

**Committee: Economic Matters**  
**Testimony: HB708 – Comprehensive Climate Solutions**  
**Organization: Maryland Campaign for Environmental Human Rights**  
**Submitting: Laurie McGilvray, Co-Chair**  
**Position: Favorable with Amendments**  
**Hearing Date: March 4, 2022**

Dear Chair Wilson and Honorable Committee Members:

Thank you for the opportunity to submit testimony for HB708 – Building Standards and Emissions Reductions– High Performance, State, and Local Government Buildings, State Operations, and Eligible Projects.

HB708 is one of the most important bills before you this session. We are increasingly learning that the world is veering away from the Holocene Era, the climate era that has enabled humanity to achieve the advances of its remarkable civilization for the last 10,000 years, into the Anthropocene Era – when humans have become a geo-physical force.

In doing so, we are threatening to cross over what Johan Rockstrom and the Stockholm Resilience Research call the [planetary boundaries](#), of which the climate might be the most significant. If we breach these boundaries, the world will spin off into an era with consequences that not even the most powerful scientific models can predict.

We must prevent that from happening. And though Maryland is small, we must do our part.

Legislators and advocates more well-versed in the details of this bill than I have been working tirelessly to craft this bill. I am unable to speak to the details of this bill and so defer to their and your collective wisdom.

But I urge you to adopt the most aggressive components of this bill that you can. The sooner we act and the more boldly we act, the better our chances of containing the harm we have created, and the more efficient and economical our responses will be.

(I attach the list of suggested amendments to the bill – hoping that you will carefully consider them as well.)

Proposed Amendments  
*Climate Partners Coalition*

Goal: We appreciate that the focus of this legislation is to set more aggressive greenhouse gas reduction targets and require more effective measuring of greenhouse gases as well as additional remediation measures. Our amendments are designed to ensure that the bill better advances equity and justice considerations, ensures that the Climate Justice Corps supports our young adults with good wages and benefits, and also aligns the language in this bill to SB0528.

**Greenhouse gas reduction goals:**

- Page 7, line 5-6 - Overall GHG Goal - 60% by 2032
  - Amendment - 60% by 2030 to line up with Senate (for consistency)

**Climate Catalytic Capital Fund**

- SB528 creates the Climate Catalytic Capital Fund to promote environmental justice and to leverage increased private capital investment in technology development and deployment. This should be added to HB708 to support the work introduced in the bill.
- Amendment: Add language from SB528 starting on page 5, line 12 until page 7 line 27.
  - Note: amendments to this section of the bill include that the Fund may not be used for a project to install new equipment that uses fossil fuels or upgrades the efficiency of existing equipment that uses fossil fuels
  - The Climate Catalytic Capital Fund should have a requirement that at least 40% of funding for greenhouse gas emissions reduction measures go to communities that are “overburdened” (as defined below) AND AT LEAST 25% OF THE RESIDENTS QUALIFY AS LOW-INCOME

**Environmental Justice:**

- Pages 4-6, goals for funding and targeted benefits to “disproportionately affected communities”
  - Amendment - replace “disproportionately affected communities” with “overburdened communities” with the following definition to align with other legislative initiatives and be more specific about impact. Add a requirement that 40% of funding for greenhouse gas emissions reduction measures go to “overburdened communities.”
  - **“OVERBURDENED COMMUNITY”** IS DEFINED AS “AT A MINIMUM, AN OVERBURDENED COMMUNITY, IS A COMMUNITY THAT INCLUDES ANY CENSUS TRACT FOR WHICH 3 OR MORE OF THE BELOW INDICATORS ARE ABOVE THE 75TH PERCENTILE STATEWIDE:
    1. PM 2.5
    2. Ozone
    3. NATA diesel PM
    4. NATA cancer risk
    5. NATA respiratory hazard index

