

Sayers, Margery

From: Jill Smulson <ajillity81@gmail.com>
Sent: Monday, November 1, 2021 6:57 AM
To: CouncilMail
Subject: OPPOSE AMENDMENT 1 to CB 71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I oppose OPPOSE AMENDMENT 1 to CB 71.
Why should all houses be electric?
Why are you not allowing public testimony.

During power outages, if my house was all electric, I would not be able to cook. With a gas stove, I can boil water and warm food in the oven to eat. I can also take a shower that isn't ice cold.

Food cooked on a gas stove is also much better. Ask any chef out there.

Sayers, Margery

From: JAMES furr <jam_fur@msn.com>
Sent: Monday, November 1, 2021 12:12 AM
To: CouncilMail
Subject: CB 71 amendment

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hi,

I'm reaching out asking for your help in correcting a wrong and making it right for your residents in the county we love and call home. I really hope you care about and love this county as much as I do and not just consider this a job. The people of this county should always feel they can trust our elected officials. I always have but right now I'm not feeling that way because of the sneaky behind back thing that Liz Walsh has done. By adding an amendment to CB 71 that would take away the option for your residents to choose if they would like gas for their homes. She snuck this in last minute without the opportunity for your residents to voice their opinions. This was done and it's taken away any trust or respect for Liz Walsh. Please fix this issue for all of your residents and people of in my opinion the best county I've ever lived in and what to be in forever. We feel very betrayed and I know that's not what you want for us at all. Please show everyone that what we believe in our elected officials is that you can be trusted to do the right thing and fix this wrong. I really appreciate you taking the time to listen to our request for your help please don't let us down.

Thank you,

James Furr Jr.
Sent from my T-Mobile 5G Device

Sayers, Margery

From: Arlene Kerber <agkerber@gmail.com>
Sent: Sunday, October 31, 2021 11:22 PM
To: CouncilMail
Cc: Jung, Deb
Subject: Support of CB71-2021 and Amendment 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello,

I am a resident of County Council district 4 in Columbia.

Regarding the building code proposal and amendment 1 requiring all new residential construction to be all electric: WHEN IF NOT NOW and change begins AT THE LOCAL LEVEL.

I support the amendment to the code making new buildings all electric. It is the time to get serious about what we need to do at our local level. If necessary and there is more need for discussion and understanding, please extend the date of the renewal of this important legislation.

Regards, Arlene Kerber, 5376 Mad River Lane, Columbia, MD

Sent from my iPad

Sayers, Margery

From: ANTHONY CORRAO <ANTHONY.CORRAO@Longandfoster.com>
Sent: Sunday, October 31, 2021 10:53 PM
To: CouncilMail
Subject: Expressing my opposition to Amendment 1 to CB 71.

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Howard County Council Members,

It has come to my attention that an Amendment was added to CB 71, that would mandate that all new construction be electric only in Howard County.

A change like this should NOT be made through a last-minute amendment to a bill after the public hearing, already took place. In my opinion, that's not the optimal way to govern our residents, especially, on something that LIMITS the choice and preferences of our residents, when building or purchasing a home.

Homebuyers should have time to evaluate this proposal and to provide feedback and testimony.

I would assume, it is highly unlikely that most county residents even know this is Amendment is being considered.

As a licensed REALTOR, who practices here in Howard County, I can share with you that the far majority of new home buyers and repeat home buyers prefer gas appliances and heating systems over electric appliances and electric heat pumps.

I would sincerely hope that this Amendment 1, be brought before all Howard County residents, to have them provide their testimony and feedback on this proposal.

Thanks for listening.

Respectfully,

Anthony J. Corrao

President & Group Leader

Anthony Corrao Group of Long & Foster, the nations No. 1 real estate company as part of Home Services Corporation of America

Christie's International Real Estate

Ranked in the Top 1% of REALTORS® Nationwide by Real Trends as published in The Wall Street Journal

Certified Luxury Property Expert, Christies International Real Estate

Baltimore Metro Luxury Alliance Member

Former American Dream TV Show Host, Baltimore Metro REALTOR® Expert

Long & Foster Top 100 Elite Agent

National Association of Home Builder's Certified Sales Professional

Howard County Office - 10805 Hickory Ridge Rd, Columbia, MD 21044

Baltimore County Office - 10801 Tony Dr, Lutherville, MD 21093

Montgomery County Office - 189 Kentlands Blvd, Gaithersburg, MD 20878

Mobile- 410-336-0877

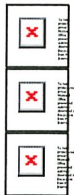
Office- 410-715-2026

Email- ACORRAO@longandfoster.com

www.AnthonyCorrao.LNF.com

<https://www.youtube.com/c/TheAnthonyCorraoTeam>

www.Facebook.com/TheAnthonyCorraoTeam



ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies (“Long & Foster”) which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Liz Feighner <liz.feighner@gmail.com>
Sent: Sunday, October 31, 2021 9:51 PM
To: CouncilMail
Cc: Rigby, Christiana
Subject: CB71-2021 - Amendment 1
Attachments: A1CB71-2021.pdf; CB71-2021 testimony - Feighner.pdf; AG Letter of Advice - Gas Bans.pdf; TESTIMONY FOR cb71-2021 from HoCoClimateAction.org .pdf; Building Energy Transition Plan - Approved.pdf; Buildings provisions- 2021 Climate Solutions Act .pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I am a 29 year resident of Howard County in District 3 and I am writing about CB71 and amendment 1 that requires that a new residential building for which a building permit is applied for on or after November 1, 2022 must be an all-electric building.

I testified (written attached) at the county council hearing on Oct 18, 2021 requesting a provision be added to CB71 and I am extremely pleased that this amendment was added by Councilwoman Liz Walsh.

There is much work being done at the state level on this issue of all buildings needing to be electric in the coming years. Attached are several documents and testimony that HoCo Climate Action submitted. Requiring all new residential buildings be all-electric is the most sensible path to take. We can't continue to expand fossil fuel usage for heating our homes – we need to put on the brakes now as we are heading for a cliff on unstoppable climate disasters.

Please support this amendment. However, if there isn't enough time to have a full discussion of this amendment during the meeting on November 1, please postpone the vote until an informative policy discussion can be held. From the attached document, Building Energy Transition Plan, you will find that this is the recommended transition path for starting in 2024, but Howard County should be a leader and implement sooner.

Sincerely,

Liz Feighner

"We do not inherit the Earth from our Ancestors; we borrow it from our children" ~ Native American Proverb

Amendment No. 1 to Council Bill No. 71-2021

BY: Liz Walsh

Legislative Day #17

Date: November 1, 2021

Amendment No. 1

(This amendment requires that a new residential building for which a building permit is applied for on or after November 1, 2022 must be an all-electric building.)

1 In the title, before “making”, insert “requiring that a new residential building for which a building
2 permit is applied for on or after a certain date must be an all-electric building.”.

3

4 On page 1, in line 24, insert:

5 “By adding:

6 Title 3. Buildings.

7 Subtitle 1. Building Code.

8 Section 3.106. All-electric New Residential Buildings.”.

9

10 On page 59, in line 25, insert:

11 “3.106.

12 (A) DEFINITIONS. IN THIS SECTION, “ALL-ELECTRIC BUILDING” MEANS A BUILDING THAT USES A
13 PERMANENT SUPPLY OF ELECTRICITY AS THE SOURCE OF ENERGY FOR ITS SPACE HEATING, WATER
14 HEATING, INCLUDING POOLS AND SPAS, COOKING APPLIANCES, AND CLOTHES DRYING APPLIANCES,

1 AND HAS NO NATURAL GAS OR PROPANE PLUMBING INSTALLED WITHIN THE BUILDING PROPERTY
2 LINES.

3 (B) SCOPE. THIS SECTION APPLIES TO A NEWLY CONSTRUCTED RESIDENTIAL BUILDING THAT IS A
4 SINGLE-FAMILY DWELLING, AN APARTMENT, A TOWNHOME, OR A CONDOMINIUM THAT HAS NEVER
5 BEEN OCCUPIED.

6 (C) REQUIREMENT FOR ALL-ELECTRIC RESIDENTIAL BUILDINGS. NOTWITHSTANDING ANY OTHER
7 PROVISION OF THIS TITLE, A NEWLY CONSTRUCTED RESIDENTIAL BUILDING FOR WHICH A BUILDING
8 PERMIT IS APPLIED FOR ON OR AFTER NOVEMBER 1, 2022 SHALL BE AN ALL-ELECTRIC BUILDING.”.

CB71-2021 Testimony in support with amendments

My name is Liz Feighner of Laurel, MD and I'm a 29-year resident from Council District 3. I strongly urge the council members to support CB71, the adoption of several 2021 international construction standards and specifically the International Energy Conservation Code to comprise the new Howard County Building Code. I am also requesting an additional provision to require new construction for residential buildings to be all-electric.

The Intergovernmental Panel on Climate Change's most [recent report](#) finds that only with ambitious greenhouse gas emissions reductions can the world keep global temperature rise to 1.5 degrees celsius, the limit scientists say is necessary for preventing the worst climate impacts. We are in a climate crisis and we have dug ourselves into a massive hole and we must stop digging now, literally and figuratively.

We cannot achieve ambitious emission reductions if we allow new construction of residential housing that uses fossil fuels for heating and cooking. The buildings sector accounts for about 40% of carbon dioxide emissions worldwide and 18% in Maryland. In order to meet [Maryland's Greenhouse Gas Reduction Act](#) mandates, we will need to retrofit existing buildings to switch from fossil fuel use to all-electric. So, it makes no sense to expand the use of fossil fuels in new buildings only to have to decarbonize these buildings a few years later.

We need to stop digging/drilling for fossil fuels for heating and cooking in our homes and the best place to start is to require all-electric new residential buildings. All-Electric new construction is cost-effective and a reasonable first step in not increasing our emissions. MDE worked with an energy consulting firm to produce a [Building Energy Transition Plan](#) and found that all-electric new buildings typically have the lowest construction and operating costs, especially in single-family homes.

I have not even discussed the health impacts, costs and dangers of fossil fuels being used in our homes and communities. The devastation from fracking, leaking pipelines, gas line explosions, and indoor and outdoor air quality is unacceptable and incompatible with a healthy planet.

All-electric buildings are a necessary step in reducing carbon emissions to avoid the worst impacts of the climate crisis. We must move quickly and that is why I urge you to support building electrification, starting with new construction.

Respectfully submitted,

Liz Feighner
10306 Champions Way
Laurel, MD 20723

BRIAN E. FROSH
ATTORNEY GENERAL

ELIZABETH F. HARRIS
CHIEF DEPUTY ATTORNEY GENERAL

CAROLYN A. QUATTROCKI
DEPUTY ATTORNEY GENERAL



THE ATTORNEY GENERAL OF MARYLAND
OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY

SANDRA BENSON BRANTLEY
COUNSEL TO THE GENERAL ASSEMBLY

KATHRYN M. ROWE
DEPUTY COUNSEL

JEREMY M. MCCOY
ASSISTANT ATTORNEY GENERAL

DAVID W. STAMPER
ASSISTANT ATTORNEY GENERAL

September 27, 2021

The Honorable Lorig Charkoudian
Maryland General Assembly
226 House Office Bldg.
Annapolis, MD 21401
Via email

Dear Delegate Charkoudian:

You asked for advice whether State law preempts the ability of local governments (county or municipal) to prohibit gas hookups in newly constructed buildings. Although the ultimate answer will depend on the precise prohibition proposed as well as the authority granted to the type of the local government seeking to impose the ban, it is my view that State law leaves room for local governments to act in this space. I explain my reasoning below.

Due to concerns about carbon emissions and climate change, several localities across the U.S. have put limits on natural gas use in buildings.¹ Some of the measures simply ban new gas hookups in new building construction that would prevent natural gas for heating and other appliances, while others more broadly seek to accelerate decarbonization policies that move from fossil fuels for electricity infrastructure. You indicated that the concept contemplated would ban gas hookups in new construction through the local building code.

Areas regulated by State Law

To determine whether a local government would be preempted by State law from enacting a building code that prohibits gas hookups in new buildings, the first step is to look at the extent of State regulation over building codes and gas hookups. As to building codes, the General Assembly has enacted Model Building Performance Standards—which set minimum building code standards—but State law also allows local

¹ See, e.g., “New York City moves to ban natural gas hookups in new construction,” 2021 WL 300568 (January 29, 2021); “Cities Try to Phase Out Gas Stoves—but Cooks Are Pushing Back,” Elena Shao, *Wall Street Journal* (July 17, 2021).

governments to modify these standards. Public Safety Article (“PS”), §§ 12-201, 12-503 – 12-504. *See also* COMAR Title 9, Subtitle 12, Chapters 50 and 51.

State law also grants charter and code counties the authority to enact local laws to protect and promote public safety, health, morals, comfort and welfare relating to the construction of buildings. Local Govt. Article (“LG”), § 10-317(a)(4). The General Assembly has enacted specific authority for specifically named counties. LG §§ 13-901 - 907. State law also authorizes municipalities to enact building codes. LG § 5-211. Other State laws address building permits in the Maryland-Washington Regional District, but these provisions include authorization for local governments to enact building provisions with some specified requirements. Land Use Article, §§ 20-502, 20-508, 20-509, and 20-513.

In addition, several State law provisions touch upon various aspects related to gas hookups and supply. The Public Utilities Article (“PU”) states:

A gas company incorporated in Maryland may:

- (1) manufacture artificial gas;
- (2) sell or furnish any quantity of natural gas or artificial gas that may be required in any municipal corporation or county of the State;
- (3) lay pipe under the roadways or other public ways of any county or municipal corporation of the State to transmit natural gas or artificial gas; and
- (4) connect the pipe from the place of supply to any structure or object.

PU § 7-102(a). The Public Service Commission (“PSC”) regulates the rates and services of public service companies, PU §§ 4-102, 5-101, and 5-201, authorizes and inspects gas meters, PU §§ 7-301 and 302, and authorizes certain customer fees. PU § 7-305. Further, the PSC is empowered to protect gas consumers and maintain a competitive supply of gas. PU, Title 7, Subtitle 6.

With regard to the installation of gas appliances, State law requires a license from the State Board of Plumbing in order for an individual to “provide natural gas services” defined as “the installation, maintenance, extension, alteration, and removal of piping, gas-fired equipment, appliances, or appurtenances in connection with a natural gas supply system downstream of the gas utility point of delivery.” Business Occupations Article, § 12-301(a)(4).

