MARYLAND TECH COUNCIL

TO: The Honorable Kumar P. Barve, Chair
The Honorable C.T. Wilson, Chair
Members, House Environment and Transportation Committee
Members, House Economic Matters Committee
The Honorable Paul G. Pinsky

FROM: J. Steven Wise
Pamela Metz Kasemeyer
Danna L. Kauffman
Christine K. Krone

DATE: March 23, 2022

RE: **SUPPORT WITH AMENDMENT** – Senate Bill 528 – *Climate Solutions Now Act of 2022*

The Maryland Tech Council (MTC) is a collaborative community, actively engaged in building stronger life science and technology companies by supporting the efforts of our individual members who are saving and improving lives through innovation. We support our member companies who are driving innovation through advocacy, education, workforce development, cost savings programs, and connecting entrepreneurial minds. The valuable resources we provide to our members help them reach their full potential making Maryland a global leader in the life sciences and technology industries. On behalf of MTC, we submit this letter of **support with amendment** for Senate Bill 528.

Many of MTC's members are leaders in life science and technology not just through *what* they produce, but *how* they produce it. Their Maryland facilities already strive for what Senate Bill 528 seeks to achieve – lower and eventually net-zero greenhouse gas emissions. This is visible in net-zero buildings that return energy to the grid, the use of renewable energy, and other efforts all aimed at reducing greenhouse gas emissions. These steps have been taken voluntarily, even with the higher costs involved, because it is the right thing to do. Our members have proven to be leaders in this area and will continue to be.

Despite the commitment of MTC members to address climate change, the objectives of Senate Bill 528 require a balance between meeting the critical lifesaving needs of today and the goal of achieving those needs without harming the environment. The goal of building electrification must, for the near future, acknowledge certain real-world limitations. For example, our members that produce life-saving medicines must use facilities that have continuous and redundant sources of power to ensure adequate supplies of their products are available. Similarly, the laboratories and research facilities associated with vital clinical research also require these power sources. While electricity may be the primary source of power for these companies, it cannot be the only source. They depend on natural gas or diesel engine generators to ensure uninterrupted power supply. If they were dependent solely on the electrical grid, failures would cause product loss, disrupt the delivery of services on which patients depend, and negatively impact clinical research and product development of life saving therapies.

Non-fossil fuel back up power solutions to meet this need are not currently viable. Batteries the size of shipping containers are available, but only provide about 4 hours of power. The size and number

of batteries necessary to produce any sustained amount of backup power requires plots of land that may exceed the size of the building they serve. Other issues arise, such as setback limitations since some must be located more than 100 feet from buildings. Cost is also an undeniable factor.

The conversion from fossil-fuels to electrification will also take time. Removing natural gas and other fossil fuels as sources of power places a greater burden upon all facets of the electric infrastructure, from generation to distribution, down to feeders and transformers, as well as wiring within buildings. Through retrofits and infrastructure investment, electrification may be achievable one day. However, we ask that the General Assembly balance this goal with present-day needs. Some industries, even with their best efforts already underway to move on from fossil fuels, still need to rely on them in the near term as a reliable source of power for making the products that so many people rely upon daily and to advance essential clinical research to address life-threatening diseases and conditions.

To this end, we have prepared and submitted amendments that specifically identify "life sciences," an already-defined term under Maryland law, as an industry that may need to seek certain exceptions to the requirements of Senate Bill 528 for the reasons set forth above.

MTC appreciates your consideration of our comments and asks that you adopt the aforementioned amendments.

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Amendments begin on p. 63

(4) THE SUPERVISOR OF A COUNTY OR A MUNICIPAL CORPORATION MAY NOT ACCEPT AN APPLICATION FROM A PROPERTY OWNER FOR THE EXEMPTION UNDER THIS SUBSECTION AFTER DECEMBER 31, 2024.

