

Maryland Sierra Club – 2019 General Assembly Session
Report on Testimony Submitted

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In the 2019 session of the Maryland General Assembly, the Maryland Sierra Club again was a strong, active, and committed voice for the environment, lobbying our state's elected representatives to enact new significant measures to fight climate change, strengthen protections for Maryland's environment, and better protect the health of Maryland residents.

Sierra Club priorities: This session, the Sierra Club had four priorities: ban single-use foam food containers; take significant strides to increase our state's use of clean energy, at the same time benefiting workers and the economy (the Clean Energy Jobs Act, and a companion bill to provide for long-term clean energy contracts); protect the state from the environmental dangers presented by Governor Hogan's plan to expand the Capital Beltway in Maryland and I-270; and ensure that the state undertakes full and complete environmental reviews under the federal Clean Water Act of any new, proposed fracked-gas pipelines. *The foam ban and the Clean Energy Jobs Act passed, and Governor Hogan allowed both to become law without his signature.* The other priority bills did not pass.

Overall Sierra Club testimony: The Sierra Club submitted written testimony on 75 bills (priority and non-priority). We testified in support of, or in support of with specified amendments, 70 bills; nearly half (31) passed, an outstanding accomplishment. As to these 31, 27 have been signed by the Governor or have become law without his signature, one was vetoed during the legislative session and the veto was overridden, and three were vetoed after the session concluded (these vetoes may be overridden when the General Assembly reconvenes, probably in January 2020). We testified in opposition to five bills; none passed but one was amended into another bill that passed and has become law.

Non-priority bills: Our testimony on non-priority bills, by subject matter, may be summarized as follows.

- Cross-cutting environmental issues: Support, or support with amendments – 4, of which 0 passed. Opposed – 0.
- Energy: Support, or support with amendments – 7, of which 3 passed and have become law. Opposed – 3 bills, of which 1 was amended into another bill that passed and has become law.
- Land, water, and natural resources: Support, or support with amendments – 12, of which 9 passed; 8 have become law (1 through a veto override) and 1 was vetoed after session. Opposed – 1 bill, which did not pass.
- Public health: Support, or support with amendments – 10, of which 5 passed and have become law. Opposed – 0.
- Transportation: Support, or support with amendments – 23, of which 9 passed and have become law and 1 was vetoed after session. Opposed – 1, which did not pass.

- Zero waste: Support, or support with amendments – 5, of which 1 passed and has become law. Opposed – 0.
- Other public policy issues: Support, or support with amendments – 2, of which 1 passed and was vetoed after session. Opposed – 0.

Sierra Club Priority Bills

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Statewide ban on single-use foam food containers	SB285 - Kagan	HB109 - Lierman	Expanded Polystyrene Food Service Products – Prohibition	Support	Governor allowed into law without signature
Gas pipelines – procedures for enforcing water quality protections under the Clean Water Act	SB387 - Zirkin	HB669 – Fraser-Hidalgo	Water Quality Certifications (Pipeline and Water Protection Act of 2019)	Support	Passed out of Senate committee, but then recommitted; House committee reported unfavorably
Clean energy – increases in solar & offshore wind, 50% RPS by 2030, planning for 100% clean energy by 2040, & labor & community protections	SB516 – Feldman	HB1158 - Glenn	Clean Energy Jobs Act	Support with strengthening amendments	Governor allowed into law without signature
Environmental reviews of public-private (P3) transportation projects, including Governor’s highway plan	SB788 - Rosapepe	HB695 - Stewart	Transportation Climate Accountability Act of 2019	Support	Senate & House committees did not act on bill
Clean energy – long term clean-energy investments using	SB910 - Feldman	HB879 - Clippinger	Ratepayer Reduction for Renewable Energy Act	Support	House committee reported unfavorably; Senate bill withdrawn

long-term contracting					
Environmental reviews of P3 transportation projects, including Governor's highway plan	No cross file	HB91- Carr	Public-Private Partnerships- EIS Requirement	Support	House committee did not act on bill
Environmental & financial reviews of P3 transportation projects, including Governor's highway plan	No cross file	HB1091 - Solomon	Public-Private Partnerships - Reforms	Support	House passed; Senate committee did not act on bill