6. Traffic proximity
7. Lead paint indicator
8. Superfund proximity (npl sites)
9. Risk management plan facilities proximity
10. Hazardous waste proximity
11. Wastewater discharge indicator
12. Proximity to a Confined Animal Feeding Operation (CAFO)
13. % broadband coverage
14. Asthma Emergency Room Discharges
15. Myocardial Infarction Discharges
16. Low Birth Weight Infants
17. Proximity to power plants
18. Proximity to a TRI facility
19. Proximity to a brownfield
20. Proximity to mining operations
21. Proximity to a hazardous waste landfill
22. Proximity to an unincorporated community

AND AT LEAST 25% OF THE RESIDENTS QUALIFY AS LOW-INCOME,  
OR THE AREA IS DESIGNATED AS AN OVERBURDENED COMMUNITY BY THE  
SECRETARY [of MDE]

Petition language for MDE to designate a community as “overburdened”: “IN ORDER TO  
DESIGNATE AN AREA AS AN OVERBURDENED COMMUNITY THROUGH THE PETITION  
PROCESS, THE SECRETARY MUST MAKE FINDINGS WITH RESPECT TO WHETHER THE  
AREA MEETS EACH OF THE FOLLOWING CRITERIA:

- (A) THE ANNUAL MEDIAN HOUSEHOLD INCOME OF THAT AREA EXCEEDS 125  
PERCENT OF THE STATEWIDE MEDIAN HOUSEHOLD INCOME;
- (B) A MAJORITY OF PERSONS AGE 25 AND OLDER IN THAT AREA HAVE A  
COLLEGE EDUCATION;
- (C) THE NEIGHBORHOOD DOES NOT BEAR AN UNFAIR BURDEN OF  
ENVIRONMENTAL POLLUTION; AND (D) THE NEIGHBORHOOD HAS MORE THAN  
LIMITED ACCESS TO NATURAL RESOURCES, INCLUDING OPEN SPACES AND  
WATER RESOURCES, PLAYGROUNDS, AND OTHER CONSTRUCTED OUTDOOR  
RECREATIONAL FACILITIES AND VENUES. IF ALL OF THE CRITERIA ARE MET,  
THE SECRETARY MAY NOT DESIGNATE THE AREA AS AN OVERBURDENED  
COMMUNITY.”

### **Climate Transition and Clean Energy Hub**

- We have concerns about housing the Climate Transition and Clean Energy Hub in the Maryland Energy Administration due to the Administration’s input on the MCCC report and recommendations. We would like to move the administration of the Climate Transition and Clean Energy Hub to the Maryland Clean Energy Center.

### **Landfills:**

- **Pg 6, line 5-23** Amend the deadline for adoption of regulations January 2023 or June 2023.
- Consider appropriations to MDE’s air department to support the landfill methane work

### **Just Transition Employment Working Group**

- Membership of the working group, on pg. 12, lines 10 strike “one representative of the Maryland Chapter of the Sierra club, selected by the Maryland Chapter of the Sierra Club” and replace with “Two representatives of the environmental community”
- On page 14, line 11, strike “counter” and substitute “address”.
- Fenceline communities should be defined (page 14, line 20)

### **Climate Justice Corps**

- Page 20 - align the compensation of Climate Justice Corps participants with other civilian corps to ensure they are paid positions. This will also bring consistency with SB528 as amended.
  - Amendment: On page 20, in line 24, strike “A” and substitute “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”; in lines 25 and 26, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 28, insert: “(2) STIPENDS, SCHOLARSHIPS, AND WRAP-AROUND SERVICES SHALL BE PROVIDED TO STIPEND VOLUNTEERS IN ACCORDANCE WITH TITLE 24, SUBTITLE 11 OF THE EDUCATION ARTICLE.”

### **EmPOWER:**

- Page 25, line 14 - broaden EmPower to focus on GHG reduction as well as.
  - Amendment: On page 25, line 15, after “programs” add “**AND GREENHOUSE GAS (GHG) ABATEMENT PROGRAMS**”. On line 16, after “savings” add “**AND EQUIVALENT GHG ABATEMENT.**”
- Page 25 line 36 - align dates for EmPower targets with SB528.
  - Amend to
    - 2.25% PER YEAR IN 2024 AND 2025;
    - 2.5% IN 2026;
    - 2.75% PER YEAR IN 2027 AND THEREAFTER.