In addition, the General Assembly has authorized the Washington Suburban Sanitary Commission (“WSSC”) to regulate the installation of plumbing and gasfitting systems within its jurisdiction (all of Montgomery and Prince George’s Counties, Maryland, except for Rockville and Poolesville). PU § 17-404. Exercising this authority, the WSSC issued its Plumbing and Fuel Gas Code, which outlines requirements for the installation, and maintenance of plumbing and gasfitting systems. Those regulations include the final inspection of gas appliances. *See* WSSC Code 107.4.1.5.² The authority of the WSSC is expressly recognized in Montgomery County Code of Regulations § 8.00.02.05 (noting an exception in the building code for “[f]uel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories regulated under the authority of Washington Suburban Sanitary Commission”). Several local governments have enacted a local gas code. *See, e.g.* Annapolis Ordinance 17.24.020 (outlining regulations that govern “the construction, installation and equipment of gas fixtures, devices, appliances and connections from the outlet of any meter or regulator supplying natural gas or a mixture of the same, undiluted and liquefied petroleum gases, liquefied petroleum gas-air mixtures or mixtures of these gases to any building”).

Preemption Analysis

Maryland courts have determined that “[t]here are three ways in which State law may preempt local law: (1) expressly, (2) by conflict, or (3) by implication.” *Montgomery County Council v. Complete Lawn Care, Inc.*, 240 Md. App. 664, 707 (2019). “A local ordinance is pre-empted by conflict when it prohibits an activity which is intended to be permitted by state law, or permits an activity which is intended to be prohibited by state law.” *Talbot Co. v. Skipper*, 329 Md. 481, 487 n. 4 (1993). Implied preemption “occurs when a local law deals with an area in which the State Legislature has acted with such force that an intent by the State to occupy the entire field must be implied.” *County Council of Prince George’s Co. v. Chaney Enters. Ltd. Partnership*, 454 Md. 514, 541 (2017). “In determining whether ‘the General Assembly [has] occup[ied] a particular field so extensively as to preclude local legislation,’ the ‘primary indicia of a legislative purpose to preempt an entire field of law is the comprehensiveness with which the General Assembly has legislated that field.’” *Id.* (citations omitted).

The Court of Appeals has identified secondary factors that should be considered in an implied preemption analysis, in addition to the comprehensiveness of State law:

- (1) whether local laws existed prior to the enactment of state laws governing the same subject matter, (2) whether the

² *See also* WSSC consumer information brochure at [7.31.2020 update to RSD Gas Appliance Flier.pdf \(wsscwater.com\)](#).

state laws provide for pervasive administrative regulation, (3) whether the local ordinance regulates an area in which some local control has traditionally been allowed, (4) whether the state law expressly provides concurrent legislative authority to local jurisdictions or requires compliance with local ordinances, (5) whether a state agency responsible for administering and enforcing the state law has recognized local authority to act in the field, (6) whether the particular aspect of the field sought to be regulated by local government has been addressed by state legislation, and (7) whether a two-tiered regulatory process existing if local laws were not preempted would engender chaos and confusion.

Allied Vending, Inc. v. Bowie, 332 Md. 279, 299-300 (1992) (citations omitted). In that case, the Court found a local ordinance regulating the sale of cigarettes preempted. *Accord Altas U.S.A., Inc. v. Prince George's Co.*, 431 Md. 307 (2013) (declaring local ordinance regulating the sale of cigars preempted).

Nothing in State law expressly addresses the authority of local governments to ban gas hookups in new construction. One argument for implied preemption, however, is that the State has occupied the field of gasfitting by giving the Board of Plumbing and the WSSC authority to license those who may install gas appliances, and that the State law giving the PSC oversight of public utilities implies that the General Assembly intended for the PSC alone to regulate public utilities. There are also possible arguments that a local ban on gas hookups conflicts with State law. Last year the Massachusetts Attorney General determined that Massachusetts law preempted the authority of a town to prohibit “any permits for construction of certain buildings with fossil fuel infrastructure.” See Letter to Brookline Town Clerk from Attorney General Healey, Case #9725 (July 21, 2020).³ The Attorney General found the town’s proposed ban conflicted with State laws in three areas—the State building code, the authority of the State Plumbing Board, and the State’s public utility law.⁴

Massachusetts law, as described in the letter, differs from Maryland law regarding the reach of the state building code in ways relevant to your question. First,

³ The review was required by Massachusetts law, which provides before a town by-law may take effect, the Attorney General must “determine[e] whether the by-law conflicts with the laws or Constitution of the Commonwealth.” Letter at 2 (citing G.L. c. 40, § 32).

⁴ A federal court recently found that a gas hookup ban in Berkeley, California was not preempted by federal law regulating energy use and efficiency. *California Restaurant Ass’n v. Berkeley*, Case No. 4:19-cv-07668-YGR (N.D. Cal. July 6, 2021). The plaintiff had argued that by banning gas appliances, the Ordinance requires that no natural gas is used, thus “the Ordinance requires that *zero* quantum of natural gas be used in new construction.”

the role of local authorities regarding building codes appear to be limited under Massachusetts law to inspecting whether the building met *state* building standards. In addition, the Attorney General cited Massachusetts case law holding that the legislature has expressly indicated its intention for a uniform state building code.

Same is true with regard to state laws governing gasfitters. The Massachusetts Attorney General pointed to state law stating an intention for a uniform Gas Code. Quoting G.L. c. 142, §13, the Attorney General noted the law gives the Plumbing Board the duty to “alter, amend, and repeal rules and regulations relative to gas fitting in buildings throughout the commonwealth.” In addition, the statute says the Board’s regulations “shall be reasonable, uniform, based on generally accepted standards of engineering practice, and designed to prevent fire, explosion, injury and death.” The Attorney General reasoned that the town’s proposed “by-law and the Gas Code have different requirements for when gas fitting work can occur and have different appellate/waiver procedures governing relief from denial of a permit. As a result, “the [by-law] would frustrate the achievement of the stated statutory purpose of having centralized, Statewide standards in this area.” Letter at 10 (quoting *St. George Greek Orthodox Cathedral of Western Massachusetts, Inc. v. Fire Dep’t of Springfield*, 462 Mass. 120, 129-130 (2012)).

Finally, the Massachusetts Attorney General concluded that the statutory scheme for the sale and distribution of natural gas was so comprehensive that it preempted the town’s proposed ban. The Attorney General noted the opposition of the Massachusetts agency charged with regulating utilities. That agency, the Massachusetts Department of Public Utilities (“DPU”), weighed in, stating that it “views the by-law as conflicting with this legislative grant of authority because, “[i]n effect, the [by-law] restricts [the approved gas company’s] ability to add new customers in Brookline (particularly heating customers) and restricts [the gas company’s] ability to serve existing customers who perform significant renovations on their buildings.” Letter at 11 (quoting Letter from DPU counsel). The Attorney General went on to conclude that because the town could not directly prohibit the gas company serving that area from adding new customers, the town could not indirectly do so.

In contrast to the situation in Massachusetts, Maryland law expressly allows for local government to enact local building codes. Moreover, prohibiting new gas hookups through the locality’s building code would not seem to interfere with the Plumbing Board’s or WSSC’s authority to license gasfitters or inspect the installation and maintenance of gas appliances. The proposed ban does not change the requirements for licensure. Moreover, local governments have long had a role issuing building permits consistent with local building codes. Considering the foregoing, I do not believe that State laws regarding building code laws or gasfitter regulation preempt the proposal.

On the other hand, I think whether the Public Utility laws preempt a local gas hookup ban presents a closer call. State law directs the PSC to:

(i) supervise and regulate the public service companies subject to the jurisdiction of the Commission to:

1. ensure their operation in the interest of the public; and
2. promote adequate, economical, and efficient delivery of utility services in the State without unjust discrimination; and

(ii) enforce compliance with the requirements of law by public service companies, including requirements with respect to financial condition, capitalization, franchises, plant, manner of operation, rates, and service.

PU § 2-113(a)(1). In addition, “[i]n supervising and regulating public service companies, the Commission shall consider the public safety, the economy of the State, the conservation of natural resources, and the preservation of environmental quality.” PU § 2-113(a)(1).

The Court of Appeals has not hesitated finding local laws that move into areas regulated by the PSC preempted by State law. *See Bd. of Comm’rs of Washington Co. v. Perennial Solar, LLC*, 464 Md. 610 (2019); *Howard Co. v. PEPCO*, 319 Md. 511 (1990). In those case, the Court was evaluating local zoning ordinances that regulated the location and construction of generating stations and transmission lines. The PSC has clear and broad statutory authority over the siting of such through its authority in the issuance of a certificate of public convenience and necessity (“CPCN”). The Court noted in each case that the zoning ordinance required consideration by the county of many of the same factors as the PSC looks at for a CPCN.

In *Perennial Solar*, in addition to pointing to the extensive State regulation of the siting of generating stations, the Court

also expressed a concern that the two-tiered regulatory process proposed by the counties involving both the CPCN process at the PSC level, and a special exception process at the county zoning level, could generate confusion and complications, noting that “[n]ot only could counties impose special conditions upon utilities seeking to construct transmission lines, but an individual county could effectively

thwart the line's construction even after the utility had been granted a certificate by the PSC.”

464 Md. at 639 (quoting *Howard Co.*, 319 Md at 527).

In light of the *Perennial Solar* and *Howard County* cases, I cannot rule out that a court might be persuaded by the argument successfully made by the utility regulator to the Massachusetts Attorney General that the local ban on gas hookups was preempted by State law. That is, by reducing the potential market for gas companies authorized by the PSC to distribute gas to end users, a local ban of gas hookups is indirectly interfering with areas under the PSC's purview, including fulfilling its duties under PU § 2-113(a). *See Rowe v. Chesapeake and Potomac Telephone Co. of Maryland*, 65 Md. App. 527 (1985) (striking as preempted a charter provision prohibiting the county from contracting with telephone company unless the company included telephone subscribers in specified areas of county at local rates no higher than local rates charged other metropolitan telephone exchange subscribers). In *Rowe*, the court found the county's intent was to force telephone company to change rates and services it offered subscribers in some portions of county, and thus conflicted with a State law granting the PSC the sole power to regulate public utility telephone company rates and services. *See also East Star, LLC v. County Comm'rs of Queen Anne's Co.*, 203 Md. App. 477, 494 (2012) (holding that despite State law scheme of shared regulation over mines, local ordinance that imposed additional and incompatible restrictions on surface mining operations than those imposed by State were preempted by conflict).⁵

At the same time, I recognize that the PSC's areas of regulation are gas companies, certain aspects of how a gas company markets to consumers, and setting rates. A ban on gas hookups does not regulate in any of the areas. Moreover, a ban is entirely consistent with the authority granted to local governments to enact local ordinances to protect and promote public safety, health, morals, comfort and welfare relating to the construction of buildings. LG § 10-317(a)(4). *See also Portsmouth Stove & Range Co. v. Baltimore City*, 156 Md. 244 (1929) (recognizing that a law regulating the installation of a gas appliance is designed to protect the public safety); *Mayor & City Council of Baltimore v. Hart*, 395 Md. 394, 396-397 (2006) (explaining that when a State statute requires statewide minimum safe driving standards for emergency vehicles, and a local order provides a more stringent standard for its own emergency vehicles, “[t]he function of [the statute] is, presumably, to help facilitate the safe operation of emergency vehicles. [The local order] simply provides for, arguably, a higher safety standard”).

⁵ Note, however, that the Court of Appeals “has not recognized frustration of purpose-type conflict preemption.” *Chaney*, 454 Md. at 541 n. 10 (noting that “our appellate courts ha[ve] never applied it to resolve a conflict between state and local law”).

The Honorable Lorig Charkoudian
September 27, 2021
Page 8

Further, if a ban on gas hookups is enacted, it would not subject gas companies to dual regulation. The ban does not prohibit a gas company from supplying gas to customers in that locality. Rather, it simply reduces the number of customers the company might have because occupants of newly constructed buildings would have no need for gas services. Nothing in the Public Utility laws require the continuance of gas hookups. As a result, although it is not entirely clear, I believe State law does not preempt a local ban on gas hookups.

Sincerely,



Sandra Benson Brantley
Counsel to the General Assembly

From Ruth Alice White for Howard County Climate Action (www.HoCoClimateAction.org)

- CB71** N AN ACT adopting the International Building Code, 2021, the International Residential Code, 2021, the International Mechanical Code, 2021, and the International Energy Conservation Code, 2021; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; making certain technical corrections; and generally relating to the regulation of building and construction in Howard County.
- 2021** o

Thank you for the opportunity to testify I am with HoCo Climate Action -- a 350.org local chapter and a grassroots organization representing more than 1,400 subscribers

We are here to support CB71 - for Howard County to adopt the 2021 International Building code with an amendment. We want a stretch code which will require new residential construction to be all-electric.

Both Howard County and the state of Maryland are committed to reducing greenhouse gases in the coming years. Buildings are the second-largest source of greenhouse gases in the state.

The easiest first step is to make sure new homes are all-electric. This is much less costly than retrofitting existing buildings, though this is an important second step and must be done in the coming years. It makes no sense to permit buildings that will sooner or later (and we pray sooner) be having to have costly building retrofits.

As others may testify, a state of Maryland task force on buildings found that construction of all-electric homes - single-family or multifamily costs the same or in many cases less to construct than homes with mixed fuels. And utility costs for these homes will be substantially less. So the combined construction costs and utility costs will be a significant saving.

Heating new electric homes will involve the newer heat pumps which are more energy efficient. Cooking can be done by the new induction stoves. Many many homes in Maryland are all-electric already and the newer ones use these technologies already.

Fossil fuels used for heating contain methane (or in the case of propane is a byproduct of petroleum refining and fossil/fracked gas processing). Methane is 84x more climate polluting than carbon dioxide over a 20 yr period. Substantial amounts of methane are released when fossil gas is piped. Maryland has a poor record so far in reducing methane from leaky pipes.

In fact, leaks lead to explosions like the one in Dobbin center in 2019 and others statewide before and since.

We know that too much Maryland electricity is generated from fossil fuels, and we are in the process of upgrading the grid with new solar and the planned Maryland Winds farms. Offshore wind with turbines as high as the Eiffel tower will provide much of the electricity for the East coast in the coming years.

We must not continue to allow the use of methane polluting fuels in homes when it costs less not to, and long-term goals include expensive retrofits in coming years.

Others will provide testimony on the substantial health benefits of getting gas out of homes. New all-electric homes will provide a healthier space for families and a healthier climate and will save everyone money. The county needs to pass a stretch code that bans gas in new residences for the benefit of all in Howard County.

Finally, the state of Maryland is considering tightening its building code requirements also, but this may take years. Howard County can take this small step now and continue to be an example for counties in Maryland in addressing the climate crisis.

