



2019 ENVIRONMENTAL LEGISLATIVE WRAP-UP

Maryland League of Conservation Voters: The Political Voice of the Environment for 40 years

Dear Maryland Conservation Voter,

An aura of sadness and loss permeated this year's Sine Die—the last day of the Maryland General Assembly Session—as we processed the loss of Maryland House Speaker Michael Busch, a true environmental champion. It is fitting that we made so much progress this year.

Looking back, our work to pass strong environmental laws began the minute Marylanders overwhelmingly voted in a pro-environment majority to the General Assembly back in November. Maryland LCV immediately made sure our newly elected officials were up to speed on all of the key issues affecting their communities and that they would vote to support pro-environmental legislation.

This year marked my eighth session as Maryland LCV's executive director. I am encouraged by the progress I have seen during that time and the increased energy around solving environmental issues. When session began in January we brought an organizer on staff just to work on the Clean Energy bill. Our political director ran numerous coalitions and helped move environmental community priorities forward by talking to legislators day and night, building on the work that we all did last year to elect a strong environmental majority. Through our weekly publication of the Hotlist, we made sure all legislators knew the position of the environmental community on bills important to us and that citizens across the state were well informed and could contact their elected officials. During the session, we urged our supporters to speak up for their environmental values - and so many of you did. You collectively sent 7,100 emails and phone calls on our priority bills!

We made tremendous strides this year in protecting our waterways, passing the first-in-the-nation statewide ban on expanded polystyrene (Styrofoam), strong protections for

oyster sanctuaries, and two bills which will lay the groundwork for better forest conservation practices.

Our biggest victories this year were in the field of energy policy. After a dramatic battle with unexpected hurdles, Maryland expanded our Renewable Portfolio Standard and committed to buying 50% of our state's energy from renewable sources, stimulating the expansion of good-paying solar and off-shore wind jobs in Maryland that offer upward economic mobility. The ultimate success of this bill was a direct result of grassroots activists who put pressure on their members to take this bold step toward our clean-energy future. Additionally, we extended the Community Solar Pilot Program, and passed a bill to create an Energy Storage Pilot program.

We were disappointed that the "Green Amendment," which would add the right to clean air and water to the State's Bill of Rights, didn't move forward this year. It did spark important discussions and we expect the legislation to be revisited next year. The statewide ban on the toxic pesticide Chlorpyrifos failed to pass both chambers for the second year. This will again be on our docket next year.

You have been an essential part of our work this year, and your role has never been more important: your calls, emails, and visits to your elected officials are the backbone of our vital work to hold our elected officials accountable. The engagement of so many young people in this year's legislative action has been especially inspiring. We can't thank you enough for being a Maryland Conservation Voter.



A blue ink handwritten signature of Karla Raettig.

Karla Raettig
Director, Maryland LCV

P.S. Be on the look-out for our **2019 Environmental Scorecard** later this year. In that report you can see how your legislators voted on all of the environmental bills this session. Also, save the date for our annual **Environmental Leadership Awards** on **October 24, 2019**. There we will honor the legislative champions who went above and beyond to pass great legislation.

Check out the 2019 Environmental



WINS



LOSSES



ENERGY WINS



- ✓ **SB1158/HB516: Clean Energy Jobs Act** (Senator Feldman/Delegate Glenn). This bill requires Maryland to purchase 50% of its energy from renewable sources by the year 2030, increases in-state solar and off-shore wind production, and commits millions of dollars to workforce development and job training, including important provisions assuring that the jobs supported are good, family-sustaining employment and apprenticeship programs. In the last hours of the 90-day General Assembly Session the Senate bill passed both chambers, and will be sent to the governor's desk.



- ✓ **HB650/SB573: Energy Storage Pilot Project Act** (Delegate Korman/Senator Feldman). As Maryland grows its Renewable energy Portfolio Standard (RPS), we must build the infrastructure that will protect the grid's reliability through exploring different means of energy storage. This bill begins that process by requiring the Public Service Commission to establish an energy storage pilot program. The House version of the bill passed the Senate unanimously and passed the House with a strong bi-partisan majority, and has been sent to the governor's desk.



- ✓ **HB683/SB520: Electricity - Community Solar Energy Generating Systems Pilot Program Extension** (Delegate Clippinger/Senator Feldman). In 2015, the Maryland General Assembly established a Community Solar Energy Generating System Pilot Program with an end-date of July 2019. However, due to technical and regulatory challenges involved in the establishment of community solar, the implementation of the program was delayed. This bill provides a necessary extension to the pilot program until July 2022. Both bills have been sent to the governor's desk.



- ✓ **HB1255: School Bus Transition—Zero-Emission Vehicles Grant Program and Fund** (Delegate Fraser-Hidalgo). This bill builds upon the work of Chispa Maryland and their Clean Buses-Healthy Nino's campaign which sought to direct money from the Volkswagen Settlement to transitioning Maryland's school bus fleet from diesel to electric. HB1255 mandates the Departments of Environment and Transportation to provide technical assistance to school districts to plan for this transition, and creates a grant structure to aid school districts in building the necessary infrastructure. This bill was passed on the last day of the 2019 General Assembly Session and will be sent to the governor's desk.

