

# SENATE BILL 744

M3, M5

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CF HB 532

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By: **Senators Pinsky, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hester, Jennings, King, Lam, Lee, Rosapepe, West, Young, and Zucker**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Protecting Natural Resources and Preserving Productive Farms – Commission**  
3 **on the Development of a Blueprint for Solar Energy in Maryland**

4 FOR the purpose of establishing the Commission on the Development of a Blueprint for  
5 Solar Energy in Maryland; providing for the composition, chair, and staffing of the  
6 Commission; prohibiting a member of the Commission from receiving certain  
7 compensation, but authorizing the reimbursement of certain expenses; requiring the  
8 Commission to study and make recommendations regarding certain matters relating  
9 to solar energy planning and development; requiring the Commission to develop a  
10 certain blueprint to guide units of State and local government in evaluating proposed  
11 solar energy projects; requiring the Commission to submit a certain report and  
12 blueprint to the Governor and the General Assembly on or before a certain date;  
13 providing for the termination of this Act; and generally relating to the Commission  
14 on the Development of a Blueprint for Solar Energy in Maryland.

15 Preamble

16 WHEREAS, The State's natural areas and productive farmland are increasingly  
17 under threat from the effects of climate change, including salt water intrusion and sea level  
18 rise; and

19 WHEREAS, The harnessing of clean, renewable energy sources, such as solar power,  
20 is central to the State's efforts to reduce greenhouse gas emissions and combat the effects  
21 of climate change; and

22 WHEREAS, The development of solar energy projects must be pursued strategically  
23 and aggressively to achieve the State's renewable energy portfolio standard and  
24 Greenhouse Gas Emissions Reduction Act goals; and

25 WHEREAS, The State must work proactively to grow its renewable energy

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 generating capabilities while preserving its natural resources and safeguarding its  
2 agricultural heritage; now, therefore,

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
4 That:

5 (a) There is a Commission on the Development of a Blueprint for Solar Energy in  
6 Maryland.

7 (b) The Commission consists of the following members:

8 (1) two members of the Senate of Maryland, appointed by the President of  
9 the Senate;

10 (2) two members of the House of Delegates, appointed by the Speaker of  
11 the House;

12 (3) the Secretary of Natural Resources, or the Secretary's designee;

13 (4) the Secretary of Agriculture, or the Secretary's designee;

14 (5) the Secretary of Planning, or the Secretary's designee;

15 (6) the Chairman of the Public Service Commission, or the Chairman's  
16 designee;

17 (7) the Director of the Maryland Energy Administration, or the Director's  
18 designee;

19 (8) two representatives of farms located in Maryland, one from the Eastern  
20 Shore and one from the Western Shore, appointed by the Maryland Farm Bureau; and

21 (9) the following members, jointly appointed by the President of the Senate  
22 and the Speaker of the House:

23 (i) one representative of the Maryland Association of Counties;

24 (ii) two representatives of the solar power industry, one from a  
25 business that specializes in the development of utility-scale solar projects and one from a  
26 business that specializes in the development of residential or community solar projects;

27 (iii) one representative of an electric company;

28 (iv) one representative of the Chesapeake Bay Foundation;

29 (v) one representative of the Chesapeake Climate Action Network;  
30 and

1 (vi) one representative of a local land conservation organization.

2 (c) The President of the Senate and the Speaker of the House shall appoint the  
3 chair of the Commission from among the Commission members.

4 (d) The Power Plant Research Program shall provide staff for the Commission.

5 (e) A member of the Commission:

6 (1) may not receive compensation as a member of the Commission; but

7 (2) is entitled to reimbursement for expenses under the Standard State  
8 Travel Regulations, as provided in the State budget.

9 (f) The Commission shall:

10 (1) study and make recommendations regarding:

11 (i) restricting or discouraging the development of solar energy  
12 projects in ecologically or agriculturally important areas, including:

13 1. on productive farmland;

14 2. on forest land;

15 3. on park land;

16 4. in or near wetlands; and

17 5. in the Chesapeake and Atlantic Coastal Bays Critical  
18 Area;

19 (ii) options for siting solar energy projects in areas with low potential  
20 for conflict with natural and agricultural resources, including:

21 1. on degraded lands, including brownfields, closed landfills,  
22 Superfund sites, Resource Recovery and Conservation Act (RCRA) lands, and closed mines;

23 2. on degraded or unproductive farmland;

24 3. in residential, commercial, and industrial areas, including  
25 on roof tops;

26 4. on existing public utility rights-of-way; and

27 5. at publicly owned institutions;

1 (iii) encouraging the co-usage of land for solar energy projects and  
2 other purposes;

3 (iv) options for implementing the siting policies and preferences  
4 identified by the Commission, including changing existing laws and regulations and  
5 developing new financial incentives;

6 (v) updating the SmartDG+ tool developed by the Department of  
7 Natural Resources and the Maryland Energy Administration to reflect siting policies and  
8 preferences identified by the Commission;

9 (vi) creating a solar energy clearinghouse in the Department of  
10 Planning to provide land use planning guidance and technical assistance to local  
11 governments undertaking solar energy planning; and

12 (vii) centralizing the tracking and mapping of locations, acreage, and  
13 environmental characteristics of proposed solar energy projects and related transmission  
14 upgrades to facilitate coordinated, comprehensive land use and environmental planning for  
15 solar energy development; and

16 (2) develop a comprehensive siting blueprint to guide units of State and  
17 local government in the evaluation of proposed solar energy projects, consistent with the  
18 Commission's findings and recommendations.

19 (g) On or before January 1, 2020, the Commission shall submit a report of its  
20 findings and recommendations together with the blueprint developed under subsection  
21 (f)(2) of this section to the Governor and, in accordance with § 2-1246 of the State  
22 Government Article, the General Assembly.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
24 1, 2019. It shall remain effective for a period of 1 year and, at the end of May 31, 2020, this  
25 Act, with no further action required by the General Assembly, shall be abrogated and of no  
26 further force and effect.