(5) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE NUMBER AND LOCATION OF PROJECTS THAT, IN THE IMMEDIATELY PRECEDING TAXABLE YEAR, HAVE RECEIVED THE EXEMPTION UNDER THIS SUBSECTION.

~~**(D) IN ADDITION TO THE EXEMPTION PROVIDED UNDER SUBSECTION (C) OF THIS SECTION, THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY EXEMPT, BY LAW, ANY OTHER MACHINERY OR EQUIPMENT THAT IS PART OF A SOLAR ENERGY GENERATING SYSTEM, WIND ENERGY SYSTEM, OR GEOTHERMAL ENERGY SYSTEM FROM THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX.**~~

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1602.

(A) THE DEPARTMENT SHALL DEVELOP BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS THAT ACHIEVE:

(1) FOR COVERED BUILDINGS OWNED BY THE STATE:

(I) A 50% REDUCTION IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION; AND

(II) NET–ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035; AND

(2) FOR COVERED BUILDINGS NOT OWNED BY THE STATE:

(I) ~~A 20% REDUCTION IN NET GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030;~~

~~(II)~~ A ~~40%~~ REDUCTION OF AT LEAST 30% IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION; AND

~~(III)~~ (II) NET–ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2040.

(B) TO FACILITATE THE DEVELOPMENT OF BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE OWNERS OF COVERED BUILDINGS AND SCHOOLS TO MEASURE AND REPORT DIRECT EMISSIONS ~~USE THE ENERGY STAR PORTFOLIO MANAGER OR ANOTHER BENCHMARKING TOOL DESIGNATED BY THE DEPARTMENT TO COLLECT AND REPORT BENCHMARKING~~ DATA TO THE DEPARTMENT ANNUALLY BEGINNING IN 2025.

(C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) REGULATIONS ADOPTED UNDER THIS SECTION SHALL:

(I) SUBJECT TO ITEMS (II) AND (III) OF THIS PARAGRAPH, INCLUDE ENERGY USE INTENSITY TARGETS BY BUILDING TYPE;

(II) AS NECESSARY, INCLUDE SPECIAL PROVISIONS OR EXCEPTIONS TO ACCOUNT FOR:

1. BUILDING AGE;

2. REGIONAL DIFFERENCES;

3. THE UNIQUE NEEDS OF PARTICULAR BUILDING OR OCCUPANCY TYPES, INCLUDING HEALTH CARE FACILITIES, ~~AND~~ LABORATORIES *AND BUILDINGS USED IN LIFE SCIENCES AS DEFINED IN 3-206 OF THE ECONOMIC DEVELOPMENT ARTICLE*; AND

4. THE USE OF DISTRICT ENERGY SYSTEMS BY COVERED BUILDINGS;

(III) ACCOUNT FOR THE NEEDS OF THE OWNERS OF COVERED BUILDINGS WHO:

1. ARE NOT RESPONSIBLE FOR THE DESIGN, MODIFICATION, FIXTURES, OR EQUIPMENT OF COMMERCIAL TENANTS;

2. DO NOT HAVE ACCESS TO OR CONTROL OVER BUILDING ENERGY SYSTEMS THAT ARE USED OR CONTROLLED BY COMMERCIAL TENANTS; OR

3. OWN BUILDINGS OCCUPIED BY COMMERCIAL TENANTS WHO ARE RESPONSIBLE FOR ALL MAINTENANCE OF AND REPAIRS TO THE BUILDINGS;

~~(I)~~ **(IV) PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF COVERED BUILDINGS TO COMPLY WITH BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS;**

~~(II)~~ **(V) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A COVERED BUILDING TO PAY A FEE FOR ~~BUILDING EMISSIONS THAT EXCEED THE BUILDING EMISSIONS STANDARDS~~ GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ENERGY USE INTENSITY TARGETS SET BY THE DEPARTMENT; AND**

~~(III)~~ **(VI) TO THE EXTENT AUTHORIZED BY LAW, INCLUDE FINANCIAL INCENTIVES RECOMMENDED BY THE BUILDING ENERGY TRANSITION IMPLEMENTATION TASK FORCE.**

