



**Committee:** T&E  
**Committee Review:** At a future date  
**Staff:** Robert H. Drummer, Senior Legislative Attorney  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** #MoCoEnergyAndAirQuality

**SUBJECT**

Bill 26-20, Environmental Sustainability – Energy and Air Quality Committee - Amendments  
Lead Sponsor: Council President Katz at the request of the County Executive

**EXPECTED ATTENDEES**

None

**COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION**

- To introduce Bill – no vote expected

**DESCRIPTION/ISSUE**

Bill 26-20 would add advising on climate change issues to the duties and responsibilities of the Energy and Air Quality Advisory Committee and change the name to the Climate, Energy, and Air Quality Advisory Committee.

**SUMMARY OF KEY DISCUSSION POINTS**

- None

**This report contains:**

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**MEMORANDUM**

June 11, 2020

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney

SUBJECT: Bill 26-20, Environmental Sustainability - Energy and Air Quality Advisory Committee—Amendments

PURPOSE: Introduction – no Council votes required

Bill 26-20, Environmental Sustainability - Energy and Air Quality Advisory Committee - Amendments, sponsored by Lead Sponsor Council President at the request of the County Executive, is scheduled to be introduced on June 16, 2020. A public hearing is tentatively scheduled for July 7 at 1:30 p.m.<sup>1</sup>

Bill 26-20 would modify the duties and responsibilities of the Energy and Air Quality Advisory Committee as well as change the name of the Committee. The Council declared a climate emergency in adopting Resolution No. 18-974 after the establishment of the Energy and Air Quality Advisory Committee. None of the existing boards, committees, or commissions within the Office of the County Executive directly advise on climate change issues. Bill 26-20 would add advising on climate change issues to this existing Committee and change its name to the Climate, Energy, and Air Quality Advisory Committee.

The Bill would permit the existing members of the Committee to remain as members of the newly revised Committee until the conclusion of their terms of office.

This packet contains:	<u>Circle #</u>
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<sup>1</sup> #MoCoEnergyAndAirQuality

Bill No. 26-20  
Concerning: Environmental Sustainability  
- Energy and Air Quality Committee -  
Amendments  
Revised: June 2, 2020 Draft No. 1  
Introduced: June 16, 2020  
Expires: December 16, 2021  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch.  , Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President at the request of the County Executive

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**AN ACT** to:

- (1) modify the duties and responsibilities of the Energy and Air Quality Advisory Committee;
- (2) change the name of the Energy and Air Quality Advisory Committee; and
- (3) generally revise County law regarding environmental sustainability.

By amending

Montgomery County Code  
Chapter 18A, Environmental Sustainability  
Sections 18A-1, 18A-5 and 18A-8.

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1 **Sec. 1. Sections 18A-1, 18A-5, and 18A-8 are amended as follows:**

2 **18A-1. Findings and statement of purpose.**

3 (a) In the interest of maintaining an adequate and reliable energy supply at  
4 reasonable cost, the County government recognizes the need to  
5 institutionalize through legislation an energy policy and energy planning  
6 program. In addition, the efficient use of energy directly benefits air  
7 quality and climate, demonstrating the linkages necessary to achieve  
8 essential environmental goals. For this reason, the responsibilities of  
9 the Advisory Committee on Climate, Energy, [Conservation] and Air  
10 Quality includes [are expanded to include] an advisory function with  
11 respect to air quality and climate change.

12 \* \* \*

13 **18A-5. Climate, Energy, and Air Quality Advisory Committee; establishment;**  
14 **terms of office; ex-officio members; etc.**

15 (a) There is hereby established an Advisory Committee on Climate,  
16 Energy, and Air Quality to assist the County Council and the County  
17 Executive in carrying out the purposes of this [Article] Chapter  
18 and Chapter 3. The Committee consists of 15 members appointed by  
19 the [County] Executive, subject to confirmation by the [County]  
20 Council. One member must be designated by the Executive and  
21 confirmed by the Council to serve as chair of the Committee. Each  
22 appointee must be a resident of the County who is technically  
23 knowledgeable and interested in climate change, energy and air quality.

24 \* \* \*

25 **18A-8. Duties and responsibilities.**

26 The Committee has the following duties:

- 27 (a) Advise the [County] Executive and the [County] Council of the  
 28 activities of the Committee in furthering the [goals] purpose of this  
 29 [Article] Chapter and Chapter 3;
- 30 (b) Comment on or assist in [Develop] developing recommendations to  
 31 promote and implement immediate and long-range [energy  
 32 consciousness in all segments of the community] policies and programs  
 33 aimed at meeting the County’s greenhouse gas emission reduction  
 34 goals;
- 35 (c) Comment on or assist in developing recommendations to promote and  
 36 implement immediate and long-range policies and programs to promote  
 37 cleaner, more efficient, and more reliable energy use and practice in all  
 38 segments of the community;
- 39 [(c)] (d) Comment on or assist in developing programs to meet air quality  
 40 standards and to promote healthy indoor and outdoor air quality;
- 41 [(d)] (e) Identify areas and methods to encourage voluntary participation  
 42 in climate-related efforts, energy conservation efforts and air quality  
 43 improvements;
- 44 (f) Identify and recommend innovative programs, policies, and  
 45 technologies to improve climate and air quality for the Executive, the  
 46 Council, and the public to implement;
- 47 [(e)] (g) Recommend the development of educational programs and  
 48 materials to [Educate] educate the public and private sectors about the  
 49 efficient use of energy and its direct benefits for improved air quality  
 50 and reduced greenhouse gas emissions; and
- 51 (h) Carry out duties assigned from time to time by the [County] Executive  
 52 and the [County] Council to assist in fulfilling the purposes of this  
 53 Article.



