

# HOUSE BILL 30

C5, M3

11r0759

(PRE-FILED)

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By: **Delegate Korman**

Requested: September 28, 2020

Introduced and read first time: January 13, 2021

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Office of Climate Counsel – Establishment**  
3 **(Climate Counsel Act)**

4 FOR the purpose of establishing the position of Climate Counsel in the Office of Climate  
5 Counsel; specifying the appointment process, term, qualifications, duties, and salary  
6 of the Climate Counsel; requiring the Climate Counsel to take a certain oath;  
7 authorizing the Attorney General to remove the Climate Counsel under certain  
8 circumstances; establishing the Office of Climate Counsel in the Public Service  
9 Commission; providing for the hiring and salaries of the Office of Climate Counsel  
10 personnel; requiring the Climate Counsel to submit certain salary plan changes to  
11 the Secretary of Budget and Management a certain number of days before the  
12 effective date of the change; requiring the Secretary of Budget and Management to  
13 review certain changes and provide the Climate Counsel with certain advice within  
14 a certain number of days before the effective date of the proposed changes; requiring  
15 the Climate Counsel to report to the Secretary of Budget and Management and the  
16 General Assembly on certain matters on or before a certain date each year;  
17 authorizing the Office of Climate Counsel to hire certain experts; specifying the  
18 duties of the Office of Climate Counsel; requiring the Climate Counsel to administer  
19 and operate the Office of Climate Counsel; specifying the powers and rights of the  
20 Office of Climate Counsel; providing for the costs and expenses of the Office of  
21 Climate Counsel; subjecting the Climate Counsel and the officers and employees of  
22 the Office of Climate Counsel to certain provisions of ethics law; authorizing the  
23 Climate Counsel to sign a certain complaint initiating a certain investigation;  
24 authorizing the Climate Counsel to seek judicial review of a certain decision or order  
25 under certain circumstances; including the Office of Climate Counsel as one of the  
26 entities with which the Public Service Commission must solicit comments from for  
27 certain applications; including the Office of Climate Counsel as one of the entities  
28 with which an investor-owned electric company must submit certain information or  
29 data; including the Office of Climate Counsel as one of the entities to which certain  
30 data is made available; including the Office of Climate Counsel as one of the entities

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 with which the Public Service Commission must consult on certain projects;  
2 including the Office of Climate Counsel as one of the entities that may file a  
3 complaint requesting that the Public Service Commission take certain actions;  
4 specifying the Climate Counsel's authority in certain licensing, complaint, and  
5 dispute resolution proceedings; including personnel of the Office of Climate Counsel  
6 in the list of personnel who must be removed or discharged from office under certain  
7 circumstances; altering the composition of the Commission on Climate Change to  
8 include the Climate Counsel, or the Climate Counsel's designee; altering the  
9 composition of the Strategic Energy Investment Advisory Board to include the  
10 Climate Counsel, or the Climate Counsel's designee, as an ex officio member; altering  
11 the composition of the Maryland Zero Emission Electric Vehicle Infrastructure  
12 Council to include the Climate Counsel or the Climate Counsel's designee; making  
13 conforming and technical changes; and generally relating to the Office of Climate  
14 Counsel.

15 BY renumbering

16 Article – Public Utilities

17 Section 2–301 and the subtitle “Subtitle 3. Ethics”; and 7–507(q) and 7–605(d),  
18 respectively

19 to be Section 2–401 and the subtitle “Subtitle 4. Ethics”; and  
20 7–507(r) and 7–605(e), respectively

21 Annotated Code of Maryland

22 (2020 Replacement Volume and 2020 Supplement)

23 BY repealing and reenacting, without amendments,

24 Article – Environment

25 Section 2–1301(a)

26 Annotated Code of Maryland

27 (2013 Replacement Volume and 2020 Supplement)

28 BY repealing and reenacting, with amendments,

29 Article – Environment

30 Section 2–1302(a)

31 Annotated Code of Maryland

32 (2013 Replacement Volume and 2020 Supplement)

33 BY repealing and reenacting, with amendments,

34 Article – Public Utilities

35 Section 2–110, 2–110.1, 2–302 through 2–310, 3–102, 3–202, 7–216(h)(4) and (7) and  
36 (k)(1), 7–507(k)(1), and 13–204

37 Annotated Code of Maryland

38 (2020 Replacement Volume and 2020 Supplement)

39 BY adding to

40 Article – Public Utilities

41 Section 2–301 through 2–305 to be under the new subtitle “Subtitle 3. Climate  
42 Counsel”; and 7–507(q) and 7–605(d)

1 Annotated Code of Maryland  
2 (2020 Replacement Volume and 2020 Supplement)

3 BY repealing and reenacting, without amendments,  
4 Article – Public Utilities  
5 Section 7–216(b), 7–507(p), and 7–605(c)  
6 Annotated Code of Maryland  
7 (2020 Replacement Volume and 2020 Supplement)

8 BY repealing and reenacting, without amendments,  
9 Article – State Government  
10 Section 9–20B–07(a)  
11 Annotated Code of Maryland  
12 (2014 Replacement Volume and 2020 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – State Government  
15 Section 9–20B–07(c)  
16 Annotated Code of Maryland  
17 (2014 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Chapter 400 of the Acts of the General Assembly of 2011, as amended by Chapters  
20 64 and 65 of the Acts of the General Assembly of 2013, Chapter 378 of the Acts  
21 of the General Assembly of 2015, and Chapter 213 of the Acts of the General  
22 Assembly of 2019  
23 Section 1

24 BY repealing and reenacting, with amendments,  
25 Chapter 401 of the Acts of the General Assembly of 2011, as amended by Chapters  
26 64 and 65 of the Acts of the General Assembly of 2013, Chapter 378 of the Acts  
27 of the General Assembly of 2015, and Chapter 213 of the Acts of the General  
28 Assembly of 2019  
29 Section 1

30 Preamble

31 WHEREAS, According to the Maryland Commission on Climate Change, sea level  
32 rise associated with climate change will impact Maryland more than most other states,  
33 with Maryland ranked as the fourth most vulnerable state in the country; and

34 WHEREAS, Rising sea levels and increased storm intensity could have devastating  
35 and far-reaching impacts on not only the Atlantic coast and the Chesapeake Bay  
36 ecosystems, but on the environmental, recreational, and economic benefits provided by  
37 these ecosystems and enjoyed by Maryland and its visitors; and

38 WHEREAS, According to the Department of the Environment, electricity

1 consumption accounts for 31% of the State's greenhouse gas emissions; and

2 WHEREAS, The Public Service Commission plays an integral role in regulating  
3 electricity consumption and the State's efforts to combat the threat of climate change; and

4 WHEREAS, Under the Greenhouse Gas Emissions Reduction Act, Maryland's  
5 greenhouse gas emissions will be reduced by 40% from 2006 levels by 2030; and

6 WHEREAS, Under the Greenhouse Gas Emissions Reduction Act, widespread  
7 adoption of electric vehicles and investments in energy efficiency and clean and renewable  
8 energy solutions has and will continue to increase; now, therefore,

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
10 That Section(s) 2-301 and the subtitle "Subtitle 3. Ethics"; and 7-507(q) and 7-605(d),  
11 respectively, of Article – Public Utilities of the Annotated Code of Maryland be renumbered  
12 to be Section(s) 2-401 and the subtitle "Subtitle 4. Ethics"; and 7-507(r) and 7-605(e),  
13 respectively.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
15 as follows:

16 **Article – Environment**

17 2-1301.

