



## MCEC Policy Watch Report for the 2019 MD Legislative Session

The 2019 Legislative Session of the Maryland General Assembly began with many newly elected Delegates and Senators taking their seats. Retirements and lost elections resulted in changes in leadership on several committees, specifically those that typically address energy policy and funding; House Economic Matters and Senate Finance.



MCEC staff tracked 63 pieces of legislation pertaining to the Clean Energy sec introduced during this session. In summary, 22 bills pertaining to the Clean Energy Sector were returned passed and 39 failed through withdrawal by the sponsor, receiving an unfavorable report or failing to make it out of committee and cross over.

Legislation pending this session focused largely on proposed alterations to the RPS, with the most high-profile bill being the Clean Energy Jobs Act which passed on Sine Die.

Incentives to support electric vehicle adoption and use were also prevalent with the General Assembly electing to pass bills to permanently extend the excise tax credit for purchase, require future school buses purchases to be net zero emissions vehicles and continuing the provision for plug in electric vehicles to use HOV lanes.

Also among the bills that passed were initiatives requiring the Public Service Commission to establish a certain customer choice website for electric customers and to establish an energy storage pilot program. Legislators also lifted the sunset on the Environmental Trust Fund surcharge which funds the Power Plant Research Program at the Department of Natural Resources.

While bills designed to consider plans for regulating solar system siting failed, a bill designed to continue advancing community solar generation passed.

For more information visit [www.md.gov](http://www.md.gov).

### Passed Legislation

#### **SB 52 State Government-Strategic Energy Investment Program-Reporting**

##### *Returned Passed*

Altering certain planning and reporting requirements for the Strategic Energy Investment Program; repealing a certain reporting requirement; requiring a certain annual report to be provided to the Strategic Energy Investment Advisory Board; and requiring information regarding the status of programs and expenditures in the current fiscal year and possible or expected program initiatives and future changes to be included in the annual report.

#### **SB 53 State Finance and Procurement-Energy Performance Contracts**

##### *Returned Passed*

Providing that the Department of General Services is responsible for monitoring the status of certain energy performance contracts and reporting on that status to the Board of Public Works annually; requiring a primary procurement unit to consult with the Department before issuing a request for proposals for an energy performance contract; requiring the Department to review certain proposed requests for proposals for energy performance contracts; etc.

**SB 70 Vehicle Laws-HOV Lanes-Plug-In Electric Drive and Hybrid Vehicles**

*Returned Passed*

Altering the termination date for certain provisions of law authorizing certain plug-in electric drive vehicles to use a high occupancy vehicle (HOV) lane under certain circumstances regardless of the number of passengers in the vehicle; and altering the termination date for certain provisions of law making certain authorizations regarding the use of certain HOV lanes by plug-in electric drive vehicles applicable to qualified hybrid vehicles.

**HB 106 Environmental Trust Fund - Surcharge Extension**

*Returned Passed*

Extending from June 30, 2020, to June 30, 2025, the termination date of a certain environmental surcharge on electrical energy distributed to retail electric customers in the State.

**HB 170 Jane E. Lawton Conservation Loan Program- Eligible Borrowers**

*Returned Passed*

Altering the definition of "borrower" for the purpose of provisions of law governing the Jane E. Lawton Conservation Loan Program to include an eligible State agency; altering the purpose of the Jane E. Lawton Conservation Loan Program to include providing certain financial assistance to State agencies for certain projects and to include providing certain financial assistance for projects that reduce greenhouse gas emissions; applying the Act prospectively; etc.

**HB 221 Prince George's County - Utility Services - Master Meters Task Force - Extension PG 407-19**

*Returned Passed*

Extending the Task Force on the Use of Master Meters for Utility Services in Prince George's County by 1 year; and extending the deadline for the Task Force to report its findings and recommendations to the Governor and the Prince George's County Delegation to the General Assembly by 1 year to December 31, 2019.

**SB 249/HB 277 Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in Transportation Sector - Authorization (Regional Transportation and Climate Protection Act of 2019)**

*Returned Passed*

Authorizing the Governor to include the State as a full participant in a certain initiative, agreement, or compact that limits or reduces greenhouse gas emissions from the transportation sector; authorizing the Governor to impose a greenhouse gas emission fee on the sale or distribution of motor fuel under certain circumstances; requiring the Department of the Environment and the Department of Transportation to submit a certain report to certain committees of the General Assembly on or before November 1, 2019; etc.