Cross-cutting Environmental Issues

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Climate change – carbon fee	SB702 - Kramer	HB1235 – Fraser-Hidalgo	Healthy Climate Initiative	Support	House committee reported unfavorably; Senate committee did not act on bill
Fiscal Notes prepared by Dep't of Leg. Services for new bills – include environmental impact information	No cross file	HB246 - Shetty	General Assembly - Fiscal Notes - Environmental Impact Statements	Support (sign-on testimony)	House committee did not act on bill
Propose “green” constitutional amendment to state electorate	No cross file	HB472 - Lafferty	Constitutional Amendment - Environmental Rights	Support (sign-on testimony)	Withdrawn
Consideration of climate costs in state vehicle purchases & in construction/	No cross file	HB504 - Charkoudian	Purchase of Motor Vehicles and Building Construction, Renovation, Rehabilitation, and Modification - Social Cost of Carbon Emissions	Support	House committee did not act on bill

renovation of state buildings					
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Energy

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Gas & oil pipeline safety	SB100 – Zirkin	HB499 – Fraser-Hidalgo	Interstate Pipeline Liability Act	Support	Withdrawn
RPS – inclusion of hydroelectric power	SB350 - Klausmeier	HB601 - Davis	Renewable Energy Portfolio Standard - Tier 1 Eligibility	Oppose	House passed; Senate committee did not act on bill
Electricity-supplier choice – consumer information	SB517 - Feldman	HB689 - Carey	Electricity - Customer Choice - Education	Support with amendments	Governor signed
Community solar pilot program	SB520 - Kramer	HB683 - Clippinger	Community Solar Energy Generating Systems Pilot Program - Extension	Support	Governor signed
RPS – exclude trash incineration	SB548 – Hough	HB961 - Mosby	Renewable Energy Portfolio Standard	Support	Senate & House committees did not act on the bill
Energy storage	SB573 - Feldman	HB650 - Korman	Energy Storage Pilot Project Act	Support	Governor signed
Solar siting study	SB744 - Pinsky	HB532 - Stein	Protecting Natural Resources and Preserving Productive Farms - Commission on the Development of a Blueprint for Solar Energy in Maryland	Support with amendments	Senate passed; House committee did not act on bill
Local zoning control of solar & wind siting	SB997 - Hershey	HB1227 - Arentz	Wind and Solar Generating Stations - Local Zoning and Land Use	Oppose	House committee reported unfavorably; Senate committee did not act on bill
Gas electricity plants – community health information	No cross file	HB308 – R. Lewis	Certificate of Public Convenience and Necessity - Rapid Health Impact Assessment and Final Action	Support	House passed; Senate committee did not act on bill
RPS – study inclusion of nuclear power	No cross file	HB600 - Fisher	Study on the Future of Nuclear Energy in Maryland	Oppose	Included in SB516 (Clean Energy Jobs Act), which passed & Governor

					allowed into law without signature
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Land, Water, and Natural Resources

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Cownose ray protection	SB143 - Young	HB213 - Stein	Cownose Ray Fishery Management Plan & Moratorium on Contests	Support	Governor signed
Forest protection – “no net loss” goal	SB203- Young	HB120 - Love	No Net Loss of Forest - Definition	Support	Passed Senate; House committee did not act on bill
Forest protection – regulation of local funding	SB234 - Young	HB272 - Lafferty	State and Local Forest Conservation Funds	Support	Governor allowed into law without signature
Flood management	SB269 - Hester	HB428 - C. Watson	Comprehensive Flood Management Grant Program – Awards for Flood Damage and Mandatory Funding	Support (sign-on testimony)	Governor allowed into law without signature
Bird protection, & energy efficiency – state buildings	SB314 - Lam	HB136 - Hill	Energy-Conserving and Bird-Safe Building Standards (Maryland Sustainable Buildings Act of 2019)	Support	Senate & House passed different versions of the bill, but differences were not resolved before session ended
Oyster protection	SB448 – Pinsky	HB298 – Busch	Oysters – Tributary-Scale Sanctuaries – Protection and Restoration	Support (sign-on testimony)	Governor’s veto overridden during 2019 session
Local enforcement of sediment & erosion controls	SB505 - Elfreth	HB703 - Lafferty	Environmental Violations - Reporting Requirements	Support	Governor signed
Nutrient management associated with large animal-feeding operations	SB546 - Pinsky	HB904 - Stewart	Nutrient Management - Monitoring and Enforcement	Support (sign-on testimony)	Governor allowed into law without signature
Forest protection – study	SB729 - Guzzone	HB735 - Healey	Technical Study on Changes in Forest Cover and Tree Canopy in Maryland	Support	Governor signed
Oyster protection	SB830 - Elfreth	HB720 - Barve	Natural Resources - Fishery Management Plans - Oysters	Support (sign-on testimony)	Governor vetoed after

