

# **SB0807-EEE\_MACo\_SUP.pdf**

Uploaded by: Dominic Butchko

Position: FAV



## Senate Bill 807

### *Environment - Local Building Energy Performance Standards - Authorization*

MACo Position: **SUPPORT**

To: Education, Energy, and the Environment  
Committee

Date: February 27, 2025

From: Sarah Sample and Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 807. This bill allows counties to adopt and enforce local building energy performance standards that are at least as stringent as those adopted by the Maryland Department of the Environment.

The timing for SB 807 is ideal as Maryland is still implementing Building Energy Performance Standards (BEPS) as required under the Climate Solutions Now Act of 2022. The goal is for covered buildings to efficiently achieve net-zero direct greenhouse gas emissions and comply with energy use intensity targets by 2040. With some narrow exceptions, these standards are applied to both public and privately owned buildings that are larger than 35,000 square feet.

Counties appreciate the State's commitment to reducing greenhouse gas emissions and air pollution as well as promoting responsible energy use tracking and consumption. The ability to locally establish and enforce certain standards will allow counties to join in the State's effort to move progress along faster and only where they see fit. Additionally, the potential for counties to exercise new authority over standards and fees locally, appreciates that the needs and interests of local governments vary greatly.

With more tools to promote energy efficiency and responsible energy consumption, counties have the ability to be partners in this State lead endeavor and for those reasons MACo urges a **FAVORABLE** report for SB 807.

## **HSUS Egg Poll.pdf**

Uploaded by: Jennifer Bevan-Dangel

Position: FAV

1250 Connecticut Avenue NW, Suite 530  
Washington, DC 20036  
(202) 234-5570

Interviews: 750 Likely 2026 Voters, including an oversample of 150 voters in SDs 8,9,28,33 (201 total interviews, weighted down proportionally)  
Dates: December 9-15, 2024

## FINAL

Study #14949  
MD Humane Society Survey  
December 2024

**Please note: all results are shown as percentages unless otherwise stated.**

Gender. Record respondent's gender.

	All Voters	Targeted SDs
Male.....	45	46
Female .....	55	54
Nonbinary/other.....	0	0

QSRV1. First, are you currently registered to vote in Maryland?

	All Voters	Targeted SDs
Yes, registered .....	100	100
No, not registered..	-	-
Not sure.....	-	-

Party registration from FILE		
	All Voters	Targeted SDs
dem .....	54	50
ind .....	0	0
lib .....	1	0
nop.....	19	23
oth .....	1	0
rep.....	25	27

MEDIAT. Does anyone in this household work for a radio station, a television station, a newspaper, an advertising agency, a market research firm, or as an active political campaign worker?

	All Voters	Targeted SDs
No .....	100	100
Yes.....	-	-
Not sure .....	-	-

Q2024V. Did you vote in last month's election for president?

	All Voters	Targeted SDs
Yes, voted .....	93	96
No, did not vote .....	7	4
Not sure.....	0	0

**(ASK ONLY OF RESPONDENTS WHO SAID "YES, VOTED" IN Q2024V.)**

QS24pres. Did you vote for Kamala Harris, the Democrat, or Donald Trump, the Republican?

(IF RESPONDENT DECLINES TO SAY HOW HE/SHE VOTED, SAY:) This survey is being done for research purposes only. Your willingness to say how you voted is really important for ensuring the accuracy of our research, and we promise that we will always maintain the privacy and confidentiality of your responses. In the election for president, did you vote for (READ LIST)?

	All Voters	Targeted SDs
Kamala Harris .....	61	54
Donald Trump .....	35	39
Another candidate .....	4	7
Did not vote .....	0	0
Not sure/refused.....	0	0

LV1. I know it is a long way off, but what are the chances that you will vote in the November 2026 elections for U.S. Congress, governor of Maryland, and state legislative offices--are you certain to vote, will you probably vote, are the chances fifty-fifty, or do you think you will not vote?

	All Voters	Targeted SDs	
Certain to vote .....	83	86	
Probably will vote .....	11	8	
Chances are 50-50 I will vote .....	6	6	
Will not vote .....	-	-	<b>TERMINATE</b>
Not sure.....	-	-	<b>TERMINATE</b>

Q1aTH. Do you approve or disapprove of the job the Democratic majority in the state legislature is doing? (IF "NOT SURE," ASK:) Well, do you lean more toward approve or disapprove?

	All Voters	Targeted SDs
Approve .....	38	34
Approve (lean) .....	10	8
Disapprove .....	41	48
Disapprove (lean) .....	3	1
Not sure .....	7	10
<b>Total Approve</b>	<b>48</b>	<b>42</b>
<b>Total Disapprove</b>	<b>44</b>	<b>49</b>

Q1bTH. Do you approve or disapprove of the job Wes Moore is doing as governor of Maryland? (IF "NOT SURE," ASK:) Well, do you lean more toward approve or disapprove?

	All Voters	Targeted SDs
Approve .....	53	47
Approve (lean) .....	6	3
Disapprove .....	29	34
Disapprove (lean) .....	5	6
Not sure .....	8	9
<b>Total Approve</b>	<b>59</b>	<b>51</b>
<b>Total Disapprove</b>	<b>33</b>	<b>41</b>

Q2abTH. In the November 2026 election for Maryland state legislature in your district, which candidate are you more likely to vote for-- the Democrat or the Republican? (IF 'NOT SURE,' ASK:) Well, all other things being equal, are you more likely to vote for the Democrat or the Republican?

	All Voters	Targeted SDs
Democrat .....	52	45
Democrat (lean) .....	4	5
Republican .....	28	32
Republican (lean) .....	3	2
Not sure .....	13	16
<b>Total Democrat</b>	<b>56</b>	<b>50</b>
<b>Total Republican</b>	<b>31</b>	<b>34</b>

Moving ahead with the survey ...

Q3a. How would you rate the financial situation for you and your family these days—excellent, good, not so good, or poor?

	All Voters	Targeted SDs
Excellent .....	15	14
Good .....	50	53
Not so good .....	26	24
Poor .....	8	9
Not sure .....	0	0
<b>Total Excellent/Good</b>	<b>65</b>	<b>67</b>
<b>Total Not so good/Poor</b>	<b>34</b>	<b>33</b>

Q3b. Thinking of the economy in your household, are you getting ahead, staying the same, or falling behind?

	All Voters	Targeted SDs
Getting ahead .....	18	17
Staying the same...	50	54
Falling behind .....	32	29
Not sure .....	0	0

Q4. Next, let me read you some items that are typically in grocery stores and supermarkets. For each item, please tell me whether you think the average price is too high, too low, or about right.

*THIS TABLE HAS BEEN RANKED BY THE PERCENTAGE SAYING TOO HIGH (ALL VOTERS)*

	Too high	Too low	About right	Not sure
<b>Meat and poultry</b>				
All Voters.....	77	1	16	7
Targeted SDs.....	73	1	20	6
<b>A carton of eggs**</b>				
All Voters.....	75	0	22	3
Targeted SDs.....	71	2	23	4
<b>Eggs*</b>				
All Voters.....	73	0	16	11
Targeted SDs.....	71	1	19	9
<b>Milk**</b>				
All Voters.....	61	1	27	11
Targeted SDs.....	52	1	36	11
<b>Bread*</b>				
All Voters.....	58	1	32	10
Targeted SDs.....	62	1	28	10
<b>Gas</b>				
All Voters.....	57	2	37	4
Targeted SDs.....	55	2	40	3

\* Asked of one-half the respondents (FORM A).

