

As of April 14, 2017

Maryland Sierra Club Testimony – 2017 Session of the Maryland General Assembly

Overview

During the General Assembly's 2017 session, the Maryland Sierra Club testified for, and sometimes against, numerous bills addressing a wide range of environmental issues. We took positions regarding clean energy and energy efficiency, public health, conservation of land and natural resources, pesticide control, public and smart transportation, clean water, and zero waste. The Sierra Club also submitted testimony on several bills which addressed other issues of overriding public significance. Typically, our efforts were undertaken in coalitions with other environmental groups in the state.

Remarkably, we succeeded on all four of our “must pass” priorities for the 2017 session: banning fracking in Maryland; overriding Governor Hogan's veto of the Clean Energy Jobs Act (a bill passed in the 2016 session); reaffirming and preserving Maryland's nationally recognized energy efficiency program; and restricting the use of antibiotics in farm animals to limit the growth in drug-resistant superbugs.

And our winning streak didn't end there. We successfully worked to pass bills on: energy storage; development of solar and wind energy in a manner that respects local land use planning; urban food deserts; protecting ocean shorelines, state lakes, and oyster sanctuaries; pollinator protection; extending the electric vehicle tax credit; repealing the farebox recovery rule for public transportation; prohibiting coal rolling; and promoting composting.

There also were some setbacks. We were not successful in passing legislation to strengthen the Forest Conservation Act. Nor were we able to require use of best technology for all new septic systems, and we were not able to ban the use of styrofoam food containers and packaging.

All in all, the Sierra Club submitted testimony on 74 unique bills considered in the 2017 session. Many of these bills were “cross filed” in the Senate and House (i.e., an identical version of the bill was introduced in each chamber) and, when this occurred, the Sierra Club typically submitted testimony on each chamber's version. When all of these testimony submissions are counted, the Sierra Club made a grand total of 112 testimony submissions during the 2017 General Assembly session.

Listing of Bills on Which the Sierra Club Testified

Set forth below is a listing of all 2017 bills on which the Sierra Club submitted testimony. The bills are organized by subject matter. Within each subject-matter grouping, the information for each bill (with its cross-file versions) appears horizontally in a single

As of April 14, 2017

row; vertically within each grouping, the bills are ordered by Senate bill number followed by House-only bills (no Senate cross file) ordered by House bill number.

For each bill, the listing indicates whether the Sierra Club submitted testimony in support, in support with amendments, or in opposition (the General Assembly requires those submitting testimony to identify one of these three top-line positions for each testimony submitted). The Sierra Club’s testimony usually addressed the initial bill language; bills that passed often included amendments added in committee and/or on the Senate and/or House floor, after our testimony was submitted. The listing does not address how these amendments correlated with the details of the positions we took in in our testimony.

Lastly, the listing indicates the final outcome for each bill – whether the General Assembly passed each bill or not and, for bills that passed, whether the Governor signed, allowed them into law without his signature, or vetoed, or whether bills still are pending with the Governor.

Maryland Sierra Club Priority Bills

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Override veto of 2016 Clean Energy Jobs Act (achieve 25% renewable energy by 2020)	N/A - Pugh	N/A - Frick	Clean Energy Jobs Act	(Testimony in support submitted in 2016)	Veto overridden
“EmPOWER Maryland” (energy efficiency) – codify in state law	SB 184 - Middleton	HB 514 - Jameson	Energy Efficiency Programs – Calculation of Program Savings and Consideration on Cost-Effectiveness	Support	General Assembly passed; Governor allowed into law without his signature
Fracking ban	SB 740 - Zirkin	HB 1325 – Fraser-Hidalgo	Oil and Natural Gas - Hydraulic Fracturing – Prohibition	Support	General Assembly passed; Governor signed

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Antibiotics – prevent overuse in farm animals	SB 422 - Pinsky	HB 602 - Robinson	Keep Antibiotics Effective Act of 2017	Support	General Assembly passed; pending with Governor

Energy

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Energy production tax credit (not funded) – remove qualification for combustion sources	SB 174 - Manno	No House cross file	Income Tax Credit- Clean Energy Production – Qualified Energy Resources (Maryland Clean Energy Incentive Act)	Support	Senate committee did not report out
Gas rates – allowance for certain environmental costs	SB 355 - Serafini	HB 414 - Barkley	Gas Companies - Rate Regulation - Environmental Remediation Costs	Oppose	General Assembly passed; pending with Governor
Energy storage study	SB 715 - Rosapepe	HB 773 - Korman	Clean Energy – Energy Storage Technology Study	Support	General Assembly passed; pending with Governor
Energy storage tax credit	SB 758 - Guzzone	HB 490 - Reznik	Income Tax Credit – Energy Storage Systems	Support with amendments	General Assembly passed; pending with Governor

