

SENATE BILL 348

C5

8lr2450
CF 8lr2475

By: **Senator Middleton**

Introduced and read first time: January 28, 2008

Assigned to: Finance

A BILL ENTITLED

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:

22 **Article – Public Utility Companies**

23 7–701.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (1) "Tier 1 renewable source" means one or more of the following types of
5 energy sources:

6 (1) solar;

7 (2) wind;

8 (3) qualifying biomass;

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

11 (5) geothermal;

12 (6) ocean, including energy from waves, tides, currents, and thermal
13 differences;

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

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

19 **(9) POULTRY LITTER-TO-ENERGY.**

20 (m) "Tier 2 renewable source" means one or more of the following types of
21 energy sources:

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

23 (2) [incineration of poultry litter; and

24 (3)] waste-to-energy.

25 7-704.

26 (a) (4) [(i)] Energy from a Tier 2 renewable source under § 7-701(m)(1)
27 or [(3)] **(2)** of this subtitle is eligible for inclusion in meeting the renewable energy
28 portfolio standard through 2018 if it is generated at a system or facility that existed
29 and was operational as of January 1, 2004, even if the facility or system was not
30 capable of generating electricity on that date.

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

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