(3) THE DEPARTMENT MAY NOT SET AN ALTERNATIVE COMPLIANCE FEE THAT IS LESS THAN THE SOCIAL COST OF GREENHOUSE GASES ADOPTED BY THE DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

(D) ELECTRIC COMPANIES AND GAS COMPANIES SHALL PROVIDE ENERGY DATA, INCLUDING WHOLE–BUILDING AND AGGREGATE DATA, TO THE OWNERS OF COVERED BUILDINGS FOR BENCHMARKING PURPOSES.

(E) (1) *EXCEPT AS PROVIDED IN PARAGRAPH (2)*, A COUNTY MAY DEVELOP AND ADOPT LOCAL BUILDING ENERGY PERFORMANCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE STANDARDS DEVELOPED BY THE DEPARTMENT, IF THE COUNTY'S STANDARDS ARE APPROVED BY THE DEPARTMENT.

(2) *IF A COUNTY DEVELOPS AND ADOPTS LOCAL BUILDING ENERGY PERFORMANCE STANDARDS, THE STANDARDS MAY NOT BE APPLIED TO INDUSTRIES THAT HAVE BEEN EXEMPTED BY THE STATE*.

(3) COVERED BUILDINGS LOCATED IN A COUNTY THAT ADOPTS LOCAL BUILDING ENERGY PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBSECTION SHALL BE EXEMPT FROM THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1602.

(A) THE DEPARTMENT SHALL DEVELOP BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS THAT ACHIEVE:

(1) FOR COVERED BUILDINGS OWNED BY THE STATE:

(I) A 50% REDUCTION IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION; AND

(II) NET–ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035; AND

(2) FOR COVERED BUILDINGS NOT OWNED BY THE STATE:

~~(I) A 20% REDUCTION IN NET GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030; AND~~

~~(II) A 40%,~~ A REDUCTION OF AT LEAST 30% IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION.

(B) TO FACILITATE THE DEVELOPMENT OF BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE OWNERS OF COVERED BUILDINGS AND SCHOOLS TO MEASURE AND REPORT DIRECT EMISSIONS DATA TO THE DEPARTMENT ANNUALLY BEGINNING IN 2025.

(C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) REGULATIONS ADOPTED UNDER THIS SECTION SHALL:

(I) SUBJECT TO ITEMS (II) AND (III) OF THIS PARAGRAPH, INCLUDE ENERGY USE INTENSITY TARGETS BY BUILDING TYPE;

(II) AS NECESSARY, INCLUDE SPECIAL PROVISIONS OR EXCEPTIONS TO ACCOUNT FOR:

1. BUILDING AGE;

2. REGIONAL DIFFERENCES;

3. THE UNIQUE NEEDS OF PARTICULAR BUILDING OR OCCUPANCY TYPES, INCLUDING HEALTH CARE FACILITIES, ~~AND~~ LABORATORIES, ***AND BUILDINGS USED IN LIFE SCIENCES AS DEFINED IN 3-206 OF THE ECONOMIC DEVELOPMENT ARTICLE***; AND

4. THE USE OF DISTRICT ENERGY SYSTEMS BY COVERED BUILDINGS;

(III) ACCOUNT FOR THE NEEDS OF THE OWNERS OF COVERED BUILDINGS WHO:

1. ARE NOT RESPONSIBLE FOR THE DESIGN, MODIFICATION, FIXTURES, OR EQUIPMENT OF COMMERCIAL TENANTS;

2. DO NOT HAVE ACCESS TO OR CONTROL OVER BUILDING ENERGY SYSTEMS THAT ARE USED OR CONTROLLED BY COMMERCIAL TENANTS; OR

3. OWN BUILDINGS OCCUPIED BY COMMERCIAL TENANTS WHO ARE RESPONSIBLE FOR ALL MAINTENANCE OF AND REPAIRS TO THE BUILDINGS;

~~(I)~~ (IV) PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF COVERED BUILDINGS TO COMPLY WITH BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS;