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Electricity rates – allowing certain additional fixed charges	SB 771 - Middleton	HB 996 - Jameson	Electric Cooperatives – Rate Regulation – Fixed Charges for Distribution System Costs	Oppose (sign-on testimony)	Senate & House committees did not report out
Energy generating stations & transmission lines – local control over siting	SB 851 - Ready	HB 1350 - Rose	Public Service Commission - Application for Certificate of Public Convenience and Necessity - Consistency With Comprehensive Plan	Opposed initial bill. HB 1350 was substantially amended to be a compromise bill.	General Assembly passed the amended House bill; pending with Governor
Fracking referenda	SB 862 – Conway	No House cross file	Hydraulic Fracturing - Moratorium and Referenda	Support with amendments to convert to ban bill	Senate committee did not report out
Energy generating stations – local control over siting	SB 931 - Astle	(House cross-file not reported out of Rules Committee)	Local Jurisdictions - Zoning Authority - Generating Stations	Opposed initial bill. SB 931 substantially amended to be a compromise bill.	Senate passed amended SB 931; House committee did not report out

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Clean energy & RPS – requirement for long term contracts	SB 1043 - Feldman	HB 1452 - Clippinger	Renewable Energy Portfolio Standard Requirements – Standard Offer Service	Support	Senate committee did not report out; House bill withdrawn after hearing
Renewable Portfolio Standard study	SB 1146 - Middleton	HB 1414 - Jameson	Renewable Energy Portfolio Standard – Study	Support with amendments (coalition testimony)	General Assembly passed; pending with Governor
Solar generation & pollinator protection	SB 1158 - Middleton	No House cross file	Power Plant Research Program - Solar Generation Facilities - Pollinator-Friendly Designation	Support	General Assembly passed; pending with Governor
Energy efficiency	No Senate cross file	HB 970 – Fraser-Hidalgo	New Home Sales – Information on Energy Efficient Options”	Support	House passed; Senate committee reported unfavorably

Health

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Food desserts – support for farmers markets	SB 278 - Middleton	HB 586 - Hettleman	Maryland Farms and Families Act	Support	General Assembly passed; pending with Governor

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Food desserts – farmer food donations	SB 416 - Middleton	HB 472 - Jameson	Income Tax Credit - Qualified Farms - Food Donation Pilot Program	Support	General Assembly passed; pending with Governor
CAFOs – analysis of air quality compliance	SB 773	No House cross file	Community Healthy Air Act	Support (coalition testimony)	Senate committee did not report out
Lead pollution – tort suits against manufacturers to recover remediation costs	SB 542 - Conway	HB 1358 - Mosby	Maryland Lead Poisoning Recovery Act	Support	Senate & House committees did not report out
Lead pollution	SB 1195 – Oaks	(House cross file not reported out of Rules Committee)	Reduction of Lead Risk in Housing - Blood Lead Level	Support	Senate committee did not report out
Lead pollution (assessments)	No Senate cross file	HB 7 - Holmes	Environment - Lead Hazards - Environmental Investigation, Reporting, and Risk Reduction	Support with amendments in House; opposed in Senate	House passed; Senate committee did not report out
Lead & mercury pollution	No Senate cross file	HB 66 - Lam	Lead and Mercury Wheel Weights – Prohibited	Support	General Assembly passed; pending with Governor

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Lead pollution	No Senate cross file	HB 133 – Chair E&T for MDE	Environment - Reduction of Lead Risk in Housing - Notification of Elevated Blood Lead Level	Support with amendments	General Assembly passed; pending with Governor
Clothes with toxic chemicals	No Senate cross file	HB 206 – Angel	Public Health - Child Care Products Containing Flame-Retardant Chemicals – Prohibition	Support (sign-on testimony)	House committee did not report out
Lead pollution	No Senate cross file	HB 270 – Lafferty	Testing for Lead in Drinking Water - Public and Nonpublic Schools	Support with amendments in House; support in Senate	General Assembly passed; pending with Governor
Food desserts – support for neighborhood stores	No Senate cross file	HB 1492 - Hayes	Housing and Community Development - Food Deserts – Small Loans	Support with amendments	General Assembly passed; pending with Governor

Land and Natural Resources

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Forest Conservation Act – no state preemption of local stricter requirements	SB 29 - Pinsky	HB 617 - Healey	Forest Conservation Thresholds and Afforestation and Reforestation Requirements	Support	General Assembly passed; pending with Governor

