



# Meeting Record

MEETING PURPOSE		Monthly Maryland Green Building Council Meeting					
MEETING DATE		February 20, 2025					
MEETING TIME		10:30 AM to 12:00 PM					
VIRTUAL MEETING		Google: meet.google.com/ocp-upjg-qtg (US) +1 530-994-2092 PIN: 734 095 806#					
MEETING NUMBER		2025-02					
ATTENDEES		Quorum = 9					
<i>COUNCIL APPOINTEE</i>		<i>AGENCY MEMBER OR DESIGNEE</i>				<i>REGULAR PARTICIPANTS</i>	
Paul Clary (5/31/2025) (seat 1)	N P	Stephanie Tuckfield (DNR)	N P	David St. Jean (DGS)	Y	Martha Shrader (USM)	
Krystal O’Hara (5/31/2025) (seat 2)	Y	Ashley Van Stone (MDE)	Y	Bill Hersch (MDP)	Y		
Ben Roush - Chair (5/31/2025) (seat 3)	Y	Mark Beck (USM)	Y	Eddie Lukemire (MDOT)	Y	Atif Chaudhry, Secretary (DGS)	
Ryan Schwabenbauer (5/31/2026) (seat 4)	N P	Alex Donahue (IAC)	Y	Chris Russell (MEA)	Y		
Marisa Britton (5/31/2025) (seat 5)	Y	Ted Walsh (DBM)	Y	Robert Emard (LABOR)	A		
Michael Daly (5/31/2026) (seat 6)	Y					(Refer to meeting record for others)	

	Agenda Item	Discussion	Time
1	Call to Order	Greetings - All attendees sign in using the chat box	10:30 AM
2	Meeting Record	Motion: approve prior Meeting Record Discussion: Adjustments Vote: Approval or Table	
4	Old Business	Discuss and vote on updates to the HPGBP.  Address <a href="#">SB0258</a> / CH0423 - – State Buildings and Facilities – <i>Energy Conservation and Greenhouse Gas Emissions Reductions</i> (Required by 10/2024)  “requiring the Maryland Green Building Council to update the High Performance Green Building Program to ensure that the Program aligns with certain greenhouse gas emissions reduction goals”	10:35
5	Ongoing New Business	Possible additions to the GBC webpages: <ul style="list-style-type: none"> <li>• Meeting records and transcripts.</li> <li>• Waiver requests and decisions.</li> <li>• Project submittals (insert language into the HPGBP to require a completed project to submit a completion form developed by the Council).</li> </ul> Other items? <ul style="list-style-type: none"> <li>• Previous versions of the Program and when they were in effect.</li> </ul>	10:45



## Meeting Record

		<ul style="list-style-type: none"> <li>• FAQ page.</li> <li>• Annual reports.</li> <li>• GWP of concrete.</li> <li>• GP Committee page.</li> </ul>	
6	New Business	<ul style="list-style-type: none"> <li>• Additional updates to the HPGBP.                             <ul style="list-style-type: none"> <li>○ Create a list of possible additions/changes to the Program.</li> </ul> </li> </ul>	11:45
7	Announcements and Updates (Members)	Good and welfare	11:55
8	Adjourn until Next Meeting		
9	Adjourn		12:00 PM



## Meeting Record

# Maryland Green Building Council Virtual Meeting - 2025/02/20 10:22 EST - Transcript

### Attendees

+1 443-\*\*\*-\*\*79, Alex Donahue -IAC-, Amy Upton, Andrew Friel -LABOR-, Ashley Vanstone -MDE-, Ben Roush, Bill Hersch -MDP-, Candace Ward -DGS-, Christina Perrotti -DBM-, Christopher Russell -MEA-, Cyndi Smith, David Hollens, David St.Jean -DGS-, David St.Jean -DGS-'s Presentation, Dee Dee Kennedy -MRMCA, Edward Lukemire, Jan Holt, Jeremy Betts, Krystal O'Hara, Maria Prawirodihardjo -MSDE-, Marisa Britton, Mark Beck, Martha Shrader, Mary Stevenson, Michael Daly, Paul Lebo, Paul Rader -DBM-, read.ai meeting notes, Rob Emard -LABOR-, Sustainable Design Consulting, TienP, Victoria Nellis -DGS-

### Transcript

**David St.Jean -DGS-:** All right. Looks like folks are signing in. I started a transcription which we save and put in the drop box for everyone's reference after the meeting. And I think I've been sending it out as so Ben, do you want to jump into this or would you like me to considering you're on the phone?

**Ben Roush:** I think it's fine to jump in. So, if you missed that everybody, we just had a fire alarm in our building, so I'm standing outside and we're rolling with it. so yeah,...

**Ben Roush:** David, I think we could jump in. I think Do you want to start with the discussion we've been having for A specifically? That a good place?

**David St.Jean -DGS-:** Yes. ...

**David St.Jean -DGS-:** yeah, let's tee that up first. So, it would help me if I can refer back to Alex's emails this morning. So there was cons some concern from the IA probably are one of the I don't want to say contentious but one of the more important additions or edits we're going to make to the changes we've already made to the program is when it actually takes effect.

**David St.Jean -DGS-:** And Alex was suggesting that the program should take effect at least for K through2 schools when design RFPs are published after December 31st, 2026. The reason being he thinks that because the leas need some time to digest what it is we're requiring of them. I guess I'll put it that way that they've had a couple of bad experiences with some types of technology electric like VRF systems in the past.

**David St.Jean -DGS-:** And so Alex was thinking that we needed to get them up to speed before we make this electrification requirement. So he was suggesting that as I said that the phase in would be to apply the electrification requirements to all new replacement K through2 facilities whose design RFPs are published after 1231 2026.

**Ben Roush:** He's there.

**David St.Jean -DGS-:** So, Alex was here and then he dropped off. I don't Okay,...

**Alex Donahue -IAC-:** Yeah, I'm here.

**Alex Donahue -IAC-:** Hi, David.



## Meeting Record

**David St.Jean -DGS-:** Good.

**Alex Donahue -IAC-:** Yeah, thank you.

**David St.Jean -DGS-:** Did I capture that correctly?

**Alex Donahue -IAC-:** Real quick, you basically did and I just like to add a little clarification. It's not just to bring eleas up to speed on what's changing, but it's rather to give the school districts who have a lot of projects in their pipelines currently that they can take two plus years to plan and...

**Ben Roush:** What is it?

**Alex Donahue -IAC-:** prepare for both funding and then for design to adjust how they approach the projects with the new requirement in mind because it will be a significant change to how they design their buildings particularly for the larger buildings like high schools. And it's not just a process of understanding what the requirement might be. It's to take a look at all the pieces that go into the design of a building which number one right for efficiency sake leas reuse approaches and designs so they don't have to pay again for a new one fully right it's an efficiency component that keeps costs down ...

**Ben Roush:** Enemies.

**Alex Donahue -IAC-:** but it's also going to require a shift in how buildings are engineered and designed I see Cindy Smith is raised a hand. I suspect she might have something to add on that. So I think this period of phase in will be necessary for leas to essentially reorient and decide how they're going to go about meeting the requirement that you're proposing here.