18 (a) There is a Commission on Climate Change in the Department to advise the  
19 Governor and General Assembly on ways to mitigate the causes of, prepare for, and adapt  
20 to the consequences of climate change.

21 2-1302.

22 (a) The Commission's membership shall consist of the following members:

23 (1) One member of the House of Delegates, appointed by the Speaker of the  
24 House;

25 (2) One member of the Senate, appointed by the President of the Senate;

26 (3) The State Treasurer, or the State Treasurer's designee;

27 (4) The Secretary of the Environment, or the Secretary's designee;

28 (5) The Secretary of Agriculture, or the Secretary's designee;

29 (6) The Secretary of Natural Resources, or the Secretary's designee;

30 (7) The Secretary of Planning, or the Secretary's designee;

1 (8) The State Superintendent of Schools, or the State Superintendent's  
2 designee;

3 (9) The Secretary of Transportation, or the Secretary's designee;

4 (10) The Secretary of General Services, or the Secretary's designee;

5 (11) The Director of the Maryland Energy Administration, or the Director's  
6 designee;

7 (12) **THE CLIMATE COUNSEL, OR THE CLIMATE COUNSEL'S**  
8 **DESIGNEE;**

9 (13) The President of the University of Maryland Center for Environmental  
10 Science, or the President's designee;

11 [(13)] (14) The Chair of the Critical Area Commission for the Chesapeake  
12 and Atlantic Coastal Bays, or the Chair's designee;

13 [(14)] (15) One member appointed by the Farm Bureau representing the  
14 agriculture community;

15 [(15)] (16) One member appointed by the Maryland Association of Counties  
16 and one member appointed by the Maryland Municipal League to represent local  
17 governments;

18 [(16)] (17) One member appointed by the President of the Senate and one  
19 member appointed by the Speaker of the House of Delegates to represent the business  
20 community;

21 [(17)] (18) One member appointed by the President of the Senate and one  
22 member appointed by the Speaker of the House of Delegates to represent environmental  
23 nonprofit organizations;

24 [(18)] (19) One member appointed by the President of the Senate and one  
25 member appointed by the Speaker of the House to represent organized labor, one of whom  
26 shall represent the building or construction trades and one of whom shall represent the  
27 manufacturing industry;

28 [(19)] (20) One member appointed by the President of the Senate and one  
29 member appointed by the Speaker of the House to represent philanthropic organizations;

30 [(20)] (21) One climate change expert appointed by the Governor  
31 representing a university located in Maryland; and



1 the Office of People's Counsel;

2 3. all other maintenance and operation expenses of the Office  
3 of People's Counsel; and

4 4. all other direct and indirect costs of the Office of People's  
5 Counsel.

6 (IV) THE ESTIMATE SHALL INCLUDE, AS PROVIDED BY THE  
7 OFFICE OF CLIMATE COUNSEL:

8 1. THE COMPENSATION AND EXPENSES OF THE OFFICE  
9 OF CLIMATE COUNSEL, ITS OFFICERS, AGENTS, AND PERSONNEL;

10 2. THE COST OF RETIREMENT CONTRIBUTIONS, SOCIAL  
11 SECURITY, HEALTH INSURANCE, AND OTHER BENEFITS REQUIRED TO BE PAID BY  
12 THE STATE FOR THE PERSONNEL OF THE OFFICE OF CLIMATE COUNSEL;

13 3. ALL OTHER MAINTENANCE AND OPERATION  
14 EXPENSES OF THE OFFICE OF CLIMATE COUNSEL; AND

15 4. ALL OTHER DIRECT AND INDIRECT COSTS OF THE  
16 OFFICE OF CLIMATE COUNSEL.

17 (2) Based on the estimate, the Chairman shall determine the amount to be  
18 paid by each public service company.

19 (3) The Commission shall send a bill to each public service company on or  
20 before May 1 of each year.

21 (4) (i) The bill shall equal the product of:

22 1. the estimated total costs and expenses of the Commission  
23 [and], the Office of People's Counsel, AND THE OFFICE OF CLIMATE COUNSEL during  
24 the next fiscal year; multiplied by

25 2. the ratio of the gross operating revenues for the public  
26 service company derived from intrastate utility and electricity supplier operations in the  
27 preceding calendar year, or other 12-month period as the Chairman determines, to the  
28 total of the gross operating revenues derived from intrastate utility and electricity supplier  
29 operations for all public service companies that are billed under this section over that  
30 period.

31 (ii) To the extent that the Commission requires an electric company  
32 to report the gross operating revenue derived from intrastate utility and electricity supplier  
33 operation in order to calculate the bill under subparagraph (i) of this paragraph, a small

1 rural electric cooperative described in § 7–502(a) of this article may satisfy the requirement  
 2 by submitting to the Commission an estimate made in accordance with a formula approved  
 3 by the Commission from information that the small rural electric cooperative submits to  
 4 the rural utilities service.

5 (5) The minimum bill for a public service company shall be \$10.

6 (6) The public service company:

7 (i) shall pay the bill on or before the next July 15; or

8 (ii) may elect to make partial payments on the 15th days of July,  
 9 October, January, and April.

10 (7) A partial payment shall equal 25% of the bill and may not be less than  
 11 \$10.

12 (8) During any State fiscal year, the Chairman may change:

13 (I) the estimate of costs and expenses of the Commission [and];

14 (II) the estimate of costs and expenses of the Office of People's  
 15 Counsel, as changed by the People's Counsel; AND

16 (III) **THE ESTIMATE OF COSTS AND EXPENSES OF THE OFFICE OF**  
 17 **CLIMATE COUNSEL, AS CHANGED BY THE CLIMATE COUNSEL.**

18 (9) (i) If the estimate is changed, the Commission shall send a revised  
 19 bill to each public service company that has elected to make partial payments.

20 (ii) The change shall be apportioned equally against the remaining  
 21 payments for the fiscal year.

22 (10) (i) On or before September 15 of each year, the Chairman shall  
 23 compute **FOR THE PRECEDING FISCAL YEAR:**

24 1. the actual costs and expenses of the Commission[, and];

25 2. the actual costs and expenses of the Office of People's  
 26 Counsel, as provided by the People's Counsel [for the preceding fiscal year]; AND

27 3. **THE ACTUAL COSTS AND EXPENSES OF THE OFFICE**  
 28 **OF CLIMATE COUNSEL, AS PROVIDED BY THE CLIMATE COUNSEL.**

29 (ii) If the amounts collected are less than the actual costs and  
 30 expenses of the Commission [and], the Office of the People's Counsel, AND THE OFFICE



1 **OF CLIMATE COUNSEL**, after deducting the amounts recovered under §§ 2–111(a) and  
2 2–123 of this subtitle, on or before October 15, the Chairman shall send to any public service  
3 company that is affected a statement that shows the amount due.