					session; veto eligible to be overridden when General Assembly next convenes
Aquatic vegetation	No cross file	HB377 - Gilchrist	Submerged Aquatic Vegetation Protection Zones - Revisions	Support (sign-on testimony)	Withdrawn
Water pollution – sewer overflows	No cross file	HB417 - Hill	Water Pollution Control - Public Notification of Sewer Overflows and Treatment Plant Bypasses - Alteration	Support with amendments (sign-on testimony)	Governor signed
Stormwater management	No cross file	HB903 – Fraser-Hidalgo	Watershed Protection and Restoration Programs - Impervious Surface - Definition	Oppose (sign-on testimony)	Withdrawn

Public Health

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Prohibition on paint-stripper chemicals NMP & DCM	SB82 - Lam	HB299 - Hill	Sale & Distribution of Products Containing NMP & DCM	Support (sign-on testimony)	Senate passed; House Committee did not act on bill
Access to healthy foods	SB116 - McCray	HB82 - Charkoudian	Complete Streets – Access to Healthy Food	Support	Governor allowed into law without signature
Pesticides – chlorpyrifos ban	SB270 – Nathan-Pulliam	HB275 - Stein	Use of Chlorpyrifos – Prohibition	Support (sign-on testimony)	House passed; Senate committee did not act on bill
Antibiotics, restricted use in farm animals	SB471 - Pinsky	HB652 - Love	Agriculture - Use of Antimicrobial Drugs - Limitations and Reporting Requirements	Support (sign-on testimony)	Governor allowed into law without signature
Lead exposure in schools	SB481 - McCray	HB1253 - Solomon	Drinking Water Outlets in School Buildings - Elevated Level of Lead and Grant Program	Support	Governor signed
Lead/toxic paint – property damage liability, in Baltimore	SB488 - Carter	HB1191 - Mosby	Baltimore City - Civil Actions - Liability of Toxic Substance Manufacturers	Support	Senate & House committees did not act on bill
Air quality monitoring near large	SB542 - Lam	No cross file	Community Healthy Air Act	Support (sign-on testimony)	Senate committee did not act on bill

animal-feeding operations					
Food deserts	No cross file	HB188 – P.G. County Delegation	Prince George’s County - Property Tax Credits - Grocery Stores PG409-19	Support	Governor signed
Public funding of artificial playing fields and playgrounds – prohibition	No cross file	HB1118 – Solomon	Use of Public Funds - Playground and Athletic Field Surfaces - Authorizations, Preferences, and Prohibitions	Support	House committee did not act on bill
Lead exposure in housing	No cross file	HB1233 – R. Lewis	Reduction of Lead Risk in Housing - Elevated Blood Lead Levels and Environmental Investigations (Maryland Healthy Children Act)	Support	Governor signed

Transportation

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Smart growth	SB3 - Rosapepe	HB117 - Lafferty	Maryland Smart Growth Investment Fund – Supplementary Appropriation	Support	Senate passed; House committee did not act on bill
Climate change	SB249 - Lam	HB277 - Korman	Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in Transportation Sector - Authorization (Regional Transportation and Climate Protection Act of 2019)	Support	Governor allowed into law without signature
EV infrastructure	SB316 - Lam	No cross file	Plug-In Electric Drive Vehicles - Reserved Parking Spaces	Support	Senate committee reported unfavorably
Public transit ridership	SB319 - Augustine	HB201 - Korman	Maryland Transit Administration – State Employees – Free Ridership (Transit Benefit for State Employees)	Support	Governor signed
Pedestrian safety	SB460 – Waldstreich	HB517 - Stewart	Pedestrian Safety Fund Act of 2019	Support	Governor signed