**Alex Donahue -IAC-:** So that's my clarification. I appreciate the opportunity.

**David St.Jean -DGS-:** Man, I don't know...

**David St.Jean -DGS-:** if that's you. It sounds like we got a lot of Yeah.

**Alex Donahue -IAC-:** Ben, that sounds like that might.

**Alex Donahue -IAC-:** Yeah, there we go. Wait.

**David St.Jean -DGS-:** Okay. I'm not sure if Ben must be going back up to his office.

**David St.Jean -DGS-:** So essentially I've pulled up now the program itself and this is I think the proper place to put this kind of language. So maybe one fundamental question do we have a different date for schools than for the rest of state buildings? I guess that's a question which we should answer and then address each of them separately.

00:05:00

**Ben Roush:** And I switched back to my headset microphone. So that should be better for noise. I'm interested in hearing other agencies as well and your expectation in so every agency we've asked so far about this. David and I in discussion has been at a minimum pre-design RFQ release so before you hire a design team you're specifying which version of the program you are going to use and that seems a reasonable line what Alex and I have asked for

**Ben Roush:** is a further outline to allow school districts to understand this coming recognizing that their funding pipeline is longer. And I do want to maybe not now, but I do want to say there have been bad



## Meeting Record

experiences with VRF is not the only option particularly for a new school or... new building. so that's school districts wrapping their head around electrification at large. Many of their schools are already going that direction. But yeah, other agencies, what's your thought on the timeline of how this rolls in?

**Ben Roush:**

**David St.Jean -DGS-:** I'll jump in.

**David St.Jean -DGS-:** I had a conversation with our assistant secretary briefly about this yesterday and he didn't seem particularly concerned because he said that when a design contract is entered into whatever codes are in place, whatever statutes are in place, whatever the policies are in place, that's what's in place throughout the contract.

**David St.Jean -DGS-:** so he didn't think that we needed to have necessarily a delay some time set in the future for this taking effect. having said that we also have a decarbonization policy at DGS which is not just for our buildings but for all of the agencies that we support. So this is not going to be a change for us anyway. we're adopting that policy in a few weeks on March 4th. and it's been through the governor's office review now. so I think we're basically ready to go with it. So I don't think this is a change for us. So it's not going to be a hardship. And I don't know about I mean the other one would be university system. I think how they felt about it. Okay.

**Mark Beck:** Yeah, I think we're in line with what you're talking about, David, that we will abide by the policy or I should say the contract would include whatever requirements are in place at the time of the contracts led. I mean, that's and if Martha's on the line, she could confirm that. But we're more concerned really about making sure that we're,...

**David St.Jean -DGS-:** Right. Yeah. Excellent.

**Mark Beck:** in line with whatever the high performance building requirement is at the time, but you're not going back retroactively and...

**Ben Roush:** Just noticed a couple raised hands.

**Mark Beck:** tell somebody they have to do something different, but moving forward that's very important.

**Ben Roush:** Cindy,...

**Cyndi Smith:** Yes, thank you.

**Ben Roush:** you may have been sitting there a while.

**Cyndi Smith:** So, that's okay.

**Ben Roush:** I'm sorry if I didn't notice.

**Cyndi Smith:** I want to go back to what Alex indicated for, the preK to 12 schools. Of course, we represent a fairly large one here. And I'm going to just say that, we of course are not in any way opposed to sustainability requirements. I mean, we're going to be designing our fourth net zero school here in, just a little bit. So, obviously we are a big pro sustainability.

**Cyndi Smith:** My concern is just what Alex said is that if it is not in time and in line with funding before the RFP even goes out for design, we wouldn't have the right funding in the buckets to do that to be able to make it happen. So, I would request at least a year if not the 18 months that Alex asked for pre- RFP



## Meeting Record

**Ben Roush:** Yeah. An important point that I want to say this K through2 schools are not covered under BEPS.

**Cyndi Smith:** because of that. Yeah.

**Cyndi Smith:** Mhm.

**Ben Roush:** Beeps specifically exempts building energy performance standards to not go acronym heavy on you specifically exempts K through2 schools. I want to make sure the whole call knows that. so giving a longer timeline for buildings to electrify in the schools component. We are still in line with beeps, which is our main goal of this whole meeting today of the language changes we're proposing today that we intend to vote on by the end of the meeting. we are still in line with BEPS even if schools have longer than other agencies to electrify. So I want to make sure that's clear for everybody on the call. Chris, it looks like your hands up also.

00:10:00

**Christopher Russell -MEA-:** Yeah. Hi, Ben. at Maryland Energy Administration, of course we're supporting all of this, but it would be convenient if we knew with precision the timeline with which eligibility was to kick in for various sectors of state facilities. because that will drive our development of budgets and appropriations for coming years where I think everybody knows MEA has grant and loan programs that can be used to at least offset the costs of some of these investments.

**Christopher Russell -MEA-:** So it's a matter of efficacy for us to know with as much precision as possible so that we can line up the dollars as effectively as possible.

**Christopher Russell -MEA-:** Hope that made sense.

**Ben Roush:** It does.

**Ben Roush:** So Chris, what schools aside, what David was saying is that essentially your budget appropriation and your first call for proposals would state what version of the program you're and version of codes and continue you're going to be using. And so I do want to understand for MEA, you've got an appropriations process that predates any call for proposal for a design team. how far back does that go that you would need advanced notice on,...

**Ben Roush:** how late is too late to change direction on those appropriations?

**Christopher Russell -MEA-:** Ben, you're asking the right question.

**Christopher Russell -MEA-:** I am going to ask that we pursue this offline because I need to line up a few more ducks in a row on this side and then we can dig in more meaningfully.

**Ben Roush:** And so what David and I want to write in is essentially projects that go out for design RFP after this date, whatever this date are required to comply with this program. And that already exists.

**David St.Jean -DGS-:** Mhm.

**Ben Roush:**

**Ben Roush:** There it is. the starting in that's for schools specifically have language up top that says when no we took that out didn't we that said this program is in effect and it was actually the original language said last December which doesn't make any sense so we do need to decide that today and remember that



## Meeting Record

we are going to be changing this in another handful of months to accommodate all of the other comments and whatever comes out of this legislative session, we're going to be reacting to later this year. So, if we set a date six months from now, and this is Chris, I'm looking at you with this question.

**Ben Roush:** If we set a date 6 months from now that says that's when it's going to take effect for any design RFQS going forward and...

**Ben Roush:** then we need to change it four months from now to something further out to because MEA comes back and says we cannot do that. I think we have time to do that and still have it in this program.

**Christopher Russell -MEA-:** Yeah, I do want to confer with folks in the policy side there at MEA.

**Christopher Russell -MEA-:** It won't take terribly long and we might be able to put a bow on this today. Ben, I hope you have time later today when we can talk offline.

**Ben Roush:** Yeah, we have to like Robert's rule style vote this in...

**Ben Roush:** if we're going to enact it today. So, we need a quorum. we have to do it in our committee, not offline. So, even if we put a bow on it, we would then need to vote next month instead of this month. We really do want to get this out because we are already months late for...