WATER QUALITY WINS



- ✓ **HB109/ SB285: Environment - Expanded Polystyrene Food Service Products Prohibition** (Delegate Lierman/Senator Kagan). With the passage of this bill through both chambers, Maryland's General Assembly became the first in the country to pass a state-wide ban on expanded polystyrene food service containers - plates, cups, to-go containers, etc. - which pollute our waterways and take up significant space in our landfills. Both bills were finalized in the last days of the Session and have been sent to the governor's desk.



- ✓ **HB298/SB448: Oyster Tributary-Scale Sanctuaries Protection and Restoration** (Delegate Busch/Senator Pinsky). This significant bill, which provides permanent protection to the state's oyster sanctuaries, affirmed Maryland's commitment to protecting and restoring the Chesapeake Bay through rebuilding the dwindled oyster population. The bill passed both chambers and was sent to the governor's desk within the window that requires his decision to sign or veto before the end of the 90-day session. The governor vetoed the legislation, but General Assembly overrode the veto on Sine Die and it has gone into law.

FOREST WIN



- ✓ **HB272/SB234: Natural Resources - State and Local Forest Conservation Funds** (Delegate Lafferty/Senator Young). The "fee in lieu" system is a foundational component to Maryland's Forest Conservation Act, allowing developers to pay jurisdictions to complete the reforestation obligation for new development - allowing for larger tracts of contiguous forests in appropriate areas. This bill fixed problems with the program through increased accountability and transparency. Both bills were finalized in the last days of Session and were sent to the governor's desk.

FOREST WIN



HB735/SB729: Technical Study on Changes in Forest Cover and Tree Canopy in Maryland

(Delegate Healey/ Senator Guzzone). In order to understand the scale of deforestation in Maryland and the source of the problem, this bill gathers a diverse group of stakeholders to study deforestation patterns and make recommendations to offset forest loss. As with the “fee in lieu” bill, this bill is a victory three years in the making, and we look forward to the outcome of the study to shape future legislation improving the Forest Conservation Act and the protection of our state’s most important forests. Both bills have been sent to the governor’s desk.

ENVIRONMENTAL LOSS



HB472 - Constitutional Amendment - Environmental Rights (Delegate Lafferty). This “Green Amendment” bill would have added the right to a clean and healthy environment to Maryland’s Bill of Rights. The bill was withdrawn in Committee in order to answer questions raised during the House hearing, and may be brought back in future sessions.

ENERGY LOSSES



HB961/SB548: Public Utilities - Renewable Energy Portfolio Standard, Tier 1 Sources (Delegates Mosby and R. Lewis/ Senator Hough). One of the biggest disappointments of the Session was the General Assembly’s inability to remove waste-to-energy incineration as a renewable energy source in the Renewable Energy Portfolio (RPS) Standard. Both the provision within the Clean Energy Jobs Act and the stand-alone bills failed to pass either committee. While the success of the Clean Energy Jobs Act is a triumph for the clean energy economy, Maryland LCV and our partners will continue to advocate to remove dirty sources from the RPS.



HB669/SB387: Pipeline and Water Protection Act of 2019 (Del. Fraser-Hidalgo/Sen. Zirkin). In Fall of 2018, the Maryland Department of Environment (MDE) waived their right to do a water quality permit review (known as a 401 Certification) on a proposed natural gas pipeline under the Potomac River in Western Maryland. While the permit was later blocked by a unanimous vote by the Board of Public Works, advocates expressed concern that the MDE had abdicated its authority on this important process of establishing baseline water quality tests and risk assessments. This bill would have required the MDE to conduct these 401 certification reviews of all proposed natural gas infrastructure projects. Despite having gained support from within the rank and file members of the General Assembly, the bills failed to move out of either committee.

FOREST LOSS



HB120/SB203: Natural Resources - No Net Loss of Forest - Definition (Delegate Love/Senator Young). The third bill in the suite of forest conservation reform legislation would have corrected a definition within the State’s “No Net Loss” goal. As written, all trees are counted toward the no net loss goal, rather than specifying that the goal is to prevent the net loss of contiguous forest. This bill was passed out of the Senate but failed to receive a vote in the House Environment and Transportation Committee.

PESTICIDE LOSS



HB275/SB270 - Pesticides - Use of Chlorpyrifos - Prohibition (Delegate Stein/Senator Nathan-Pulliam). The toxic pesticide Chlorpyrifos is linked to significant brain damage in children, farm-workers, and wildlife, including marine life. In 2017, days before the EPA was set to take the extraordinary step of banning the chemical, the EPA administrator reversed the decision without regard to the significant scientific evidence supporting complete prohibition. The bill passed through the House of Delegates with a veto-proof majority, but despite being voted out of the Senate Committee, the bill died for lack of time and interest by Senate leadership.