

HOUSE BILL 1166

C5

8lr2475
CF SB 348

By: ~~Delegate Davis~~ **Delegates Davis, Haddaway, Hecht, King, Manno, Mathias,
Miller, Minnick, Vaughn, and Walkup**

Introduced and read first time: February 8, 2008

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2008

CHAPTER _____

1 AN ACT concerning

2 **Renewable Energy Portfolio Standard – Tier 1 Renewable Source – Poultry**
3 **Litter**

4 FOR the purpose of expanding the definition of a Tier 1 renewable source to include
5 poultry litter-to-energy; altering the definition of a Tier 2 renewable source to
6 exclude the incineration of poultry litter; repealing a certain limitation on the
7 eligibility of energy produced from certain sources for inclusion in meeting the
8 renewable energy portfolio standard; and generally relating to poultry litter and
9 Tier 1 renewable sources applied to the renewable energy portfolio standard.

10 BY repealing and reenacting, without amendments,
11 Article – Public Utility Companies
12 Section 7-701(g)
13 Annotated Code of Maryland
14 (1998 Volume and 2007 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Public Utility Companies
17 Section 7-701(l) and (m) and 7-704(a)(4)
18 Annotated Code of Maryland
19 (1998 Volume and 2007 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Public Utility Companies**

2 7–701.

3 (g) “Poultry litter” means the fecal and urinary excretions of poultry,
4 including wood shavings, sawdust, straw, rice hulls, and other bedding material for
5 the disposition of manure.

6 (l) “Tier 1 renewable source” means one or more of the following types of
7 energy sources:

8 (1) solar;

9 (2) wind;

10 (3) qualifying biomass;

11 (4) methane from the anaerobic decomposition of organic materials in
12 a landfill or wastewater treatment plant;

13 (5) geothermal;

14 (6) ocean, including energy from waves, tides, currents, and thermal
15 differences;

16 (7) a fuel cell that produces electricity from a Tier 1 renewable source
17 under item (3) or (4) of this subsection; [and]

18 (8) a small hydroelectric power plant of less than 30 megawatts in
19 capacity that is licensed or exempt from licensing by the Federal Energy Regulatory
20 Commission; **AND**

21 **(9) POULTRY LITTER–TO–ENERGY.**

22 (m) “Tier 2 renewable source” means one or more of the following types of
23 energy sources:

24 (1) hydroelectric power other than pump storage generation; **AND**

25 (2) [incineration of poultry litter; and

26 (3)] waste–to–energy.

27 7–704.

28 (a) (4) [(i)] Energy from a Tier 2 renewable source under § 7–701(m)(1)
29 or [(3)] **(2)** of this subtitle is eligible for inclusion in meeting the renewable energy

1 portfolio standard through 2018 if it is generated at a system or facility that existed
2 and was operational as of January 1, 2004, even if the facility or system was not
3 capable of generating electricity on that date.

4 [(ii) Energy from a Tier 2 renewable source under § 7-701(m)(2)
5 of this subtitle is eligible for inclusion in meeting the renewable energy portfolio
6 standard, regardless of when the generating system was placed in service, if the
7 Maryland Energy Administration and the Maryland Department of Agriculture
8 determine that there is a sufficient quantity of poultry litter available for the economic
9 viability of any existing and operating entity that is sited on the Delmarva Peninsula
10 and that, as of July 1, 2004, processed and pasteurized chicken litter as fertilizer.]

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.