State Delegate Lorig Charkoudian asked Attorney General Frosh's office if state preemption would keep a county from moving forward on this issue and the answer is basically no, preemption should not apply here. We can provide you a copy of this Sept 27, 2021 memo from the Attorney General.

Version: Approved by the Mitigation Work Group on Oct 13, 2021

BUILDING ENERGY TRANSITION PLAN

**A ROADMAP FOR DECARBONIZING THE RESIDENTIAL AND
COMMERCIAL BUILDING SECTORS IN MARYLAND**

**MARYLAND COMMISSION
on CLIMATE CHANGE**

Ben Grumbles, Chair

This is a report by the Maryland Commission on Climate Change, which is charged with advising the Governor and General Assembly on ways to mitigate the causes of, prepare for, and adapt to the consequences of climate change. The Commission is chaired by the Maryland Department of the Environment Secretary Ben Grumbles and consists of members representing state agencies, the Maryland General Assembly, local government, business, environmental non-profit organizations, organized labor, philanthropic interests, and universities in Maryland.

Policy proposals included in this report are supported by the Commission but do not necessarily reflect current state policy. This report is meant to guide Maryland policymakers on decisions related to reducing greenhouse gas emissions from buildings in pursuit of achieving targets in Maryland's 2030 Greenhouse Gas Reduction Act Plan and the Commission's recommendation that Maryland achieve net-zero emissions economywide by 2045.

Version: Approved by the Mitigation Work Group on October 13, 2021. Pending review by the Maryland Commission on Climate Change.

Table of Contents

- Executive Summary 4
- Background 6
- E3's Building Decarbonization Study 7
 - Key Findings 7
 - Stakeholder Feedback 9
 - Final Scenario Results 10
 - Total Costs 11
 - Electricity System Impacts 12
 - Gas System Impacts 13
 - Electricity and Gas Rate Impacts 14
 - Consumer Costs 15
 - Emissions Reductions 16
- Building Decarbonization Roadmap for Maryland 18
- Core Recommendations 19
- Additional Recommendations 24
- Appendix: Building Decarbonization Policies in Other States 28

Executive Summary

Direct use of natural gas, heating oil, and propane in buildings – primarily for space heating and water heating – accounted for 13 percent of Maryland’s greenhouse gas emissions in 2017. Maryland’s 2030 Greenhouse Gas Reduction Act (GGRA) Plan calls for reducing emissions from buildings through energy efficiency and by converting fossil fuel heating systems to electric heat pumps. Heat pumps are essentially air conditioners that can reverse cycle to provide efficient heating and cooling in one system, powered by increasingly clean electricity. They are already the second most common heating system in Maryland.

While the 2030 GGRA Plan sets a goal of electrifying fossil fuel end-uses in buildings, it also calls on the Maryland Commission on Climate Change (MCCC) to develop a Building Energy Transition Plan to identify specific measures and goals to decarbonize the buildings sector.

Energy + Environmental Economics (E3) examined four scenarios that would nearly achieve net-zero emissions for Maryland’s residential and commercial buildings sectors by 2045, aligning with the MCCC-recommended target for economywide emissions reductions. E3 found that a “MWG Policy” scenario is the lowest-cost scenario among all that were modeled.

What is the MWG Policy scenario?

The MCCC’s Mitigation Work Group (MWG) formed a Buildings Sub-Group to guide E3’s study and craft this Building Energy Transition Plan. A broad and diverse group of stakeholders provided valuable input over seven months and developed the policy recommendations presented herein. E3 modeled an “MWG Policy” scenario to evaluate the impacts of this Plan and recommendations, which are based on four core concepts:

- Ensure an equitable and just transition, especially for low-income households
- Construct new buildings to meet space and water heating demand without fossil fuels
- Replace almost all fossil fuel heaters with heat pumps in existing homes by 2045
- Implement a flexible Building Emissions Standard for commercial buildings

E3 found that implementing this Plan would:

- Reduce emissions from residential and commercial buildings by 95 percent by 2045
- Reduce construction and energy costs for most building types
- Ramp up electricity system investments to around \$1B annually by 2045
- Ramp down gas system investments, saving around \$1B annually by 2045
- Increase electricity rates by 2 cents per kilowatt-hour by 2045
- Provide the lowest gas rates among all scenarios modeled

Core Recommendations

This Plan includes four Core Recommendations (and 12 additional recommendations) that are designed to achieve a just transition to a decarbonized buildings sector in Maryland.

1. **Adopt an All-Electric Construction Code** – The General Assembly should require the Maryland Building Code Administration to adopt a code that ensures that new buildings meet all water and space heating demand without the use of fossil fuels. A cost-effectiveness test would allow building projects to seek variances to code requirements while maintaining electric-ready standards.
2. **Develop a Clean Heat Retrofit Program** – The General Assembly should require and provide funding to state agencies to implement programs that would:
 - a. Retrofit 100 percent of low-income households by 2030
 - b. Allow fuel-switching through EmPOWER beginning in 2024
 - c. Allow beneficial electrification through EmPOWER beginning in 2024
 - d. Target 50 percent of residential heating system, cooling system, and water heater sales to be heat pumps by 2025, 95 percent by 2030
 - e. Align energy plans, approvals, and funding with the objectives of this Plan
3. **Create a Building Emissions Standard** – The General Assembly should require the Maryland Department of the Environment to develop a Building Emissions Standard that would guide commercial and multifamily residential buildings to net-zero emissions by 2040. State-owned buildings would meet this standard by 2035. The General Assembly should also provide tax incentives and resources to help owners of covered buildings develop and implement emissions reduction measures. An alternative compliance pathway would be available to allow covered buildings to continue using fossil fuels when emissions reduction measures are unnecessarily expensive.
4. **Develop a Utility Transition Plan** – The General Assembly should require the Public Service Commission to oversee a process whereby the electric and gas utility companies develop plans for achieving a structured and just transition to a near-zero emissions buildings sector in Maryland.

Background

The combustion of fossil fuels in buildings is a substantial source of greenhouse gas (GHG) emissions in Maryland. Most of this energy use is for space and water heating. [Maryland's 2030 Greenhouse Gas Reduction Act \(GGRA\) Plan](#) calls for reducing GHG emissions from residential and commercial buildings through energy efficiency and by converting fossil fuel heating systems to efficient electric heat pumps that are powered by increasingly clean and renewable electricity. The 2030 GGRA Plan shows a steady transition to heat pump adoption, leading to at least 80 percent of residential space heating systems being heat pumps by 2050.

While the 2030 GGRA Plan sets a goal of electrifying fossil fuel end-uses in buildings, it also calls on the Maryland Commission on Climate Change (MCCC) to develop a Building Energy Transition Plan to identify specific measures and goals to decarbonize the buildings sector. Programs are not yet in place to achieve the building energy transition envisioned by the 2030 GGRA Plan and additional building emissions reductions will be needed for Maryland to achieve post-2030 GGRA targets. More clarity is needed on the levels of efficiency, electrification, and other measures that will be necessary for Maryland to achieve its long-range emissions reduction goals while keeping energy costs affordable for Marylanders.

The MCCC's Mitigation Work Group (MWG) launched a [Buildings Sub-Group](#) in 2020 to explore pathways to attain deeper emissions reductions from buildings. The Sub-Group's work led to a report, [Decarbonizing Buildings in Maryland](#), including recommendations for next-step actions. The Sub-Group continued its work in 2021, as called for in the 2030 GGRA Plan, to develop this Building Energy Transition Plan to serve as a roadmap for reaching net-zero emissions from residential and commercial buildings by 2045, aligning with the MCCC's recommendation that Maryland should achieve net-zero emissions economywide by that year.

The Maryland Department of the Environment (MDE) – with funding from the U.S. Climate Alliance and The Nature Conservancy – worked with Energy + Environmental Economics (E3) to conduct a [Maryland Building Decarbonization Study](#), which serves as the foundation for this Building Energy Transition Plan. The Buildings Sub-Group provided guidance and review of E3's work from March through October 2021.

The contents of this Building Energy Transition Plan reflect findings from E3's study, the Sub-Group's proceedings over the past two years, input from various stakeholders, and building decarbonization policies developed by other states.

E3's Building Decarbonization Study

Key Findings

E3 initially modeled three scenarios that were selected by the Buildings Sub-Group in May 2021. Each scenario nearly¹ achieves net-zero emissions by 2045 for the residential and commercial buildings sectors. The initial three scenarios were:

High Electrification – Almost all buildings adopt heat pumps and improve shell performance by 2045. All-electric new construction starting in 2025.

Electrification with Fuel Backup – Existing buildings adopt and use heat pumps for most of the annual heating load by 2045, but existing furnaces and boilers provide backup heating in the coldest hours of the year. Fossil fuels are replaced with low-carbon renewable fuels by 2045. All-electric new construction starting in 2025.

High Decarbonized Methane – Most buildings use fuel for heating and improve shell performance by 2045. Fossil fuels are replaced with low-carbon renewable fuels by 2045.

The initial study uncovered several key findings that informed the Buildings Sub-Group's crafting of policy recommendations. Key findings included:



All-electric new buildings typically have the lowest construction and operating costs

- All-electric buildings produce zero direct emissions² and zero indirect emissions when electricity is produced from zero-emissions sources (the 2030 GGRA Plan calls for 100 percent clean electricity generation in Maryland by 2040).
- For single-family homes, all-electric homes cost less to construct than new mixed-fuel homes.
- For multifamily buildings, all-electric buildings cost about the same to construct as mixed-fuel buildings.
- For commercial buildings, all-electric buildings can have higher or lower construction costs than mixed-fuel buildings depending on building type and use.
- All-electric new buildings of all types – residential and commercial – have the lowest total annual costs (including equipment, maintenance, and energy costs) in every net-zero emissions scenario modeled.

¹ Each scenario depends on renewable low-carbon fuels to achieve net-zero direct emissions but methane leaks from in-state gas infrastructure would still produce indirect emissions, estimated to be at the following levels in 2045: 0.02 million metric tons (MMT) of carbon dioxide equivalent (CO₂e) in the High Electrification scenario; 0.09 MMT CO₂e in the Electrification with Fuel Backup scenario; and 0.19 MMT CO₂e in the High Decarbonized Methane scenario. Indirect emissions from electricity consumption in buildings is assumed to be between 5 MMT CO₂e and 0 CO₂e depending on the pace of electricity sector decarbonization in states that supply power to Maryland.

² Excluding refrigerants such as hydrofluorocarbons that can leak from heat pump and air conditioning systems.



Retrofitting existing buildings with heat pumps can reduce equipment, maintenance, and energy costs

- Heat pumps work well in Maryland's climate and are already the second most common heating system used in buildings statewide.
- For single-family homes, the cost to install a heat pump (which provides heating and cooling) is close to the cost of replacing both an air conditioner and a gas furnace. At current utility rates, annual energy costs are comparable between homes with heat pumps and homes with gas furnaces. Annual energy costs are lower for homes with heat pumps than homes heated by electric resistance, oil, or propane.
- For multifamily buildings, the cost of installing heat pumps can be significantly less than the cost of replacing existing air conditioning and gas systems. At current utility rates, annual energy costs are comparable between housing units with heat pumps and units with gas heating.
- For commercial buildings, the cost-effectiveness of replacing heating and cooling systems with heat pumps depends on building type and use.



Electricity system capacity would need to increase to accommodate building and vehicle electrification

- Peak electricity demand could roughly double by 2045 driven by heating demand during the coldest hours of the year.
- New electricity system investments could increase electricity rates gradually, increasing residential electricity rates from 14 cents/kilowatt-hour (kWh) in 2021 to 18 cents/kWh in 2045 in a High Electrification scenario.
- Electricity system costs and rate impacts can be reduced through a variety of demand management measures.
- Annual electricity consumption in Maryland is projected to remain constant as increasing demand from buildings and vehicles is offset by energy efficiency.



Using low-carbon fuels for supplemental heating during the coldest hours of the year could reduce electricity system investments but a dual-fuel approach is complicated

- Replacing natural gas (historic cost around \$3/MMBtu) with low-carbon fuels such as biomethane (estimated cost \$10-25/MMBtu), hydrogen (estimated cost \$15-25/MMBtu), or synthetic natural gas (estimated cost \$30-70/MMBtu) could be a cost-effective alternative to building-out the electricity system to handle peak heating demand from a highly electrified building stock.
- An Electrification with Fuel Backup scenario would require sophisticated policy design and utility rate structures to encourage consumers to use fuel backup heating only during the coldest hours of the year.
- Using low-carbon fuels outside of the coldest hours of the year could lead to very high energy costs for consumers using fuel for heating.



Gas consumption is projected to decrease between 62 and 96 percent by 2045

- Gas consumption in buildings would decrease between 62 percent in the Electrification with Fuel Backup scenario and 96 percent in the High Electrification scenario.
- Gas delivery rates could increase more than 20-times the current rate for consumers left on the gas system, leading to significant equity concerns.

Stakeholder Feedback

The Buildings Sub-Group and MWG reviewed and discussed E3's initial findings between July and October 2021 and provided valuable feedback that led to the development of policy recommendations and refinement of E3's modeling. The following summarizes key points of discussion and explains how stakeholder input influenced the development of this Plan.

- **Equity and affordability are top priorities** – There was general agreement that reducing energy burden, making holistic improvements to homes, and ensuring that people are not left behind in the transition are priorities for decarbonization policy. This feedback informed recommendations on implementing holistic retrofits of 100 percent of low-income households by 2030, strengthening incentives for retrofit projects, mandating lowest-cost construction practices to improve housing affordability, and initiating utility transition planning processes to protect consumers from paying higher energy costs.
- **New buildings should be all-electric** – There was general agreement that new buildings should be constructed to all-electric standards but that a cost-effectiveness test should be used to allow buildings, especially commercial buildings, to be constructed with mixed-fuel equipment if all-electric construction is too expensive. This feedback was incorporated into a recommendation to adopt an all-electric construction code.
- **Commercial buildings need flexibility to reduce emissions** – There was general agreement that all-electric solutions are not always the most cost-effective measures for reducing emissions from commercial buildings. Commercial building owners should receive technical and financial support to identify and implement low-cost emissions mitigation measures, which could include offsetting emissions that are too expensive to eliminate. This feedback led to a recommendation to develop a flexible Building Emissions Standard.
- **A fuel-backup approach is problematic** – Several stakeholders raised concerns that implementing an Electrification with Fuel Backup scenario is impractical given utility ratemaking law and consumer behavior. Maryland's Office of People's Counsel wrote in its comments, "*The [Electrification with Fuel Backup scenario] would require coordinating rate setting for not one, but two, utilities. This expectation of precision rate setting is both legally and practically unrealistic... the effort under the [Electrification with Fuel Backup] scenario would require coordinating the price signals of two utilities with competing interests. These utilities will not agree on the proper price signals. Based on our experience, this assumption of efficient rate setting across utilities is not realistic.*"

The Office of People's Counsel added, *"The transition toward a clean energy system will require significant efforts to address equity impacts, but maintaining two systems [electric and gas] will significantly exacerbate inequities. It is undisputed that maintaining the gas system for backup use requires substantial increases in the rates for gas delivery. The high electrification case requires no backup fuels, thus obviating the need for the massive capital investments that have yet to be made to maintain the gas infrastructure."* Other stakeholders expressed similar concerns. This feedback led to having E3 model a fourth scenario that shows a more practical approach to decarbonizing buildings.