\*\* Asked of one-half the respondents (FORM B).

Q5. Now I'm going to read you some proposals that might be included in the upcoming Maryland legislative session. For each one, please tell me whether it is something you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose.

*THIS TABLE HAS BEEN RANKED BY THE HIGHEST PERCENTAGE SAYING TOTAL FAVOR (ALL VOTERS)*

	Total Favor	Total Oppose	Strongly favor	Somewhat favor	Somewhat oppose	Strongly oppose	Not sure
<b>Provide free breakfast and lunch to all K through twelve public school students</b>							
All Voters.....	78	21	55	23	9	12	1
Targeted SDs.....	73	27	49	23	15	12	0
<b>Require all eggs sold or produced in Maryland to come from cage-free operations</b>							
All Voters.....	66	32	34	33	14	17	2
Targeted SDs.....	65	32	26	39	17	15	3
<b>Raise state taxes to make sure Maryland's comprehensive education reform plan, also known as the Blueprint for Maryland's future, is adequately funded</b>							
All Voters.....	43	55	15	27	19	37	2
Targeted SDs.....	37	61	15	22	16	45	2

*Due to rounding, not all tables will add to 100. When totaled responses differ from individual responses, totaled responses are more precise.*

Q6a. Let me read you a little more information about the current egg production system. A caged system is where hens are confined with multiple other birds in wire cages, with an average of less than half a square foot of space per bird. A cage-free facility is where hens are housed in barns without cages.

The cage-free Legislation before the state legislature would require that after a phase-in period that ends in five years, all eggs sold or produced in Maryland come from cage-free facilities that comply with the egg industry's own guidelines. This legislation would only affect the production of eggs and not impact the production of chicken for meat.

Based on what you have just heard, what is your reaction to this cage-free egg legislation--is this something you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose?\*

	All Voters	Targeted SDs
Strongly favor .....	43	38
Somewhat favor .....	29	29
Somewhat oppose .....	12	21
Strongly oppose .....	11	6
Not sure.....	6	7
<b>Total Favor</b>	<b>72</b>	<b>66</b>
<b>Total Oppose</b>	<b>23</b>	<b>27</b>

\* Asked of one-half the respondents (FORM A).

Q6b. Let me read you a little more information about the cage-free Legislation before the state legislature. It would require that after a phase-in period that ends in five years, all eggs sold or produced in Maryland come from cage-free facilities that comply with the egg industry's own guidelines. This legislation would only affect the production of eggs and not impact the production of chicken for meat.

Based on what you have just heard, what is your reaction to this cage-free egg legislation--is this something you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose?\*\*

	All Voters	Targeted SDs
Strongly favor .....	33	25
Somewhat favor .....	28	34
Somewhat oppose .....	11	14
Strongly oppose .....	18	19
Not sure.....	9	8
<b>Total Favor</b>	<b>62</b>	<b>59</b>
<b>Total Oppose</b>	<b>29</b>	<b>34</b>

\*\* Asked of one-half the respondents (FORM B).



**(COMBINE Q6a AND Q6b RESPONSES)**

Q6abTH. **(FORM A)** Let me read you a little more information about the current egg production system. A caged system is where hens are confined with multiple other birds in wire cages, with an average of less than half a square foot of space per bird. A cage-free facility is where hens are housed in barns without cages.

The cage-free Legislation before the state legislature would require that after a phase-in period that ends in five years, all eggs sold or produced in Maryland come from cage-free facilities that comply with the egg industry's own guidelines. This legislation would only affect the production of eggs and not impact the production of chicken for meat.

**(FORM B)** Let me read you a little more information about the cage-free Legislation before the state legislature. It would require that after a phase-in period that ends in five years, all eggs sold or produced in Maryland come from cage-free facilities that comply with the egg industry's own guidelines. This legislation would only affect the production of eggs and not impact the production of chicken for meat.

Based on what you have just heard, what is your reaction to this cage free egg legislation--is this something you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose?

	All Voters	Targeted SDs
Strongly favor .....	38	31
Somewhat favor .....	28	31
Somewhat oppose .....	12	17
Strongly oppose .....	14	13
Not sure.....	7	7
<b>Total Favor</b>	<b>67</b>	<b>62</b>
<b>Total Oppose</b>	<b>26</b>	<b>30</b>

**(ASK ONLY OF RESPONDENTS WHO SAY “FAVOR” ON Q6abTH)**

Q6c. Why do you favor a proposal to require all eggs sold or produced in Maryland to come from cage-free operations?

(THEN ASK:) Why else do you favor this cage-free egg legislation?

*THIS TABLE HAS BEEN RANKED BY THE HIGHEST PERCENTAGE (ALL VOTERS)*

			Form A – Background info		Form B – No info	
			All Voters	Targeted SDs	All Voters	Targeted SDs
<b>NET FAVOR</b>	<b>93</b>	<b>88</b>	<b>96</b>	<b>89</b>	<b>90</b>	<b>86</b>
Humane/ethical treatment of animals, cruelty free .....	42	35	47	46	35	24
Healthier for humans .....	27	25	25	20	30	30
Results in healthier/happier chickens, less disease .....	22	20	22	20	22	20
Caging is unnatural, too restrictive, against factory farming ...	17	17	20	23	14	12
Improves the quality of eggs, flavor .....	10	14	9	12	12	15
Better option, favor cage free system .....	7	9	5	8	8	10
Better for the environment .....	5	3	4	0	5	6
Against the use of antibiotics, chemicals .....	4	6	2	5	6	8
Provides industry guidelines, standardization .....	2	2	2	1	3	3
Lower the price of eggs .....	2	2	2	1	1	3
Increase production of eggs .....	1	5	1	8	2	1
Support local farms .....	1	2	1	0	2	3
Favor based on past experience farming, tending chickens...	1	2	0	2	1	2
All other reasons to favor .....	2	1	1	0	4	2
<b>NET OPPOSE</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>6</b>
Result in higher prices .....	3	2	2	2	3	1
Don't care about this issue, not a priority .....	1	1	1	0	2	2
Government overregulation .....	1	1	1	1	1	0
All other reasons to oppose .....	1	2	2	1	1	3
All other comments	2	2	1	2	3	3
Would prefer pasture raised, free range method	2	3	2	3	2	4
Need to do more research	2	3	0	3	4	4
Don't know, no response	3	7	3	8	3	7

*Due to rounding, not all tables will add to 100. When totaled responses differ from individual responses, totaled responses are more precise.*

**(ASK ONLY OF RESPONDENTS WHO SAY “OPPOSE” ON Q6abTH)**

Q6d. Why do you oppose a proposal to require all eggs sold or produced in Maryland to come from cage-free operations?

(THEN ASK:) Why else do you oppose this cage-free egg legislation?