**HB 586 Public Safety - Solar Photovoltaic Systems - Lockout Tag Requirement**

*Passed Enrolled*

Requiring a company that leases solar photovoltaic systems to install a certain lockout tag containing a safety warning under certain circumstances; requiring a certain company to provide a certain customer with a certain lockout tag for a solar photovoltaic system that has previously been installed; providing for the enforcement of the Act; establishing a civil penalty of at least \$100 but not more than \$500 for certain violations of the Act; and specifying that a local government shall retain certain funds.

**SB 425/HB 1189 Home Energy Assistance - Critical Medical Needs Program**

*Returned Passed*

Establishing the Critical Medical Needs Program in the Office of Home Energy Programs of the Family Investment Administration within the Department of Human Services in recognition of the additional challenges with energy bills for individuals with critical medical needs and limited financial resources; requiring the Office to partner with certain agencies and organizations in administering the Program; specifying the duties of the Office in administering the Program; requiring the Department to adopt certain regulations; etc.

**SB 516/HB 1158 Clean Energy Jobs**

*Passed Enrolled*

Establishing certain criteria for qualified offshore wind projects applied for on or after July 1, 2017, termed Round 2 offshore wind projects; altering and extending the minimum required percentage of energy that must be derived from Tier 1 renewable sources in the State's renewable energy portfolio standard in certain years; altering and extending the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in certain years; etc.

**SB 517/HB 689 Electricity - Customer Choice – Education**

*Passed Enrolled*

Requiring the Public Service Commission to establish a certain customer choice website for electric customers; specifying the contents of the website; requiring the Commission to use certain information to maintain the information on the website; requiring the Commission to include certain information on a certain customer education webpage; requiring each electricity supplier that is actively seeking customers in a service territory to maintain at least one open offer on the Commission's website at all times; etc.

**SB 520/HB 683 Electricity - Community Solar Energy Generating Systems Pilot Program – Extension**

*Returned Passed*

Prohibiting the imposition of a maximum number of subscribers to community solar energy generating system under the Community Solar Energy Generating Systems Pilot Program; providing for an increase in the generating capacity and capacity limits to be included in the pilot program; altering the termination date of the pilot program to be not sooner than December 31, 2024; and extending to July 1, 2022, the submission date of a certain report on the pilot program to certain committees of the General Assembly.

**SB 573/HB 650 Energy Storage Pilot Project Act**

*Returned Passed*

Requiring the Public Service Commission to establish an energy storage pilot program; providing for the structure and operation of the program; requiring the Commission to require each investor-owned electric company to solicit offers to develop energy storage projects for various commercial and regulatory models; requiring each investor-owned electric company to submit an application for projects from at least two models; etc.

**SB 634/HB 1357 Electric Cooperatives - Powers - Conducting or Communications Facilities**

*Passed Enrolled*

Authorizing an electric cooperative to construct, maintain, or operate or allow others to construct, maintain, or operate conducting or communications facilities for telecommunications and broadband Internet services along, on, under, or across various types of property.

**HB 1105 Investor-Owned Electric Companies - Acquisition of Substantial Influence – Prohibition**

*Returned Passed*

Prohibiting acquisition of substantial influence over an investor-owned electric company if a person would become an affiliate of each investor-owned electric company in the State as a result of the acquisition.

**HB 1246 Plug-In Electric Drive Vehicle Excise Tax Credit**

*Returned Passed Enrolled*

Making the vehicle excise tax credit for the purchase of certain electric vehicles permanent; authorizing certain individuals or business entities that do not receive a tax credit in a certain fiscal year to claim the credit during the next fiscal year; authorizing the tax credit, up to \$1,500, for certain used vehicles; codifying a limit of \$8,000,000 per year on the total amount of credits allowed; etc.

## **HB 1255 School Bus Purchasing - Zero-Emission Vehicle – Requirement**

### ***Returned Passed***

Requiring, beginning October 1, 2022, that each school bus purchased by a county board of education be a zero-emission vehicle; and requiring, beginning October 1, 2025, that each school bus purchased by a person for use under a contract with a county board to provide transportation services be a zero-emission vehicle.