- **Impacts of climate change, methane leaks from gas distribution, competition for low-carbon fuels, and other factors should be included in E3's modeling** – Stakeholders suggested several ways of improving E3's study methodology throughout the process. The U.S. Climate Alliance graciously provided additional funding to allow E3 to run several sensitivity analyses to address most of the improvements requested by stakeholders. The additional analyses refined E3's study results but did not change the key findings mentioned above.

Final Scenario Results

Several rounds of discussion on E3's initial study and draft versions of this Plan helped the Buildings Sub-Group and MWG hone-in on a roadmap and recommendations for decarbonizing buildings in Maryland. The core concepts are to:

- **Ensure an equitable and just transition, especially for low-income households**
- **Construct new buildings to meet space and water heating demand without fossil fuels**
- **Replace almost all fossil fuel heaters with heat pumps in existing homes by 2045**
- **Implement a flexible Building Emissions Standard for commercial buildings**

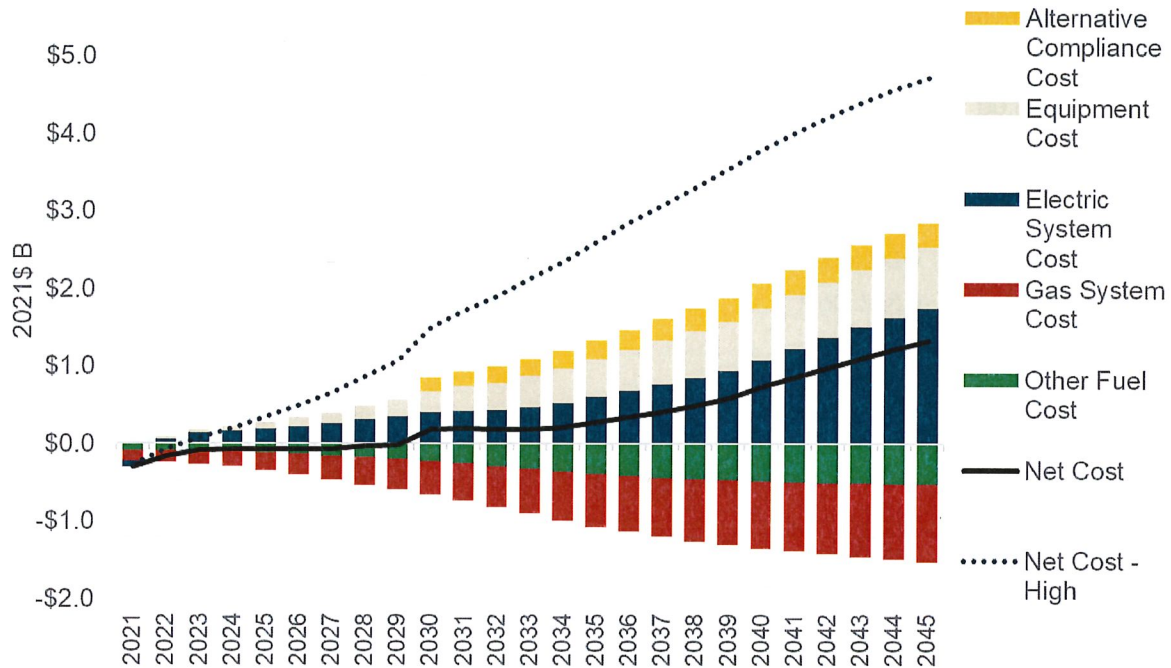
With additional funding from the U.S. Climate Alliance, E3 modeled a fourth scenario, called the "MWG Policy" scenario, to estimate the costs associated with this Plan. **The results show that the MWG Policy scenario has the lowest total cost of all four scenarios while also avoiding the need to maintain backup systems in homes or transitioning to expensive low-carbon fuels.**

Detailed results are included on the following pages.

Total Costs

The MWG Policy scenario requires investments in electricity grid infrastructure (to increase system capacity) and in building equipment (to replace fuel heaters with electric heat pumps). These investments help consumers reduce costs for natural gas, oil, and propane. Annual costs and savings are shown in Figure 1. This represents the lowest-cost scenario of all the decarbonization scenarios modeled.

Figure 1: Annual Incremental Total Resource Costs relative to Reference. Results account for climate change impacts on heating and cooling demand. Building shell improvements are excluded.³



In the low-cost scenario, net costs (without accounting for economic benefits such as job creation, health impacts, etc.) would remain around business-as-usual levels through the 2020s. Net costs increase in the 2030s and 2040s as capacity is added to the electricity system and most buildings complete the transition to becoming all-electric. Costs would level off after this period of infrastructure investments.

Alternative compliance costs, which are associated with the Building Emissions Standard proposed in this Plan, could begin in the 2030s for commercial, multifamily, and state-owned buildings that do not meet emissions reduction targets. The alternative compliance costs shown in Figure 1 are based on a modeling exercise assuming that owners of many buildings covered by the Building Emissions Standard would choose to pay a rate of \$100 per metric ton of carbon dioxide equivalent (tCO₂e) in lieu of reducing emissions below target levels. Assumptions here are rough, so these above all other costs should not be taken as certain.

³ E3 included deep shell retrofits (wall insulation, roof insulation, glazing, air-tightness, and heat recovery) in its original study but determined that shell improvements are not necessary as cost-control measures in any scenario. E3 removed shell improvements from Figure 1 to illustrate a more likely cost projection for the MWG scenario.

Electricity System Impacts

Electricity system investments – for generation capacity, transmission, and distribution – are significantly lower in the MWG Policy scenario than in the High Electrification scenario. That is because achieving high electrification in Maryland’s residential buildings has a small impact on peak electricity demand. E3’s work on the MWG Policy scenario uncovered that commercial buildings in Maryland have a much greater impact on peak electricity demand than residential buildings have. As a result, the MWG Policy scenario, which modeled high electrification in the residential sector and modest electrification in the commercial sector, is projected to increase peak electricity demand only 3 gigawatts by 2045.

Figure 2: Incremental Electric System Costs relative to Reference in 2045. Details of the electric sector cost assumptions are documented in E3’s Maryland Building Decarbonization Study.

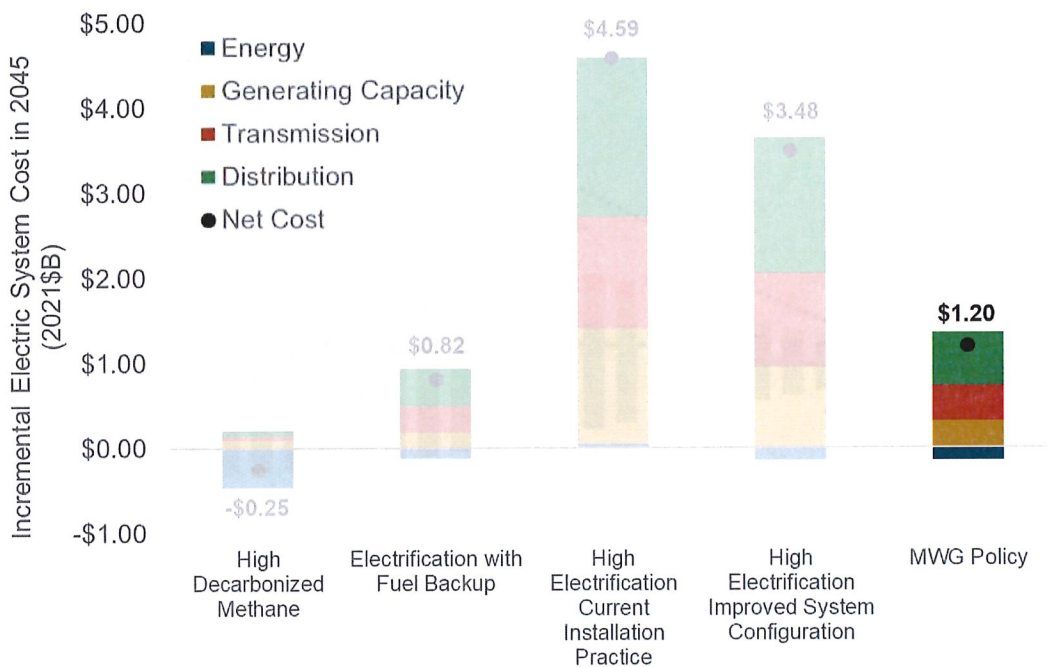
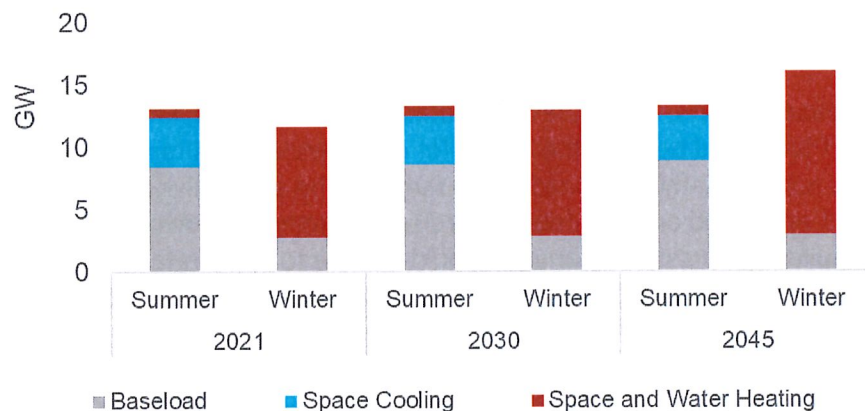


Figure 3: Peak Electricity Load Projections for the MWG Policy scenario. Based on typical summer and winter peak electricity demand.



Gas System Impacts

Gas system throughput decreases 75 percent in the MWG Policy scenario, which results in \$1.3B in avoided gas system infrastructure costs and \$20.7B in avoided fuel costs from 2021 through 2045. Fuel costs are much lower in the MWG scenario than the Electrification with Fuel Backup or High Decarbonized Methane scenarios because the MWG scenario avoids transitioning to expensive low-carbon fuels.

Figure 4: Incremental Gas System Costs relative to Reference in 2045. Details of the gas sector cost assumptions are documented in E3's Maryland Building Decarbonization Study.

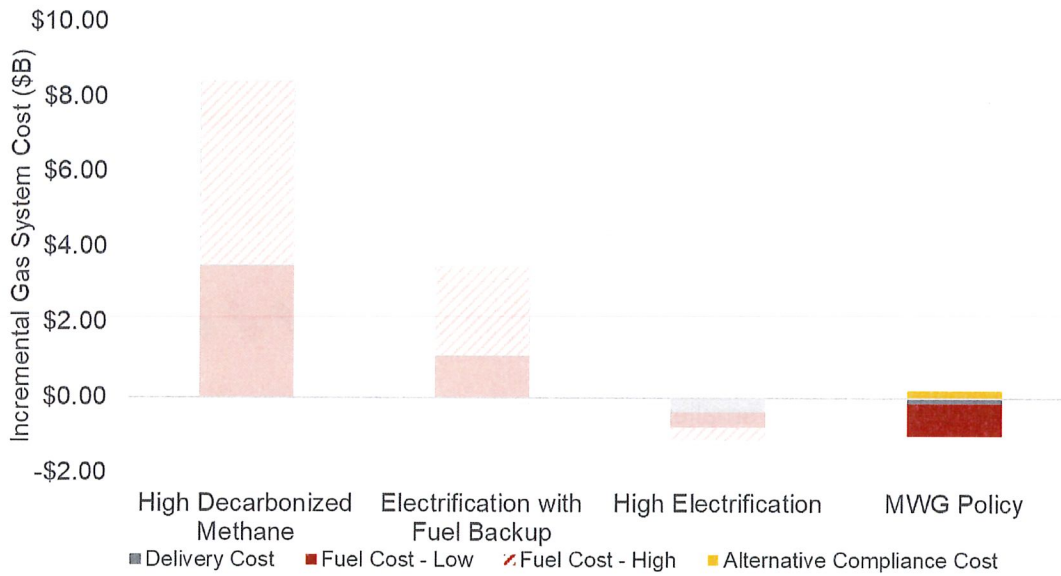
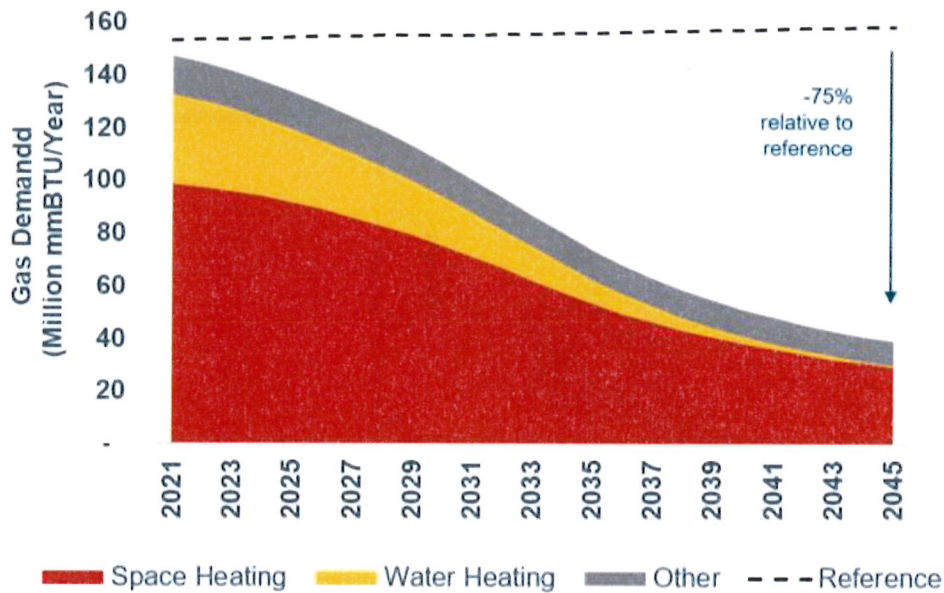


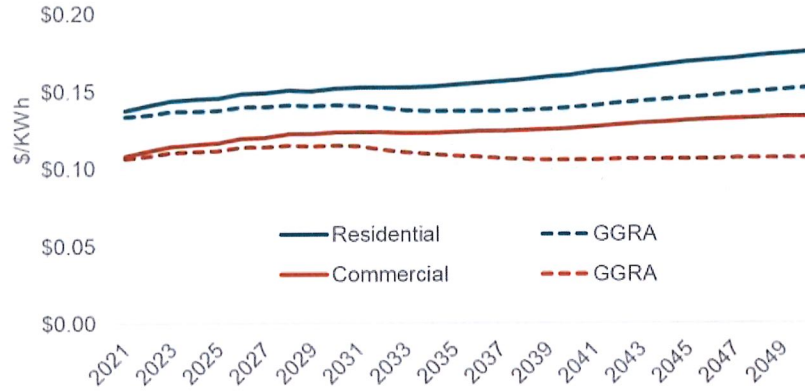
Figure 5: Gas Demand in 2021-2045 in the MWG Policy scenario. Most remaining gas consumption in 2045 would be in commercial buildings. Emissions from gas consumption in commercial buildings would be offset through the proposed Building Emissions Standard alternative compliance path.