~~(II)~~ (V) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A COVERED BUILDING TO PAY A FEE FOR ~~BUILDING EMISSIONS THAT EXCEED THE BUILDING EMISSIONS STANDARDS~~ GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ENERGY USE INTENSITY TARGETS; AND

~~(III)~~ (VI) TO THE EXTENT AUTHORIZED BY LAW, INCLUDE FINANCIAL INCENTIVES RECOMMENDED BY THE BUILDING ENERGY TRANSITION IMPLEMENTATION TASK FORCE.

(3) THE DEPARTMENT MAY NOT SET AN ALTERNATIVE COMPLIANCE FEE THAT IS LESS THAN THE SOCIAL COST OF GREENHOUSE GASES ADOPTED BY THE DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

(D) ELECTRIC COMPANIES AND GAS COMPANIES SHALL PROVIDE ENERGY DATA, INCLUDING WHOLE–BUILDING AND AGGREGATE DATA, TO THE OWNERS OF COVERED BUILDINGS FOR BENCHMARKING PURPOSES.

(E) (1) *EXCEPT AS PROVIDED IN PARAGRAPH (2),* A COUNTY MAY DEVELOP AND ADOPT LOCAL BUILDING ENERGY PERFORMANCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE STANDARDS DEVELOPED BY THE DEPARTMENT, IF THE COUNTY'S STANDARDS ARE APPROVED BY THE DEPARTMENT.

(2) *IF A COUNTY DEVELOPS AND ADOPTS LOCAL BUILDING ENERGY PERFORMANCE STANDARDS, THE STANDARDS MAY NOT BE APPLIED TO INDUSTRIES THAT HAVE BEEN EXEMPTED BY THE STATE.*

(3) COVERED BUILDINGS LOCATED IN A COUNTY THAT ADOPTS LOCAL BUILDING ENERGY PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBSECTION SHALL BE EXEMPT FROM THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT.

SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1603.

(A) THERE IS A BUILDING ENERGY TRANSITION IMPLEMENTATION TASK FORCE.

(B) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

(1) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(2) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

(3) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S DESIGNEE;

(4) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION, OR THE DIRECTOR'S DESIGNEE;

(5) THE CHAIR OF THE PUBLIC SERVICE COMMISSION, OR THE CHAIR'S DESIGNEE;

(6) THE PEOPLE'S COUNSEL, OR THE PEOPLE'S COUNSEL'S DESIGNEE;

(7) THE EXECUTIVE DIRECTOR OF THE MARYLAND CLEAN ENERGY CENTER, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(8) THE CHAIR OF THE MARYLAND GREEN BUILDING COUNCIL, OR THE CHAIR'S DESIGNEE;

(9) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(10) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(11) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE FROM A NONPROFIT OR PROFESSIONAL ORGANIZATION THAT ADVOCATES FOR ENERGY–EFFICIENT BUILDINGS OR A LOW–CARBON–BUILT ENVIRONMENT;

(II) ONE REPRESENTATIVE FROM A BUSINESS THAT PROVIDES ENERGY EFFICIENCY OR RENEWABLE ENERGY SERVICES TO LARGE BUILDINGS OR AFFORDABLE HOUSING IN MARYLAND;

(III) ONE REPRESENTATIVE WHO IS AN ARCHITECT WITH EXPERIENCE PLANNING MODIFICATIONS TO EXISTING BUILDINGS TO ACHIEVE GREENHOUSE GAS EMISSIONS REDUCTIONS;

(IV) ONE REPRESENTATIVE WHO IS A MECHANICAL, ELECTRICAL, OR PLUMBING ENGINEER OR COMMISSIONING AGENT WITH EXPERIENCE IN MODIFYING OR REPLACING SYSTEMS IN ORDER TO ACHIEVE GREENHOUSE GAS EMISSIONS REDUCTIONS;