**Ben Roush:** what our statutory requirement was to get these requirements in. yeah.

**David St.Jean -DGS-:** Also I think from a practical perspective working on the state building side I don't know MEA's programs there might be a specific program for electrification of schools and...

**David St.Jean -DGS-:** I think there is a grant program for universities. I don't know that the grant programs really affect anything else that we're doing with state buildings.

00:15:00

**David St.Jean -DGS-:** new new construction anyway...

**Ben Roush:** and...

**Ben Roush:** Chris I don't know I don't know everything every grant program you've got just like David...

**David St.Jean -DGS-:** which is and remodels I guess things that are subject to this program

**Ben Roush:** but every grow grant program I've read or that we have been involved in the pursuit of is already fully electrified we cannot use fossil fuel burning equipment in any of those grants So I don't know.

**Christopher Russell -MEA-:** Yep. the electrification thing that is part and...

**Ben Roush:** You may have already moved this forward, but possibly not for your own buildings. that's the open question.

**Christopher Russell -MEA-:** parcel of the nonstate facility programs as well, if that's what you're asking me.



## Meeting Record

**Ben Roush:** Yeah. Yeah. Yeah. I think So that was a fairly long conversation on timeline. What I would propose is that this program takes effect for all projects contracted after pick September of this year and we work with that and...

**Ben Roush:** again we will have time to change we can change the program anytime we have a quorum we have the ability to talk about changing anything in the program. and...

**David St.Jean -DGS-:** Ben.

**Ben Roush:** then schools get a special provision that goes further out like what David's written

**David St.Jean -DGS-:** So, there are two timelines by which this program applies. The first is for K through 2 schools and it's December 31st, 2026 which is what I've written here. And then I've said for all others the program is in effect upon its full adoption...

**David St.Jean -DGS-:** which would mean essentially when it's signed by DBM and DGS secretaries and you're suggesting that I extend that date to September or something.

**Ben Roush:** I think we should.

**Ben Roush:** Because projects that the call for RFP is out now, but it's not contracted, that's got a time to it that needs to roll through before this program is in effect. and six months is plenty of time for that to roll through. That way any RFP can specifically mention the new program and anything that is elected but not contracted doesn't get caught up in that sort of thing.

**David St.Jean -DGS-:** So this is the language that I put in here.

**David St.Jean -DGS-:** If everyone is satisfied, if you're satisfied with it, then we'll move on to the next item. Alex says yes.

**Alex Donahue -IAC-:** Yes. Thank you.

**David St.Jean -DGS-:** And just to be clear as well for K through 12 schools only for the program only new construction applies to them not for renovation...

**Ben Roush:** All Yeah, similar conversation with Alex and...

**David St.Jean -DGS-:** which is what we discovered earlier through a different piece of different statute.

**David St.Jean -DGS-:** Okay,...

**Ben Roush:** there is a statute specific to through 2 schools that is only new construction. So for the program, we would need to go change state statute to have renovations apply for schools. It's an interesting one.

**David St.Jean -DGS-:** I'm opening all of the recommended edits now. So I think that was the only one that I think was going to take much time to work through,...

**Ben Roush:** Yeah. Yeah.

**David St.Jean -DGS-:** but let's see.

**Ben Roush:** So that was the requires discussion and other agencies weighing in to understand how each does that procurement pipeline. so these comments what David's opening you all have by email also.





## Meeting Record

David sent that out last week after we went back and forth and they're great comments many of which we're going to do in a later this year update. So that this update is really to meet the statutory requirement that covers building energy performance standards from the climate solutions now act.

**Ben Roush:** And so lots of these just we should have a whole meeting the next meeting I would say let's dedicate to discussion because some of these are great ideas some of these we don't have statutory authority to do and some we do have statutory authority to do we get to decide what constitutes a green building. So if some of those the squishy language on as applicable or we can actually change that. we have the authority to say you shall do these lead credits or IGCC specific points and we can modify what IGCC bullets are adopted or not for state buildings. that's in our authority.

00:20:00

**Ben Roush:** There's some things we don't have, that stand outside of our authority that will be, again, we should have a whole meeting on that. And I propose doing that in the very next meeting.

**Ben Roush:** So, they're still current. So, as David says, next update, don't worry. it's not far future, it's near future.

**David St.Jean -DGS-:** Yes. Yes.

**David St.Jean -DGS-:** And right, so I did send this out to everybody. You've had a chance to look through. I haven't had any requests back to change anything from next update to this update. So, I'm not going to go through each of these. And as Ben says, the next meeting we'll start working through some of these things. the most important thing that we do I think on the council is this high performance green building program. I mean this is really where most of our authority lies. So I think it should be a continuous conversation about updates potential updates to this. So just moving through these things.

**David St.Jean -DGS-:** The first one that I see that we wanted to address here in this update,...

**David St.Jean -DGS-:** I think this is from Martha. and it's a bit Yep.

**Ben Roush:** I want to know Rob,...

**Ben Roush:** I saw your comment and I am going to pull up the language while David's going through these. Go ahead.

**David St.Jean -DGS-:** Was that in the comments? It's too hard to keep up with all this.

**Ben Roush:** I know.

**Ben Roush:** Yeah, one person can't possibly run the meeting and monitor them all. So go ahead, David. Yeah.

**David St.Jean -DGS-:** Do we have the authority to amend the IG international?

**David St.Jean -DGS-:** Yeah, sure we do as part of this program. Yeah, I mean we've done it before. and really Ben, I think you need to address Martha's comment here which is I'll just read through it.

**David St.Jean -DGS-:** So, heat pumps shall be used in all space conditioning, HVAC and service water heating applications, fossil fuels and electric resistance shall not be used for space heating or water heating with the following exceptions. And then there's a list of exceptions in an appendix.



## Meeting Record

**David St.Jean -DGS-:** Martha was saying that she thought it seemed overly prescriptive that I guess the university system does not tend to dictate how a design team will meet the requirements. Seems like this information should be more of a guide than a mandate.

**Ben Roush:** So the original proposed language was shall use electric heating ... shall not use fossil fuel space heating. Basically you could use any electric system you can including electric resistance. so this section is written now is attempting to limit and it doesn't entirely remove because there are some things for which electric resistance heating is still appropriate is still the correct choice where heat pumps have applicability problems. that's that so the problem with the way it was written is you could do anything including putting in an electric resistance boiler and off you go.

**Ben Roush:**

**Ben Roush:** And obviously that's not in the state's best interest on a utility cost basis and that's not in the grid's best interest in terms of demand on the grid in peak demand scenarios when someday in the middle of the 2030s become a winter peaking grid. So that's what we're trying to address. I would be interested if you have another way to address it. when I read your comment, I thought about energy star score. I thought about setting EUI targets and all of those are also filled with minutia and how do you you would immediately have to energy model to show either of the energy star score the EUI targets and they're both prone to

**Ben Roush:** I don't want to disparage other mechanical engineers. I'm trying hard not They're prone to manipulation. We'll say it that way. You can get a pretty wide range of answers from an energy model. so I'm interested and... Martha you're on mute. I'm interested how Martha or anyone else how we would address that such to strongly incentivize heat pumps but allow more flexibility than this long list of exceptions. And again they can always a waiver as a project too, right?