4 (iii) If the amounts collected exceed the actual costs and expenses of  
5 the Commission [and], the Office of the People’s Counsel, **AND THE OFFICE OF CLIMATE**  
6 **COUNSEL** for the preceding fiscal year, the Commission shall deduct any excess retained  
7 funds from the appropriation for the next fiscal year before the Commission determines the  
8 amount to be paid by each public service company for the next fiscal year under paragraph  
9 (2) of this subsection.

10 (11) A public service company shall pay an amount due within 30 days after  
11 the statement is received.

12 (12) The total amount that may be charged to a public service company  
13 under this section for a State fiscal year may not exceed:

14 (i) 0.25% of the public service company’s gross operating revenues  
15 derived from intrastate utility and electricity supplier operations in the preceding calendar  
16 year, or other 12–month period that the Chairman determines, for the costs and expenses  
17 of the Commission other than that of the Office of People’s Counsel **AND THE OFFICE OF**  
18 **CLIMATE COUNSEL**; plus

19 (ii) **1.** 0.05% of those revenues for the costs and expenses of the  
20 Office of People’s Counsel; **AND**

21 **2. 0.025% OF THOSE REVENUES FOR THE COSTS AND**  
22 **EXPENSES OF THE OFFICE OF CLIMATE COUNSEL.**

23 (d) (1) Within 30 days after the Commission issues a bill under subsection (c)  
24 of this section, the party billed may request a hearing as to the amount of the bill.

25 (2) Any amount of a bill that is not paid within 30 days after the date of  
26 determination on a hearing or, if a hearing is not requested, on the date when payment is  
27 due, shall bear annual interest at a rate, not less than 6%, that the Commission sets by  
28 regulation.

29 2–110.1.

30 (a) There is a Public Utility Regulation Fund.

31 (b) The Fund consists of:

32 (1) all revenue received through the imposition and collection of  
33 assessments under § 2–110 of this subtitle;

1 (2) fees received by the Commission under § 2–123 of this subtitle for  
2 filings and for other services rendered by the Commission;

3 (3) income from investments that the State Treasurer makes for the Fund;  
4 and

5 (4) any other fee, examination assessment, or revenue received by the  
6 Commission under this division.

7 (c) Notwithstanding subsection (b) of this section, the Commission shall pay all  
8 fines and penalties collected by the Commission under this article into the General Fund  
9 of the State.

10 (d) The purpose of the Fund is to pay all the costs and expenses incurred by the  
11 Commission [and], the Office of People’s Counsel, **AND THE OFFICE OF CLIMATE**  
12 **COUNSEL** that are related to the operation of the Commission [and], the Office of People’s  
13 Counsel, **AND THE OFFICE OF CLIMATE COUNSEL**, including:

14 (1) expenditures authorized under this division; and

15 (2) any other expense authorized in the State budget.

16 (e) (1) All the costs and expenses of the Commission [and], the Office of  
17 People’s Counsel, **AND THE OFFICE OF CLIMATE COUNSEL** shall be included in the State  
18 budget.

19 (2) Expenditures from the Fund to cover costs and expenses of the  
20 Commission [and], **THE** Office of People’s Counsel, **AND THE OFFICE OF CLIMATE**  
21 **COUNSEL** may only be made:

22 (i) with an appropriation from the Fund approved by the General  
23 Assembly in the State budget; or

24 (ii) by budget amendment in accordance with § 7–209 of the State  
25 Finance and Procurement Article.

26 (f) (1) The State Treasurer is the custodian of the Fund.

27 (2) The State Treasurer shall deposit payments received from the  
28 Commission into the Fund.

29 (g) (1) The Fund is a continuing, special, nonlapsing fund that is not subject  
30 to § 7–302 of the State Finance and Procurement Article, and may not be considered a part  
31 of the General Fund of the State.

32 (2) Unless otherwise provided by law, no part of the Fund may revert or be

1 credited to:

- 2 (i) the General Fund of the State; or  
3 (ii) any other special fund of the State.

4 **SUBTITLE 3. CLIMATE COUNSEL.**

5 **2-301.**

6 (A) **THERE IS A CLIMATE COUNSEL IN THE OFFICE OF CLIMATE COUNSEL.**

7 (B) **WITH THE ADVICE AND CONSENT OF THE SENATE, THE ATTORNEY**  
8 **GENERAL SHALL APPOINT THE CLIMATE COUNSEL.**

9 (C) (1) **THE TERM OF THE CLIMATE COUNSEL IS 5 YEARS AND BEGINS ON**  
10 **JULY 1.**

11 (2) **AT THE END OF A TERM, THE CLIMATE COUNSEL CONTINUES TO**  
12 **SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

13 (3) **A CLIMATE COUNSEL WHO IS APPOINTED AFTER A TERM HAS**  
14 **BEGUN SERVES FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED**  
15 **AND QUALIFIES.**

16 (D) **THE CLIMATE COUNSEL MUST BE OR HAVE BEEN ADMITTED TO**  
17 **PRACTICE LAW IN THE STATE.**

18 (E) **BEFORE TAKING OFFICE, THE CLIMATE COUNSEL SHALL TAKE THE**  
19 **OATH REQUIRED BY ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION.**

20 (F) **THE CLIMATE COUNSEL SHALL DEVOTE FULL TIME TO THE DUTIES OF**  
21 **OFFICE.**

22 (G) **THE CLIMATE COUNSEL IS ENTITLED TO A SALARY OF AT LEAST**  
23 **\$120,000 A YEAR AS PROVIDED IN THE STATE BUDGET.**

24 (H) **THE ATTORNEY GENERAL MAY REMOVE THE CLIMATE COUNSEL FOR**  
25 **GOOD CAUSE SHOWN AFTER NOTICE AND AN OPPORTUNITY TO BE HEARD.**

26 **2-302.**

27 (A) **THERE IS AN OFFICE OF CLIMATE COUNSEL IN THE PUBLIC SERVICE**  
28 **COMMISSION.**

1           **(B) THE STATE BUDGET SHALL PROVIDE SUFFICIENT MONEY FOR THE**  
2 **OFFICE OF CLIMATE COUNSEL TO HIRE NECESSARY STAFF IN ADDITION TO THE**  
3 **STAFF ASSISTANCE THAT IS PROVIDED UNDER § 2-304(C)(2) OF THIS SUBTITLE.**

4           **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**  
5 **OR OTHERWISE BY LAW, ALL PERSONNEL OF THE OFFICE OF CLIMATE COUNSEL**  
6 **ARE SUBJECT TO THE PROVISIONS OF THE STATE PERSONNEL AND PENSIONS**  
7 **ARTICLE.**

8           **(2) THE FOLLOWING ARE IN THE EXECUTIVE SERVICE OR**  
9 **MANAGEMENT SERVICE OR ARE SPECIAL APPOINTMENTS IN THE STATE PERSONNEL**  
10 **MANAGEMENT SYSTEM:**