(V) ONE REPRESENTATIVE OF THE APARTMENT AND OFFICE BUILDING ASSOCIATION;

(VI) ONE REPRESENTATIVE WHO IS AN AFFORDABLE HOUSING DEVELOPER;

(VII) ONE REPRESENTATIVE WHO IS A FACILITIES OR PROPERTY MANAGER FOR AN APARTMENT BUILDING;

(VIII) ONE REPRESENTATIVE WHO IS A FACILITIES OR PROPERTY MANAGER FOR A COMMERCIAL BUILDING;

(IX) ONE REPRESENTATIVE OF A FINANCIAL INSTITUTION; ~~AND~~

(X) ONE REPRESENTATIVE OF A PRIVATE EQUITY FIRM; AND

(XI) ONE REPRESENTATIVE OF THE DISTRICT ENERGY INDUSTRY.

(C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE TASK FORCE.

(D) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE TASK FORCE.

(E) A MEMBER OF THE TASK FORCE:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK FORCE; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(F) (1) THE TASK FORCE SHALL:

(I) STUDY AND MAKE RECOMMENDATIONS REGARDING THE DEVELOPMENT OF COMPLEMENTARY PROGRAMS, POLICIES, AND INCENTIVES AIMED AT REDUCING GREENHOUSE GAS EMISSIONS FROM THE BUILDING SECTOR IN ACCORDANCE WITH THIS SUBTITLE; ~~AND~~

(II) MAKE RECOMMENDATIONS ON TARGETING INCENTIVES TO ELECTRIFICATION PROJECTS THAT WOULD NOT OTHERWISE RESULT IN STRONG RETURNS ON INVESTMENT FOR BUILDING OWNERS; AND

(III) DEVELOP A PLAN FOR FUNDING THE RETROFIT OF COVERED BUILDINGS TO COMPLY WITH BUILDING EMISSIONS STANDARDS.

(2) THE PLAN DEVELOPED UNDER THIS SUBSECTION MAY INCLUDE RECOMMENDATIONS RELATED TO:

(I) THE CREATION OF COMMERCIAL TAX CREDITS OR DIRECT SUBSIDY PAYMENTS FOR BUILDING DECARBONIZATION PROJECTS;

(II) THE CREATION OF FINANCIAL INCENTIVES THROUGH EMPOWER AND OTHER STATE PROGRAMS TO SUPPORT ALL ASPECTS OF THE TRANSITION TO ELECTRIFIED BUILDINGS;

(III) THE ESTABLISHMENT OF LOW–INCOME HOUSEHOLD HOLISTIC RETROFIT TARGETS AND HEAT PUMP SALES TARGETS; AND

(IV) THE USE OF OPTIONS SUCH AS ON–BILL, LOW–INTEREST FINANCING TO SPREAD OUT THE UP–FRONT COSTS ASSOCIATED WITH ELECTRIFICATION RETROFIT UPGRADES.

(G) ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL REPORT ITS PLAN TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) A Position Identification Number (PIN) shall be created in the Maryland Energy Administration for the Coordinator of the Climate Transition and Clean Energy Hub.

(b) It is the intent of the General Assembly that, with the exception of the new Coordinator position and associated salary, the Maryland Energy Administration shall handle the responsibilities of the Climate Transition and Clean Energy Hub with existing resources.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, it is the intent of the General Assembly that the Public Service Commission continue with the submission of plans and making the determinations required under Sections 2 and 3 of Chapters 14 and 780 of the Acts of the General Assembly of 2017.

(b) The determination of the advisability of maintaining the methodology and magnitude of the savings trajectory established in § 7–211(g)(2) of the Public Utilities Article shall take into account the changes made in § 7–211(g)(2) of the Public Utilities Article, as enacted by Section 4 of this Act.