## **Failed Legislation**

### **HB 72 Extension of Electric Vehicle Incentives**

#### ***UNFAV Report***

Establishing the Fiscal Year 2017 Electric Vehicle Recharging Equipment Rebate Program to provide rebates to individuals who purchased qualified equipment in fiscal year 2017 but did not receive the rebate; limiting the rebate to an applicant who owns the equipment on the date the applicant applies for the rebate; allowing a credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles; limiting the credit to certain vehicle owners; terminating the Act after June 30, 2020; etc.

### **SB 78 Plug-In Electric Drive Vehicle Excise Tax Credit-Sunset-Repeal**

#### ***Held in Committee***

Making the vehicle excise tax credit for the purchase of certain electric vehicles permanent; authorizing certain individuals or business entities that do not receive a tax credit in a certain fiscal year to claim the credit during the next fiscal year; requiring the Comptroller, each fiscal year, to transfer up to \$2,400,000 from the Maryland Strategic Energy Investment Fund to the Transportation Trust Fund; codifying a limit of \$3,000,000 per year on the total amount of credits allowed; etc.

### **HB 125 Solar Photovoltaic Recycling**

#### ***UNFAV Report ECM 03.14.19***

Establishing a solar photovoltaic recycling fee; requiring a person installing a solar electric generating facility in the State to pay the fee beginning October 1, 2019; establishing the Solar Photovoltaic Recycling Fund; requiring 20% of the first sale price of each renewable energy credit sold to be deposited into the Fund; providing that the purpose of the Fund is to provide funding for technologies and processes that assist with the recycling of solar photovoltaic systems; etc.

### **HB 164 Business Occupations and Professions-Licensing and Regulation of Electricians**

#### ***UNFAV Report***

Altering the purpose, composition, powers, and duties of the State Board of Master Electricians; changing the name of the State Board of Master Electricians to the Board of Electricians; authorizing the Board to issue an apprentice license and a journeyman license under certain circumstances; authorizing the Board to adopt a State electrical code; requiring a county to enforce the State electrical code or a certain local electrical code; etc.

### **SB 350/HB 601 Renewable Energy Portfolio Standard - Tier 1 Eligibility**

#### ***Held in Committee***

Altering the definition of a "Tier 1 renewable source" for purposes of the renewable energy portfolio standard by adding certain hydroelectric power as a Tier 1 renewable source; applying the Act to all renewable portfolio standard compliance years that begin on or after January 1, 2020.

### **SB 314/HB 136 Department of General Services - Energy-Conserving and Bird-Safe Building Standards (Maryland Sustainable Buildings Act of 2019)**

#### ***Held in Committee***

Requiring the Department of General Services to establish certain standards for State buildings to conserve energy and minimize adverse impacts on birds; requiring each building constructed, acquired, or substantially altered by the Department to meet the standards to the extent practicable; requiring the Department to reduce the lighting of existing public buildings in a certain manner; and requiring the Secretary of General Services to adopt certain regulation

**SB 316 Vehicle Laws - Plug-In Electric Drive Vehicles - Reserved Parking Spaces**

***UNFAV Report JPR 03.04.19***

Prohibiting a person from stopping, standing, or parking a vehicle that is not a plug-in electric drive vehicle in a parking space that is designated for the use of plug-in electric drive vehicles; requiring that a parking space for the use of plug-in electric drive vehicles have certain pavement markings; requiring that a parking space for the use of plug-in electric drive vehicles be counted as part of the overall number of parking spaces for certain purposes; establishing a civil penalty of \$50 for a violation of the Act; etc.

**HB 514 Greenhouse Gas Emissions Reductions - Statewide Greenhouse Gas Inventory and Carbon Sequestration**

***UNFAV Report***

Altering the publication requirements for the statewide greenhouse gas emissions inventory; requiring the Department of the Environment, beginning January 1, 2020, and on January 1 of each even-numbered year thereafter through 2030, to establish a greenhouse gas emissions reduction target; requiring that the target be set at a certain amount and expressed in a certain manner; providing that the Department is not required to sequester more than a certain amount of carbon dioxide emissions; etc.