11                   **(I) THE CLIMATE COUNSEL;**

12                   **(II) THE DEPUTY CLIMATE COUNSEL; AND**

13                   **(III) ATTORNEYS WHO ARE IN THE MANAGEMENT SERVICE OR**  
14 **ARE SPECIAL APPOINTMENTS.**

15           **(D) THE COMPENSATION OF THE FOLLOWING PERSONNEL SHALL BE**  
16 **DETERMINED BY THE CLIMATE COUNSEL AND, IF POSSIBLE, IN ACCORDANCE WITH**  
17 **THE STATE PAY PLAN:**

18                   **(1) THE DEPUTY CLIMATE COUNSEL;**

19                   **(2) ATTORNEYS WHO ARE:**

20                   **(I) IN THE MANAGEMENT SERVICE; OR**

21                   **(II) SPECIAL APPOINTMENTS; AND**

22                   **(3) ALL POSITIONS IN MANAGEMENT, PROFESSIONAL, AND**  
23 **TECHNICAL CLASSIFICATIONS UNIQUE TO THE OFFICE OF CLIMATE COUNSEL.**

24           **(E) (1) AT LEAST 45 DAYS BEFORE THE EFFECTIVE DATE OF THE**  
25 **CHANGE, THE CLIMATE COUNSEL SHALL SUBMIT TO THE SECRETARY OF BUDGET**  
26 **AND MANAGEMENT EACH CHANGE TO SALARY PLANS THAT INVOLVES INCREASES**  
27 **OR DECREASES IN SALARY RANGES OTHER THAN THOSE ASSOCIATED WITH ROUTINE**  
28 **RECLASSIFICATIONS AND PROMOTIONS OR GENERAL SALARY INCREASES**  
29 **APPROVED BY THE GENERAL ASSEMBLY.**

1           **(2) REPORTABLE CHANGES INCLUDE CREATION OR ABOLITION OF**  
2 **CLASSES, REGRADING THE CLASSES FROM ONE ESTABLISHED RANGE TO ANOTHER,**  
3 **CHANGES IN SALARY GUIDELINES TO ADMINISTER THE PAY SCHEDULES, OR**  
4 **CREATION OF NEW PAY SCHEDULES OR RANGES.**

5           **(3) THE SECRETARY OF BUDGET AND MANAGEMENT SHALL:**

6                   **(I) REVIEW THE PROPOSED CHANGES; AND**

7                   **(II) AT LEAST 15 DAYS BEFORE THE EFFECTIVE DATE OF THE**  
8 **PROPOSED CHANGES, ADVISE THE CLIMATE COUNSEL WHETHER THE CHANGES**  
9 **WOULD HAVE AN ADVERSE EFFECT ON COMPARABLE STATE JOBS.**

10           **(4) FAILURE OF THE SECRETARY TO RESPOND IN A TIMELY MANNER**  
11 **IS NOT CONSIDERED A STATEMENT OF ADVERSE EFFECT.**

12           **(F) ON OR BEFORE JANUARY 31 EACH YEAR, THE CLIMATE COUNSEL**  
13 **SHALL REPORT TO THE SECRETARY OF BUDGET AND MANAGEMENT AND, SUBJECT**  
14 **TO § 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY**  
15 **SETTING FORTH ALL PERSONNEL POSITIONS, CLASSIFICATIONS, AND SALARIES IN**  
16 **THE OFFICE OF CLIMATE COUNSEL, AS OF THE END OF THE PRECEDING CALENDAR**  
17 **YEAR.**

18           **(G) THE OFFICE OF CLIMATE COUNSEL MAY RETAIN OR HIRE EXPERTS IN**  
19 **THE FIELDS OF:**

20                   **(1) UTILITY REGULATION, INCLUDING COST OF CAPITAL EXPERTS,**  
21 **RATE DESIGN EXPERTS, ACCOUNTANTS, ECONOMISTS, ENGINEERS,**  
22 **TRANSPORTATION SPECIALISTS, AND LAWYERS; AND**

23                   **(2) CLIMATE CHANGE, INCLUDING METEOROLOGISTS,**  
24 **OCEANOGRAPHERS, ECOLOGISTS, FORESTERS, GEOLOGISTS, SEISMOLOGISTS,**  
25 **BOTANISTS, AND EXPERTS IN ANY OTHER FIELD OF SCIENCE THAT THE CLIMATE**  
26 **COUNSEL DETERMINES IS NECESSARY.**

27 **2-303.**

28           **(A) (1) THE OFFICE OF CLIMATE COUNSEL SHALL EVALUATE EACH**  
29 **MATTER PENDING BEFORE THE COMMISSION TO DETERMINE WHETHER THE**  
30 **ENVIRONMENTAL INTERESTS OF THE STATE AND ITS RESIDENTS ARE AFFECTED.**

31                   **(2) IF THE OFFICE OF CLIMATE COUNSEL CONSIDERS THE**  
32 **ENVIRONMENTAL INTERESTS OF THE STATE AND ITS RESIDENTS TO BE AFFECTED,**

1 THE OFFICE OF CLIMATE COUNSEL SHALL APPEAR BEFORE THE COMMISSION AND  
2 COURTS ON BEHALF OF THE STATE AND ITS RESIDENTS IN EACH MATTER OR  
3 PROCEEDING OVER WHICH THE COMMISSION HAS ORIGINAL JURISDICTION,  
4 INCLUDING A PROCEEDING ON THE RATES, SERVICE, OR PRACTICES OF A PUBLIC  
5 SERVICE COMPANY OR ON A VIOLATION OF THIS DIVISION.

6 (3) AS THE OFFICE OF CLIMATE COUNSEL CONSIDERS NECESSARY,  
7 THE OFFICE OF CLIMATE COUNSEL SHALL CONDUCT INVESTIGATIONS AND  
8 REQUEST THE COMMISSION TO INITIATE PROCEEDINGS TO PROTECT THE  
9 ENVIRONMENTAL INTERESTS OF THE STATE AND ITS RESIDENTS.

10 (B) THE CLIMATE COUNSEL SHALL ADMINISTER AND OPERATE THE  
11 OFFICE OF CLIMATE COUNSEL.

12 2-304.

13 (A) IN APPEARANCES BEFORE THE COMMISSION AND COURTS ON BEHALF  
14 OF THE STATE AND ITS RESIDENTS, THE OFFICE OF CLIMATE COUNSEL HAS THE  
15 RIGHTS OF COUNSEL FOR A PARTY TO THE PROCEEDING, INCLUDING THOSE RIGHTS  
16 SPECIFIED IN § 3-107 OF THIS ARTICLE.

17 (B) THE OFFICE OF CLIMATE COUNSEL MAY APPEAR BEFORE ANY  
18 FEDERAL OR STATE UNIT TO PROTECT THE ENVIRONMENTAL INTERESTS OF THE  
19 STATE AND ITS RESIDENTS.

20 (C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE AND  
21 CONSISTENT WITH THE PUBLIC INFORMATION ACT, THE OFFICE OF CLIMATE  
22 COUNSEL SHALL HAVE FULL ACCESS TO THE COMMISSION'S RECORDS AND SHALL  
23 HAVE THE BENEFIT OF ALL OTHER FACILITIES OR INFORMATION OF THE  
24 COMMISSION.