00:25:00

**Ben Roush:**

**Martha Shrader:** Right. Right.

**Martha Shrader:** Yeah, I hear I guess I just don't want to limit our design teams. and sometimes we do have special needs. We're at university facility.

**Martha Shrader:** So, there may be push back at, a lab facility which may need to do other things. and I guess if we're going the route where we have to just do a waiver for any of that,...

**Martha Shrader:** I guess we can. Mhm. Right.

**Ben Roush:** So labs have special uses that I'd fall under process use.

**Ben Roush:** They're not space conditioning or service water heating. So an autoclave, something like that that isn't covered in this so that long list of exceptions start with we're only talking about space conditioning and water heating, service water heating, domestic water heating. So, I do understand what you're saying, but I think most of their special cases in something like a lab building would already not fall under this language. And if it did fall under this language, there's that super long list of exceptions that gives them pretty good standing to do, if you're doing high temperature steam for an autoclave, you can't use a heat pump there.



## Meeting Record

**Ben Roush:** it's a great example because you have to use electric resistance, but that autoclave is already a process load.

**Ben Roush:** It's not either space conditioning or service water heating. So, in that light, does that address some of the concern?

**Martha Shrader:** It may I'm not being a mechanical engineer.

**Martha Shrader:** I cannot respond appropriately to what you're saying.

**Ben Roush:** Let me do a more broad one.

**Martha Shrader:** I just know that I just don't want to put our designers in a box is all.

**Ben Roush:** If a design team Yeah. Okay.

**Martha Shrader:** We know we need to meet the requirements. if we have to say no electric resistance heating, that makes sense. but that's just my thoughts. I tried to get some more feedback from some of the people in our mechanical section and I did not get that. So, whatever we end up with, that's what we will manage.

**Ben Roush:** I do want to ask,...

**Ben Roush:** so if a design team came back to you and said, " yeah, we're going to do the classic fourpipe chilled hot water, and we're going to do it all with an electric boiler." you would immediately look a skew at that, right? you'd be asking questions of your design team about...

**Martha Shrader:** Mhm. Yeah.

**Ben Roush:** why in the world they'd saddle you with that fuel cost as much as anything.

**Martha Shrader:** And...

**Martha Shrader:** I guess there's also the issue of a renovation versus a new building and the challenges of that which beeps is a challenge regardless.

**Ben Roush:** Yep. Yeah.

**Martha Shrader:** Mhm.

**Ben Roush:** And to stay to the spirit of depts and the spirit of the governor's order about efficiency, we got to push for heat pumps. I am super interested if there's another way to incentivize that. Take your lab building example and you can't do it on an EUI...

**Ben Roush:** because they're all these super custom, Or an energy star score. they'll never pass their threshold. They're more likely to fail that than this list of stuff.

**David St.Jean -DGS-:** I mean,...

**David St.Jean -DGS-:** From my perspective, I sympathize Martha about putting the designers in a box, but this is a huge box. I mean, I can't think of very many other ways to heat and cool a building and...

**David St.Jean -DGS-:** in service water other than, electric resistance which you want to avoid. So there are different types of heat pumps. We're not telling them they all have to be a particular type of heat pump but



## Meeting Record

**Ben Roush:** Right. Yeah.

**Ben Roush:** And we even give in this list a provision for electric resistance for low temperature operation which some types of heat pumps some types of equipment still need. so it recognizes some physical limitations of current equipment that I hope someday to be able to write out to say,...

00:30:00

**Ben Roush:** yeah, heat pumps can do that now." but that's not where we are today. sorry, Chris, you've had your hand up for a minute.

**Christopher Russell -MEA-:** Yeah. ...

**Christopher Russell -MEA-:** where it says fossil fuels and electric resistance shall not be used for space heating etc. clearly that refers to primary prime movers for space heat etc. And the question is there are designers out there who will specify let's say a VRF heat pump system but they will at the same time have some gas fired unit to serve as backup.

**Christopher Russell -MEA-:** It is specified as backup and not a primary unit. What happens in our scope here? And forgive me if that's been addressed elsewhere. I just don't remember seeing it.

**Ben Roush:** I need to go back and look at the exception list. I thought there was an exception list specifically for institutional hospitals that have backup requirements, ...

**Ben Roush:**

**Ben Roush:** statutory incode backup requirements that they could use gas as the backup. I will go make sure so you are allowed to use your generator...

**Christopher Russell -MEA-:** Okay, I'm asking this...

**Christopher Russell -MEA-:** because I am seeing this in the context of multif family high-rise construction.

**Ben Roush:**

**Ben Roush:** if that's what you're asking about. it's worth saying BEPS still charges your alternate compliance path fee on your diesel for your generator,...

**Christopher Russell -MEA-:** Yeah. ...

**Ben Roush:** but Sure.

**Christopher Russell -MEA-:** The generator is a separate issue. This is where you've got heat pump units distributed, one per dwelling unit, and that dwelling unit also has a gas fired component to serve as backup. if the thermostat goes below, 19 degrees or something like that, then the gas kicks in.

**Ben Roush:** That's very odd design. That would be not allowed in this wording.

**Christopher Russell -MEA-:** ...

**Christopher Russell -MEA-:** note...



## Meeting Record

**Ben Roush:** You make me want to have a coffee and ask why at some point, but it's all right. Some other time.

**Christopher Russell -MEA-:** by the way, it's not me seeking to do this. It's people seeking in their grant applications. They're doing this. But by definition,

**Ben Roush:** Yeah. yeah. so for your All right,...

**Martha Shrader:** Yeah, I think there's still a lot of people out there that don't understand heat pumps can handle low temps and...

**Ben Roush:** let's take it offline, right?

**Martha Shrader:** they're and they're just afraid, that they won't get to that temperature. So, that's my thought.

**Ben Roush:** So Yeah.

**David St.Jean -DGS-:** 100% agree.

**David St.Jean -DGS-:** And I've heard that many times and I've lived with many splits now the last two houses for 10 12 years it's gone down to 3 degrees and there's been no trouble at all. So that's my own personal plug for all electric eating.

**Ben Roush:** And it'll go down to minus15. Not that we will ever get there in this part of Maryland. so as written in this exemption list you can have electric resistance backup if you are worried about your heat pump operation. It is limited in capacity such that you won't be able to use the old style single speed doesn't really work below 25 or 30° heat pumps. you'll need inverter driven heat pumps which are common on the market now in all sorts of form factors.

**Ben Roush:** to meet that limitation on electric resistance backup heat,...

**Ben Roush:** but you can have You're allowed to have it in this exception backup electric resistance heating. So I think it is covered Yeah.

**David St.Jean -DGS-:** I think maybe...

**David St.Jean -DGS-:** what Chris was referring to was someone's looking for a grant application, but they're putting in a multi- family unit. They're putting in a heat pump that is not particularly efficient. that is not a low outdoor temperature heat pump and they want to back it up with natural gas, typically heat.