# LEGISLATIVE REQUEST REPORT

*Bill 26-20*

*Environmental Sustainability - Energy and Air Quality Advisory Committee—Amendments*

<b>DESCRIPTION:</b>	The Bill would amend the name of the existing Energy and Air Quality Advisory Committee and add duties.
<b>PROBLEM:</b>	Since the Energy and Air Quality Advisory Committee was originally established, the County declared a Climate Emergency (Resolution 18-974). Currently, none of the existing boards, committees, or commissions within the Office of the County Executive directly advise on climate change issues.
<b>GOALS AND OBJECTIVES:</b>	The proposed amendments will expand the name and scope of the Energy and Air Quality Advisory Committee to include climate change topics.
<b>COORDINATION:</b>	Department of Environmental Protection
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be requested.
<b>EXPERIENCE ELSEWHERE:</b>	N/A
<b>SOURCE OF INFORMATION:</b>	Lindsey Shaw, Manager of Energy and Sustainability Programs, Energy, Climate, and Compliance Division (240-777-7754)
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	N/A
<b>PENALTIES:</b>	N/A

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OFFICE OF THE COUNTY EXECUTIVE  
Rockville, Maryland 20850

Marc Elrich  
*County Executive*

MEMORANDUM

May 27, 2020

TO: Sidney Katz, President  
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Introduction of XX-20, Energy and Air Quality Advisory Committee-  
Amendments

It is my pleasure to transmit the attached legislation to amend the name and scope of the County's Energy and Air Quality Advisory Committee, a 15-member volunteer advisory board appointed by the County Executive and confirmed by the County Council.

Since the Energy and Air Quality Advisory Committee was originally created, the County has declared a Climate Emergency (Resolution 18-974). Currently, none of the existing boards, committees, or commissions within the Office of the County Executive directly advise on climate change issues. This change is supported by the County's Climate Change Coordinator and the Department of Environmental Protection (DEP).

The attached bill (XX-20, Energy and Air Quality Advisory Committee - Amendments) reflect the modification of the Energy and Air Quality Advisory Committee's name and scope to include climate change topics.

If you have any questions, please contact Stan Edwards in the Department of Environmental Protection at 240-777-7748 or [stan.edwards@montgomerycountymd.gov](mailto:stan.edwards@montgomerycountymd.gov).

ME:ao

**Fiscal Impact Statement**  
**Bill XX-20, Energy and Air Quality Advisory Committee—Amendments**

**1. Legislative Summary.**

Bill XX-20 changes the name of the Advisory Committee on Energy and Air Quality to the Advisory Committee on Climate, Energy and Air Quality, and expands its scope to include issues related to climate change. In 2017, the County declared a Climate Emergency (Resolution 18-974), but none of the existing boards, committees, or commissions within the Office of the County Executive directly advise on climate change issues. The proposed amendments will expand the name and scope of the advisory committee to include climate change topics.

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget.**

**Includes source of information, assumptions, and methodologies used.**

This bill is not expected to have an impact on revenues or expenditures. It would not change the number of members on the advisory committee or the frequency of its meetings.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

Not applicable. This bill would not have an impact on revenues or expenditures.

**4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

Not applicable.

**5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.**

Not applicable.

**6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Not applicable.

**7. An estimate of the staff time needed to implement the bill.**

There would be no additional staff time necessary to implement this bill. It does not change the number of members on the advisory committee or the frequency of its meetings. Staff that currently support the advisory committee would continue to do so.

**8. An explanation of how the addition of new staff responsibilities would affect other duties.**

Not applicable.

**9. An estimate of costs when an additional appropriation is needed.**

No additional appropriations would be required to implement the proposed bill.

**10. A description of any variable that could affect revenue and cost estimates.**

This bill would not have an impact on revenues or expenditures.

**11. Ranges of revenue or expenditures that are uncertain or difficult to project.**

This bill would not have an impact on revenues or expenditures.

**12. If a bill is likely to have no fiscal impact, why that is the case.**

This bill is not expected to have a fiscal impact on the County. It does not change the number of members on the advisory committee or the frequency of its meetings. The existing level of staff support to the committee would continue.

**13. Other fiscal impacts or comments.**

None.

**14. The following contributed to and concurred with this analysis:**

Stan Edwards, Department of Environmental Protection

Richard H. Harris, Office of Management and Budget



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**Richard S. Madaleno, Director  
Office of Management and Budget**

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5/22/20

**Date**