25 (2) THE OFFICE OF CLIMATE COUNSEL IS ENTITLED TO THE  
26 ASSISTANCE OF THE COMMISSION'S STAFF, IF THE STAFF DETERMINES THAT THE  
27 ASSISTANCE IS CONSISTENT WITH THE STAFF'S RESPONSIBILITIES AND IF THE  
28 STAFF AND THE OFFICE OF CLIMATE COUNSEL AGREE THAT THE ASSISTANCE, IN A  
29 PARTICULAR MATTER, IS CONSISTENT WITH THEIR RESPECTIVE INTERESTS.

30 (D) THE OFFICE OF CLIMATE COUNSEL MAY RECOMMEND LEGISLATION TO  
31 THE GENERAL ASSEMBLY ON ANY MATTER RELATED TO THE COMMISSION'S  
32 JURISDICTION THAT MAY AFFECT THE ENVIRONMENTAL INTERESTS OF THE STATE  
33 AND ITS RESIDENTS.

34 2-305.

1           **IF THE BUDGET FOR THE OFFICE OF CLIMATE COUNSEL IS INSUFFICIENT TO**  
2 **ALLOW IT TO PERFORM ITS DUTIES, THE OFFICE OF CLIMATE COUNSEL MAY APPLY**  
3 **TO THE BOARD OF PUBLIC WORKS FOR ADDITIONAL MONEY FROM THE GENERAL**  
4 **EMERGENCY FUND.**

5 **[2-302.] 2-402.**

6           This subtitle applies to commissioners, the General Counsel, the People's Counsel,  
7 **THE** officers and employees of the Office of People's Counsel, **THE CLIMATE COUNSEL,**  
8 **THE OFFICERS AND EMPLOYEES OF THE OFFICE OF CLIMATE COUNSEL,** and the  
9 officers and employees of the Commission.

10 **[2-303.] 2-403.**

11           (a) This section applies to each individual subject to **[§ 2-302] § 2-402** of this  
12 subtitle and to:

13                   (1) each spouse, dependent child, parent, brother, or sister of each  
14 commissioner, the People's Counsel, **THE CLIMATE COUNSEL,** the General Counsel, and  
15 each public utility law judge; and

16                   (2) each spouse or dependent child of each other officer or employee of the  
17 Commission **[or], THE** Office of People's Counsel, **OR THE OFFICE OF CLIMATE**  
18 **COUNSEL.**

19           (b) An individual subject to this section may not:

20                   (1) hold an official relation to or connection with a public service company;  
21 or

22                   (2) have a pecuniary interest in a public service company as the holder of  
23 stock or other securities or otherwise.

24 **[2-304.] 2-404.**

25           An individual subject to **[§ 2-302] § 2-402** of this subtitle may not hold an office or  
26 position or engage in a business or avocation that is incompatible with the duties of office  
27 or service with the Commission **[or], THE** Office of People's Counsel, **OR THE OFFICE OF**  
28 **CLIMATE COUNSEL.**

29 **[2-305.] 2-405.**

30           An individual subject to **[§ 2-302] § 2-402** of this subtitle may not solicit, suggest,  
31 request, or recommend directly or indirectly to a public service company that a person be

1 appointed to an office or place of employment.

2 **[2-306.] 2-406.**

3 (a) Until at least 2 years have passed after leaving service as a commissioner [or],  
4 the People's Counsel, **OR THE CLIMATE COUNSEL**, an individual may not:

5 (1) represent a public service company before the Commission;

6 (2) appear before the Commission on behalf of a party to a Commission  
7 proceeding; or

8 (3) appear before the Commission on a matter within the jurisdiction of the  
9 Commission.

10 (b) Until at least 1 year has passed after leaving service with the Commission as  
11 the General Counsel or a public utility law judge, an individual may not:

12 (1) represent a public service company before the Commission;

13 (2) appear before the Commission on behalf of a party to a Commission  
14 proceeding; or

15 (3) appear before the Commission on a matter within the jurisdiction of the  
16 Commission.

17 (c) Until at least 1 year has passed after leaving service with the Commission as  
18 a commissioner, an individual may not receive financial benefit that is not otherwise  
19 generally available to the public as a customer of a public service company from:

20 (1) a public service company that is subject to the jurisdiction of the  
21 Commission; or

22 (2) a person that directly or indirectly, or through one or more  
23 intermediaries, controls, is controlled by, or is under common control with a public service  
24 company that is subject to the jurisdiction of the Commission.

25 **[2-307.] 2-407.**

26 (a) This section applies to each individual subject to **[§ 2-302] § 2-402** of this  
27 subtitle and to:

28 (1) each spouse, dependent child, parent, brother, or sister of each  
29 commissioner, the People's Counsel, **THE CLIMATE COUNSEL**, the General Counsel, and  
30 each public utility law judge; and



1 (2) each spouse or dependent child of each other officer or employee of the  
2 Commission [or], **THE Office of People’s Counsel, OR THE OFFICE OF CLIMATE**  
3 **COUNSEL.**

4 (b) (1) An individual subject to this section may not accept from a public  
5 service company or its officers, agents, or employees, a gift, gratuity, or special  
6 consideration.

7 (2) This subsection does not preclude an individual from accepting a gift  
8 from a relative.

9 **[2–308.] 2–408.**

10 (a) This section applies to each individual subject to [§ 2–302] § **2–402** of this  
11 subtitle and to:

12 (1) each spouse, dependent child, parent, brother, or sister of each  
13 commissioner, the People’s Counsel, **THE CLIMATE COUNSEL**, the General Counsel, and  
14 each public utility law judge; and

15 (2) each spouse or dependent child of each other officer or employee of the  
16 Commission [or], **THE Office of People’s Counsel, OR THE OFFICE OF CLIMATE**  
17 **COUNSEL.**

18 (b) (1) A public service company or its officer, agent, or employee may not offer  
19 a gift, gratuity, or special consideration to an individual subject to this section.

20 (2) This section does not preclude an individual from offering a gift to a  
21 relative.

22 **[2–309.] 2–409.**

23 Except as directed by the Commission or a court or as authorized by law, an  
24 individual subject to [§ 2–302] § **2–402** of this subtitle may not divulge information learned  
25 while inspecting the plant or examining the records of a public service company.

26 **[2–310.] 2–410.**

27 An individual subject to [§ 2–302] § **2–402** of this subtitle may not violate this  
28 division.

29 3–102.

30 (a) (1) Any person may file a complaint with the Commission.

31 (2) The complaint shall be in writing and set forth circumstances that

1 allege a violation of this division by a public service company.

2 (b) If a complaint filed under subsection (a) of this section states on its face a  
3 violation of this article or if the Commission determines that the complaint deserves an  
4 explanation, the Commission shall:

5 (1) serve a copy of the complaint on the public service company; and

6 (2) issue an order that requires the public service company to satisfy or  
7 answer the complaint in writing within a specified time.