*THIS TABLE HAS BEEN RANKED BY THE HIGHEST PERCENTAGE*

			Form A – Background info		Form B – No info	
	All Voters	Targeted SDs	All Voters	Targeted SDs	All Voters	Targeted SDs
<b>NET OPPOSE</b>	<b>91</b>	<b>89</b>	<b>90</b>	<b>92</b>	<b>91</b>	<b>86</b>
Impact on prices, raise costs .....	47	54	46	58	48	52
Government overreach, overregulation .....	27	25	29	17	25	31
Believe in free enterprise, letting the public choose .....	15	8	11	4	18	11
No difference in the quality of eggs .....	10	9	8	5	12	11
Don't care about this issue, not a priority.....	9	11	14	16	6	7
Cage free doesn't mean that the chickens are free ranging, still in cages.....	8	12	7	10	8	13
Hurt farmers, local egg producers .....	5	4	7	6	4	3
Unnecessary, waste of time and money.....	5	5	4	3	5	7
Will not result in healthier chickens, more disease .....	4	1	2	0	5	1
Will affect the poor.....	4	5	1	11	5	0
Requires more land use .....	2	0	1	0	3	0
Will lower egg production .....	2	1	2	0	2	2
All other reasons to oppose.....	8	9	4	2	10	14
<b>NET FAVOR</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>8</b>
Agree in principle that caging chickens is cruel, animal rights..	4	3	1	0	6	6
All other reasons to favor .....	3	3	4	4	2	2
All comments	2	3	2	4	3	2
Need to do more research	2	6	1	0	2	10
Don't know, no response	3	1	3	0	3	2

*Due to rounding, not all tables will add to 100. When totaled responses differ from individual responses, totaled responses are more precise.*

Q7a. Next, I'm going to mention some things you might learn about the legislation to require all eggs sold or produced in Maryland to come from cage-free operations. For each item, please tell me whether it makes you MORE likely or LESS likely to support the proposed legislation.

*THIS TABLE HAS BEEN RANKED BY THE PERCENTAGE SAYING MORE LIKELY (ALL VOTERS)*

	More likely	Less likely	No difference/ depends	Not sure
<b>The production cost differential between cage and cage-free housing systems is minimal</b>				
All Voters .....	55	15	29	2
Targeted SDs .....	58	17	23	1
<b>This legislation would simply require large egg producers to follow the egg industry's own cage-free standards</b>				
All Voters .....	51	18	31	1
Targeted SDs .....	54	17	28	1
<b>The legislation to require cage-free facilities would only become law after a phase-in period of five years.*</b>				
All Voters .....	45	13	42	0
Targeted SDs .....	38	12	50	0
<b>This legislation would ONLY apply to a handful of large-scale producers and NOT apply to small and family farmers with fewer than five thousand hens.**</b>				
All Voters .....	40	23	35	2
Targeted SDs .....	48	23	27	2
<b>The legislation to require cage-free facilities would only become law in 2030 after a phase-in period.**</b>				
All Voters .....	39	21	38	2
Targeted SDs .....	43	20	36	1
<b>This legislation would NOT apply to small and family farmers with fewer than five thousand hens.*</b>				
All Voters .....	38	27	35	0
Targeted SDs .....	34	30	36	0
<b>This legislation gives hens the space to spread their wings by having access to the entire barn, but not access to the outdoors</b>				
All Voters .....	35	31	33	1
Targeted SDs .....	34	30	35	1
<b>This legislation would not impact any other sector of animal agriculture, including the production of chicken for meat</b>				
All Voters .....	33	21	45	1
Targeted SDs .....	31	25	42	2

\* Asked of one-half the respondents (FORM A).

\*\* Asked of one-half the respondents (FORM B).

Q7b. Based on what you have just heard, what is your reaction to this cage-free egg legislation--is this something you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose?

	All Voters	Targeted SDs	Initial ask (Q6abTH)	
			All Voters	Targeted SDs
Strongly favor.....	35	27	38	31
Somewhat favor.....	34	39	28	31
Somewhat oppose.....	10	13	12	17
Strongly oppose.....	14	15	14	13
Not sure.....	8	6	7	7
<b>Total Favor</b>	<b>68</b>	<b>66</b>	<b>67</b>	<b>62</b>
<b>Total Oppose</b>	<b>23</b>	<b>28</b>	<b>26</b>	<b>30</b>

Q7cdTH. In the November 2026 election for Maryland state legislature in your district, which candidate are you more likely to vote for-- the Democrat who supports this cage free egg legislation or the Republican who opposes this cage free egg legislation? (IF 'NOT SURE,' ASK:) Well, all other things being equal, are you more likely to vote for the Democrat who supports this cage free egg legislation or the Republican who opposes this cage free egg legislation?\*

	All Voters	Targeted SDs	Initial ask (Q2abTH)	
			All Voters	Targeted SDs
Democrat .....	60	53	52	45
Democrat (lean) .....	5	7	4	5
Republican .....	23	25	28	32
Republican (lean) .....	2	3	3	2
Not sure .....	10	12	13	16
<b>Total Democrat</b>	<b>65</b>	<b>60</b>	<b>56</b>	<b>50</b>
<b>Total Republican</b>	<b>25</b>	<b>28</b>	<b>31</b>	<b>34</b>

\* Asked of one-half the respondents (FORM A).

Q8a. Next, let me read you some criticisms that people might give to OPPOSE this cage-free egg legislation. For each one, please tell me whether you consider this a very strong reason, a fairly strong reason, a medium reason, or a weak reason to oppose this cage-free egg legislation.

THIS TABLE HAS BEEN RANKED BY THE PERCENTAGE SAYING STRONG REASON (ALL VOTERS)

	Total Strong Reason	Very strong reason	Fairly strong reason	Medium reason	Weak reason	Not sure
<b>(COSTS) With the price of eggs already too high, this will raise prices even higher. On average, cage free eggs are currently more than four dollars a dozen, and requiring cage-free for ALL eggs would further increase the price of eggs, burdening families that are already struggling with the high costs of necessities such as gas and utilities.</b>						
All Voters .....	<b>63</b>	37	26	18	17	2
Targeted SDs.....	<b>64</b>	44	20	17	18	1
<b>(JOBS) This legislation would cost farmers millions of dollars to convert their facilities to become cage free, potentially costing good paying jobs in the egg industry and hurting Maryland's economy.</b>						
All Voters .....	<b>55</b>	33	22	20	23	2
Targeted SDs.....	<b>58</b>	33	24	21	21	1
<b>(Health aspect) This legislation could endanger public health because eggs in cage-free environments can have more exposure to Avian flu, and fecal matter, potentially leading to the spread of bacteria and disease, which could impact the public.</b>						
All Voters .....	<b>51</b>	30	21	20	27	1
Targeted SDs.....	<b>44</b>	23	21	20	35	1

Due to rounding, not all tables will add to 100. When totaled responses differ from individual responses, totaled responses are more precise.

Q8b. On the other side of the coin, let me read you some reasons that people might give to SUPPORT this cage-free egg legislation. For each one, please tell me whether you consider this a very strong reason, a fairly strong reason, a medium reason, or a weak reason to support this cage-free egg legislation.

