

# HOUSE BILL 1237

P2, C5

2lr2465

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By: **Delegate Morhaim**

Introduced and read first time: February 10, 2012

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Maryland Energy Administration – Study on the Use of Solar Panels on~~  
3 ~~School Buildings – Solar Technology – Design Development Documents~~

4 FOR the purpose of ~~requiring the Maryland Energy Administration to establish a~~  
5 ~~workgroup to study the feasibility of creating a program to use county and State~~  
6 ~~school buildings for the collection of solar energy; authorizing the~~  
7 ~~Administration to include certain persons in the workgroup in its discretion;~~  
8 ~~requiring the workgroup to consider certain cost savings, examine certain laws~~  
9 ~~that would need to be amended to facilitate a program and to streamline~~  
10 ~~procedures under a program, consider the desirability of establishing a certain~~  
11 ~~pilot program, and make certain surveys to determine certain levels of interest~~  
12 ~~in participating in a program; requiring the workgroup to submit a report of its~~  
13 ~~findings and recommendations by a certain date; providing for the termination~~  
14 ~~of this Act; requiring the Board of Public Works to adopt certain regulations~~  
15 requiring certain design development documents for the construction of new  
16 school buildings or the improvement of existing buildings to include certain  
17 information relating to the use of solar technology; requiring the Interagency  
18 Committee on School Construction to submit a certain report that includes  
19 certain information to the Governor and the General Assembly on or before a  
20 certain date each year; and generally relating to a study on the use of solar  
21 panels on school buildings and solar technology.

22 BY repealing and reenacting, with amendments,

23 Article – Education

24 Section 5–301.1

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2008 Replacement Volume and 2011 Supplement)

3 Preamble

4 WHEREAS, State and county school buildings offer large flat surfaces that are  
5 ideal for the installation of solar panels; and

6 WHEREAS, School buildings are also usually a great distance away from tall  
7 buildings and trees, making them ideally exposed to sunlight; and

8 WHEREAS, In these times of tight school board budgets, the generation of  
9 electricity could provide local school boards with an additional funding source or  
10 cost-saving measure; now, therefore,

11 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF~~  
12 ~~MARYLAND, That:~~

13 ~~(a) The Maryland Energy Administration shall establish a workgroup to~~  
14 ~~study the feasibility of creating a streamlined program to use county and State school~~  
15 ~~buildings for the collection of solar energy.~~

16 ~~(b) The Administration may include in the workgroup in its discretion:~~

17 ~~(1) members of the General Assembly;~~

18 ~~(2) representatives from the Department of General Services, the~~  
19 ~~State Board of Education, and the Maryland Higher Education Commission;~~

20 ~~(3) interested county officials, including school board members and~~  
21 ~~staff;~~

22 ~~(4) representatives of the solar energy industry;~~

23 ~~(5) representatives of the Green Building Council; and~~

24 ~~(6) any other person in the discretion of the Administration.~~

25 ~~(c) The workgroup shall:~~

26 ~~(1) consider the savings in energy costs that could accrue for a school~~  
27 ~~building if solar panels are installed on the roof;~~

28 ~~(2) consider potential savings in the costs of installing solar panels,~~  
29 ~~including through contracts to provide excess energy to private energy companies;~~

1 ~~(3) examine any State or local law, including procurement laws, that~~  
2 ~~would need to be amended to facilitate a program and to streamline procedures under~~  
3 ~~a program;~~

4 ~~(4) consider the desirability of establishing a pilot program to use~~  
5 ~~county and State school buildings for the collection of solar energy;~~

6 ~~(5) survey local school boards, solar panel manufacturers and~~  
7 ~~installers, and private energy companies to determine the level of interest in~~  
8 ~~participating in a program; and~~

9 ~~(6) by December 31, 2012, submit a report of its findings and~~  
10 ~~recommendations, including recommended legislation for the 2013 regular session, to~~  
11 ~~the Governor and, in accordance with § 2-1246 of the State Government Article, the~~  
12 ~~Senate Finance Committee, the House Economic Matters Committee, and the House~~  
13 ~~Health and Government Operations Committee.~~

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

16 Article - Education

17 5-301.1.