8 (c) A person that is the subject of a complaint filed by any person or the  
9 Commission is entitled to a hearing in a contested case that results from the complaint.

10 (d) (1) Subject to paragraph (2) of this subsection, the Commission must  
11 conduct an investigation of the matters in a complaint filed under this section if the  
12 complaint concerns the following:

13 (i) the quality or reliability of gas supply or electric power supply;  
14 or

15 (ii) the price of gas or electricity.

16 (2) In order to be entitled to an investigation under paragraph (1) of this  
17 subsection, the complaint shall be signed by:

18 (i) the People's Counsel;

19 (ii) **THE CLIMATE COUNSEL;**

20 (iii) the chief executive or local legislative body of a municipal  
21 corporation or county in which a gas or electric company is authorized to operate; or

22 [(iii)] (iv) not less than 100 customers of the gas company or electric  
23 company, with the names and addresses of the customers set out in the complaint.

24 (e) (1) The Commission shall begin proceedings on its own motion against a  
25 person by filing a complaint.

26 (2) The complaint filed under paragraph (1) of this subsection for the first  
27 time in a proceeding shall be served on the person that is the subject of the complaint before  
28 any hearing on the matter.

29 (f) Unless a complaint is voluntarily satisfied, the Commission shall take final  
30 action on each complaint by issuing an order that:

31 (1) dismisses the complaint;

1 (2) directs full or partial satisfaction of the complaint; or

2 (3) directs any action that the Commission considers to be warranted.

3 3–202.

4 (a) Except for the staff of the Commission, a party or person in interest, including  
5 the People’s Counsel **AND THE CLIMATE COUNSEL**, that is dissatisfied by a final decision  
6 or order of the Commission may seek judicial review of the decision or order as provided in  
7 this subtitle.

8 (b) The Secretary of Natural Resources may seek judicial review under this  
9 subtitle of a final decision or order of the Commission made under §§ 7–201 through 7–204,  
10 § 7–207, or § 7–208 of this article that relates to the environmental aspects of power plant  
11 siting.

12 (c) The Secretary of the Environment may seek judicial review of a final decision  
13 or order of the Commission made under §§ 7–205 and 7–206 of this article.

14 (d) If the Motor Vehicle Administration suspends or revokes the registration of a  
15 motor vehicle carrier in accordance with an order of the Commission, only the order of the  
16 Commission is subject to review under this section.

17 7–216.

18 (b) (1) The Commission shall establish an Energy Storage Pilot Program.

19 (2) The cumulative size of the pilot projects under the program shall be  
20 between 5 and 10 megawatts, with a minimum of 15 megawatt–hours.

21 (h) (4) (i) The Commission shall solicit comments from the Maryland  
22 Energy Administration, the Office of People’s Counsel, **THE OFFICE OF CLIMATE**  
23 **COUNSEL**, and other stakeholders and hold a hearing on each application submitted under  
24 subsection (d) of this section.

25 (ii) The Commission shall approve, approve with modifications, or  
26 reject an application submitted under subsection (d) of this section after:

27 1. receiving comments from the Maryland Energy  
28 Administration, the Office of People’s Counsel, **THE OFFICE OF CLIMATE COUNSEL**, and  
29 other stakeholders and holding a hearing;

30 2. considering the projected costs and benefits of the projects  
31 proposed for inclusion in the pilot program; and

32 3. determining whether the project is in the public and

1 ratepayer interest.

2 (7) (i) On or before July 1 of 2023, 2024, and 2025, an investor-owned  
3 electric company shall submit to the Commission, the Maryland Energy Administration,  
4 [and] the Office of People's Counsel, **AND THE OFFICE OF CLIMATE COUNSEL**  
5 information or data concerning:

- 6 1. estimated project costs;
- 7 2. final project costs;
- 8 3. the number of days necessary to achieve project  
9 interconnection;
- 10 4. the total cost of project interconnection;
- 11 5. the number of days necessary to achieve project  
12 permitting;
- 13 6. the total cost of project permitting;
- 14 7. the contractual or committed commercial operation date;
- 15 8. the actual commercial operation date;
- 16 9. the name and address of the project developer;
- 17 10. the location and address of the project;
- 18 11. the size of the energy storage project in watts;
- 19 12. the duration of the energy storage project in watt-hours;
- 20 13. the type of energy storage technology;
- 21 14. the identities of any project owners or lessors;
- 22 15. any project financing methods;
- 23 16. the identity of any entity that provides financing for the  
24 project;
- 25 17. the length of any project contract;
- 26 18. any inverters used for the project, including the type and  
27 manufacturer;

- 1 19. any manufacturer warranty, including its duration;
- 2 20. any developer warranty, including its duration;
- 3 21. any technology with which the project is paired;
- 4 22. how meters and inverters associated with the project are  
5 configured;
- 6 23. any system integrator associated with the project;
- 7 24. project safety, including battery type and chemistry;
- 8 25. any energy management system associated with the  
9 project;
- 10 26. any energy storage power conversion system associated  
11 with the project;
- 12 27. the business model selected for the project under  
13 subsection (c) of this section;
- 14 28. the cost recovery mechanism for the project;
- 15 29. the rate of return applied to the project;
- 16 30. for a virtual power plant project under subsection (c)(4) of  
17 this section, the number and type of customers participating;
- 18 31. for a virtual power plant project under subsection (c)(4) of  
19 this section, the identity of the aggregator;
- 20 32. operational challenges related to multiple stakeholder or  
21 third-party use of the storage asset;
- 22 33. the types of revenue expected from the project, including  
23 any wholesale market revenues;
- 24 34. the types of revenue provided by the project, including any  
25 wholesale market revenues;
- 26 35. the distribution need the project addressed;
- 27 36. the amount of time the project is expected to defer the need  
28 for an alternative investment;
- 29 37. any value of optionality associated with the amount of

- 1 time the project is expected to defer the need for an alternative investment;
- 2 38. the expected load projection before the project was  
3 installed;
- 4 39. enhanced grid reliability as a result of the project;
- 5 40. for a utility and third-party project under subsection (c)(2)  
6 of this section, the dollar value of the lease payments from the third party to the utility;
- 7 41. for a utility and third-party project under subsection (c)(2)  
8 of this section, the duration of the lease agreement between the third party and the utility;
- 9 42. any other identified benefits, including resiliency and  
10 social benefits;
- 11 43. expected and actual storage system cycling;
- 12 44. the project's success in switching between applications  
13 without challenges or problems;
- 14 45. occasions when the project was unable to serve an  
15 application;
- 16 46. any project delays and the causes for the delays;
- 17 47. any emissions reductions expected as a result of the  
18 project; and
- 19 48. any other information required by the Commission.
- 20 (ii) Subject to subparagraph (iv) of this paragraph, an  
21 investor-owned electric company shall make all data provided under subparagraph (i) of  
22 this paragraph that is not proprietary or confidential available to the public.
- 23 (iii) To the extent possible, any annualized data provided under  
24 subparagraph (i) of this paragraph shall be seasonally adjusted.
- 25 (iv) After receiving comments from all parties, the Commission shall  
26 determine:
- 27 1. which data related to the projects shall be made available  
28 only to the technical staff of the Commission [and], the Office of People's Counsel, **AND**  
29 **THE OFFICE OF CLIMATE COUNSEL**; and
- 30 2. which data related to the projects shall be made available  
31 to the public.