Electricity and Gas Rate Impacts

Electricity rates increase gradually in the MWG Policy scenario to pay for the incremental electricity system costs. Rates are projected to increase from around 14 cents/kWh in 2021 to 17 cents/kWh in 2045 for residential customers and from around 11 cents/kWh in 2021 to 13 cents/kWh in 2045 for commercial customers. For both customer classes, rates are projected to increase by 2 cents/kWh by 2045 compared to the reference case.

Figure 6: Electricity Rates in the MWG Policy scenario



Although gas rate impacts are smaller in the MWG Policy scenario than any other scenario modeled, gas rates increase as consumers leave the gas system, leaving fewer consumers to pay for gas system costs. Gas rates remain flat through the 2020s but then climb to the \$40-50/MMBtu range by 2045. This Plan recommends transitioning 100 percent of low-income households to heat pumps by 2030 to reduce energy burden for the most vulnerable Marylanders. Heat pump adoption in the commercial sector and the rest of the residential sector would ramp up in the 2030s as the costs of operating gas heating systems increase.

Figure 7: Residential Gas Rates

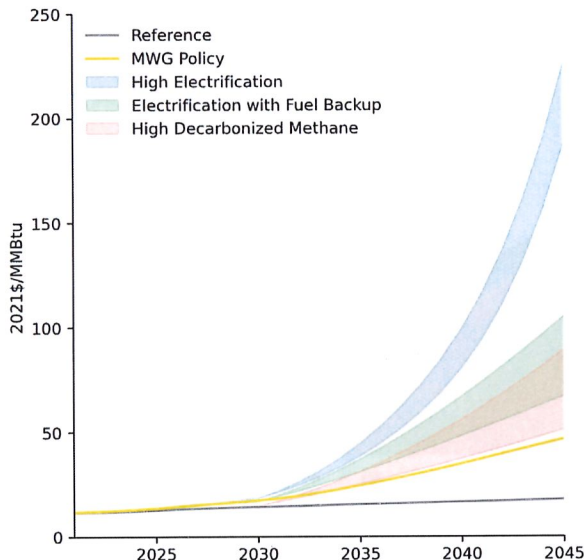
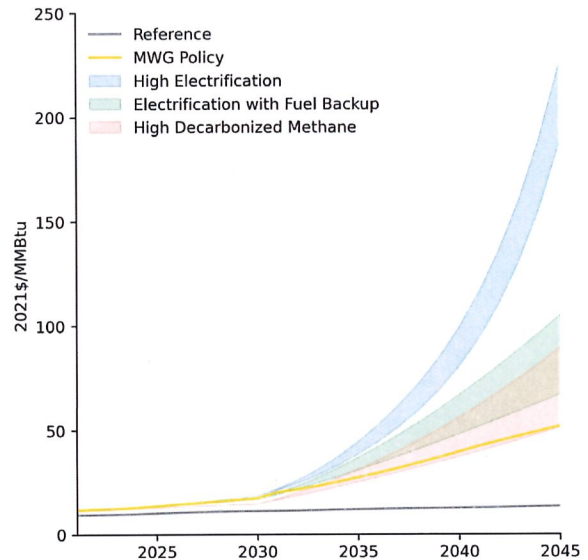


Figure 8: Commercial Gas Rates



Consumer Costs

Much of the heating equipment installed in the 2020s will be operational through the 2030s and into the 2040s, so it is important to consider not only what energy costs are today but what they will be over the lifecycle of equipment. E3 estimated annualized lifecycle consumer costs – including costs for equipment, operations and maintenance, and utility bills – for several types of buildings. Results are summarized in the following table.

Table 1: Annualized Consumer Costs in the MWG Policy scenario. Gas, electricity, and equipment costs are based on 2035 rates. Costs for shell improvements are included but E3 found that many shell improvements are not cost-effective, so actual consumer costs could be lower the costs reflected in this table. “Difference” is the annualized savings (or cost) of all-electric compared with mixed-fuel buildings.

		Mixed-Fuel	All-Electric	Difference
Single-family Residential	New Construction	\$5,500	\$3,800	\$1,700
	Retrofit	\$6,100	\$5,500	\$600
Multifamily Residential	New Construction	\$4,100	\$3,400	\$700
	Retrofit	\$3,900	\$3,500	\$400
Small Commercial	New Construction	\$18,400	\$15,500	\$900
	Retrofit	\$17,800	\$15,500	\$2,300
Large Commercial	New Construction	\$150,000	\$147,000	\$3,000
	Retrofit	\$139,000	\$147,000	(\$8,000)

E3 found that, given continued improvement in the cost and performance of electric space and water heating equipment and projected increases in natural gas rates by 2035, most all-electric buildings will have lower lifecycle costs than mixed-fuel alternatives. The exception is an existing, large, mixed-fuel commercial building where the cost to retrofit it into an all-electric building could result in higher annualized costs. This is an example of the type of building that might pursue the Building Emissions Standard alternative compliance path instead of implementing measures to achieve net-zero direct emissions.

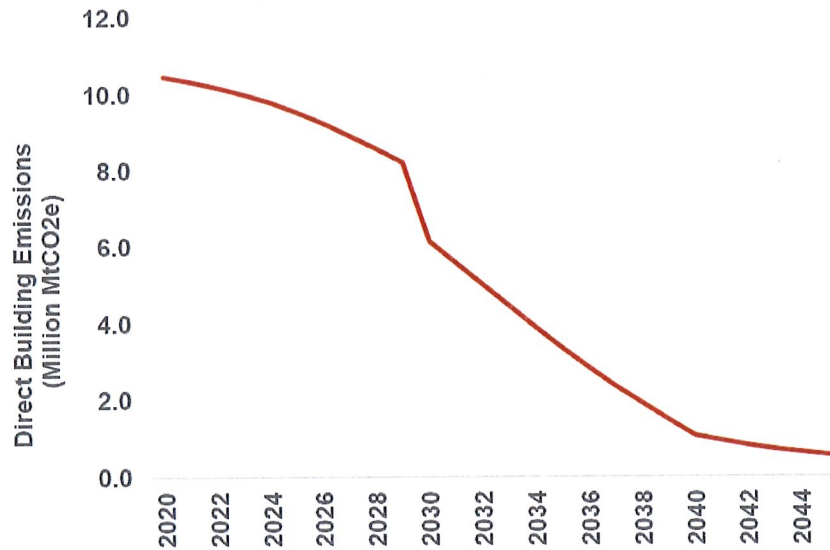
Emissions Reductions

Residential sector emissions reductions are heavily dependent on heat pump adoption rates. If greater than 90 percent of homes adopt heat pumps by 2045, then residential emissions would decrease at least 90 percent. E3's modeling assumes strong heat pump adoption rates, resulting in residential emissions falling around 90 percent, from 5.4 million metric tons of carbon dioxide equivalent (MMT CO₂e) in 2017 to around 0.6 MMT CO₂e by 2045.

Commercial sector emissions fall less sharply due to continued reliance on fossil fuels in many buildings. E3 estimates that commercial sector emissions could fall from 5.3 MMT CO₂e in 2017 to around 3.1 MMT CO₂e by 2045. These emissions, however, would be offset through the Building Emissions Standard alternative compliance program. Revenue from the alternative compliance program would be invested in carbon sequestration, negative emissions technologies, or other measures that would net-out remaining emissions from commercial, multifamily, and institutional buildings and allow the state to meet its emerging 2045 net-zero emissions goal.

Overall, E3 estimates that residential and commercial building emissions could decrease around 95 percent by 2045 including offsets from the alternative compliance program.

Figure 9: Greenhouse Gas Emissions in the MWG Policy scenario. Graph shows *net* emissions from residential and commercial buildings (direct emissions less commercial building emissions that are offset through the Building Emissions Standard alternative compliance program).





Roadmap and Recommendations

Building Decarbonization Roadmap for Maryland

Red shading indicates transition time to near-zero emissions



Legend: P = Proposed herein E = Existing but should be strengthened G = GGRA Plan target L = Legislation introduced S = In statute

Core Recommendations

Each of the Core Recommendations correspond with a critical component of the Building Decarbonization Roadmap for Maryland (above), which presents a suite of policies that would collectively guide Maryland's residential and commercial building sectors to nearly achieve net-zero emissions by 2045.

1. Adopt an All-Electric Construction Code

The General Assembly should require the Maryland Building Code Administration to adopt a code that ensures that new buildings meet all water and space heating demand without the use of fossil fuels (allowing for the use of electric heat pumps, solar thermal, and other existing and potential clean energy solutions) and are ready for solar, electric vehicle charging, and building-grid interaction. This code shall apply to all new residential, commercial, and state-funded buildings beginning as early as possible but no later than 2024. The Building Code Administration shall also develop and implement training courses on the benefits and challenges of all-electric and electric-ready buildings for building developers, realtors, real estate appraisers, and lenders.

The Building Code Administration shall develop a cost-effectiveness test to allow building projects to seek variances to code requirements while maintaining electric-ready standards. The cost-effectiveness test shall include the federal Social Cost of Carbon. If a new commercial building receives a variance and produces greenhouse gas emissions on-site, then it would participate in the Building Emissions Standard (proposed herein) and follow its own tailored plan for reaching net-zero emissions.

Discussion: A recommendation to adopt an all-electric construction code was supported by the MWG in 2020 but the MCCC wanted to receive this Building Energy Transition Plan before voting on the measure. Studies including E3's [Maryland Buildings Decarbonization Study](#) and RMI's [The New Economics of Electrifying Buildings](#) add to a body of work demonstrating that all-electric new homes have lower construction and energy costs than mixed-fuel homes. This means that all-electric new homes help improve housing affordability and local air quality while reducing greenhouse gas emissions in Maryland.

For commercial construction, all-electric design can increase construction and/or energy costs, which is why a test is proposed to help commercial building developers identify cost-effective clean energy solutions or receive a variance from the all-electric code. Residential building projects would also be able to seek variances using the cost-effectiveness test.

The New Building Institute's [Building Decarbonization Code](#), which is an overlay to the 2021 International Energy Conservation Code (IECC) and compatible with ASHRAE 90.1, includes an all-electric pathway that is one possible solution for code adoption. [California](#) and [Washington](#) recently adopted building energy efficiency codes and EV infrastructure codes.

2. Develop a Clean Heat Retrofit Program

The General Assembly should require state agencies to develop and implement a Clean Heat Retrofit Program that meets the following targets:

- A. Retrofit 100 percent of low-income households by 2030** – Provide funding to enable the Maryland Energy Administration (MEA), the Department of Housing & Community Development (DHCD), and local governments and organizations to offer little-to-no upfront cost comprehensive retrofits to 100 percent of low-income households by 2030. Holistic retrofits would include weatherization, heat pump installation, and otherwise improve the health and safety of homes statewide.

Discussion: It is critical that the state assist households with high energy burden to transition off the gas system before gas rates increase above current levels. Note that gas rates could increase for reasons described in this Plan or for other reasons such as impacts from new regulations, increasing gas supply costs, etc.

- B. Encourage fuel-switching through EmPOWER beginning in 2024** (modified MCCC recommendation from 2020) – Require incentives for the electrification of existing fossil fuel systems through the EmPOWER program and direct the Public Service Commission (PSC) to require the electric utilities to proactively encourage customers with gas, oil, or propane heating systems to replace or supplement those systems with electric heat pumps, especially for low-income households and consumers. State agencies also should modify programs they manage to facilitate fuel-switching if not already allowed.

Discussion: Gas heating systems are added to this recommendation, which was otherwise approved by the MCCC in 2020. Not yet enacted in state policy. Currently being discussed by the PSC's EmPOWER Future Programming Work Group.

- C. Encourage beneficial electrification through EmPOWER beginning in 2024** (MCCC recommendation from 2020) – Require that the core objective of EmPOWER change from electricity reduction to a portfolio of mutually reinforcing goals, including GHG emissions reduction, energy savings, net customer benefits, and reaching underserved customers. Encourage beneficial electrification, which are strategies that provide three forms of societal benefits: reduced energy consumption (total source BTUs), lower consumer costs, and reduced GHG emissions. Beneficial electrification programs should be prioritized first for low-income households and consumers and should be aligned with other health and safety upgrades to consider a whole-home or whole-building retrofit approach to ensure cost-effectiveness and a focus on benefitting underserved homes and businesses first.

Discussion: Approved by the MCCC in 2020. Not yet enacted in state policy. Currently being discussed by the PSC's EmPOWER Future Programming Work Group.

- D. Target 50 percent of residential HVAC and water heater sales to be heat pumps by 2025, 95 percent by 2030** (modified MCCC recommendation from 2020) – Require that incentives (for consumers, contractors, and manufactures) through EmPOWER and other programs are sufficient to meet a target of 50 percent of HVAC and water heater sales to be heat pumps by 2025 and 95 percent by 2030. Heat pumps (air source or ground source) should be sized to meet all space heating and cooling demand. Heat pump water heaters should be grid-interactive to serve as energy storage devices. Grid-interactive electric resistance water heaters are allowed when heat pump water heaters cannot be installed. Require that electric utilities provide payment options such as on-bill, low-interest financing to spread out upfront costs including electrical upgrades. These targets apply to residential systems but consideration should be given to developing proper incentives and financing options for commercial system electrification.

