

**BILL:** Senate Bill 528  
**TITLE:** Climate Solutions Now Act of 2022  
**DATE:** February 15, 2022  
**POSITION:** SUPPORT WITH AMENDMENTS  
**COMMITTEE:** Education, Health, and Environmental Affairs  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 528 regarding the provisions directly impacting public school operations, with amendments to address the timing and significant costs of adopting new school construction standards and procurement requirements for school buses.

Regarding school buses, the bill would prohibit local school systems from contracting to purchase or use any school bus that is not a Zero-Emission Vehicle (ZEV), with certain exceptions. This mandate would begin in fiscal year (FY) 2024, which would impact the budgets being developed this fall (2022) to take effect on July 1, 2023. MABE recognizes that the bill would provide a waiver process administered by the Maryland Department of Environment (MDE). However, a waiver may only be granted if MDE determines that no available ZEVs meet the performance requirements for the school system's use or the system is unable to obtain federal, State, or private funding that is sufficient to cover the additional costs associated with contracting for the purchase or use of school buses that are ZEVs. MABE is concerned that FY 2024 is ambitious because MDE must develop a waiver process in time for school systems to secure waivers by later this calendar year and early in 2023. Therefore, MABE requests greater flexibility for school systems in FY 2024 to the extent the waiver process is not fully developed. Importantly, very few school systems have even begun to explore or implement a transition to ZEVs, making the statewide called for in this bill an unprecedented, expensive, and complex initiative.

This legislation would also launch a bold new initiative and program to support the construction of Net-Zero Schools, which are defined as generating as much energy in a year as they consume. MABE greatly appreciates the proposal to create the Net-Zero School Grant Fund and to mandate this annual state funding. Importantly, the bill would mandate that future Governors include in the State Budget \$12 million to fund grants to school systems to cover costs associated with building net-zero schools. MABE also appreciates that schools can continue to meet the high-performance building standards for schools without being net-zero, through a waiver based on the availability of funding. Although the bill provides for flexibility and waivers, there are very few net-zero schools in operation in the State, so the expansion of this standard throughout each local school system's construction program will take time and require major investments by both the State and local governments and take time to become the norm. Separately, MABE is concerned that the major investments in building new net-zero schools not negatively impact the availability of state investments of limited resources in less ambitious but very meaningful improvements in the conditions of existing and often aging school buildings.

In the 2022 session, MABE's top school facility funding and policy priorities are the continued funding of the Built to Learn Act and a capital budget that includes a State funding level of at least \$400 million for school construction and renovation projects for FY 2023. Together, these programs and funding levels will contribute to the progress of each local school system to build, renovate, and improve school facilities and benefit all students and teachers across the State.

For these reasons, MABE supports Senate Bill 528 specifically as it relates to the incremental and funding-based approach proposed for implementing new school bus procurement and school construction standards, with the amendments and considerations described above.