**SB 530/HB 692 Electricity - Standard Offer Service - Cost Allocation**

***UNFAV Report***

Prohibiting an electric company from including certain costs associated with providing standard offer service in a certain base rate proceeding; requiring the Public Service Commission to require an electric company that files a certain base rate case to conduct a certain cost of service study for certain purposes; specifying costs that must be addressed in the study; requiring an electric company that provides standard offer service to identify certain costs and to segregate those costs in a certain manner; etc.

**SB 542 Community Healthy Air Act**

***Held in Committee***

Establishing the Committee on Air Quality; providing for the composition, chair, and staffing of the Committee; prohibiting a member of the Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Committee to create a certain air quality sampling and monitoring protocol on or before a certain date; requiring the protocol to establish the methodology for the Department of the Environment to use to quantify and assess certain data; terminating the Act; etc.

**SB 548/HB 961 Public Utilities - Renewable Energy Portfolio Standard - Tier 1 Sources**

***Held in Committee***

Altering the eligibility of certain sources of energy for the creation of credits under the renewable energy portfolio standard; removing certain sources from the definition of a "Tier 1 renewable source"; providing that existing obligations or contract rights may not be impaired by the Act; and providing that a presently existing obligation or contract right may not be impaired in any way by this Act.

**SB 572/HB 653 Electric Companies and Gas Companies - Rate Regulation - Alternative Rate Plans**

***Held in Senate Committee***

Requiring the Public Service Commission to allow an electric company or a gas company to apply for an alternative rate plan simultaneously with an application for new base rates; requiring the Commission to allow an electric company or a gas company to utilize an alternative rate plan covering its full cost of service to establish new base rates if the Commission finds that the plan results in a just and reasonable rate; declaring the intent of the General Assembly; etc.

**SB 610/HB 627 Solar Photovoltaic Property - Personal Property Tax Exemption and Local Fee Requirement**

***Withdrawn***

Requiring the governing body of a county to require, by law, the owner or operator of certain solar energy property to pay a certain annual fee to the county; requiring counties to distribute a certain amount of a certain fee to a municipality under certain circumstances; providing for the calculation of the fee; exempting from the personal property tax certain solar energy property; applying the property tax exemption to taxable years beginning after June 30, 2019; etc.

**SB 660/HB 730 Electric Industry - Community Choice Aggregation**

***HB Referred to Interim Study***

Repealing a provision that prohibits a county or municipal corporation from acting as an aggregator under certain circumstances; establishing a process by which a county or municipal corporation or group of counties and municipal corporations may become a community choice aggregator; authorizing a community choice aggregator to own a certain electric generating facility for a certain purpose; etc.

**SB 716 Residential Electricity and Gas Supply Billing Information – Reports**

***UNFAV Report***

Requiring certain persons to submit to the Public Service Commission on and after July 1, 2020, monthly reports containing detailed billing information on the supply of electricity and gas to residential customers; requiring certain initial reports to include certain historic information; providing for the required contents of certain reports; requiring certain information to be organized into certain categories; requiring the Commission to make certain reports available to certain persons; etc.

**SB 744/HB 532 Protecting Natural Resources and Preserving Productive Farms – Commission on the Development of a Blueprint for Solar Energy in Maryland**

***Held in Committee***

Establishing the Commission on the Development of a Blueprint for Solar Energy in Maryland; providing for the composition, chair, and staffing of the Commission; requiring the Commission to develop a certain blueprint to guide units of State and local government in evaluating proposed solar energy projects; requiring the Commission submit a certain report and blueprint to Governor and the General Assembly on or before January 1, 2020; etc.

**SB 849 Baltimore City - Green Career Gender and Minority Empowerment and Training Pilot Program**

***Held in Committee***

Requiring the Mayor and City Council of Baltimore City to establish, subject to the availability of funds, the Green Career Gender and Minority Empowerment and Training Pilot Program on or before January 1, 2020, to encourage young women and minorities to pursue green careers; requiring the Mayor and City Council to take certain actions under the Program; authorizing the Mayor and City Council to coordinate with fiscal sponsors; etc.

