services Procedure Manual for Professional Services appears to have last been revised in January 2022 and the The Public School Construction Program Administrative Procedures Guide for the State of Maryland in August 2020

² The clearest indication we can discern related to a requirement that the IAC process a LCCA is “LEA shall submit to the IAC or its designee for review and approval information regarding the consistency of the project with the Department of General Services procedure manual for professional services standards for energy conservation, life cycle cost analysis, and roofing.” (COMAR 14.39.02.14 (D)(2))