1 (k) (1) Except as provided in subsection (i) of this section, on or before July 1,  
2 2026, in consultation with the Maryland Energy Administration [and], the Office of  
3 People's Counsel, **AND THE OFFICE OF CLIMATE COUNSEL**, the Commission shall  
4 evaluate the projects approved under this section based on:

- 5 (i) the overall cost of the project;
- 6 (ii) whether the project was optimized through multiple  
7 applications;
- 8 (iii) whether the project managed to capture different value streams;
- 9 (iv) whether the project reduced system costs;
- 10 (v) whether the project deferred or replaced entirely a traditional  
11 investment on the distribution system, and any value of such a deferral or replacement;
- 12 (vi) an analysis of any funds generated from the wholesale market;
- 13 (vii) other benefits provided as a result of the project;
- 14 (viii) issues that the project encountered in implementation; and
- 15 (ix) whether the project altered the quality or availability of  
16 electricity supply.

17 7-507.

18 (k) (1) The Commission may revoke or suspend the license of an electricity  
19 supplier, impose a civil penalty or other remedy, order a refund or credit to a customer, or  
20 impose a moratorium on adding or soliciting additional customers by the electricity  
21 supplier, for just cause on the Commission's own investigation or on complaint of the Office  
22 of People's Counsel, **THE CLIMATE COUNSEL**, the Attorney General, or an affected party.

23 (p) The People's Counsel shall have the same authority in licensing, complaint,  
24 and dispute resolution proceedings as it has in Title 2 of this article.

25 **(Q) THE CLIMATE COUNSEL SHALL HAVE THE SAME AUTHORITY IN**  
26 **LICENSING, COMPLAINT, AND DISPUTE RESOLUTION PROCEEDINGS AS IT HAS IN**  
27 **TITLE 2 OF THIS ARTICLE.**

28 7-605.

29 (c) The People's Counsel has the same authority in licensing, complaint, and  
30 dispute resolution proceedings as the People's Counsel has under Subtitle 5 of this title and

1 Title 2 of this article.

2 **(D) THE CLIMATE COUNSEL HAS THE SAME AUTHORITY IN LICENSING,**  
3 **COMPLAINT, AND DISPUTE RESOLUTION PROCEEDINGS AS THE CLIMATE COUNSEL**  
4 **HAS UNDER SUBTITLE 5 OF THIS TITLE AND TITLE 2 OF THIS ARTICLE.**

5 13–204.

6 Personnel of the Commission [or], **THE Office of People’s Counsel, OR THE OFFICE**  
7 **OF CLIMATE COUNSEL** who are convicted of violating Title 2, [Subtitle 3] **SUBTITLE 4** of  
8 this article shall, in addition to any other penalties, be removed or discharged from office.

9 **Article – State Government**

10 9–20B–07.

11 (a) There is a Strategic Energy Investment Advisory Board.

12 (c) The Board consists of the following members:

13 (1) one member of the Senate, appointed by the President of the Senate;

14 (2) one member of the House of Delegates, appointed by the Speaker of the  
15 House of Delegates;

16 (3) the following members appointed by the Governor:

17 (i) two representatives of Maryland residential customers;

18 (ii) a representative of Maryland commercial customers;

19 (iii) a representative of large electricity users in the State;

20 (iv) a representative of an electric company;

21 (v) a representative of an electric cooperative;

22 (vi) a representative of electricity suppliers;

23 (vii) a representative of a Maryland environmental group; and

24 (viii) a representative of a renewable electricity industry; and

25 (4) the following nonvoting ex officio members:

26 (i) the Chairman of the Public Service Commission, or the



1 Chairman's designee;

2 (ii) the People's Counsel, or the [designee of the] People's [Counsel]  
3 **COUNSEL'S DESIGNEE;**

4 **(III) THE CLIMATE COUNSEL, OR THE CLIMATE COUNSEL'S**  
5 **DESIGNEE; and**

6 [(iii)] **(IV)** the Secretary of the Environment, or the Secretary's  
7 designee.

8 **Chapter 400 of the Acts of 2011, as amended by Chapters 64 and 65 of the Acts of**  
9 **2013, Chapter 378 of the Acts of 2015, and Chapter 213 of the Acts of 2019**

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
11 That:

12 (a) In this section, "zero emission electric vehicle" includes:

13 (1) A plug-in electric drive vehicle as defined in § 11-145.1 of the  
14 Transportation Article; and

15 (2) A fuel cell electric vehicle as defined in § 11-125.1 of the Transportation  
16 Article.

17 (b) There is a Maryland Zero Emission Electric Vehicle Infrastructure Council.

18 (c) The Council consists of the following members:

19 (1) One member of the Senate of Maryland, appointed by the President of  
20 the Senate;

21 (2) Two members of the House of Delegates, appointed by the Speaker of  
22 the House;

23 (3) The Secretary of Transportation, or the Secretary's designee;

24 (4) The Secretary of Planning, or the Secretary's designee;

25 (5) The Secretary of the Environment, or the Secretary's designee;

26 (6) The Secretary of Commerce, or the Secretary's designee;

27 (7) The Executive Director of the Technical Staff of the Maryland Public  
28 Service Commission, or the Executive Director's designee;

1                   (8)    The Director of the Maryland Energy Administration, or the Director's  
2   designee;

3                   **(9)    THE CLIMATE COUNSEL, OR THE CLIMATE COUNSEL'S**  
4   **DESIGNEE;** and

5                   **[(9)] (10)**   The following members appointed by the Governor:

6                   (i)    One representative of an institution of higher education in the  
7   State with expertise in energy, transportation, or the environment;

8                   (ii)   Two representatives of the Maryland Association of Counties,  
9   including:

10                   1.    A representative who resides in a rural region of the State;  
11   and

12                   2.    A representative who resides in an urban or suburban  
13   region of the State;

14                   (iii)  Two representatives of the Maryland Municipal League,  
15   including:

16                   1.    A representative who resides in a rural region of the State;  
17   and

18                   2.    A representative who resides in an urban or suburban  
19   region of the State;

20                   (iv)   One representative of the Baltimore Electric Vehicle Initiative;

21                   (v)    Two representatives of electric companies in the State;

22                   (vi)   One representative of a plug-in electric drive vehicle  
23   manufacturer;

24                   (vii)  One representative of a manufacturer of plug-in electric drive  
25   vehicle charging stations;

26                   (viii) One representative of manufacturers of fuel cell electric vehicles;

27                   (ix)   One representative of manufacturers of fuel cell electric vehicle  
28   infrastructure equipment;

29                   (x)    One representative of fleet vehicle operators;

30                   (xi)   One representative of electrical workers;

- 1 (xii) One representative of the environmental community;
- 2 (xiii) One public member with expertise in energy or transportation  
3 policy;
- 4 (xiv) One representative of the Maryland Automobile Dealers  
5 Association; and
- 6 (xv) One representative of the retail electric supplier community.