SECTION 10. AND BE IT FURTHER ENACTED, That:

(a) In alignment with the Commission on Climate Change's recommendation to transition to an all–electric building code in the State:

(1) the General Assembly supports moving toward broader electrification of both existing buildings and new construction as a component of decarbonization; and

(2) it is the intent of the General Assembly that the State move toward broader electrification of both existing buildings and new construction on completion of the study required under subsection (b) of this section.

(b) (1) The Building Codes Administration shall:

(i) develop recommendations for an all–electric building code and building energy performance standards for the State, including appropriate exemptions for particular industries *INCLUDING LIFE SCIENCES AS DEFINED IN § 3-206 OF THE ECONOMIC DEVELOPMENT ARTICLE*, local conditions, and sectors deemed critical infrastructure vital to the interest of national security as identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency;

(ii) develop recommendations for the fastest and most cost–efficient methods for decarbonizing buildings and other sectors in the State;

(iii) assess the availability of technology and equipment that will be needed to construct all–electric buildings in the State;

(iv) assess the impact of building electrification on workforce shortages;

(v) develop recommendations regarding efficient cost–effectiveness measures for the electrification of new and existing buildings; and

(vi) on or before January 1, 2023, report to the Public Service Commission on the projected annual and peak summer and winter gas and electric loading impacts of electrification, categorized by building type and size, in sufficient detail for gas and electric public service companies to develop the plans required under subsection (c)(1)(i) of this section.

(2) The Building Codes Administration may work with consultants and experts to complete the study required under paragraph (1) of this subsection.

(3) (i) On or before January 1, 2023, the Building Codes Administration shall make an interim report of its findings to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.

(ii) On or before ~~September~~ December 1, 2023, the Building Codes Administration shall make a final report of its findings and recommendations to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.

(c) (1) The Public Service Commission shall:

(i) require gas and electric public service companies in the State to develop infrastructure plans to determine the investments necessary to accommodate the additional load of building electrification and the decommissioning of stranded gas facilities; and

(ii) determine whether the electric grid throughout the State is capable of accommodating the additional load of building electrification considering the infrastructure plans prepared under subparagraph (i) of this paragraph.

(2) (i) The Public Service Commission may work with consultants and experts to complete the study required under paragraph (1) of this subsection.

(ii) Gas and electric public service companies shall provide information to the Commission and its consultants and experts, as necessary, to complete the study required under paragraph (1) of this subsection.

(3) (i) On or before January 1, 2023, the Public Service Commission shall make an interim report of its findings to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.

(ii) On or before ~~September~~ December 1, 2023, the Public Service Commission shall make a final report of its findings and recommendations to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.

SECTION 11. AND BE IT FURTHER ENACTED, That, on or before October 1, 2023, the Department of the Environment, in conjunction with the Department of General Services and the Department of Natural Resources, shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on State properties that are suitable for use as organics recycling facilities in a manner that is consistent with Programmatic Recommendation 9 in the Final Report of the Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure Study Group issued in July 2019, as required by Chapters 383 and 384 of the Acts of the General Assembly of 2017.

SECTION ~~10.~~ 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect June 1, 2022. It shall remain effective for a period of 4 years and 1 month and, at the end of June 30, 2026, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION ~~11.~~ 13. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect June 1, 2022. It shall remain effective for a period of 7 years and 7 months and, at the end of December 31, 2029, Section 5 of this Act shall be abrogated and of no further force and effect.

SECTION ~~12.~~ 14. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect upon the taking effect of the termination provision specified in Section ~~11~~ 13 of this Act.

SECTION ~~13.~~ 15. AND BE IT FURTHER ENACTED, That Section 7 of this Act shall take effect June 1, 2022. It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2024, Section 7 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION ~~14.~~ 16. AND BE IT FURTHER ENACTED, That, except as provided in Sections ~~10~~ 12 through ~~13~~ 15 of this Act, this Act shall take effect June 1, 2022.