18 (a) (1) There is a solar energy pilot program to promote the use of solar  
19 energy systems to generate electricity in public school buildings in the State.

20 (2) The pilot program shall be implemented and administered by the  
21 Interagency Committee on School Construction and shall operate as provided in this  
22 section.

23 (b) The Interagency Committee shall:

24 (1) Encourage all local boards in the State to study, design, and  
25 construct or renovate school buildings that are energy efficient and use solar energy  
26 systems to generate electricity to meet some of the school building's electrical energy  
27 needs, electrical energy demand, or a combination of the electrical energy needs and  
28 electrical energy demand;

29 (2) Provide grants out of State funds dedicated for this program to  
30 local boards to assist in implementing the use of solar energy systems at existing  
31 public schools or in new or renovated school building projects; and

32 (3) Develop a procedure for a local board to apply for a grant in  
33 accordance with subsection (c) of this section.

1           (c)   (1)   A local board may apply to the Interagency Committee for a grant  
2 to cover 90% of the cost to purchase and install a solar energy system to generate a  
3 portion of the school building's electrical energy needs or electrical energy demand.

4                   (2)   A local board that receives a grant under this subsection shall pay:

5                           (i)   10% of the cost to purchase and install the solar energy  
6 system; and

7                           (ii) All architectural or engineering fees for the design and  
8 supervision of the installation of the solar energy system.

9                   (3)   The Interagency Committee may award a grant under this section  
10 for a solar energy system project with the approval of the Board of Public Works.

11           (d)   Local school systems are encouraged to seek private funding to  
12 implement the pilot program.

13           (e)   The total savings of electrical energy needs and electrical energy demand  
14 costs that result from the installation and use of solar energy systems under this  
15 section shall remain with the local school system.

16           (f)   (1)   The Interagency Committee and the Maryland Energy  
17 Administration shall cooperate with, assist, provide technical assistance to, and advise  
18 school systems to identify appropriate existing public school buildings and public  
19 school construction projects that would benefit from the installation of solar energy  
20 systems.

21                   (2)   The Interagency Committee shall adopt procedures necessary to  
22 implement this section.

23           **(G)   THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS THAT**  
24 **REQUIRE THE DESIGN DEVELOPMENT DOCUMENTS FOR THE CONSTRUCTION OF**  
25 **NEW SCHOOL BUILDINGS OR THE IMPROVEMENT OF EXISTING BUILDINGS**  
26 **SUBMITTED BY A COUNTY BOARD TO THE INTERAGENCY COMMITTEE TO**  
27 **INCLUDE:**

28                   **(1)   AN EVALUATION OF THE USE OF SOLAR TECHNOLOGIES,**  
29 **INCLUDING PHOTOVOLTAIC OR SOLAR WATER HEATING, BASED ON LIFE CYCLE**  
30 **COSTS; AND**

31                   **(2)   IF AN EVALUATION DETERMINES THAT SOLAR TECHNOLOGIES**  
32 **ARE NOT APPROPRIATE FOR A CONSTRUCTION OR RENOVATION PROJECT, A**  
33 **REPORT THAT EXPLAINS WHY THE USE OF THE TECHNOLOGY IS NOT**  
34 **APPROPRIATE.**

1           **(H) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE INTERAGENCY**  
 2 **COMMITTEE SHALL SUBMIT A REPORT ON THE NUMBER OF PUBLIC SCHOOL**  
 3 **CONSTRUCTION AND RENOVATION PROJECTS IN EACH JURISDICTION THAT USE**  
 4 **SOLAR TECHNOLOGIES TO THE GOVERNOR AND, IN ACCORDANCE WITH §**  
 5 **2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 7 June 1, 2012. ~~It shall remain effective for a period of 1 year and, at the end of May 31,~~  
 8 ~~2013, with no further action required by the General Assembly, this Act shall be~~  
 9 ~~abrogated and of no further force and effect.~~

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.