THIS TABLE HAS BEEN RANKED BY THE PERCENTAGE SAYING STRONG REASON (ALL VOTERS)

	Total Strong Reason	Very strong reason	Fairly strong reason	Medium reason	Weak reason	Not sure
<b>(Animal welfare) On many egg factory farms, hens are crammed into cages so small the birds can't spread their wings. Each bird is given less space than the dimensions of an iPad on which to live her entire life. She's forced to eat, sleep, and defecate in the same space and is denied almost everything that is natural to her. This bill would allow hens to perform important natural behaviors like walking and flapping their wings.*</b>						
All Voters.....	75	58	17	12	13	0
Targeted SDs.....	77	57	19	10	13	0
<b>(Public Health) Confining birds in cramped, filthy cages can increase the spread of dangerous bacteria and viruses, including Salmonella, which can be deadly if ingested by infants or the elderly.**</b>						
All Voters.....	74	56	18	13	12	1
Targeted SDs.....	68	58	10	16	15	1
<b>(Food safety) Not only are cages cruel for the birds, but research shows that locking hens in cages increases the risk of Salmonella contamination, a bacteria that can be lethal, especially in children and the elderly. Evidence shows that cage-free systems reduce Salmonella risks and leading consumer advocacy organizations have supported cage-free reforms.*</b>						
All Voters.....	74	48	26	14	11	1
Targeted SDs.....	76	46	29	14	9	2
<b>(COSTS McDonalds) The price of cage-free eggs is currently artificially inflated by retailers who think they can charge more for a premium product. If cage-free eggs become the standard, this artificial markup will actually go down. It's estimated that by shifting to cage-free production the price of eggs will only go up between less than one cent to a few pennies per egg. In fact, when McDonald's announced it was going cage-free, it stated it won't raise prices at all.*</b>						
All Voters.....	72	51	22	10	16	1
Targeted SDs.....	67	45	22	10	22	2

\* Asked of one-half the respondents (FORM A).

\*\* Asked of one-half the respondents (FORM B).

Q8b cont'd.

	Total Strong Reason	Very strong reason	Fairly strong reason	Medium reason	Weak reason	Not sure
<b>(Wrong) This legislation is needed because it is cruel to confine farm animals in cramped, overcrowded cages, and this practice is inhumane and just plain wrong. These hens are raised in factory-like conditions under extreme confinement where they are kept in tiny spaces that are so small they can't even spread their wings for their whole lives.**</b>						
All Voters.....	63	49	14	18	18	1
Targeted SDs .....	68	46	22	11	20	1
<b>(COSTS per year) The price of cage-free eggs is currently artificially inflated by retailers who think they can charge more for a premium product. If cage-free eggs become the standard this artificial markup will actually go down. It's estimated that by shifting to cage-free production the price of eggs will only go up between less than one cent to a few pennies per egg. The average American consumer consumes about 200 eggs per year, meaning at 3 cents per egg, the increase in cost for eggs will only be about \$6 a year.**</b>						
All Voters.....	61	43	18	17	21	1
Targeted SDs .....	66	42	24	13	19	1
<b>(Industry) More than 40% of the hens used for eggs are already cage free. More than 200 of the country's largest food companies have committed switching to a 100% cage-free egg supply. This includes McDonald's, Burger King, Costco, Kraft Foods, General Mills and Aramark, along with Maryland-based Sodexo and Marriott.**</b>						
All Voters.....	60	37	23	22	17	1
Targeted SDs .....	59	38	21	18	21	1
<b>(Other states) Similar legislation has passed in nearly a dozen states, including Arizona, Nevada, and Michigan, all with strong bipartisan support.*</b>						
All Voters.....	56	34	22	19	25	1
Targeted SDs .....	49	27	21	20	30	2

\* Asked of one-half the respondents (FORM A).

\*\* Asked of one-half the respondents (FORM B).



Q9a. Based on everything we have discussed, what is your reaction to this cage-free egg legislation--is this something you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose?

		Targeted	Informed ask (Q7b)		Initial ask (Q6abTH)	
			All Voters	Targeted SDs	All Voters	Targeted SDs
Strongly favor .....	38	39	35	27	38	31
Somewhat favor .....	27	30	34	39	28	31
Somewhat oppose .....	13	10	10	13	12	17
Strongly oppose .....	15	15	14	15	14	13
Not sure .....	7	6	8	6	7	7
<b>Total Favor</b>	<b>66</b>	<b>69</b>	<b>68</b>	<b>66</b>	<b>67</b>	<b>62</b>
<b>Total Oppose</b>	<b>28</b>	<b>25</b>	<b>23</b>	<b>28</b>	<b>26</b>	<b>30</b>

Q9bcTH. In the November 2026 election for Maryland state legislature in your district, which candidate are you more likely to vote for-- the Democrat who supports this cage free egg legislation or the Republican who opposes this cage free egg legislation? (IF 'NOT SURE,' PROBE) Well, all other things being equal, are you more likely to vote for the Democrat who supports this cage free egg legislation or the Republican who opposes this cage free egg legislation?\*\*

		Targeted	Pre-messaging ask (Q7cdTH)		Initial ask (Q2abTH)	
			All Voters	Targeted SDs	All Voters	Targeted SDs
Democrat .....	53	48	60	53	52	45
Democrat (lean) .....	4	2	5	7	4	5
Republican .....	30	31	23	25	28	32
Republican (lean) .....	2	4	2	3	3	2
Not sure .....	12	15	10	12	13	16
<b>Total Democrat</b>	<b>56</b>	<b>51</b>	<b>65</b>	<b>60</b>	<b>56</b>	<b>50</b>
<b>Total Republican</b>	<b>32</b>	<b>34</b>	<b>25</b>	<b>28</b>	<b>31</b>	<b>34</b>

\*\* Asked of one-half the respondents (FORM B).

FACTUALS: Now I am going to ask you a few questions for statistical purposes only.

PID5THa. How would you describe your overall point of view in terms of the political parties? Would you say that you are a strong Republican, leaning Republican, completely independent, leaning Democratic, or a strong Democrat?

	All Voters	Targeted SDs
A strong Republican .....	13	16
Leaning Republican .....	14	13
Completely independent .....	21	23
Leaning Democratic .....	20	18
A strong Democrat .....	31	29
Not sure .....	0	1
<b>Total Republican</b>	<b>27</b>	<b>29</b>
<b>Total Democrat</b>	<b>52</b>	<b>47</b>

Qinc2. If you added together the yearly income of all the members of your family who were living at home last year, what would the total be? I'm going to read some income ranges. Please stop me when I reach the range for your family--less than ten thousand dollars, between ten thousand dollars and twenty thousand dollars, between twenty thousand dollars and thirty thousand dollars, between thirty thousand dollars and forty thousand dollars, between forty thousand dollars and fifty thousand dollars, between fifty thousand dollars and seventy-five thousand dollars, between seventy-five thousand dollars and one hundred thousand dollars, between one hundred thousand dollars and one hundred and fifty thousand dollars, or more than one hundred and fifty thousand dollars.