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Shoreline protection	SB 108 – Simonaire	No House cross file	Property Tax Credit – Erosion Control Measures – Nonstructural Shoreline Stabilization	Support	General Assembly passed; pending with Governor
Protection for cownose rays	SB 268 - Young	HB 211- Robinson	Cownose Ray Fishery Management Plan and Moratorium on Tournaments	Support	General Assembly passed; pending with Governor
Forest Conservation Act – amending to strengthen	SB 365 – Young	HB 599 - Healey	Forest Conservation Act - Exemption, Reforestation Rate, and Forest Conservation Fund – Alterations; amended in Senate to Task Force on the Forest Conservation Act Offset Policy	Support	Senate passed; House committee did not report out
State lakes protection	SB 396 - Edwards	HB 477 - Beitzel	Natural Resources - Protection and Restoration of State Owned Lakes	Support	General Assembly passed; pending with Governor
Wildlife trafficking prevention	SB 560 - Young	HB 686 - Luedtke	Natural Resources - Wildlife Trafficking Prevention	Support	Senate & House committees did not report out
Fish protection	SB 554 – Hershey	HB 1339 - Jacobs	Natural Resources – Gill Net Mesh Size	Oppose	House passed; Senate committee reported unfavorably

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Development in non-priority areas	No Senate cross file	HB 107 – Committee Chair for Dep’t of Housing & Community Develop.	Department of Housing and Community Development - Funding for Newly Constructed Single-Family Homes	Oppose (sign-on testimony)	House committee did not report out
Oyster sanctuary protection	No Senate cross file	HB 924	Natural Resources – Oyster Management – Prohibited Actions	Support	General Assembly passed; Governor allowed into law without his signature
Roadside trees protection	No Senate cross file	HB 1118 - Lafferty	Natural Resources – Roadside Trees – Preservation and Protection	Support (sign-on testimony)	House passed; Senate committee did not report out

Pesticides

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Outcome
Pollinator protection (land owned or managed by state)	SB 386 – Nathan-Pulliam	HB 830 - Healey	Pollinator Habitat Plans - Plan Contents - Requirement and Prohibition	Support with amendments (coalition testimony)	General Assembly passed; pending with Governor

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Outcome
Atrazine health study	SB 932 - Smith	HB 1204 - Hill	Department of Health and Mental Hygiene – Atrazine Study	Support	Senate committee reported unfavorably; House bill withdrawn
Soils carbon capture	No Senate cross file	HB 1063 - Stein	Maryland Healthy Soils Program	Support with amendments (coalition testimony)	General Assembly passed; pending with Governor

Transportation

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Bicycle safety study	SB 142 - Manno	HB 192 - Lafferty	Task Force to Study Bicycle Safety on Maryland Highways	Support with amendments	General Assembly passed; pending with Governor
Metro safety	SB 265 – Feldman	HB 285 - Korman	Washington Metrorail Safety Commission Membership Act	Support	General Assembly passed; pending with Governor
Transportation taxes	SB 284 – Ready	No House cross file	Vehicle-Miles-Traveled Tax and Associated Devices – Prohibition	Oppose	Senate committee did not report out

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
EV recharging equipment	SB 301 - Feldman	(House cross file was withdrawn before hearing)	Installation and Use of Electric Vehicle Recharging Equipment	Support	Senate committee reported unfavorably
EV recharging access	SB 302 – Feldman	HB 36 - Lam	Vehicle Laws - Plug-In Electric Vehicles - Reserved Parking Spaces	Support	Senate & House committees reported unfavorably
Transportation project prioritization	SB 307 – President for Administration	HB 402 – Speaker for Administration	Repeal of the Maryland Open Transportation Investment Decision Act of 2016; Senate bill amended to Maryland Open Transportation Investment Decision Act – Application and Evaluation	Opposed original bill	Amended Senate bill passed; Governor signed
EV tax credit extension	SB 315 - President for Administration	HB 406 - Speaker for Administration	Clean Cars Act of 2017	Support	General Assembly passed; pending with Governor
Bicycle & pedestrian safety	SB 337 – Manno	HB 527 - Kramer	Vehicle Laws - Bicycles and Pedestrians - Use of Crosswalks	Support	Senate & House committees reported unfavorably
Pedestrian safety	SB 338 - Manno	HB 578 - Kramer	Vehicle Laws - Pedestrian Hybrid Signals [Beacons]		House passed; Senate committee reported unfavorably

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
EV tax credit extension	SB 393 - Manno	No House cross file	Electric Vehicle Excise Tax Credit – Extension; amended to Clean Cars Act of 2017	Support with amendments	General Assembly passed; pending with Governor
Public transportation funding	SB 484 - Madaleno	HB 271 - Lierman	Maryland Transit Administration - Farebox Recovery Rate - Repeal	Support	General Assembly passed; Governor allowed into law without his signature
Public transportation funding	SB 963 - Madaleno	No House cross file	Transportation - Transit Service - State Grants	Support	Senate committee did not report
Coal rolling prohibition	No Senate cross file	HB 11 - Lam	Causing Diesel Emissions to Discharge Onto Another – Prohibition	Support	General Assembly passed; pending with Governor
EV tax credit extension	No Senate cross file	HB 110 – Fraser-Hidalgo	Electric Vehicles and Recharging Equipment - Rebates and Tax Credits – Extension	Support with amendments	House committee reported unfavorably
Metro safety	No Senate cross file	HB 119 – Committee Chair for DOT	Washington Metropolitan Area Transit Authority - Washington Metrorail Safety Commission - Establishment and Compact	Support	General Assembly passed; Governor signed