Discussion: In 2020, the MCCC approved a recommendation that 50 percent of space heater sales should be heat pumps by 2025. The target makes more sense as an HVAC sales target because heat pumps replace heating and cooling systems. Water heaters are added to the recommendation this year. If HVAC and water heater sales reach around 95 percent heat pumps by 2030, then most existing homes would be retrofit with heat pumps by 2045 based on typical equipment replacement schedules.

- E. Align energy plans, approvals, and funding with the objectives of this Plan** – Ensure that the state government’s plans, approvals, and funding decisions related to energy align with the objectives of this Building Energy Transition Plan.

Discussion: This recommendation, which previously focused on discontinuing the use of the Strategic Energy Investment Fund to expand fossil fuel use and infrastructure, was broadened to be inclusive of all energy-related decisions.

3. Create a Building Emissions Standard

The General Assembly should require MDE to develop a Building Emissions Standard that shall achieve net-zero emissions from commercial and multifamily residential buildings by 2040. State-owned buildings shall meet this standard by 2035. The Standard shall give commercial, multifamily, and institutional building owners flexibility in bringing their buildings in line with the state’s emissions reduction targets. The Standard shall include measurement and reporting of direct (on-site) emissions and support from the state to implement emissions reduction measures. Emissions reduction measures include but are not limited to:

- Maintaining and retro-commissioning building energy systems
- Implementing HVAC scheduling and other smart control systems
- Making building shell and other energy efficiency improvements

- Replacing fuel burning equipment with efficient electric equipment including air source heat pumps, ground source heat pumps, and induction cooktops
- Installing variable refrigerant flow (VRF) and other systems that capture and utilize waste heat
- Switching fossil fuels with low-carbon renewable fuels
- Installing carbon capture systems (possibly for facilities like larger combined heat and power or district energy plants) if the captured emissions can be stored or utilized in a way that leads to permanent and verifiable emissions reductions

Buildings covered by the Building Emissions Standard shall:

- Measure and report direct emissions to MDE annually starting in 2025
- Achieve net-zero direct emissions by 2040 (2035 for state-owned buildings)

The MCCC's MWG will study and recommend interim targets for covered buildings as part of the MWG's 2022 work plan.

The General Assembly shall provide resources to MEA to offer technical and financial support to help owners of covered buildings develop and implement emissions reduction measures. An alternative compliance pathway should be available to allow commercial building owners to pay a reasonable fee for emissions above target levels. The alternative compliance payment should be reasonable, perhaps corresponding with the cost of implementing additional carbon sequestration or negative emissions technologies in Maryland, but not less than the federal Social Cost of Carbon. The state should create commercial tax credits and direct subsidy payments for upgrades related to building decarbonization projects large enough to reduce the simple payback period to between 3 and 7 years.

Discussion: New York City and Boston are among the U.S. jurisdictions that have implemented building performance standards aimed at guiding commercial buildings to net-zero emissions by mid-century. Building performance standards commonly include interim targets for energy intensity or emissions – thresholds that decrease every five years or so. This proposal previously included just one interim target (50 percent reduction by 2030) in recognition that buildings will not undergo many equipment replacement cycles between now and 2040 (2035 for state-owned buildings). However, the MWG replaced the proposed 2030 target with a plan to study and recommend interim targets in 2022.

The target date is set at 2040 to allow the state time to invest revenue from non-compliance payments into carbon sequestration, negative emissions technologies, or other measures that will help net-out remaining emissions from commercial, multifamily, and institutional buildings and allow the state to meet its emerging 2045 net-zero emissions goal.

4. Develop Utility Transition Plans

The General Assembly should require the PSC to oversee a process whereby the electric and gas utility companies develop plans for achieving a structured and just transition to a near-zero emissions buildings sector in Maryland. Key objectives of those plans include:

Gas Transition Plans

- Appropriate gas system investments/divestments for a shrinking customer base and reductions in gas throughput in the range of 50 to 100 percent by 2045
- Comprehensive equity strategy to enable LMI households to improve energy efficiency and electrify affordably
- Regulatory, legislative, and other policy changes needed for a managed and just transition of the gas system and infrastructure
- Operational practices to meet current customer needs and maintain safe and reliable service while minimizing infrastructure investments
- Assessment of existing gas infrastructure and options for contraction
- Alternative models for the gas utility's long-term role, business model, ownership structure, and regulatory compact, as part of a managed transition

Electric Transition Plans

- Electric system investments for a highly electrified buildings sector
- Ratepayer protections, especially for LMI Marylanders
- Incentives to facilitate the transition to a highly electrified buildings sector
- Demand management solutions to reduce winter peak electricity demand

The PSC shall amend or reject plans that do not meet these objectives.

Discussion: E3 estimates that between 2021 and 2045, gas consumption would decrease by 96 percent in a High Electrification scenario, 75 percent in the MWG Policy scenario, and 62 percent by electrifying building heating loads to the point when summer and winter peak electricity demand is roughly equal, which is considered a [no-regret action by ICF](#) for decarbonizing buildings. In any scenario, Maryland should expect a significant reduction in gas consumption and should plan for that transition.

California, Colorado, Massachusetts, Minnesota, New York, and Washington are among the states that have opened PSC proceedings on the role of gas distribution companies in a clean energy future.

Additional Recommendations

The recommendations in this section further support building decarbonization in Maryland and are complementary to the Core Recommendations above. Some of the following are MCCC recommendations from 2020 that are not yet enacted by the state, and some are recommendations offered by participants of the Buildings Sub-Group.

5. **Prioritize an equitable level of benefits for all Marylanders** (MCCC recommendation from 2020)

The Governor, State Agencies, Commissions, and General Assembly should ensure that all policy decisions to reduce GHG emissions from the building sector in Maryland, including those within these recommendations, prioritize an equitable level of benefits to limited income households, the state's affordable and multifamily housing stock, and low-income ratepayers, and concurrently with the benefits provided to others.

Discussion: Approved by the MCCC in 2020. Not fully enacted in state policy.

6. **Improve interagency coordination for holistic building retrofits** (MCCC recommendation from 2020)

The Governor, via Executive Order, or General Assembly, via legislation, should revive an Interagency Task Force with the goal of increased and consistent coordination across programs, policies, and funding streams to retrofit Maryland's existing residential and commercial buildings to achieve healthier, safer, more efficient, and climate-friendly homes and businesses. This Green and Healthy Task Force would identify opportunities to align lead, mold, asbestos, and indoor air quality remediation intervention schedules with energy efficiency upgrades and electrification retrofit programs to ensure a more cost-effective, whole-building retrofit program that meets Maryland's various health, safety, affordability, and climate action goals. Progress should be tracked and measured through a public state dashboard. Funding should be provided to make holistic improvements to every limited income and affordable housing unit in the state by 2030.

Discussion: The last sentence of this recommendation was added based on Buildings Sub-Group participant comments in 2021. The rest was approved by the MCCC in 2020.

7. **Use federal funds for comprehensive retrofits of low-income housing**

Maryland should prioritize the use of any relevant federal resources coming from the budget reconciliation process, American Rescue Plan Act, and other funding sources to perform comprehensive health, safety, efficiency, and electrification retrofits for affordable housing and should ensure that any new federal funds are not used to support the expansion or installation of new fossil fuel infrastructure or appliances.

Discussion: Proposed by Buildings Sub-group participants.

8. Sunset financial subsidies for fossil fuel appliances within EmPOWER

EmPOWER Maryland and other energy programs in the state should be focused on providing financial assistance only to non-fossil fuel equipment, appliances, and infrastructure associated with the building sector and any and all incentives and subsidies for fossil fuel systems should be eliminated. This should be paired with an increased incentive size for non-fossil appliances and systems installed for limited income consumers.

Discussion: Proposed by Buildings Sub-group participants.

9. Offer incentives for net-zero energy all-electric new buildings (MCCC recommendation from 2020)

The Maryland Building Codes Administration should develop optional codes and standards for efficient all-electric net-zero energy buildings, including allowance of near-site renewable energy systems such as community solar projects, and determine how to incentivize builders to design to those standards. This work should be coordinated with the DHCD in shaping incentive offerings since DHCD already has a Net Zero Loan Program in place and could provide useful insights on program design and existing market gaps to increase the reach of other incentive efforts.

Discussion: Approved by the MCCC in 2020. Not fully enacted in state policy.

10. Lead by example through the electrification and decarbonization of state buildings (modified MCCC recommendation from 2020)

The General Assembly should require that all new state-owned buildings and major renovations to existing state-owned buildings use efficient electric systems for primary space and water heating unless granted an exception based on cost or building characteristics that would make an electric system impractical, including existing use of district heat or combined heat and power. This requirement should apply to projects covered by the Maryland High Performance Building Act.

The General Assembly should require that when existing fossil fueled space and water heating equipment is replaced in State-owned buildings, at least two alternate systems should be proposed, with an Energy Simulation and Life Cycle Cost Analysis of the proposed systems. The Energy Simulation and Life Cycle Cost Analysis should include a cost of carbon equal to the federal Social Cost of Carbon. The State should provide all necessary funds to address any additional costs incurred, net of utility incentives, from switching to zero/low-carbon equipment.

Climate change mitigation, adaptation, and resiliency, including contributing to Maryland's greenhouse gas reduction goals, should be demonstrably central design goals in any building construction or renovation procured with any funds, loans, grants, tax or other benefit from the State of Maryland.

Discussion: The first paragraph was approved by the MCCC in 2020. The second and third paragraphs were offered by Buildings Sub-Group participants.

11. Allow local jurisdictions to set higher fines for non-compliance on building performance

The General Assembly should create enabling legislation to allow local jurisdictions to set higher fines for non-compliance with local building energy/emissions performance standards. The current limit is \$500.

Discussion: Montgomery County has proposed to create Building Energy Performance Standards to guide commercial and multi-family buildings to greater energy efficiency and lower emissions. Counties including Montgomery are unable to levy a fine for non-compliance that is sufficient to motivate compliance with the standards.

12. Offer tax credits or other incentives for enhanced energy efficiency in new construction

Several Maryland counties provide property tax credits or other incentives for energy efficient and green buildings. State funding for these incentives in addition to the county support would encourage other counties to act similarly. Montgomery County, which is committed to an 80 percent reduction in greenhouse gas emissions by 2027 and zero emissions by 2035, has property tax credits for new and existing multifamily and commercial buildings based on energy reductions and certifications, and is looking at expanding incentives. Anne Arundel, Baltimore, and Howard Counties offer a tax credit for high performance homes and Anne Arundel and Baltimore Counties award a higher tax credit for a higher performance score.

Discussion: Proposed by Buildings Sub-group participants.

13. Allow above-code green programs to comply with the state-adopted International Energy Conservation Code (IECC)

The State can ease the path to building more energy efficient homes by declaring that residential buildings constructed to above-code green programs comply with the State-adopted IECC. The ANSI-approved ICC 700 National Green Building Standard, Energy Star certifications, and Leadership in Energy and Environmental Design (LEED) rating system are nationally recognized above-code programs. These programs work with experts to ensure that energy and other targets are met and are performing properly. They can help accelerate growth to homes reaching Zero Energy because certifications under above code programs are supported by appraisers and lenders recognizing the greater value of highly efficient

buildings. The GSE Fannie Mae has developed Single-Family Green Mortgage-Backed Securities (MBS) that link to Energy Star certifications and is expected to include other green certifications. Fannie Mae already has Multifamily Green MBS that recognize multiple green building certifications.

Discussion: Proposed by Buildings Sub-group participants.

14. Allow a portfolio approach to renewable energy generation

On-site energy generation and sharing of energy among a portfolio of buildings should be incentivized by lifting the limitations on net metering, virtual net metering, and meter aggregation that apply to commercial property. The state should work to address or mitigate the unfavorable Federal tax treatment that limits on-site energy generation by real estate investment trusts.

Discussion: Proposed by Buildings Sub-group participants.

15. Evaluate property tax assessment processes to support decarbonization efforts

Local governments should begin to evaluate and make contingencies for changes to building valuations and tax base resulting from obsolescence or reduced operating income as well as the possible need to increase the use of real estate tax credits to offset the costs and reduce the payback periods of building decarbonization projects.

Discussion: Proposed by Buildings Sub-group participants.

16. Identify locations that need grid upgrades to accommodate new all-electric buildings

Electricity utilities should provide information about locations where the grid is not sufficient to serve new construction of multi-story, all-electric buildings with electric vehicle charging and a method to determine the cost and timetable for necessary upgrades.

Discussion: Proposed by Buildings Sub-group participants.

Appendix: Building Decarbonization Policies in Other States

California

- **New Construction – Heat Pumps and EV-Ready Building Codes:** In August 2021, California adopted its 2022 building energy efficiency standards for new and existing buildings, becoming the first state to establish electric heat pumps as a baseline technology in its building codes.⁴ The codes also establish “electric-ready” requirements so homes are able to support EV charging and electric heating and cooking, in addition to expanding standards for onsite solar and battery storage and strengthening ventilation standards.⁵ After the code becomes effective in 2023, experts estimate that this combination of standards will lead most new homes and buildings to be built gas-free, which is an already established trend that this code will reinforce. The 2022 code is estimated to provide \$1.5 billion in consumer benefits and reduce 10 million metric tons of greenhouse gases over the course of 30 years.⁶

Colorado

- **Building Standards – Statewide Performance Standards:** In June 2021, Colorado became the second state to advance a statewide building performance standard with its passage of legislation that calls for the development of standards that achieve a 7 percent reduction in GHG emissions by 2025 and a 20 percent reduction by 2030, below 2021 levels. This bill also requires annual energy use reporting from owners of buildings larger than 50,000 square feet, beginning in 2022.⁷
- **Energy Efficiency for Gas Utilities:** In June 2021, Colorado adapted their energy efficiency policies to better support greenhouse gas reductions.⁸
 - [Senate Bill 21-264](#) requires gas utilities to file and implement first-in-the-nation “Clean Heat Plans” that may utilize electrification, efficiency, leak reduction, and recovered methane or biomethane to reduce GHG emissions 4 percent by 2025 and 22 percent by 2030;

⁴ Natural Resources Defense Council. “California Passes Nation’s First Building Code that Establishes Pollution-free Electric Heat Pumps as Baseline Technology; Leads Transition Off of Fossil Fuels in New Homes.” August 11, 2021. <https://www.nrdc.org/media/2021/210811-0>.