	All Voters	Targeted SDs
Less than \$10,000 .....	1	1
\$10,000 to \$20,000.....	3	3
\$20,001 to \$30,000.....	5	2
\$30,001 to \$40,000.....	5	4
\$40,001 to \$50,000.....	5	6
\$50,001 to \$75,000.....	13	12
\$75,001 to \$100,000.....	15	9
\$100,001 to \$150,000.....	20	19
\$150,001 or more .....	31	41
Not sure/refused .....	2	2

QF1. Are you primarily responsible for grocery shopping for your household?

	All Voters	Targeted SDs
Yes.....	77	75
No .....	23	25
Not sure .....	0	0

QAGE. For statistical purposes only and to ensure that we have a representative sample, in what year were you born?

	All Voters	Targeted SDs
18-24 .....	8	12
25-29 .....	6	3
30-34 .....	6	5
35-39 .....	10	10
40-44 .....	7	10
45-49 .....	8	6
50-54 .....	7	9
55-59 .....	10	11
60-64 .....	10	14
65-69 .....	9	4
70-74 .....	9	6
75 or older .....	11	11
Not sure/refused ....	0	0

RaceTH. Again, for statistical purposes only, are you of Hispanic, Latino, or Spanish origin? And to ensure we have a representative sample, what is your race—white, Black or African American, Asian, or something else? (IF "SOMETHING ELSE," ASK:) How would you describe your race?

	All Voters	Targeted SDs
American Indian or Native American .	1	1
Asian or Asian American.....	3	6
Black or African American.....	29	29
Hispanic.....	5	5
Native Hawaiian or Pacific Islander ...	0	0
White .....	60	56
Another race .....	1	3
Not sure/refused .....	1	0

QSedu. What is the last grade of school or level of education you completed?

(IF INITIAL RESPONSE IS "REFUSED" OR "NOT SURE," SAY:) As a reminder, your answer is completely confidential and is being used for statistical purposes only. With that in mind, would you tell me the last grade you completed in school?

	All Voters	Targeted SDs
Did not graduate high school .....	1	2
High school graduate .....	22	12
Vocational training/technical school .....	3	4
Some college, no degree .....	15	14
2-year college/associate degree .....	9	8
4-year college/bachelor's degree .....	26	29
Master's, PhD, or professional degree (MD, law, MBA) ....	25	31
Not sure/refused .....	0	0

# **Final testimony SB 807 .pdf**

Uploaded by: Jim Lieberman

Position: FWA

Board of Directors  
Leisure World Community Corporation  
3701 Rossmoor Boulevard  
Silver Spring, MD 20906

**TESTIMONY OF THE LEISURE WORLD COMMUNITY CORPORATION ON FEBRUARY 27, 2025  
BEFORE THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE-  
SB 807 - ENVIRONMENT – LOCAL BUILDING ENERGY PERFORMANCE  
STANDARDS - AUTHORIZATION**

**FAVORABLE WITH AMENDMENTS**

Honorable Chair Brian Feldman and Vice Chair Cheryl Kagan and Members of the Senate Education, Energy, the Environment Committee:

This testimony is being submitted on behalf of the Leisure World Community Corporation. Leisure World is a senior (55+) adult community in Silver Spring Maryland, located on 610 acres. The community was constructed over a 60-year period as a self-contained community and has a wide range of property values. The average age of the residents of Leisure World is 78 and many of these seniors are on limited or fixed incomes that are challenged with the current housing costs.

Leisure World supports the goal of reducing greenhouse gases though it must be recognized that our community faces significant financial challenges in meeting the Maryland's Building Environmental Performance Standards (BEPS) and associated reporting regulations. At Leisure World there are 32 buildings with over 3000 units that are subject to Maryland's BEPS and impacted by SB 807.

SB 807 exempts buildings covered by county BEPS from Maryland's BEPS provided the county standards are at least as stringent as the state's standards. Montgomery County is the only jurisdiction in Maryland that has local BEPS standards. However, unlike the state standards, Montgomery County does not ban the use of natural gas. Consequently, the requirements of Montgomery County are not as stringent as the state.

**Leisure World urges the Committee to amend SB 807 to grandfather counties and cities that as of June 1, 2025, have adopted local BEPS standards that have a goal to increase energy efficiency and reduce greenhouse gas emissions so that buildings in those jurisdictions do not need to meet the State's BEPS requirements.** This would effectively exempt buildings in Montgomery County from being subject to state BEPS.

Montgomery County buildings should not have to comply with two sets of standards that have different implementation timelines and compliance requirements. Montgomery County BEPS program is based on a set of energy use intensity (EUI) targets that reduce energy consumption, reducing both grid and building emissions. The state's program is based on two sets of targets: one for EUI and one for actual building emissions.

While the county standards are not as stringent as the state's, they provide several advantages over the state's standards:

1. Montgomery County BEPS applies to more buildings than the state standards because it applies to buildings 25,000 square feet or more compared to buildings 35,000 square feet or more for the state.
2. The county standards will achieve results sooner because all buildings are required to comply by 2035 compared to 2040 for the state.
3. 15 – 20% of the building's covered by state BEPS are in Montgomery County, so grandfathering the county will reduce the administrative burden on the state; and
4. The county standards will still result in significant emissions reductions without negatively impacting housing affordability.

Montgomery County has adopted almost all of the BEPS' regulations needed to implement its program and expects to finalize the remainder of its regulations by the end of the month. It has hired staff, implemented reporting requirements, and enforced requirements. This effort is years ahead of the state. In fact, the state has yet to set its EUI targets and will not do so until 2027. The county with its requirements is on a path to substantially increase energy efficiency and reduce greenhouse gas emissions in the private sector and county buildings.

Without a provision to grandfather the Montgomery County BEPS requirements, buildings in Leisure World as well as the rest of the County will face unnecessary costs for meeting different targets, different implementation deadlines, duplicate reporting requirements, different alternative compliance pathways, and multiple sets of penalties for failing to meet the requirements. Having dual requirements causes the need to unnecessarily expend limited government resources to implement essentially duplicate programs. Building owners will need to unnecessarily expend additional funds to meet duplicative requirements. The result can only increase costs for Marylanders and make Maryland an undesirable State for businesses and residences. From the Leisure World perspective, it will increase housing costs that are already too high.

Grandfathering Montgomery County has the clear benefit of focusing the limited resources of the state on jurisdictions that have not yet established and begun implementing BEPS requirements and programs.

For the above reasons, Leisure World requests amendments to SB 807.

Respectfully submitted,

Patricia Hempstead  
Chair of the Board of Directors

# **MMHA - 2025 - SB 807 - Local BEPS.pdf**

Uploaded by: Aaron Greenfield

Position: UNF



**Bill Title:** Senate Bill 807, Environment - Local Building Energy Performance Standards - Authorization

**Committee:** Education, Energy and Environment

**Date:** February 27, 2025

**Position:** Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Senate Bill 807 authorizes counties to adopt local building energy performance standards (BEPS) that are at least as stringent as standards adopted by the Department of the Environment. While we understand the intent behind this legislation, we strongly believe that it will create a patchwork of regulations that will be detrimental to the healthcare industry and other stakeholders.

MMHA urges the Committee to recognize the importance of maintaining a uniform and consistent regulatory framework across the state. Allowing counties to adopt their own BEPS will lead to a confusing and burdensome regulatory environment, where multifamily properties will be forced to navigate multiple and conflicting standards. This will not only increase costs but also divert resources away from resident services.