**Ben Roush:** And that is still a weird design choice because you would typically do that with electric resistance because you already have electric there and if you do it with gas, you got to run that whole gas network. it's very weird decision- making on that design team's part, but that's not to ours to decide.

**Christopher Russell -MEA-:** Yeah, but it's a application and...

**Christopher Russell -MEA-:** grant application that's submitted under the design criteria that are in forced now. Whereas what we're talking about in today's discussion, once these standards are in place, this would not apply. Okay. ...

**Ben Roush:** Yeah, good discussion.

**Christopher Russell -MEA-:** that's one way out of it. Thank you, Ben.



## Meeting Record

00:35:00

**David St.Jean -DGS-:** So if we're good with this,...

**David St.Jean -DGS-:** I think leaving 302.1.3 in then it sounds like we are and without any

**Ben Roush:**

**Ben Roush:** Yeah, let's talk about the space heating. So I could only come up with one example of this less so Martha I think pointed out that less than 7,500 ft the program doesn't apply and this is a 2500 square ft limit. There are the only case I could come up with would be a large garage with a little office that you were building a snow removal equipment storage and service would be my classic example or pick your vehicle service.

**Ben Roush:** So you wouldn't be condition space for a lot of it but you would still be over the square footage.

**Martha Shrader:** Yeah. ...

**Martha Shrader:** garages aren't in the program either. Yeah.

**Ben Roush:** No you're So David deleted it.

**Ben Roush:** I think it's fine to leave it that way.

**David St.Jean -DGS-:** Okay. ...

**David St.Jean -DGS-:** next we got Oops. This update. all right. So, this is IEC's concerns. That's been addressed already. I inserted the statute into appendix H. So that's been done. This is Next update. let's see what this is. This update. All right. So let's see. this is also the fact that K through 2 schools are not subject to the renovations portion of the program.

**David St.Jean -DGS-:** we change that. So that's been done. so it looks like yeah, so this is also something that's been addressed as well and placed it in the section up above which we went Next update asking yes for language about fleet vehicle criteria which I put a footnote with the statute mandating that the state fleet bes and the question was should we include a requirement for adding fleet vehicle electrification to the program and

**David St.Jean -DGS-:** yeah. I mean, the answer is yes. if a state-owned fleet vehicle is to be permanently parked at the facility, it absolutely needs to have a means to charge that vehicle up. And I don't think anyone's going to disagree with that. So, I cleared that up in the language. next update. I think there might be one more for this update or not. Looks like they're all done. So, let me present something else and we'll look again at the program.

**Ben Roush:** A lot of shuffling back and...

**Ben Roush:** forth, right?

**David St.Jean -DGS-:** Yes. ...

**David St.Jean -DGS-:** So, back on the screen is the program itself. I think everything has been addressed that we said we were going to address in this update. And this update again is to comply with the statute



## Meeting Record

requiring us to have submitted this back in October. So, we're in a bit of a bind to get this approved. And as Ben said, we're going to discuss additional updates at our meetings moving into the future. Yes.

**Ben Roush:** Yeah, and there was a lot of really good suggestion that requires a lot of discussion about what we can and can't do and then what we can do, how we would do it. I think we could have whole meetings on solar ready buildings and...

**Ben Roush:** what exactly we mean by that. but not today that

**David St.Jean -DGS-:** not today.

**David St.Jean -DGS-:** And just in my own opinion about the program to date has been that I've never thought that a lead silver building is necessarily a high performance building. So, I for myself would like to see this tightened up a bit to reflect where we're trying to go in the state with all of our goals. So, I think we can get there over time.

00:40:00

**David St.Jean -DGS-:** Marissa station.

**Marisa Britton:** And with lead version five coming down the pipeline, it will make things far more difficult to achieve so I think the conversation is the emphasis is shifting under lead version five and...

**Ben Roush:**

**Marisa Britton:** you'll see a lot of projects that were achieving lead silver are now going to have a much more difficult time under version five. So, just something that we should keep in mind. And I do agree with your stance on lead silver. I just wanted to kind of throw that in there of what's to come with version five.

**David St.Jean -DGS-:** And when do we expect to see Yeah.

**Marisa Britton:** They just finalized the draft and received public comments at the end of December. So we're expecting release potentially around I mean they haven't officially sent out the date but we think perhaps April. So sometime I think there's going to be a rush of projects that are going to register under version 4 to try to lock in under that old rating system and then I think they'll allow probably one year before projects are going to have to adopt it.

**Marisa Britton:** So, we're anticipating April, but again, that's no date has been released yet. Mhm.

**Ben Roush:** So, I have some insider knowledge on that...

**Ben Roush:** because I'm the vice chair of the energy and atmosphere technical advisory group for USGBC. so yes, April, if the guide is actually ready, I think we should be expecting possibly up to a month delay. And then they haven't set a formal you must have signed up by the state or you're no longer in the V4.1, but that is anticipated to be the end of 2026. So it's going to be a long time frame of when we do that. So we're going to have all of 2026 to figure out how to change over to a V5 for any credits we mention in the program.

**Ben Roush:** And Marissa,...

**Ben Roush:** I don't know if we don't have a scorecard for V5 yet, but just on a points basis, the way that we have directed doing buildings here, I'd be interested in sitting down with you and maybe Crystal as well and doing a subcommittee just to fill out some sidebyside make some actual projects and...



## Meeting Record

**Marisa Britton:** Yeah, absolutely.

**Ben Roush:** say how would we have done, that would take a couple hours to go through.

**Marisa Britton:** That's an exercise that we would like to do.

**Marisa Britton:** So if we could have a small subgroup that kind of goes through that, I think that would be incredibly valuable.

**Ben Roush:** Yeah, because some of yours is yes,...

**Ben Roush:** it is going to be harder to get some points and there's also some things like you can get five points for being an all-electric building now. That's going to be a thing you couldn't get before. So, I think it's going to be a big yes and Okay.

**Marisa Britton:** Great. Thanks for that insight knowledge. Appreciate it.

**Ben Roush:** Yeah. Yeah. Yeah. And all of the dates are squishy. Anything I said there is USGBC style. It's up for squishy notes.

**Ben Roush:** So, all right. David, hop back in. Or do you want me to jump in on what in the statute gives us power to dictate?

**David St.Jean -DGS-:** I'm ...

**David St.Jean -DGS-:** yeah. let's discuss that before we get on to the vote.

**Ben Roush:** So, we've got two statutes. We got the one that establishes the green building council and one that establishes the green building program. And the one that establishes the green building program says high performance building shall mean meets lead silver. And that we get to achieve at least a comparable numeric rating according to nationally recognized, accepted, and appropriate numeric sustainable development rating system guideline or standard or complies with a nationally recognized and accepted green building code guideline or standard reviewed and recommended by the Maryland Green Building Councils and approved by the Secretary of the Budget Management and General Services.

**Ben Roush:** So for both any other green building program other than lead and for the IGCC we get to determine equivalency to a lead silver building from that statute and I don't remember who asked that. I can send that but it's also in the shared box folder that David has shared.