⁵ California Energy Commission. “Energy Commission Adopts Updated Building Standards to Improve Efficiency, Reduce Emissions From Homes and Businesses.” August 11, 2021. <https://www.energy.ca.gov/news/2021-08/energy-commission-adopts-updated-building-standards-improve-efficiency-reduce-0>.

⁶ California Energy Commission, 2022 Building Energy Efficiency Standards Summary, https://www.energy.ca.gov/sites/default/files/2021-08/CEC_2022_EnergyCodeUpdateSummary_ADA.pdf

⁷ Colorado General Assembly. “HB21-1286: Energy Performance For Buildings.” Accessed August 31, 2021. <https://leg.colorado.gov/bills/hb21-1286>.

⁸ Colorado Energy Office. “Colorado adopts nation-leading policies to reduce GHG pollution from buildings.” June 8, 2021. <https://energyoffice.colorado.gov/press-releases/colorado-adopts-nation-leading-policies-to-reduce-ghg-pollution-from-buildings>.

- [Senate Bill 21-246](#) requires electric utilities to file plans that support cost-effective beneficial electrification and directs the Public Utilities Commission (PUC) to include the social cost of carbon and methane emissions in its cost-effectiveness tests; and
- [House Bill 21-1238](#) directs the PUC to set energy savings targets for gas utility demand-side management (DSM) programs, requiring the use of the social cost of carbon and of methane in its cost-effectiveness evaluations. These bills also implemented labor standards for certain commercial electrification and DSM projects. Colorado also passed several bills to finance and fund building transformation, including a bill to fund low-income weatherization assistance grants and another to support low-income energy efficiency, electrification, and renewable energy programs.

Maine

- **Heat Pump Programs:** Maine has set goals to aggressively pursue the installation and use of heat pumps. Between 2013 and 2019, the Efficiency Maine Trust incentivized over 46,000 installations, putting a heat pump in almost 10% of Maine homes. In 2019, the Maine Legislature established the goal to install 100,000 new high-performance heat pumps over five years in Maine through the legislatively enacted LD 1766: An Act to Transform Maine’s Heat Pump Market to Advance Economic Security and Climate Objectives. This legislation provides supplementary funding for the Efficiency Maine Trust’s incentive programs.⁹

Massachusetts

- **New Construction – Stretch Codes:** In its comprehensive climate bill enacted in March 2021, Massachusetts authorized its energy department to establish, by 2023, a “highly efficient stretch energy code” for new buildings that municipalities may adopt.¹⁰
 - “Under the Mass Save program, the state’s utilities promote new construction meeting Passive House standards. The program was launched in July 2019. As of May 2020, about 50 projects had enrolled in the program, and it hopes to complete more than 4,000 units by 2023. The program began with training for builders in Passive House design and construction techniques. The program will help pay for a project feasibility study (up to \$5,000) and for energy modeling (75% up to \$20,000). Financial incentives of \$3,000 per unit are offered for meeting Passive House standards. Upon completion of a design that meets

⁹ The Efficiency Maine Trust (2019). Beneficial Electrification: Barriers and Opportunities in Maine. https://www.energymaine.com/docs/EMT_BeneficialElectrification-Study_2020_1_31.pdf

¹⁰ Office of Governor Charlie Baker. “Governor Baker Signs Climate Legislation to Reduce Greenhouse Gas Emissions, Protect Environmental Justice Communities.” March 26, 2021. <https://www.mass.gov/news/governor-baker-signs-climate-legislation-to-reduce-greenhouse-gas-emissions-protect-environmental-justice-communities>.

program standards, an incentive of \$500 per unit is paid. The remaining \$2,500 per unit is paid upon completion of construction and a final inspection, including a blower door test. In addition, performance incentives of \$0.75 per kilowatt-hour (kWh) and \$7.50 per therm are paid for actual first-year energy savings (Mass Save 2020). The feasibility studies have been helpful. Builders appreciate knowing up front the per-unit incentives. And 15 program leaders have found that it is possible to exceed the Passive House standards.”¹¹

- **Energy Efficiency for Electric and Gas Utilities:** In July 2021, the Baker-Polito Administration established GHG reduction goals for its statewide, three-year energy efficiency plan. The plan, which will cover the years 2022 through 2024 and guide the deployment of ratepayer-funded building efficiency programs, must be designed such that electric and gas utilities reduce 504,000 and 341,000 metric tons of CO₂e, respectively. Investments will include building retrofits and weatherization, building electrification, and equitable workforce development.¹²

New York

- **Heat Pump Programs:** In 2019, New York passed the New York Climate Leadership and Community Protection Act. The Act aims to achieve 40% emissions reductions by 2030. The Act established economy-wide and electric sector targets that includes goals for energy efficiency, renewable energy, and energy storage technology. Notably, New York’s Public Service Commission has created incentives and targets for heat pumps under their energy efficiency programs (Wilt 2020¹³; New York PSC 2020¹⁴).
 - Committed financial incentives: “This Commission order will direct nearly \$2 billion in additional utility energy efficiency and electrification actions: \$893 million for electric energy efficiency; \$553 million for gas energy efficiency; and \$454 million for heat pumps through 2025.”¹⁵
 - Energy Savings Targets for Heat Pumps: “New York’s electric utilities and NYSERDA are directed to jointly develop a consistent statewide heat pump program framework to be administered by the utilities in their service territories and combined with LIPA sets a minimum target of 4.6 TBtu for savings from heat pump installations across the state.” NYSERDA is seeking to invest \$200 million

¹¹ Nadel, S. 2020. Programs to Promote Zero-Energy New Homes and Buildings. Washington, DC: American Council for an Energy-Efficient Economy. September 2020.

https://www.aceee.org/sites/default/files/pdfs/zeb_topic_brief_final_9-29-20.pdf

¹² Massachusetts Executive Office of Energy and Environmental Affairs. “Baker-Polito Administration Sets Ambitious Emissions Reduction Goal for Energy Efficiency Plan.” July 15, 2021. <https://www.mass.gov/news/baker-polito-administration-sets-ambitious-emissions-reduction-goal-for-energy-efficiency-plan>.

¹³ The Natural Resources Defense Council, More Efficiency for New York Means More Savings, Carbon & \$, January 16, 2020. <https://www.nrdc.org/experts/samantha-wilt/win-nyers-new-energy-efficiency-order-saves-ghg>.

¹⁴ New York State Clean Heat Program, <https://saveenergy.ny.gov/NYScleanheat/>

¹⁵ Press Release - Governor Cuomo Announces Additional \$2 Billion in Utility Energy Efficiency and Building Electrification Initiatives to Combat Climate Change, January 16, 2020. <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=18-M-0084&submit=Search>.

in market development programs to increase consumer awareness of heat pumps, increase skilled workers in the clean heating and cooling industry, provide technical assistance, and increase the benefits for low to moderate income customers

- Proven Industry Growth: “The contractor industry has grown substantially in New York State since 2017, with 112 ground-source heat pump installers and more than 350 air-source heat pump contractors participating in NYSERDA’s heat pump programs as of March 2020. Through 2019, nearly 11,000 program participants received incentives and services under NYSERDA’s programs, supporting approximately 21,500 heat pump installations.”¹⁶
- **Carbon Neutral Buildings Roadmap:** To meet the ambitious goals of the Climate Act, the Carbon Neutral Buildings Roadmap was created to identify pathways to decarbonize New York’s building stock by 2050.¹⁷
 - Development of the Roadmap includes analyzing the state’s entire building stock, researching critical building decarbonization barriers, modeling various solutions sets, and developing technology and policy recommendations to achieve the Climate Act goals, with a primary focus on four building typologies: Single Family Homes, Multifamily Residential (Low and mid-rise), Commercial Office (Low and mid-rise), and Higher Education.
 - The Roadmap will be updated approximately every 2 – 3 years to account for policy, market, and technological developments, and to analyze additional building typologies. The Roadmap is intended to:
 - Provide cutting-edge research related to building decarbonization
 - Send market signals to the real estate, finance, manufacturing, and construction sectors
 - Spur economic development and the creation of quality clean energy jobs; and raise awareness of the benefits to deep decarbonization, such as: Energy savings; Health & safety, comfort, and productivity; Resilience; and Provide guidance for other state agencies and local governments.
- **New Construction - Buildings of Excellence Competition:** The Buildings of Excellence competition began in 2019 and provides up to \$40 million in monetary awards to visionary architects and developers that design and construct low or zero carbon emitting multifamily buildings. The competition is meant to recognize and encourage best practices for sustainable buildings.¹⁸

¹⁶ Nadel, S. 2020. Programs to Electrify Space Heating in Homes and Buildings. Washington, DC: American Council for an Energy-Efficient Economy. June 2020.

https://www.aceee.org/sites/default/files/pdfs/programs_to_electrify_space_heating_brief_final_6-23-20.pdf.

¹⁷ New York State Energy Research and Development Authority, Program: Carbon Neutral Buildings, <https://www.nyserda.ny.gov/All-Programs/Programs/Carbon-Neutral-Buildings>

¹⁸ New York State Energy Research and Development Authority, Program: Buildings of Excellence, <https://www.nyserda.ny.gov/all-programs/programs/multifamily-buildings-of-excellence>

Washington

- **Building Standards – First Statewide Commercial Buildings Performance Standard:** In December 2020, Washington finalized the rules to implement its first-in-the-nation Commercial Clean Buildings Performance Standard, which the state enacted in 2019 legislation. The rules set a state target 15% below the 2009 to 2018 energy use average of commercial buildings larger than 50,000 square feet.¹⁹

¹⁹ Washington State Department of Commerce. "Clean Buildings Standards." N.d. Accessed August 31, 2021. <https://www.commerce.wa.gov/growing-the-economy/energy/buildings/clean-buildings-standards/>.

SB0414 Climate Solutions NOW : introduced by Sen Pinsky

Passed Senate on March 12. Passed House with Substantial Amendments a month later - FAILED Due to Lack of Agreement between Senate And House Leaders

April 1 ['They Almost Guttled the Bill,' Pinsky Says as House Panel Amends Climate Legislation](#)

April 9 - [Md lawmakers make deep cuts to key climate bill with end of legislative session looming](#)

4-10-21 [House of Delegates Passes Climate Change Response Bill](#)

4-13-21 [Climate Bill Dies as House and Senate Fail to Compromise](#)

4/15/21 [Opinion: The House Is Listening to the Wrong People for Climate Solutions](#)

4/20/21 [House-Senate Divisions Killed Climate Bill But It Should Have a Second Life in 2022](#)

SB 404 Climate Solutions Now, Sen Pinsky (2021 MD Legislature)

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/sb0414?ys=2021RS>

SB414 Fiscal and Policy Note - https://mgaleg.maryland.gov/2021RS/fnotes/bil_0004/sb0414.pdf

(3) requires the Maryland Department of Labor (MDL) to adopt new energy conservation requirements for buildings and expands and alters the applicability of “high-performance building” standards;

(3) requires the Maryland Department of Labor (MDL) to adopt new energy conservation requirements for buildings and expands and alters the applicability of “high-performance building” standards;

Bill Text - from summary on pages 2 and 3 of SB414

<https://mgaleg.maryland.gov/2021RS/bills/sb/sb0414T.pdf>

; requiring certain reports of the Maryland Commission on Climate Change to
24 include a certain analysis in certain years; requiring the Maryland Department of
25 Labor to adopt regulations establishing certain energy conservation requirements
26 for certain buildings on or before a certain date; specifying the energy use reductions
27 that certain regulations must require certain buildings to achieve; establishing
28 certain exceptions to certain energy conservation requirements; requiring the
29 Maryland Department of Labor to adopt regulations requiring certain buildings to
30 be solar-ready on or before a certain date; allowing certain regulations to authorize
31 a local jurisdiction to waive certain solar-ready requirements under certain
32 circumstances; authorizing a local jurisdiction to adopt certain energy conservation

33 and solar energy requirements that are more stringent than certain requirements
34 established by the Maryland Department of Labor; requiring certain buildings to be
35 renovated to achieve certain energy use reductions under certain circumstances;
36 authorizing a local jurisdiction to waive certain renovation requirements under
37 certain circumstances; requiring the Maryland Department of Labor to adopt certain
38 regulations relating to building renovations on or before a certain date; requiring the
39 Maryland Department of Labor to adopt regulations directing local jurisdictions to
40 require certain energy life cycle cost estimates for certain buildings on or before a
41 certain date; establishing a certain exemption from certain life cycle analysis
42 requirements; requiring certain regulations to require certain energy models to
43 evaluate life cycle costs for certain options; requiring the consideration of certain
44 costs when calculating certain life cycle costs; requiring certain life cycle cost
45 estimates to be made available to the Maryland Department of Labor and taken into
46 consideration when the State revises the Maryland Building Performance Standards
47 or the Energy Code; requiring the Public Service Commission to require each electric
SENATE BILL 414 3

1 company to procure or provide certain energy efficiency and conservation programs
2 and services to its electricity customers on a certain savings trajectory for the
3 duration of certain program cycles; altering the definition of "high performance
4 building" for purposes of certain provisions of law; applying certain requirements
5 regarding high performance buildings to capital projects for which at least a certain
6 percentage of the project costs are funded with State funds; repealing a requirement
7 that the Maryland Green Building Council develop certain guidelines for new public
8 school buildings; requiring the Maryland Green Building Council to ensure that
9 certain buildings, schools, and community colleges meet certain high performance
10 building requirements and to develop guidelines for evaluating the energy balance
11 and achieving a certain energy balance in certain buildings;

Sayers, Margery

From: Betsy Singer <betsysing@gmail.com>
Sent: Sunday, October 31, 2021 9:36 PM
To: CouncilMail
Subject: CB71-2021 Support with amendment

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I strongly urge Council Members to support CB71-2021, the adoption of several 2021 international construction standards and specifically, the International Energy Conservation Code, for the new Howard County Building Code. However, **I also request the consideration and passage of an additional provision to require new construction for residential buildings to be all-electric.** A deeper discussion may not be possible at the next legislative session on Monday, Nov. 1. Renewal of the Act may need to be extended. The promotion of smart electrification needs to be resolved in favor of using green and clean energy instead of dirty and dangerous fossil fuels such as gas.

All-electric new construction is cost-effective. MDE worked with an energy consulting firm to produce a [Building Energy Transition Plan](#) and found that all-electric new buildings typically have the lowest construction and operating costs, especially in single-family homes.

My family lives in an all-electric home built in Columbia in 1989. We purchase our electricity through BGE and the source of that electricity is 100% wind with AEP energy provider. We don't have to worry about gas line leaks and explosions and the indoor air quality provides a healthy environment.

All-electric buildings are a necessary and healthy step to reduce carbon emissions. We must move quickly and that is why I urge you to support building electrification the Howard County Code, starting with new construction.