7 (d) The Governor shall designate the chair or cochairs of the Council.

8 (e) The Department of Transportation shall provide staff support to the Council  
9 with the assistance of the Maryland Energy Administration and Maryland Public Service  
10 Commission.

11 (f) A member of the Council:

12 (1) May not receive compensation as a member of the Council; but

13 (2) Is entitled to reimbursement of expenses under the Standard State  
14 Travel Regulations, as provided in the State budget.

15 (g) The Council shall:

16 (1) Develop an action plan to facilitate the successful integration of zero  
17 emission electric vehicles into the State's transportation network;

18 (2) Assist in developing and coordinating statewide standards for  
19 streamlined permitting and installation of residential and commercial electric vehicle  
20 charging and hydrogen refueling stations and supply equipment;

21 (3) Develop a recommendation for a statewide electric vehicle charging and  
22 hydrogen refueling infrastructure plan, including placement opportunities for public  
23 charging and hydrogen refueling stations;

24 (4) Increase consumer awareness and demand for zero emission electric  
25 vehicles through public outreach;

26 (5) Make recommendations regarding monetary and nonmonetary  
27 incentives to support zero emission electric vehicle ownership and maximize private sector  
28 investment in zero emission electric vehicles;

29 (6) Develop targeted policies to support fleet purchases of zero emission  
30 electric vehicles;

1 (7) Develop charging solutions for existing and future multidwelling units;

2 (8) Develop model procurement practices for light-duty vehicles that  
3 include an evaluation of the vehicle lifecycle costs inclusive of estimated fuel cost over the  
4 anticipated life of the vehicle;

5 (9) Encourage local and regional efforts to promote the use of electric  
6 vehicles and attract federal funding for State and local zero emission electric vehicle  
7 programs;

8 (10) Recommend policies that support zero emission electric vehicle  
9 charging and hydrogen refueling from clean energy sources;

10 (11) Recommend a method of displaying pricing information at public  
11 charging and hydrogen refueling stations;

12 (12) Establish performance measures for meeting zero emission electric  
13 vehicle-related employment, infrastructure, and regulatory goals; and

14 (13) Pursue other goals and objectives that promote the utilization of zero  
15 emission electric vehicles in the State.

16 (h) (1) On or before December 1, 2013, December 1, 2014, December 1, 2015,  
17 December 1, 2016, December 1, 2017, December 1, 2018, and December 1, 2019, the Council  
18 shall submit interim reports of its work and recommendations to the Governor and, in  
19 accordance with [§ 2-1246] § 2-1257 of the State Government Article, the General  
20 Assembly.

21 (2) On or before June 30, 2020, the Council shall submit a final report of  
22 its work and recommendations to the Governor and, in accordance with [§ 2-1246] §  
23 2-1257 of the State Government Article, the General Assembly.

24 **Chapter 401 of the Acts of 2011, as amended by Chapters 64 and 65 of the Acts of**  
25 **2013, Chapter 378 of the Acts of 2015, and Chapter 213 of the Acts of 2019**

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
27 That:

28 (a) In this section, “zero emission electric vehicle” includes:

29 (1) A plug-in electric drive vehicle as defined in § 11-145.1 of the  
30 Transportation Article; and

31 (2) A fuel cell electric vehicle as defined in § 11-125.1 of the Transportation  
32 Article.

33 (b) There is a Maryland Zero Emission Electric Vehicle Infrastructure Council.

1 (c) The Council consists of the following members:

2 (1) One member of the Senate of Maryland, appointed by the President of  
3 the Senate;

4 (2) Two members of the House of Delegates, appointed by the Speaker of  
5 the House;

6 (3) The Secretary of Transportation, or the Secretary's designee;

7 (4) The Secretary of Planning, or the Secretary's designee;

8 (5) The Secretary of the Environment, or the Secretary's designee;

9 (6) The Secretary of Commerce, or the Secretary's designee;

10 (7) The Executive Director of the Technical Staff of the Maryland Public  
11 Service Commission, or the Executive Director's designee;

12 (8) The Director of the Maryland Energy Administration, or the Director's  
13 designee;

14 **(9) THE CLIMATE COUNSEL, OR THE CLIMATE COUNSEL'S**  
15 **DESIGNEE; and**

16 **[(9)] (10)** The following members appointed by the Governor:

17 (i) One representative of an institution of higher education in the  
18 State with expertise in energy, transportation, or the environment;

19 (ii) Two representatives of the Maryland Association of Counties,  
20 including:

21 1. A representative who resides in a rural region of the State;  
22 and

23 2. A representative who resides in an urban or suburban  
24 region of the State;

25 (iii) Two representatives of the Maryland Municipal League,  
26 including:

27 1. A representative who resides in a rural region of the State;  
28 and



1 (1) Develop an action plan to facilitate the successful integration of zero  
2 emission electric vehicles into the State's transportation network;

3 (2) Assist in developing and coordinating statewide standards for  
4 streamlined permitting and installation of residential and commercial electric vehicle  
5 charging and hydrogen refueling stations and supply equipment;

6 (3) Develop a recommendation for a statewide electric vehicle charging and  
7 hydrogen refueling infrastructure plan, including placement opportunities for public  
8 charging and hydrogen refueling stations;

9 (4) Increase consumer awareness and demand for zero emission electric  
10 vehicles through public outreach;

11 (5) Make recommendations regarding monetary and nonmonetary  
12 incentives to support zero emission electric vehicle ownership and maximize private sector  
13 investment in zero emission electric vehicles;

14 (6) Develop targeted policies to support fleet purchases of zero emission  
15 electric vehicles;

16 (7) Develop charging solutions for existing and future multidwelling units;

17 (8) Develop model procurement practices for light-duty vehicles that  
18 include an evaluation of the vehicle lifecycle costs inclusive of estimated fuel cost over the  
19 anticipated life of the vehicle;

20 (9) Encourage local and regional efforts to promote the use of electric  
21 vehicles and attract federal funding for State and local zero emission electric vehicle  
22 programs;

23 (10) Recommend policies that support zero emission electric vehicle  
24 charging and hydrogen refueling from clean energy sources;

25 (11) Recommend a method of displaying pricing information at public  
26 charging and hydrogen refueling stations;

27 (12) Establish performance measures for meeting zero emission electric  
28 vehicle-related employment, infrastructure, and regulatory goals; and

29 (13) Pursue other goals and objectives that promote the utilization of zero  
30 emission electric vehicles in the State.

31 (h) (1) On or before December 1, 2013, December 1, 2014, December 1, 2015,  
32 December 1, 2016, December 1, 2017, December 1, 2018, and December 1, 2019, the Council  
33 shall submit interim reports of its work and recommendations to the Governor and, in  
34 accordance with [§ 2-1246] § 2-1257 of the State Government Article, the General

1 Assembly.

2 (2) On or before June 30, 2020, the Council shall submit a final report of  
3 its work and recommendations to the Governor and, in accordance with [~~§ 2-1246~~] §  
4 **2-1257** of the State Government Article, the General Assembly.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2021.