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Traffic safety	No Senate cross file	HB 332 – MoCo Delegation	Montgomery County - Maximum Speed Limits Outside Urban Districts	Support	House passed; Senate committee did not report out
Traffic safety	No Senate cross file	HB 337 – MoCo Delegation	Montgomery County - Maximum Speed Limit in Business and Residential Districts	Support	House committee reported unfavorably
VW settlement funds	No Senate cross file	HB 442 – Robinson	Volkswagen Settlement Funds – Use of Environmental Mitigation Trust	Support	House committee did not report out
Traffic safety	No Senate cross file	HB 536 – Miller, W.	Vehicle Laws - Speed Monitoring, Work Zone Speed Control, and Traffic Control Signal Monitoring Systems - Repeal	Oppose	House committee reported unfavorably
EV charging equipment & natural gas vehicle refueling	No Senate cross file	HB 588 - Parrot	Income Tax Credit - Fueling Stations - Electric Vehicle Charging and Natural Gas Vehicle Refueling Equipment	Support with amendments	House committee did not report out
Transportation funding	No Senate cross file	HB 911 - Morgan	Motor Fuel Tax Rates - Consumer Price Index Adjustment -Repeal	Oppose	House committee did not report out

As of April 14, 2017

Water

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Testimony	Outcome
Septics	SB 266 - Conway	HB 281- Lafferty	Environment - On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal – Prohibition	Support (sign-on testimony)	Senate passed (substantially amended bill); House committee did not report out
Nutrient credit program	SB 314 – President for Administration	HB 417 – Speaker for Administration	Clean Water Commerce Act	Oppose Senate bill & no position on House bill (sign-on testimonies)	General Assembly passed; pending with Governor
Stormwater remediation financing	SB 472 – Young	HB 656 - Barve	Municipal Stormwater Charges - Property Subject to Charges	Support	House passed; Senate committee did not report out

Zero Waste

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Outcome
Composting study	SB 99 - Middleton	HB 171 - Robinson	Yard Waste and Food Residuals Diversion and Infrastructure – Study	Support with amendments	General Assembly passed; pending with Governor

As of April 14, 2017

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Outcome
Styrofoam prohibition	SB 186 - Kagan	HB 229 - Lierman	Polystyrene Food Service Products and Polystyrene Loose Fill Packaging – Prohibition on Sale	Support in Senate; support with amendments in House	Senate & House committees did not report out
Wipes disposal - labeling	SB 280 - Guzzone	HB 1239 - Frush	Nonwoven Disposable Products – Advertising and Labeling	Support	Senate passed; House committee referred for interim study
Recycling	SB 885 - Rosapepe	HB 1309 - Frush	Recycling – Special Events	Support with amendments	General Assembly passed; pending with Governor
Refuse disposal	SB 890 – Rosapepe	HB 886 – Pena-Melnyk	Refuse Disposal Systems – Public Notice and Hearing Requirements	Support	Senate committee did not report out; House committee reported unfavorably
Recycling - mattresses	No Senate cross file	HB 1070 - Hill	End-of-Life Management of Mattresses – Study	Support with amendments	Bill withdrawn after hearing

As of April 14, 2017

Other Public Policy Issues

Issue	Senate Bill & Lead Sponsor	House Bill & Lead Sponsor	Bill Title	Sierra Club Position	Outcome
Paid sick leave	SB 230 - Middleton	(didn't submit testimony on House cross file)	Maryland Healthy Working Families Act	Support (sign-on testimony)	General Assembly passed; pending with Governor
Voter registration on election day (authorizing statewide vote on constitutional amendment)	SB 423 - Pinsky	HB 345 -Reznik	Elective Franchise - Registration and Voting at Polling Place	Support (sign-on testimony)	Senate passed; House passed with amendments; Senate did not concur with House amendments
Campaign financing	No Senate cross file	HB 72 - Luedtke	Election Law - Fair Campaign Financing Fund	Support (sign-on testimony)	House committee did not report out
Minimum wage – preemption of local authority to set higher than state	No Senate cross file	HB 317 - Davis	Wages and Benefits - Preemption of Local Authority	Oppose (sign-on testimony)	Bill withdrawn after hearing
Attorney General authority to challenge federal policies	(didn't submit testimony on Senate cross file)	HJ3 - Rosenberg	Attorney General Powers - Maryland Defense Act of 2017	Support (sign-on testimony)	Enacted as Joint Resolution 1 (not subject to Governor's review)