**David St.Jean -DGS-:** Yeah, it was Rob from labor and...

**David St.Jean -DGS-:** I think Rob's maybe his concern, I'll let him speak for himself, was that we're somehow amending the IGCC for everyone.

00:45:00

**Ben Roush:** No. we're essentially adopting the states version and...

**Rob Emard -LABOR-:** Right.

**Rob Emard -LABOR-:** Okay,...

**Ben Roush:** then removing sections that are not equivalent to leads over





## Meeting Record

**Rob Emard -LABOR-:** I understand that, and this will be a conversation for the next update. So what I was curious is at least on the building code side, we give the authority and the power to the local jurisdictions. We also allow them to adopt the IGCC. The state just adopts it and that's it. And then the local jurisdictions can choose to adopt it if they want or not and then amend it if they want or not.

**Rob Emard -LABOR-:** But what I was looking for was the actual verbiage that says our green building council can adopt and...

**Rob Emard -LABOR-:** then amend the various programs out there. that's what I was looking for, because I don't want to have any conflicts between Department of Labor and then the Green Building Council and everything else going on because it's already quite confusing with the beep's program and everything else. And I know we're all trying to work together and so that's what I'm trying to get to too. Okay.

**Ben Roush:** Yeah. Perfect.

**Ben Roush:** I take a look at the green building, if you've got questions after reading that statute, let me know. And if anybody came back and said, "I'm using the green building council's version of IGCC for my whatever, not state project." That would be a hard no. But it has no applicability,...

**David St.Jean -DGS-:** Yeah.

**Ben Roush:** it's for state only ones that for...

**Rob Emard -LABOR-:** Okay.

**Ben Roush:** which this program applies. Not even all state funded projects. Okay, good clarification. So, David, we're still on the meeting record and discuss and vote on updates. I do want to open the floor if there's anything else anybody wants to talk about in this version before we vote on it. And again, we will make at least one more change this year. This is really about meeting our requirement for what should have happened in Then now we follow Robert's rules. we make that motion. We open for discussion.

**Ben Roush:** And if there's no discussion, we vote. or we close the motion. it's one of, ...

**Ben Roush:** either of those depending on discussion. So, Robert's rule style. Would somebody please make a motion? Or I can make a motion.

**David St.Jean -DGS-:** Go ahead.

**Ben Roush:** I make a motion that we vote this example. what David sent last week for the high performance green building program modifications for BES.

**David St.Jean -DGS-:** Amended today with what I added today. I second that.

**Ben Roush:** Thank Amended today. I motion that we vote this in as our new adopted standard. May I have a second? And this is important. Only people on this list up top are voting members. So other this is a public meeting.

**Ben Roush:** Anybody can sit in but you don't get to vote. And I would like to vote a yay nay. And we're going to do yays first. So let's see. All hands are down. So if you vote yay. Yes. Yep.

**David St.Jean -DGS-:** Ben, I'm sorry.

**David St.Jean -DGS-:** I might recommend you just do a roll call of these folks and get them to vote individually.



## Meeting Record

**Ben Roush:** Yeah. that works fine too. I don't know. We didn't do a roll call. We had people sign in the beginning. So, I don't know who's here. So, we're just going to do the whole list. And if they're not here, or if you forget to unmute, then you're not voting.

**David St.Jean -DGS-:** NP is not present by the way.

**Ben Roush:** All right. Paul, not here. Okay. Crystal, ...

**Krystal O'Hara:** Yeah.

**Ben Roush:**

**Ben Roush:** myself, I vote yay. Ryan is Marissa Michael Stephanie not here is somebody from DNR.

**Marisa Britton:** Yay!

**Alex Donahue -IAC-:** Yay.

**Ben Roush:** Let's just keep going. Ashley, Mark, Alex,...

00:50:00

**Mark Beck:** Yay!

**Ben Roush:** Ted, thank you,...

**Paul Rader -DBM-:** I'm Paul Rider voting on behalf of TED and...

**Paul Rader -DBM-:** we vote yay.

**Ben Roush:** Good.

**David St.Jean -DGS-:** No, I mean,...

**Bill Hersch -MDP-:** Yay.

**David St.Jean -DGS-:** Yes.

**Ben Roush:** Good. Bill Eddie,...

**Mark Beck:** Wise guy.

**Ben Roush:** Chris, Robert, Rob,...

**Rob Emard -LABOR-:** So I believe I'm allowed to tain. All right.

**Ben Roush:** of course.

**Rob Emard -LABOR-:** I'm going to go that route. I have unfortunately with everything going on in the last few weeks,...

**Rob Emard -LABOR-:** I've not had a chance to run this up the chain.

**Ben Roush:**



## Meeting Record

**Ben Roush:** Totally. Okay. and Martha. ...

**David St.Jean -DGS-:** Martha's not a just Yeah,...

**Ben Roush:** regular participant. Sorry, I got it. I gotta watch my columns.

**David St.Jean -DGS-:** she should be, but she's not.

**Mark Beck:** Yeah, I agree with that.

**Ben Roush:** Yeah, that would be I got it. Thank you. all right. So, the motion passes and we will forward this for signatures. It's going to be a minute. It's got to go through some process to be formally signed in. okay.

**Ben Roush:**

**David St.Jean -DGS-:** I got to do one of those reactions.

**David St.Jean -DGS-:** There we go.

**Ben Roush:** And again I think I want to pull these comments back out in the very next meeting so that we're talking about them. I think some of them are legitimate and long longer discussions.

**Ben Roush:** So if you want a plug for attending next month, there you go. That's your plug. all right. Do you want to scroll down in the agenda?

**David St.Jean -DGS-:** Yeah, I guess...

**David St.Jean -DGS-:** if we're done with that, I feel like I should be drinking a beer right now.

**Ben Roush:** No, it's too early, but soon.

**David St.Jean -DGS-:** Yes. So we had discussed the rather sorry state of the green building council website which s. So I guess may a culpa for that. Victoria Nellis who chairs the green purchasing committee is going to work with me on updating the green building council web page.

**David St.Jean -DGS-:** And so these are some of the suggestions I had for things that we could potentially put onto the web page. the records of these meetings, waiver requests in what decision was made. and then potentially project submits but on a form that we could develop. So, in other words, for projects that are completed projects that receive appro I guess That's part of the problem is that we don't really issue approvals unless we have a waiver request, perhaps and maybe in our next update of the program, we can include in there language somewhere that says that if a project goes through the program that a requirement is that the project

**David St.Jean -DGS-:** developer send or complete and return to us this form that we create that says,...

**David St.Jean -DGS-:** the size of the building, when it was completed, what compliance pathway they used, b some basic questions so that we can keep track of it. Hat.

**Ben Roush:** There is already a requirement in the program that projects submit their final certifications.

**Ben Roush:** And of course, I think other than from Martha, I don't know that I've ever seen any of those. So, I think you've got a pathway and it'd be wonderful if it's an easy to do online form instead of having to know who to email it to. Martha, sorry, you raised your hand.



## Meeting Record

**Martha Shrader:** Yeah, just there's also a requirement for system level reporting of all of those projects. So, most of that information really should be given to you for the annual report. although we haven't done it the last few years.

