

HOUSE BILL 334

Unofficial Copy
M3

2002 Regular Session
2lr0559
CF 2lr0560

By: **Delegate Billings**

Introduced and read first time: January 25, 2002

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Reduction of Greenhouse Gases - Establishment of a Registry - Joint Study**
3 **and Report**

4 FOR the purpose of requiring the Department of the Environment, the Department of
5 Natural Resources, and the Maryland Energy Administration, in consultation
6 with a certain legislative panel, to study and report by a certain date to certain
7 persons on certain issues related to the reduction of greenhouse gases and the
8 establishment of a certain registry; providing for the establishment of the
9 legislative panel; authorizing a member of the panel to receive reimbursement
10 for certain expenses; providing for staffing necessary to meet certain
11 requirements; directing the Department of Legislative Services to send copies of
12 this Act to certain persons; providing for the termination of this Act; and
13 generally relating to a certain joint study and report on the reduction of
14 greenhouse gases and the establishment of a certain registry.

15 Preamble

16 WHEREAS, Air quality related health problems of thousands of Maryland
17 residents are exacerbated by higher temperatures caused by carbon dioxide linked to
18 global warming; and

19 WHEREAS, The increase in ground level ozone caused by carbon dioxide makes
20 more difficult and expensive the achievement of national ambient air quality
21 standards in the State of Maryland; and

22 WHEREAS, In recent years, scientists have repeatedly warned that emissions
23 caused by the increasing use of coal and other fossil fuels have significantly
24 accelerated the warming of the earth's atmosphere by trapping more of the sun's heat
25 near the earth's surface; and

26 WHEREAS, So-called "greenhouse gases" are key in the causation of global
27 warming, and carbon dioxide alone accounted for 83% of all greenhouse gases emitted
28 by industrial activity in the United States during calendar year 2000; and

29 WHEREAS, The impact of global warming will be worldwide climate changes
30 and rising sea levels, both of which are expected to cause widespread devastation,

1 including loss of life, elimination of agriculturally productive land, and destruction of
2 property; and

3 WHEREAS, Although the United States leads the world in the emission of
4 greenhouse gases, the federal government has done little to address these issues; and

5 WHEREAS, The United States has withdrawn from the Kyoto Protocol, a 1997
6 international treaty to reduce emissions of carbon dioxide and five other greenhouse
7 gases, and the United States was not among the 180 nations that gathered in July
8 2001 to collaborate in the reversal of global warming trends; and

9 WHEREAS, Global warming and the control of greenhouse gas emissions are
10 issues that transcend all political boundaries, and it is, therefore, now all the more
11 imperative that political jurisdictions other than the federal government step forward
12 to fill this gap; and

13 WHEREAS, Several jurisdictions, including all the New England states, New
14 York, New Jersey, Illinois, California, and Oregon, and several U.S. cities, have
15 established innovative greenhouse gas-reduction programs that are notable for their
16 united support, irrespective of political party or public or private sector affiliation;
17 and

18 WHEREAS, Innovative measures include the establishment of a registry to
19 track greenhouse gas emissions and reward voluntary reductions; and

20 WHEREAS, Rising sea levels caused by global warming present a serious
21 danger to the entire State of Maryland because so much of Maryland's wealth, both in
22 its natural resources and its economic base, is focused on the Chesapeake Bay and the
23 Atlantic coastline; and

24 WHEREAS, Under § 2-302(c)(2) of the Environment Article of the Annotated
25 Code of Maryland, the State, acting through the Department of the Environment, is
26 authorized to establish ambient air quality standards for substances for which there
27 are no federal standards, such as carbon dioxide and other greenhouse gases; now,
28 therefore,

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
30 MARYLAND, That:

31 (a) In consultation with a legislative advisory panel, the Department of the
32 Environment, the Department of Natural Resources, and the Maryland Energy
33 Administration shall jointly study and, in accordance with § 2-1246 of the State
34 Government Article, report to the General Assembly on or before January 1, 2003
35 regarding:

36 (1) Sources of greenhouse gas emissions in the State, particularly those
37 emitting carbon dioxide, and including the relative contribution of categories of
38 sources and available information on the quantities of those emissions;

1 (2) Current State and local statutes, regulations, ordinances, and
2 policies to limit greenhouse gas emissions, particularly carbon dioxide, and the effects
3 of these statutes, regulations, ordinances, and policies;

4 (3) The extent of authority already in place, or needed, by the
5 Department of the Environment, the Department of Natural Resources, the Maryland
6 Energy Administration, and any other appropriate State or local agency in order to
7 regulate greenhouse gas emissions to a greater extent, and the extent of reductions
8 that would likely be achieved; and

9 (4) Recommendations, including a legislative proposal, for the
10 establishment of a mandatory State registry that would quantify current emissions,
11 track and document reductions, and coordinate reduction credits and trades,
12 including:

13 (i) Types of incentives that would most effectively maximize the
14 reduction of greenhouse gas emissions and the relationship, if any, of these incentives
15 to already-existing operations, such as the permitting process;

16 (ii) Ways that business, as well as federal, State, and local agencies
17 could participate in the registry;

18 (iii) The feasibility of developing a common market-trading
19 emission system within the State and of participating in national and international
20 systems, including the identification of potential trading partners;

21 (iv) An analysis of emission trading programs in the various states;

22 (v) Any additional functions that could be performed by the
23 registry;

24 (vi) An appropriate administrative structure for the registry,
25 including the level of staffing, financing, and technology that would be necessary; and

26 (vii) The advisability of including carbon sequestration activities in
27 the registry.

28 (b) (1) The legislative advisory panel shall consist of:

29 (i) Two members of the Senate of Maryland, appointed by the
30 President of the Senate; and

31 (ii) Two members of the House of Delegates, appointed by the
32 Speaker of the House.

33 (2) A member of the legislative advisory panel may not receive
34 compensation for serving on the panel, but is entitled to reimbursement for expenses
35 under the Standard State Travel Regulations, as provided in the State budget.

1 (c) The Department of the Environment, the Department of Natural
2 Resources, and the Maryland Energy Administration shall jointly provide the staff
3 support necessary to meet the requirements of this Act.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
5 Legislative Services is directed to send a copy of this Act to the Maryland
6 Congressional Delegation: Senators Paul S. Sarbanes and Barbara A. Mikulski,
7 Senate Office Building, Washington, D.C. 20510; and Representatives Wayne T.
8 Gilchrest, Robert L. Ehrlich, Jr., Benjamin L. Cardin, Albert R. Wynn, Steny
9 Hamilton Hoyer, Roscoe G. Bartlett, Elijah E. Cummings, and Constance A. Morella,
10 House Office Building, Washington, D.C. 20515; the Honorable Parris N. Glendening,
11 Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the
12 Senate of Maryland; and the Honorable Casper R. Taylor, Jr., Speaker of the House of
13 Delegates.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 June 1, 2002. It shall remain effective for a period of 8 months and, at the end of
16 January 31, 2003, with no further action required by the General Assembly, this Act
17 shall be abrogated and of no further force and effect.