Furthermore, we believe that the state BEPS should be the ceiling, not the floor. The Department of the Environment has already established robust standards that are designed to achieve significant reductions in greenhouse gas emissions. Allowing counties to adopt more stringent standards will only serve to increase the regulatory burden on housing providers, without providing any meaningful benefits to the environment.

In addition, MMHA is concerned that this bill will create an uneven playing field, where housing providers in certain counties will be subject to more stringent standards than others. This will not only be unfair but also create economic and competitive disadvantages for those communities that are subject to more stringent standards.

In conclusion, MMHA urges the Committee to reject Senate Bill 807 and instead focus on maintaining a uniform and consistent regulatory framework across the state.





For these reasons, the Maryland Multi-Housing Association respectfully requests an unfavorable report on Senate Bill 807.

Please contact Aaron J. Greenfield at 410.446.1992 if you have any questions.

# **SB 807\_UNF\_MHLA.pdf**

Uploaded by: Amy Rohrer

Position: UNF



**Testimony in Opposition of SB 807**

Environment - Local Building Energy Performance Standards - Authorization  
*Education, Energy and the Environment Committee – February 27, 2025*

The Maryland Hotel Lodging Association (MHLA) serves as the sole statewide trade association dedicated to advocacy for Maryland's 750+ hotels.

MHLA is supportive of the lodging industry doing all that is reasonably possible to assist the state with meeting climate goals. We believe SB 807 is well intended in the sense that it would alleviate confusion for buildings that are currently, or potentially will be, subject to both state and local BEPS. However, we are concerned by the possibility of our industry needing to track and come into compliance with standards that vary from one county to the next.

We understand the need for local BEPS to be "at least as stringent" as state BEPS but are concerned by language on page 3, lines 19-27 regarding approval of county standards that are "MORE STRINGENT THAN THE STANDARDS DEVELOPED AND ADOPTED BY THE DEPARTMENT; OR DESIGNED TO ACHIEVE, BY 2040 AND THROUGH IMPROVEMENTS TO COVERED BUILDINGS IN THE AGGREGATE, GREATER ENERGY AND GREENHOUSE GAS REDUCTION BENEFITS THAN THE STANDARDS DEVELOPED AND ADOPTED BY THE DEPARTMENT.

Our members have identified a multitude of challenges related to their ability to come into compliance with statewide BEPS. We are concerned that if this bill were to pass in its current form, it would create additional challenges and confusion for hotels and other buildings attempting to come into compliance.

For these reasons, we request an unfavorable report on SB 807.

Respectfully submitted,

Amy Rohrer, President & CEO

# **HCCC\_SB 807\_UNFAV.pdf**

Uploaded by: Andrew Griffin

Position: UNF



February 27, 2025

Legislative Position: Unfavorable

Senate Bill 807

Environment - Local Building Energy Performance Standards - Authorization

Senate Education, Energy and the Environment Committee

Dear Chairman Feldman and members of the committee:

Founded in 1969, the Howard Chamber of Commerce is dedicated to helping businesses—from sole proprietors to large international firms—grow and succeed. With the power of 700 members that encompass more than 170,000 employees, the Howard County Chamber is an effective partner with elected officials and advocates for the interests of the county's business community.

The Howard County Chamber of Commerce opposes SB 807, which would authorize counties to adopt local building energy performance standards. We believe that this type of regulation should be left to the state, and that passing this bill would lead to a patchwork of different standards across Maryland, creating confusion and uncertainty for businesses and property owners.

If this bill were to pass, we have no doubt that Howard County would be emboldened to follow Montgomery County's lead and adopt and enforce its own building energy performance standards. This would not only create an additional layer of bureaucracy and regulatory burden on our members, but it would also undermine the state's authority to regulate this issue.

Furthermore, the state's authority to regulate building energy performance standards is currently being challenged in federal court as being preempted by the Federal Energy Policy and Conservation Act (EPCA). We believe that it would be premature and unwise to grant counties the authority to regulate this issue while the state's own authority is still being litigated.

We urge the committee to let the federal lawsuit play out and ensure that there is a uniform and consistent approach to regulating this issue across Maryland. For these reasons, the Howard County Chamber of Commerce urges an **unfavorable report on SB 807**.

Thank you for your consideration.

Sincerely,

Kristi Simon  
President & CEO  
Howard County Chamber of Commerce

# **SB 807\_BOMA\_UNF.pdf**

Uploaded by: Bryson Popham

Position: UNF



2331 Rock Spring Road  
Forest Hill, MD 21050  
443.966.3855  
info@bomabaltimore.org

February 25, 2025

The Honorable Brian J. Feldman  
Chair, Senate Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

RE: Senate Bill 807 - Environment - Local Building Energy Performance Standards – Authorization  
UNFAVORABLE

Dear Chairman Feldman and Members of the Committee,

I am writing in my capacity as the Legislative Chairman of the Building Owners and Managers Association of Greater Baltimore (BOMA) to respectfully request an unfavorable report on Senate Bill 807.

BOMA, through its nearly 300 members, represents owners and managers of all types of commercial property, comprising 143 million square feet of office space in Baltimore and Central Maryland. Our members' facilities support over 19,000 jobs and contribute \$2.5 billion to the Maryland economy each year.

The 2025 session of the Maryland General Assembly has included a significant number of individual legislative initiatives with potentially far-reaching impact on our State's energy policy. BOMA and other commercial and industrial building representatives have appeared before this committee with comments on legislation brought at the request of the Maryland Department of Environment, as well as House and Senate leadership. Numerous other bills have been introduced by individual members of the General Assembly.

Senate Bill 807, sponsored by Senator Kramer, is such an initiative. While we understand the desire of the sponsor to permit Maryland counties a measure of decision-making authority in this important area, BOMA believes, and hereby submits, that a consistent State policy is of paramount importance. Our current system of State regulation is enforced through our State agencies, and duplicating that enforcement mechanism, with a different set of standards and requirements at the local level, is at a minimum duplicative and would almost certainly raise jurisdictional issues during the enforcement process.

For these and similar reasons, we respectfully request a favorable report on Senate Bill 807.

Very truly yours,

A handwritten signature in dark ink that reads "Tim O'Donald". The signature is written in a cursive, slightly slanted style.

Tim O'Donald  
Chair, BOMA Legislative Committee

cc: Bryson Popham

# **SB 807\_MDCC\_Environment - Local Building Energy Pe**

Uploaded by: Hannah Allen

Position: UNF





## Senate Bill 807

### **Position: Unfavorable**

Committee: Senate Education, Energy, and the Environment

Date: February 27, 2025

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Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

Senate Bill 807 (SB 807) authorizes counties to adopt and enforce local building energy performance standards (BEPS) that are at least as stringent as certain standards adopted by the Maryland Department of the Environment if the standards are approved by the Department. While the Chamber recognizes the intent of SB 807, which is to provide a framework for aligning state and local BEPS, we are concerned that the legislation could lead to a fragmented regulatory landscape, creating compliance challenges for businesses that operate across multiple jurisdictions.