**HB 792 Maryland Electricians Act – Revisions**

***UNFAV Report***

Altering the composition, powers, and duties of the State Board of Master Electricians; changing the name of the State Board of Master Electricians to the State Board of Electricians; authorizing the Department of Labor, Licensing, and Regulation to set standards to establish the education requirements and qualifications for a State apprentice electrician license; providing that certain licenses issued by local jurisdictions before a certain date will no longer be valid under certain circumstances; etc.

**HB 973 Baltimore City - Renewable Energy Portfolio Standard - Ineligible Tier 1 Sources**

***UNFAV Report***

Altering the eligibility of certain sources of energy in Baltimore City for the creation of credits under the renewable energy portfolio standard; providing that existing obligations or contract rights may not be impaired by the Act; and applying the Act to all renewable energy portfolio standard compliance years beginning after December 31, 2019.



**HB 1180 Maryland Energy Administration - Plug-In Electric Drive Vehicle Rebate Program**

***Held in Committee***

Establishing a Plug-In Electric Drive Vehicle Rebate Program; requiring the Maryland Energy Administration to administer the Program; authorizing certain persons to apply to the Administration in fiscal years 2021 through 2023 for a rebate for the cost of acquiring certain electric vehicles; authorizing the Administration to issue a \$3,000 rebate for certain new vehicles and a \$1,500 rebate for certain used vehicles; providing that, for each fiscal year, the total amount of rebates issued may not exceed \$8,000,000; etc.

**SB 997/HB 1227 Public Utilities - Wind and Solar Generating Stations - Local Zoning and Land Use**

***UNFAV Report***

Prohibiting the Public Service Commission from taking final action on an application for a certificate of public convenience and necessity for a certain wind or solar generating station until a county or municipal corporation in which any part of the generating station is proposed to be located has completed a certain review of the proposed land use and provided a certain written statement that the generating station conforms with all county or municipal zoning and land use requirements to the Commission; etc.

**SB 880 Public Service Commission-Customer Choice Shopping Website**

***Held in Committee***

Requiring the Public Service Commission to establish a customer choice website that allows electric customers to sort electricity suppliers that have open offers in a certain service area, and initiates the transition from one electricity supplier to another; specifying the contents of the website; requiring the Commission to use certain information received from an electricity supplier to maintain the information on the website; requiring the Commission to recover certain costs in a certain manner; etc.

**SB 881 Residential Electric Customers - Automatic Termination of Electricity Supply Contract**

***Held in Committee***

Providing that the enrollment of a residential electric customer in a certain payment plan or the participation of the customer in a certain program is a material change in contract; providing for the automatic termination, without penalty, of a contract for electricity service between a residential electric customer and an electricity supplier under certain circumstances; requiring an electricity supplier to refer a certain customer's account to the standard offer service available through a certain electric company; etc.

**SB 886 Public Utilities - Solar Photovoltaic Systems**

***Held in Committee***

Altering the application of a provision requiring the payment of a certain deposit with the Public Service Commission in connection with an application to construct a solar photovoltaic system; requiring the Commission to refund the deposit within 1 year, rather than 18 months, after a person has obtained approval if the person has demonstrated that construction has commenced; altering the period of time from 18 months to 1 year within which a person may request a certain extension for a project that has not commenced construction; etc.

**HB 1331 Public Utilities - Electric Vehicle Charging Station Infrastructure - Task Force**

***Held in Committee***

Prohibiting the Public Service Commission from establishing or continuing a certain pilot program until the Task Force to Study Electric Vehicle Charging Station Infrastructure submits a report to the Governor and General Assembly and the General Assembly enacts a law to approve the pilot program; establishing the Task Force to Study Electric Vehicle Charging Station Infrastructure; requiring the Task Force to report its recommendations by January 1, 2020; etc.

**SB 998 Public Service Commission - Electric Vehicle Infrastructure - Prior Authorization**

***Held in Committee***

Prohibiting the Public Service Commission from establishing or continuing a certain electric vehicle charging station infrastructure pilot program unless the General Assembly enacts a law authorizing the program; and establishing the intent of the General Assembly that any law related to electric vehicle charging station infrastructure take into account the use of trust fund resources available for light-duty, zero-emission vehicle supply equipment from the Volkswagen Partial Consent Decree.