**Ben Roush:** Right. In the green building statute,...

**Martha Shrader:** Then right the other thing I wanted to just suggest for an addition to the web page is the previous versions of the program and...

**Ben Roush:** we have a annual report due in November that mostly has not occurred.

**Martha Shrader:** when they were applicable so that since a lot of our projects carry over multiple years it's just good to have that for reference that we can go back

**Martha Shrader:** who just code versions and things like that to be able to say we're working off the 2018 high performance screen building program and here's the official language for that. Right.

00:55:00

**David St.Jean -DGS-:** Previous versions of the program and...

**David St.Jean -DGS-:** when they were in effect. Does that Okay. All right. Vicki, I thought you had a couple suggestions, but

**Ben Roush:** Good ad.

**Ben Roush:** Anything else? And this crowd is smarter than any one person. Anything else anybody sees missing? It's the thing the missing that would be useful to have on the website.

**Martha Shrader:** I think the other thing we talked about is an FAQ page, which there may already be something there, but yeah,...

**David St.Jean -DGS-:** So, I will say there was a FAQ at the bottom of the program which I think I took out because it just didn't make sense for it to be there.

**Martha Shrader:** I think I did see that at some point and that I was like,...

**David St.Jean -DGS-:** Yeah, that's not the right place for it.

**Martha Shrader:** yeah.

**David St.Jean -DGS-:** But I would agree there could be one here that would be good because it needs to be updated frequently.

**Ben Roush:** Vicki,... you're muted if you were talking just to be clear.

**Ben Roush:**

**Victoria Nellis -DGS-:** I wasn't talking. I was waiting to see what Martha had to say because most of my suggestions were what Martha had suggested last meeting. so what I kind of typed up was obviously adding this year's annual report or last year's a meetings page that can include meeting minutes and agendas for upcoming or past meetings. the high performance screen building program and then



## Meeting Record

previous versions with dates. I love that idea. completed waivers, project certifications, any other standard forms or documents that you guys, might need.

**Victoria Nellis -DGS-:** I like the system level reporting if we can kind of include that somewhere. And then potentially a page for the GWP for cement and concrete just to kind of, explain what we needed to do, what you guys needed, where they can find resources and things like that.

**David St.Jean -DGS-:** And actually,...

**David St.Jean -DGS-:** we were going to put some kind of a link to the green purchasing page there as well.

**Victoria Nellis -DGS-:** Shameless plug,...

**Victoria Nellis -DGS-:** of course. yes, if we could go through and find a

**David St.Jean -DGS-:** Now that it's actually...

**David St.Jean -DGS-:** if it's a requirement within the program, we should have we cross-link the two web pages. Okay, that's a good list. That'll keep us busy.

**Ben Roush:** Yeah. And that's David,...

**Ben Roush:** that's under DGS to coordinate. It's not really formal committee business. We don't need to vote on any of that, motions to pass there.

**David St.Jean -DGS-:** I wouldn't think so.

**David St.Jean -DGS-:** Yeah. Yeah.

**Ben Roush:** Okay, So, the new business, in addition to the really good suggestions from a couple people last time, I'd like a modest homework assignment to read this most recent version again that David sent out. David, let's send out what we added today so that it's reading a truly final version.

**David St.Jean -DGS-:** Yes, we'll do I'll upload it to the box count and send it out after this call.

**Ben Roush:** So, this is general homework assignment to take a look. If you feel something's missing,...

**David St.Jean -DGS-:** Okay.

**Ben Roush:** bring it to share in the next meeting. let's talk about what else could be in the program. And there is some statutory limit on what we do and do not get to do. But, yeah, I'm interested in the looking towards this fall. what changes do we make that encompass some of the comments we've already gotten and I'm sure there is more that is not yet that we've not yet talked about. So please take a look come with ideas or...

**Ben Roush:** send them to me and David in advance and we'll add them to the list this commentary list for discussion. Yeah, I think we get to do good good and...

**David St.Jean -DGS-:** I think that was everything I had on the agenda.

**Ben Roush:** anything we're sharing from out in the agencies



## Meeting Record

**David St.Jean -DGS-:** I will start us off by saying that we have an engineering firm out that's looking at I don't know 23 or so million square feet of state buildings for developing a decarbonization plan. They're well on their way into it, probably half the way or more through with it now.

01:00:00

**David St.Jean -DGS-:** we'll be getting some interesting information from it. So that plan itself will be available for everyone to look at sometime later this summer. So maybe And I have had them focus on budget forecasts both for individual buildings and for campuses and this is for electrifying them essentially for BEP's compliance which I will clarify for BEP's compliance for state buildings that we are responsible for paying the alternative compliance fees which still shocks me.

**David St.Jean -DGS-:** I don't understand how that's going to work, but MDE confirmed that to me a few weeks ago that...

**David St.Jean -DGS-:** since the state is subject to the regulation, they're subject to all of the regulation, not just part of it.

**Ben Roush:** Yeah, that I have heard conflicting information about state buildings.

**Ben Roush:** So that is worth getting clear on it.

**David St.Jean -DGS-:** At this point it's I don't even know...

**Ben Roush:** Yeah, I don't know either.

**David St.Jean -DGS-:** who to ask because I suppose and...

**Ben Roush:** MDE gets to set that, I suppose.

**David St.Jean -DGS-:** I know I had one of my staff go through all of the buildings in the agencies that we support and by 2040 I think if we do nothing to those buildings if they look the same in 2040 as they do now what was that number?

**David St.Jean -DGS-:** It was tens of millions of dollars in alternative compliance fees. It was a lot of money.

**Ben Roush:** Yeah, in addition to...

**Ben Roush:** what will already be much escalated fuel costs on the gas Interesting. Martha,...

**David St.Jean -DGS-:** Yes. Yeah.

**Ben Roush:** you raised your hand first and then Eddie.

**Martha Shrader:** I just had a question for David about that process. Are they also looking at building envelope for all those buildings or is it mostly just mechanical?

**David St.Jean -DGS-:** envelope as well.

**Ben Roush:** Excellent.



## Meeting Record

**David St.Jean -DGS-:** We told them to look at the envelope and consider upgrading the envelope as it impacts any new HVAC system.

**Martha Shrader:** Great. Thank you.

**David St.Jean -DGS-:** They are what the scope of their project since it was costing a couple million dollars to do it as it is they're doing sort of a deep dive into 10 standalone buildings and for those buildings we're getting a lot of data a lot of information and then for I think there was another 20 standalone buildings plus all the campuses that they're doing a much sort of a broader overview basically just trying to get a budget forecast for those Eddie's got a hand up.