### **Regulatory Complexity and Compliance Concerns**

The Chamber has serious concerns about the economic and regulatory burdens SB 807 would impose on businesses, property owners, and consumers by creating a fragmented and costly compliance landscape. SB 807 would allow up to 24 different jurisdictions to establish their own BEPS regulations, creating a patchwork of mandates that building owners and businesses would have to navigate. Even more troubling is the authorization for counties to adopt BEPS that are more stringent than the state standards. This provision creates the potential for highly inconsistent and unpredictable compliance requirements across the state, forcing businesses to navigate a maze of differing standards.

This regulatory uncertainty is particularly concerning for industries that operate across multiple jurisdictions, as they would be forced to comply with varying, and potentially more onerous, requirements in different counties. Such a system would increase costs, hinder investment, and create a significant competitive disadvantage for Maryland businesses compared to neighboring states.

The financial impact of BEPS compliance is already projected to be in the billions under MDE's recently finalized regulations. According to the Department's estimates, costs to comply with energy efficient and electrification measures could reach over \$15 billion, only to achieve \$9 billion in overall energy savings long-term.

### **Need for a Uniform, Transparent Regulatory Process**

Maryland should look to best practices from other states when considering the appropriate regulatory framework for building energy codes. Delaware, for example, amended its legislation (SB289) to ensure that local jurisdictions may not adopt a stretch code that would replace or supersede the most recent energy code adopted by the State, unless the local jurisdiction initiates the same formal regulatory process required at the state level at least 6 months prior to adoption. The bill also stipulates that any local codes must be based on established, published standards from a recognized code-making body (like the International Code Council or International Energy Conservation Code), rather than being arbitrarily created. These provisions provide consistency and fairness.

SB 807 does not include similar safeguards and lacks a uniform process to ensure fairness and transparency. Without a standardized regulatory process for local BEPS adoption, Maryland businesses and property owners will face unpredictable and costly mandates that vary from county to county. We strongly urge the committee to consider the approach Delaware took to ensure that any changes to building performance standards follow a uniform and transparent process.

#### **Preemption and Legal Considerations**

Local BEPS regulations may run afoul of federal law. The federal Energy Policy and Conservation Act (EPCA) preempts state and local regulations that effectively ban certain energy sources or appliances, such as gas furnaces and water heaters. Given that BEPS regulations are designed to reduce greenhouse gas emissions by shifting buildings to electric-only systems, SB 807 raises concerns over EPCA preemption, potentially leading to costly legal challenges for both local governments and affected businesses.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on SB 807.



# **MBIA Letter of Opposition SB 807.pdf**

Uploaded by: Lori Graf

Position: UNF

February 27, 2025

The Honorable  
Chairman, Senate EEE Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: SB807 - Environment - Local Building Energy Performance Standards - Authorization**

Dear Chair Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding SB807 Environment - Local Building Energy Performance Standards - Authorization. MBIA **Opposes** the Act in its current version.

This bill authorizes Maryland counties to develop and adopt local building energy performance standards that are at least as stringent as the state standards established by the Department of the Environment, provided these local standards receive departmental approval. The bill requires the Department to develop statewide building energy performance standards aimed at reducing greenhouse gas emissions by 20% by 2030 and achieving net-zero emissions by 2040. Counties can create local standards that are either equally or more stringent than the state standards, or designed to achieve greater overall energy and greenhouse gas reduction benefits. If a county's standards are approved, they can enforce these standards through methods like establishing alternative compliance pathways and imposing fees and penalties.

The industry has concerns with the proposal due to unintended consequences such as creating confusion with counties adopting potentially different standards than the state. Building Energy Performance Standards are complex performance targeted standards that present challenged to building owners and operators, having to potentially comply different standards in each jurisdiction with only add time and cost, delaying these targets being met. Additionally, funding sources or aide for buildings that need to make retrofits is going to be necessary. If a building is compliant with state regulations but not the county they are operating in and the county cannot provide assistance in reaching the goal the owner or operator is then subject to penalties. Also important to point out that in two major counties, rent control policies are in place that will prohibit any needed funds to retrofit if need be in order to comply. There should be at least uniformity with BEPS standards statewide.

For the reasons stated above, we would urge the committee to give a UN Favorable report.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the Senate EEE Committee

# **MCIES LOO SB 807 PDF.pdf**

Uploaded by: Sarah Peters

Position: UNF



**Bill:** SB 807- Environment – Local Building Energy Performance Standards – Authorization

**Position:** OPPOSE

Dear Chair, Vice-Chair and Members of the Committee:

The Maryland Coalition for Inclusive Energy Solutions, Inc. (MCIES) is a coalition of diverse stakeholders, including representatives from organized labor, manufacturing, energy production, transportation, and public utilities. Together, we are advocating for the inclusivity of all energy types, including natural gas, renewable natural gas, hydrogen, propane, and nuclear power. MCIES opposes SB 807.

Authorizing county governments to implement up to 24 different and possibly more onerous BEPS regulations will increase costs on all Marylanders, cause significant confusion for building owners and operators including those trying to provide affordable housing, and creates more regulatory and financial burdens on building owners creating additional disincentives to invest in Maryland. This legislation also does not protect Marylanders from rising costs.

The MDE's own estimate of economic impact in the final state regulations calculate covered building owners will spend more than \$5.7 billion on efficiency and electrification measures to achieve \$1.2 billion in energy cost savings without an Energy Use Intensity (EUI) standard. Those estimates climb to more than \$15 billion to be spent on efficiency and electrification measures to provide approximately \$9 billion in energy savings with the addition of EUI standards.

Furthermore, MDE's economic impact study was done prior to the July 30, 2024, PJM Interconnection power market auction, which produced a \$269.92/MW-day price for most of the PJM footprint, compared to \$28.92/MW-day for the prior auction (a more than 800% increase).

For these reasons, we respectfully request that you oppose SB 807.

Sincerely,

Sarah Peters  
Executive Director

# **SB807\_MRA\_UNF.pdf**

Uploaded by: Sarah Price

Position: UNF

# MARYLAND RETAILERS ALLIANCE

*The Voice of Retailing in Maryland*



## **SB807 Environment - Local Building Energy Performance Standards - Authorization Committee on Education, Energy, and the Environment February 27<sup>th</sup>, 2025**

**Position:** Unfavorable

**Background:** SB807 would authorize local governments to impose additional building energy performance standards on covered buildings.

**Comments:** The Maryland Retailers Alliance (MRA) strongly opposes **SB807 Environment – Local Building Energy Performance Standards – Authorization** which would authorize local governments to establish building energy performance standards (BEPS) that are at least as stringent, if not more so, as the BEPS targets established by the Climate Solutions Now Act as passed in 2022. Testimony provided on that bill and throughout the regulatory process for BEPS cautioned repeatedly that the standards set by the State are unattainable and will dramatically increase costs for businesses.