Regional transportation authority – study	SB630 - Carter	HB771 - Bridges	Regional Transportation Authority Study	Support	Senate & House committees did not act on bill
Transportation access – study	SB642 - Klausmeier	HB923 - Stein	Task Force to Study Transportation Access	Support	Governor allowed into law without signature
Property purchases for I-270 & I-495 toll-lane project	SB781 – Waldstreicher	HB663 - Love	Public-Private Partnership Projects - Real Property Acquisition - Prohibition	Support	Senate & House committees did not act on bill
Bike infrastructure	SB787 - Rosapepe	HB1281 – Lierman	Bikeways Network Program - Funding	Support	Governor vetoed after session; veto eligible to be overridden when General Assembly next convenes
Bus transit	SB837 - Carter	No cross file	Bus Lane Monitoring Cameras - Authorization	Support	Withdrawn
Public transit for southern Maryland	SB845 - Ellis	No cross file	Southern Maryland Rapid Transit Project - Requirements and Funding	Support	Senate committee did not act on bill
EV infrastructure	SB987 - Lam	No cross file	Building Codes - Electric Vehicle Charging Infrastructure	Support	Senate committee reported unfavorably
EV infrastructure	SB998 - Hershey	No cross file	Public Service Commission - Electric Vehicle Infrastructure - Prior Authorization	Oppose	Senate committee did not act on bill
Bus transit dedicated lanes – study	No cross file	HB130 - R. Lewis	Maryland Transit Administration - Workgroup to Study Dedicated Bus Lanes in Baltimore City	Support	Governor signed
Reduction in local speed limits in Montgomery County	No cross file	HB203 – Montgomery County Delegation	Maximum Speed Limits Outside Urban Districts MC 24-19	Support	House passed; Senate committee did not act on bill
Transportation funding	No cross file	HB426 - Korman	21st Century Transportation Funding Act	Support	Withdrawn
Traffic safety	No cross file	HB560 - Healey	Traffic Calming Devices	Support	Governor signed

Coordination of public transit systems	No cross file	HB763 - Shetty	Maryland Transit Administration - Coordination of Public Transportation Network	Support	House committee reported unfavorably
EV infrastructure	No cross file	HB826 - Korman	Condominiums and Homeowners Associations – Electric Vehicle Recharging Equipment (Electric Vehicle Recharging Equipment for Multifamily Units Act)	Support	House passed; Senate committee did not act on bill
Pedestrian safety	No cross file	HB885 – Palakovich Carr	Transportation - Vision Zero - Establishment	Support	Governor signed
MARC extensions	No cross file	HB1117 - Solomon	Maryland Transit Administration - Extension of MARC Service - Plans and Report	Support	Withdrawn
Excise tax credit for EVs & fuel cell vehicles	No cross file	HB1246 – Fraser-Hidalgo	Clean Cars Act of 2019	Support with amendments	Governor signed
Electric buses	No cross file	HB1255 – Fraser-Hidalgo	School Bus Transition – Zero-Emission Vehicles – Grant Program and Fund	Support (sign-on testimony)	Governor signed
Public transportation	No cross file	HB1412 – Korman	Maryland Metro/Transit Funding Act – Alterations	Support	House passed; Senate committee did not act on bill

Zero Waste

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Recycling at hotels, motels, etc.	SB183 – Kagan	No cross file	Recycling – Lodging Establishments – Notification to Guests	Support (sign-on testimony)	Withdrawn
Recycling at commercial properties	SB370 - West	No cross file	Recycling - Commercial Properties	Support	Governor signed
Plastic straw use	No cross file	HB134 - Love	Single-Use Plastic Straws – Use in Restaurants	Support	Withdrawn
Mattress recycling	No cross file	HB502 - Hill	Office of Recycling - Mattresses and Box Springs	Support	House passed; Senate committee did not act on bill
Disposal of used synthetic	No cross file	HB1142 - Lehman	Hazardous Materials - Disposal of Synthetic Turf and Turf Infill	Support	Withdrawn

turf playing fields					
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Other Policy Issues

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Result
Rail safety	SB252 - Hayes	HB66 – Stein	Movement of Freight – Required Crew	Support	Governor vetoed after session; veto eligible to be overridden when General Assembly next convenes
Employee-owned businesses	SB409 - Guzzone	HB204 - Luedtke	Income Tax - Subtraction Modification - Employee-Owned Businesses	Support	Senate and House committees did not act on bill