



2020 Environmental Legislative Summary

This year's post-session wrap-up is coming three weeks before it normally would, due to these unprecedented times. What is normally a recap of what bills did or didn't pass, this year we need to look at things through a slightly fuzzier lens: what passed, what didn't pass due to legislative inaction, and what was abruptly discarded due to a public health crisis.

At the time the session was curtailed, Maryland LCV and the environmental community were on track to have a successful legislative session, with strong, ambitious legislation passing in the sectors of transportation, energy, resiliency, water, and agriculture.

Unfortunately, as the coronavirus required us to socially distance ourselves, it also meant many of those bills ended up on the figurative cutting room floor. We are still proud of the progress we made, which sets us up for future success. The groundwork we laid on key issues is essential as we face the global crisis of climate change.

There were literally dozens of bold, visionary bills presented this session, most of which were not passed. Here are some of the highlights:



Kim Coble
Executive Director

2020 Environmental Wins

Oysters: One of the clearest victories of the year was to further protect our oysters. The veto of last year's bill – creating an oyster fisheries management program – was overridden. A corrective bill to fix the dates complicated by the veto's delay passed both chambers unanimously.

- HB720-19/SB830-19 (*Barve/Elfreth*): **Natural Resources - Fishery Management Plans** – Oysters
- HB911/SB808 (*Gilchrist/Elfreth*): **Natural Resources - Fishery Management Plans** – Oysters

Resiliency: In the face of a public health emergency, the necessity of preparing for emergencies brought on by climate change came into sharper relief. A bill that gives counties the bonding authority for resiliency projects passed, as did one that allows the Bay Restoration Fund to be used to support similar efforts under limited circumstances.

- HB78/SB172 (*Watson/Hester*): **Bay Restoration Fund-Authorized Uses**
- HB539/SB457 (*Watson/Elfreth*): **Local Governments – Resilience Authorities – Authorization**

Pesticides: After a pitched battle, the General Assembly passed a phase-out ban of Chlorpyrifos – a dangerous pesticide connected to negative health impacts in children.

- HB229/SB300 (*Stein/Lam*): **Pesticides – Use of Chlorpyrifos – Prohibition**

2020 Legislative Failures

Several bills were blocked by negative votes, departmental opposition, or deliberate legislative inaction:

- HB432/SB423 (*Korman/Zucker*): **Zero-Emission Bus Transition Act** – This bill would have mandated that all future purchases in the state's transit bus fleets be for electric vehicles. It passed the House and the Budget and Tax Committee in the Senate, but an abstention in the Education, Health and Environmental Affairs Committee gave it an untimely unfavorable vote.
- HB98/SB168 (*Davis/Kelley*): **Electricity – Renewable Energy Portfolio Standard – Qualifying Biomass:** This bill would have removed “black liquor” from the resources receiving subsidies as a clean energy resource as part of Renewable Portfolio Standard. This bill received an unfavorable vote in the Senate Finance Committee.

Passed One Chamber and Thwarted by Coronavirus

Transportation:

A number of important bills were introduced that would have made considerable progress in our transportation sector by adequately funding existing public transportation systems, and transitioning the entire fleet of state vehicles and buses, as well as private vehicles, to electric. Of these, the bill to adequately fund public transit came the closest to making it through both chambers, passing on a party line vote in the House of Delegates but not receiving a vote in the Senate:

- HB368/SB424 (*Lierman/Zucker*): **Transit Safety and Investment Act**: Passed house

Energy:

Maryland has made great strides in recent years to transform our energy sector from polluting fossil fuels to clean and renewable energy. The urgency of the climate crisis inspired dozens of bills to address the energy production and use sector. The three bills that made progress before the abrupt end to session promoted architectural changes to state-owned buildings to reduce energy consumption (and protect birds), required the Public Service Commission to consider climate impacts when approving projects, and updating our state emission reductions goals while offering tangible steps to reach those goals. Each of these received votes in one chamber, but failed to advance in the second due to time-restrictions.

- HB192/SB299 (*Hill/Guzzone-Lam*) – **Maryland Sustainable Buildings Act**: Passed house
- HB531/SB656 (*Charkoudian/Kramer*) – **Utility Regulation-Consideration of Climate and Labor**: Passed senate
- HB1425/SB926 (*Stein/Pinsky*) – **Climate Solutions Act of 2020**: Passed both senate committees

Resiliency:

While we work to lessen the effects of climate change, our state also must move to protect our communities and environment from the crises that we are facing right now. A suite of bills worked to confront these concerns, including one creating a State Resilience Office at the Emergency Management Service and another that created an ombudsman in the Attorney General's office to facilitate environmental enforcement and transparency of data.

- HB614/SB460 (*Lierman/Elfreth*) – **Environmental Accountability and Transparency Act**: Passed senate
- SB721 (*Hester*) – **Emergency Management – Chief Resilience Officer – Appointment and Duties**: Passed senate

Water:

While the oyster legislation was a strong victory for Maryland's waterways, other bills that would have addressed the health of our waters failed to make it over the finish line, despite a strong start. One, that would have created better systems of licensing for septic system inspectors who are on the front line of preventing septic run-off into our waterways, failed to reach the priority level to move to the floor in the last days. The other would have banned plastic bags at check-out throughout the state, which moved to the senate floor on the last day of the abbreviated session and failed to make it through second reader.

- SB254 (*Young*) – **On-site Sewage Disposal Systems – Inspection – Licensing**: Passed senate
- HB209/SB313 (*Lierman/Augustine*) **Plastics and Packaging Reduction Act**: Passed house



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