Retail business owners are making efforts to upgrade their stores to meet the standards set by the State but are hampered by the availability and cost of equipment. Not only does it cost millions of dollars to remodel, for example, a large-scale grocery store, but the lighting and refrigeration equipment that is available for businesses today cannot achieve the long-term greenhouse gas emissions reductions required by BEPS. One MRA member operating nine family-owned grocery stores in Maryland has reported that despite spending \$7 million to renovate one location in 2024 and upgrading all lighting and refrigeration equipment in the store, they were only able to achieve a reduction in their emissions of about 15%. In addition to the costs of upgrading in-store equipment in an attempt to achieve compliance, businesses are also facing the highest energy costs in five years as a result of both rate increases which were authorized by the State and the passage of SB1 in 2024 which has resulted in many competitive energy suppliers ceasing to operate in Maryland.

The greenhouse gas emissions reduction targets currently in effect in the state are already unattainable; authorizing local governments to impose even higher targets would directly impact businesses' ability to continue operating in the state. Allowing the continued expansion of a patchwork of BEPS regulations will complicate administrative operations and renovation plans for multijurisdictional operators and will increase costs for all businesses located in covered buildings.

MRA would strongly urge the Committee to reject this proposal and instead preempt local jurisdictions from legislating in this space, ensuring that owners of covered buildings need only follow one set of regulations. Thank you for your consideration.



# **MD 2025 SB 807 Columbia Gas Testimony Final.pdf**

Uploaded by: Scott Waitlevertch

Position: UNF

**UNFAVORABLE – Senate Bill 807**  
**Environment – Local Building Energy Performance Standards – Authorization**  
**Senate Education, Energy and the Environment Committee**

Columbia Gas of Maryland, Inc. (Columbia) opposes Senate Bill 807, which authorizes counties to adopt and enforce local Building Energy Performance Standards (BEPS) regulations that are at least as stringent as the Maryland Department of the Environment's (MDE's) BEPS standards.

Since May of 2023, Columbia has been significantly engaged on and concerned with the financial impact of the MDE's BEPS regulations to our customers who own or operate buildings that are 35,000 square feet or larger in Maryland. The estimated costs are staggering.

MDE's BEPS regulations effectively prohibit the use of natural gas or fossil fuel equipment and force covered building owners to incur major costs to replace such appliances with electric alternatives. On a statewide basis, electrification retrofits are expected to cost covered Maryland building owners billions of dollars.

It should be noted, the federal Energy Policy and Conservation Act (EPCA) preempts state regulations or laws that effectively ban EPCA-regulated products from accessing necessary energy sources. See, e.g., 42 U.S.C. § 6297(c). BEPS regulations are expressly intended to reduce greenhouse gas emissions by mandating electric only buildings and preventing the use of fossil fuel appliances. In most buildings, appliances like natural gas furnaces and water heaters are "covered products" under EPCA and EPCA preempts efforts by states and local governments to establish "energy conservation standards" relevant to these products, particularly where state/local legislation functionally ban the use of the products. Accordingly, Columbia Gas believes this legislation and local BEPS regulations are preempted by federal law.

Authorizing county governments to implement up to 24 different and possibly more onerous BEPS regulations will increase costs on all Marylanders, cause significant confusion for building owners and operators including those trying to provide affordable housing, and create MORE regulatory and financial burdens on building owners creating additional disincentives to invest in Maryland. This legislation does not protect Maryland families from rising costs, nor does it avoid an average family seeing increased prices in everything.

These significant costs will ultimately be paid for by all Marylanders, such as residential rental tenants, small business owners who rent space, college students and parents, medical patients at hospitals and offices, parents with children enrolled in pre-school or daycare facilities, senior citizens in a senior living community or care facility, owners of condominium units and Marylanders who buy groceries – just to name some of those impacted by the billions of dollars in new costs that will be incurred due to a statewide BEPS regulation. If you add additional local BEPS regulations that can be more onerous, the costs will only increase.

The MDE's own estimate of economic impact in the final state regulations calculate covered building owners will spend more than \$5.7 billion on efficiency and electrification measures to achieve \$1.2 billion in energy cost savings without an Energy Use Intensity (EUI) standard. Those estimates climb to more than \$15 billion to be spent on efficiency and electrification measures to provide approximately \$9 billion in energy savings with the addition of EUI standards.

Furthermore, MDE's economic impact study was done prior to the July 30, 2024, PJM Interconnection power market auction, which produced a \$269.92/MW-day price for most of the PJM footprint, compared to \$28.92/MW-day for the prior auction (a more than 800% increase).

We are confident the MDE energy costs savings estimates are now overstated as a result of these increasing electricity costs, and the public and Maryland General Assembly should be aware of the new economic impact to building owners.

Columbia continues to believe the state BEPS regulations significantly exceed what is authorized by the CSNA, and are not justified, feasible or economically realistic. We do not believe additional county BEPS regulations are justified, feasible or economically realistic either.

Consequently, on behalf of our building owner customers, Columbia cannot support Senate Bill 807 as appropriately crafted policy and therefore urges an unfavorable report.

February 27, 2025

Contact:  
Carville Collins  
(410) 332-8627  
[carville.collins@saul.com](mailto:carville.collins@saul.com)

Contact:  
Scott Waitleverch  
(724) 888-9774  
[swaitleverch@nisource.com](mailto:swaitleverch@nisource.com)

# **SB 807 BEPS - Local Building Energy Performance St**

Uploaded by: Tom Ballentine

Position: UNF



February 25, 2025

The Honorable Brian J. Feldman, Chair  
Senate Education, Energy, and the Environment Committee  
2 West Senate Office Building  
Annapolis, Maryland 21401

**Unfavorable: SB 807 – Local Building Energy Performance Standards – Authorization**

Dear Chair, Feldman and Committee Members:

On behalf of the NAIOP Maryland Chapters representing approximately seven-hundred companies involved in all aspects of commercial, industrial, and mixed-use real estate I am writing to recommend your unfavorable report on SB 807 which authorizes local governments to establish local Building Energy Performance Standards.

Maryland's state-wide Building Energy Performance Standards (BEPS) were established as part of the Climate Solutions Now Act of 2022. (CSNA) Prior to passage, the General Assembly removed language similar to SB 807 that would have authorized local governments to adopt BEPS programs. NAIOP was and remains supportive of that policy decision.

NAIOP believes the best approach to BEPS is for the General Assembly to authorize one state-wide standard and preempt local governments from adopting new BEPS programs. To do otherwise would create a patchwork of inconsistent BEPS performance and reporting requirements that would easily become cumbersome and confusing for regulated entities. We also question the wisdom of allowing local governments to set energy and building policies that could affect the price and availability of energy at the utility scale. These are decisions best made by utility regulators and the General Assembly.

We believe there is reason to consider one exception to the state-wide policy approach to BEPS. Montgomery County established its Building Energy Benchmarking requirement in 2014. That benchmarking program serves as the foundation of the county's BEPS program today.

Without a solution to reconcile the overlap between the two programs, building owners and occupants in Montgomery County will have to comply with the requirements of BEPS programs at both the state and local level. Because it predates the CSNA, NAIOP believes the Montgomery County BEPS could be grandfathered if the General Assembly strictly preempts any additional local BEPS programs.

**For these reasons and pending changes to the bill as introduced, NAIOP respectfully recommends your unfavorable report on SB 807.**

Sincerely,

Tom Ballentine, Vice President for Policy  
NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Education, Energy, and the Environment Committee Members  
Nick Manis – Manis, Canning Assoc.