**Edward Lukemire:** An obvious immediate reaction to that comment, David. I know we've talked about before, but my thought was when you said, "I'm not sure who to talk to." I did hear Mark Stewart give a presentation. Yes. I think it was yesterday to one of the US climate alliance groups for building decarbonization and he was talking about the authority basically that MDE is using to move forward with that. does anyone on the call know if I can look myself but offhand the legislation that would be associated with that this year because that in my mind would be the way to make the impact now before session is over before we even get to the crossover date and I can absolutely use our agency platform as MD do in the legislative session to write

**Edward Lukemire:** a fiscal note basically and "Hey, We did the exact same thing," and I invited my colleague David Holland on this call as well and he did an analysis on our buildings and I mean DGS's procurement authority University systems MDOT's is large as well. We have buildings across the entire state. Just for beeps compliance, we have close to 100 buildings. But the cost for upgrading just some of our equipment that doesn't even exist right now for some big facilities is in our capital programming right in the future. But those are huge costs and given our obvious state budget issue that puts us sort of in a catch 22.

**Edward Lukemire:** It's like we got to spend the money one way or another. And I I'm the environmental person here, but looking at it financially, it's going to be very difficult for us. It's millions of dollars either way. I would wonder if there was a way to use the ACP funds,...

01:05:00

**Edward Lukemire:** right, to just say, "Okay, here's what we have to support state agencies." I'm not sure how that would work, but I don't know where the money would be going to come from, right?

**David St.Jean -DGS-:** It is a little bit of robbing Peter to pay Paul.

**David St.Jean -DGS-:** And so I just pulled up the numbers by 2040 \$34 million in ACP payments for what we're doing. and I thought that when these compliance payments were going to be collected by MDE that it was going to be put into either SE or some other standalone fund to dole back out to projects to help them electrify, which is I mean on one hand you're paying a penalty, the other hand potentially you're getting a grant.

**David St.Jean -DGS-:** I mean,...

**Edward Lukemire:** Once it's in another special fund, it's out of your control. It's out of my control.

**David St.Jean -DGS-:** right.



## Meeting Record

**Edward Lukemire:** I can ask for it. obviously that comes with conditions then, The SE only applies for HB550 ...

**David St.Jean -DGS-:** I don't think it was very well thought through, Eddie. we have been using it in my office for all kinds of energy efficiency work and...

**Edward Lukemire:**

**Edward Lukemire:** census tracks in the state So that limits our ability to even be able to use unless the legislation that is also in session right now to amend the SE to be able to use it for building electrification and transportation electrification uses.

**David St.Jean -DGS-:** MEA told me yesterday that I think that they have introduced I need to go back and...

**Edward Lukemire:** Right. Yes.

**David St.Jean -DGS-:** look they introduced a bill that would allow it to be used for electrification. Yeah.

**Edward Lukemire:** just this session. And That would be very helpful. because I'm not sure where that money exists. And even when we work on energy efficiency projects, we're reducing our operating expenses. It's not like there's a special account...

**David St.Jean -DGS-:** Yep.

**Edward Lukemire:** where that savings is being collected, we don't get that savings back to reinvest into upgraded technology. And I know I'm preaching to the choir here. but just it's tough,...

**David St.Jean -DGS-:** I've raised that issue with DBM going back to my MEA days and there was Yeah.

**Edward Lukemire:** I'm thinking of all the alternatives. If we save money, is there a way to do this? But when you save money, you just don't have that money to spend then. So,

**David St.Jean -DGS-:** Yeah. that's the difference. DBM doesn't consider it saved money. They consider it an avoided cost and there is some accounting magic there. So it doesn't really help them give you the money back I guess or...

**David St.Jean -DGS-:** to put it in a special pod. Although some states definitely do that. No.

**Ben Roush:** ...

**Ben Roush:** Eddie, you'd ask what legislation is currently out there. I pulled up the MC legislative tracker. I think you were asking specifically about the MEA sponsored building energy performance standards bills. Is that right?

**Edward Lukemire:** The authority to have charge an alternative compliance payment towards state agency buildings under BEPs And this year there Okay.

**Ben Roush:** That's in the original climate solutions act. They don't make a distinction of state or...

**David St.Jean -DGS-:** 256. Mhm.

**Ben Roush:** not state buildings. They do make a distinction for K through2 schools to be clear, but otherwise do not make a distinction. So that'd be going back to the 2022 bill. And then this year they're doing Senate Bill hold on 256, House Bill 49. that adds a requirement or...





## Meeting Record

**Edward Lukemire:** I thought there was something this year.

**Ben Roush:** an ability to formally charge for set a fee structure for energy use intensity overages. that looks like it's moving in committee,...

**Edward Lukemire:** Yeah. Yeah.

**Ben Roush:** But you would have the ability to test the testimony was last week for both of those, but you'd still have the ability to potentially influence that.

**Edward Lukemire:** Absolutely. And honestly, I think my commentary at that point was I was under the understanding that MDE was not going to levy those financial penalties on state agencies.

**Edward Lukemire:** So, I was okay with just monitoring that legislation as opposed to writing anything up. But, thank you. Yeah, I thought I had seen something this session come through because last year that Okay.

**Ben Roush:** Yes. There's actually three different things on building energy performance standards.

**Ben Roush:** Two of them from industry and one of them from MEA this year.

**Edward Lukemire:** I had heard also that someone was suing MDE this year already over the beep's piece of

**Ben Roush:** has happened. a conglomeration of Nyop Bulma. I'm Aoba. I'm gonna miss there's a fourth or...

**Edward Lukemire:** You got me already.

01:10:00

**Ben Roush:** fifth. Yeah.

**Edward Lukemire:** That's good.

**David St.Jean -DGS-:** And our chief sustainability officer in the state thinks that our previous chair of the council is involved in those laws.

**David St.Jean -DGS-:** suit. So,...

**David St.Jean -DGS-:** that's an interesting wrinkle.

**Ben Roush:** Yeah,...

**Edward Lukemire:** That is

**Ben Roush:** Stuart writes a really good blog. You can go read his thoughts on his blog. It's worth reading. and I'm not a lawyer, so I have no idea where that lawsuit will go. but until there is something out of that, we're going to continue forward and keep going like it's real. keep advising clients that way on our own end.

**Edward Lukemire:** ...



## Meeting Record

**Ben Roush:** And then in the green building program, we just added it today. So, we're going to keep doing that and...

**Edward Lukemire:** it's right and...

**Ben Roush:** if a lawsuit changes it, we will react to that in another change to the program.

**Edward Lukemire:** and we can't move forward with our decarbonization plans as an agency without putting a huge emphasis on building decarbonization, right? We have facilities across the entire state and that's what we look at everything in energy cap,...

**Edward Lukemire:** is all from those metered facilities and we're in the top 20 there as well. So,

**Ben Roush:** All righty.

**Ben Roush:** Any other agency news for cross sharing? this is a good venue for it. Or if not, we can adjourn a little early.

**David St.Jean -DGS-:** Yep.

**Ben Roush:** David will send out this final version. Dave, will you reattach the comments even though we didn't do anything with them just so that people have them in reference? and we will see you next month. If you think of something you think the program really needs,...

**Ben Roush:** again, please email us and we'll add it to the discussion list for next time.

**Martha Shrader:** Thanks. Bye.

**David St.Jean -DGS-:** Thank you everybody.

**Candace Ward -DGS-:** Thank you.

**David Hollens:** Thank you.

**Ben Roush:** Thank you, David. I will always.

**David St.Jean -DGS-:** Thank you.

Meeting ended after 01:12:26 

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