Betsy Singer
6180 Devon Dr.
Columbia, MD 21044
410-730-7740
443-812-2525 cell

Sayers, Margery

From: Star <larelle614@gmail.com>
Sent: Sunday, October 31, 2021 9:03 PM
To: Rigby, Christiana; Jones, Opel
Cc: CouncilMail
Subject: Oppose CB71-2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please **oppose** CB71-2021 which plans to electrify all new houses by 2022. In Maryland heat pumps are a very costly source to heat home in the winters with the temperature often going below freezing when heat pumps are less effective and very expensive to use compared to natural gas. Also, when looking for our current house in Columbia it was important for our next home to have gas since it is better for cooking. Another reason we love gas is our natural gas fireplace which is a lovely convenience on a cold winter night. Lastly, if the electricity were to go out similar to Texas we could still heat our house, heat our water, and cook since we have the ability to use our natural gas.

These are several personal reasons on why I believe we should oppose CB71-2021.

Thanks so much for listening to my concerns and hope you oppose CB71-2021.

Sincerely,
Star Bogenschutz
10512 Justice Place
Columbia, MD 21046

Sayers, Margery

From: Sarah Anderson <sanderson1173@gmail.com>
Sent: Sunday, October 31, 2021 8:13 PM
To: CouncilMail
Subject: Opposition to Amendment of CB71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council,

This is a note to express opposition to Liz Walsh's proposed Amendment 1 to CB 71. This audacious and presumptive amendment was added at the last minute. Public hearings have already taken place so there's no time for additional input or testimony from the public, since as you are aware, the vote is scheduled for Monday, November 1st at 7pm.

A change to Howard Co's potential housing infrastructure should not be made in the dark, at the last minute, without public notice or hearings. Residents should have time to evaluate a change like this and have a say in types of widely-available, conventional fuels/energies they use in their homes. There are many people that specifically set out to find homes WITH gas for cooking and heating reasons. A lot of people seek gas because it is a reliable fuel source when the grid goes down: they can still cook, have hot water, fuel a generator and more. I personally sought out homes with gas when choosing where to live. Whatever your thoughts are on all-electric homes, pro or con, it is imperative that this conversation occur in a transparent manner, with opportunity for testimony and input from Howard residents who will ultimately be the ones impacted by this change.

A change this drastic in nature should not be made as a hasty edit to a bill after public hearing has already taken place. It's inappropriate to not allow for testimony on such a big proposed change and sets a slippery precedent for the future.

I urge you to reject this amendment, and any other non-transparent changes to legislation already being heard in the public arena. Thank you for taking the time to read and consider this.

Sincerely,

Sarah Anderson
REALTOR, GREEN, CMRS
443.668.1173 (c)
www.SarahAnderson.realtor

2021-2022 President, HoCo Assoc of Realtors
2018, MD REALTORS President's Award Recipient
MD Real Estate Network
240.456.0016 (o)

Sayers, Margery

From: Tim Burkard <tim@burkardhomes.com>
Sent: Sunday, October 31, 2021 7:34 PM
To: CouncilMail
Subject: Amendment CB 71-21

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am writing in STRONG opposition to the Amendment requiring all residential buildings to be all electric. Something of this magnitude should not be included as an amendment to an adoption of a building code - it should obviously be included as part of the building code if it is to be enacted. While we continue to work towards a more energy efficient house as an industry, it is not part of the 2021 code. At this point, an all electric house is not very practical, cost effective, or consumer friendly. The cost of gas cooking and heating is significantly less than that of electricity. This would add significant costs to the home heating bill for consumers, but it impacts lower and middle income families the most. It is effectively a regressive tax and somewhat discriminatory against those with lower and middle income and makes housing affordability even worse than it already is. Also, the consumers do not want an all electric house at this point. They prefer natural gas cooking and natural gas heat even if the costs were the same. This continued haphazard legislation of our residential housing continues to worsen the affordable housing crisis in our county. Finally, it is not very fair to only require this of new homes. After all, with less than 2000 new homes produced each year in the county, this would have a negligible effect on the total residential usage of natural gas. If this is to be considered, it seems like it should be given a proper review and not just a last minute amendment outside the actual building code adoption. This effectively rewrites the building code without any review. Thank you for your consideration.

Tim Burkard

Sayers, Margery

From: Shari Glenn <shariglenn1@gmail.com>
Sent: Sunday, October 31, 2021 7:22 PM
To: CouncilMail
Subject: Amendment to CB71 - Monday 1 Nov vote

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I strongly urge the council members to support CB71-2021, the adoption of several 2021 international construction standards and specifically the International Energy Conservation Code to comprise the new Howard County Building Code. I also request the consideration and passage of an additional provision to require new construction for residential buildings to be all-electric.

Our country cannot achieve serious fossil-fuel reductions if we permit new construction of residential housing that uses fossil fuels for heating and cooking. At the very same time, electric power, here and elsewhere, can move toward "greener sourcing." It's all part of a process, and it should start with deliberate and directed electrification.

Indeed, all-electric buildings are a necessary step in reducing carbon emissions to avoid the worst impacts of the ongoing climate crisis

We should move smartly and quickly, and that is why I urge you to support building electrification, starting with any new residential construction. Moving "quickly," however, may still entail having a fuller discussion on CB71-2021. Such deeper discussion may not be possible at your next legislative session on Monday, 1 November. To do this, the renewal of the Act may need to be extended (01/17/22 if extended; or 02/21/22 if extended twice). But the issue of promoting smart electrification needs to be resolved in favor of smart and green energy.

**Respectfully,
Shari Glenn
8313 Whitebark Ct
Ellicott City, MD 21043**

Sayers, Margery

From: LISA MARKOVITZ <lmarkovitz@comcast.net>
Sent: Sunday, October 31, 2021 7:05 PM
To: CouncilMail
Subject: CB71 "Substantive" amendment

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am hearing and seeing a lot of questions about the "electric only" amendment to CB71. Some love it, some do not. I think whatever viewpoint one has, it does seem this is a substantive amendment, that warrants another public hearing.

Thank you,
Lisa Markovitz

Sayers, Margery

From: Eileen.Robbins <eileen.robbins@longandfoster.com>
Sent: Sunday, October 31, 2021 4:19 PM
To: CouncilMail; Ball, Calvin
Subject: No to Amendment 1 to CB 71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Sir & Madam:

All electric new homes would be a detriment for many & this amendment is being offered on a bill where the public hearing has already occurred. There would be no opportunity for testimony, and it's unlikely that most County residents know that this is on the table.

Regardless of any thoughts on all-electric homes, pro or con, it is important that this debate take place in a transparent manner, with opportunity for testimony from Howard residents who will ultimately be the ones impacted by this change.

This should not be happening in a rushed and non transparent manner when so many residents would be affected by this.

Sincerely,
Eileen Robbins

Eileen Robbins

Realtor

📞 410.715.7093

📱 443.803.8988

✉ eileen.robbins@longandfoster.com

🌐 eileenrobbins.com



eileen robbins team
OF LONG AND FOSTER REAL ESTATE



Trust us to sell your nest

Eileen Robbins Team of Long & Foster Real Estate
10805 Hickory Ridge Road • Columbia, MD 21044

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond** to the email and immediately contact your agent via phone.

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: IAN SHAW <IAN.SHAW@Longandfoster.com>
Sent: Sunday, October 31, 2021 3:22 PM
To: CouncilMail
Subject: Opposition to Amendment 1 to CB 71.

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Honorable Council Members, I am writing to OPPOSE Amendment 1 to CB 71 - Requiring All Homes to be Electric. This was added at the last minute, is not practical and does not meet the wants or needs of many buyers of residential real estate in our County. The current situation is working fine, the market will drive consumer choices and they should be afforded the opportunity to make those choices.

1. As the demand on the electric grid becomes more intense due to electric cars and other electric items over loading an already outdated grid system makes little sense.
2. A diversified energy plan needs to be part of the practical solution. Natural Gas is both clean, safe and efficient and should continue to be part of the solution for heating and cooking in today's modern homes.
3. Again, the market and consumer choice has been driving people away from inefficient and less clean alternatives and government intervention is NOT NEEDED at this time.
4. Allow the consumer to decide what works best for their situation, Today's consumers are very savvy and are requesting more energy efficiency at every level and no mandate is needed to achieve further progress at this time.

Thanks in advance for Considering these Points and Your Vote of NO on this Bill with the Amendment 1.

Thank you, for your service and consideration
Ian Shaw

Ian Shaw, Graduate of the Realtor Institute, GRI - Associate Broker - Council of Residential Specialist, CRS
Long and Foster Real Estate, Inc.
10805 Hickory Ridge Road, Columbia, Maryland 21044
Office: 410-715-2025
Fax: 410-379-6239
Direct Mobile: 410-952-9746
ian.shaw@lnf.com

Search for 1,000's of homes 24 Hours a Day at: www.Sellshaw.com

Nobody works harder to earn your business!

Please don't keep me a secret. I greatly appreciate your referrals!

Ian Shaw

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond** to the email and immediately contact your agent via phone.

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Christine Sheeler <ctsheeler@gmail.com>
Sent: Sunday, October 31, 2021 2:33 PM
To: CouncilMail; Ball, Calvin
Subject: I oppose Amendment 1 to CB 71.

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Sirs and Madams:

I oppose Amendment 1 to CB 71. A change like this should NOT be made through a last minute amendment to a bill after the public hearing took place. Homebuyers should have time to evaluate this proposal and provide feedback and testimony. It is unlikely that most county residents know this is being considered.

As a homeowner, I would never purchase a house without gas heat and gas cooking. Please ask for public comment before making decisions that will impact the Howard County for year to come.

Sincerely, Christine Sheeler

Sayers, Margery

From: Cheryl Arney <cherylarney@gmail.com>
Sent: Sunday, October 31, 2021 2:17 PM
To: CouncilMail
Cc: Cheryl Arney
Subject: Please require all new construction of residential buildings be all electric

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Members of the Howard County Council,

I'm writing to ask you to support CB71-2021, a routine approval of national building codes updated to the 2021 version, WITH AMENDMENT 1, WHICH REQUIRES A LL NEW RESIDENTIAL CONSTRUCTION AFTER A CERTAIN DATE BE ALL ELECTRIC.

We can no longer postpone reducing greenhouse gas emissions; the time to act is now. When I bought my home in Howard County, natural gas was not available. It is not an extreme measure to TRANSITION our County back to "pre-natural-gas" days.

If there is not enough time for a full discussion of this Amendment 1 before a vote on Monday, November 1, I suggest the vote be postponed until such an important policy discussion may be held.

Thank you.

Cheryl Arney
4361 Wild Filly Ct.
Ellicott City MD 21042
410-480-9609
cherylarney@gmail.com

Sayers, Margery

From: Janette McAnallen <Janette.McAnallen@Inf.com>
Sent: Sunday, October 31, 2021 12:38 PM
To: CouncilMail
Subject: I OPPOSE AMENDMENT 1 to CB 71. PLEASE READ ON!!!

Importance: High

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

BACKGROUND:

- HCAR learned late Friday that Council Member Walsh had filed an amendment to an existing building code bill which would require new homes constructed after Nov 2022 to be all-electric (no gas cooking, heating, etc.).
- There are several cities in California which have made this change to their local codes, citing environmental benefits. However, those proposals have been stand-alone measures which proceeded through the normal legislative process with ample discussion and feedback.
- By contrast, this amendment is being offered on a bill where the public hearing has already occurred. There would be no opportunity for testimony, and it's unlikely that most County residents know that this is on the table.
- Regardless of any thoughts on all-electric homes, pro or con, it is important that this debate take place in a transparent manner, with opportunity for testimony from Howard residents who will ultimately be the ones impacted by this change.

MY KEY POINTS:

- * I oppose Amendment 1 to CB 71.
- * An overarching change such as this should NOT be made through a LAST MINUTE AMENDMENT to a bill AFTER the PUBLIC HEARING took place
- * HOMEOWNERS (Current and Future) SHOULD HAVE TIME TO EVALUATE this proposal and provide feedback and testimony
- * I believe it's HIGHLY UNLIKELY that MOST COUNTY RESIDENTS have any idea that such a proposal is being considered.
- * MANY of my CLIENTS SPECIFICALLY ask for GAS HEATING and GAS APPLIANCES. In fact, the MAJORITY do. Personally, I feel similarly.

Slipping in an Amendment such as this that has both broad impact and for which many people are passionate is NOT how we would expect our Council Members to best represent us.

I hope you RECONSIDER this UNPROFESSIONAL Strategy. Don't do it JUST BECAUSE YOU CAN.

Janette McAnallen REALTOR®, Licensed in Maryland
Long & Foster | Christie's International Real Estate

****I honor and respect boundaries around personal time, caretaking, and rest. If this email arrives while you are doing any of these things, please protect your time and wait to respond*

*until you are back at work or at your computer. Let's help shape a culture that prioritizes joy and well-being.****

Mobile Phone : 443-980-0703

www.LongandFoster.com/JanetteMcAnallen

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: SUSAN SMITH (Columbia) <SUSAN.SMITH@Longandfoster.com>
Sent: Sunday, October 31, 2021 11:02 AM
To: CouncilMail; Ball, Calvin
Subject: Amendment 1 to County Building Code CB71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

County Council Members & Calvin Ball,

I would like to express my opposition to Amendment 1 to CB 71. A change like this should not be made through a last-minute amendment to a bill after the public hearing took place. Homebuyers should have time to evaluate this proposal and provide feedback and testimony. It is unlikely that most county residents know this is being considered.

Thank you for your consideration of this matter.

Susan

Susan L. Smith, Agent
Long & Foster Realtors
410-730-3456 (Office)
443-413-8167 (Cell)
410-730-7186 (Office Fax)
410-715-7388 (Voice Mail)

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

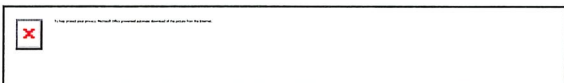
From: Joseph Bird <joe@ericpakulla.com>
Sent: Sunday, October 31, 2021 8:48 AM
To: CouncilMail; Ball, Calvin
Subject: Opposition to Amendment 1 to CB 71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

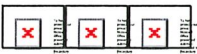
I am in strong opposition to this bill. Not only is it counterproductive, but its' introduction at the 11th hour is infuriating. This type of broad sweeping action should be deliberated, investigated and researched; not thrown in less than a week before voting. It's a travesty to our political system. There has been no research on how homeowners will respond, no input from your constituents and no input from local businesses. Who do you represent? Additionally, natural gas is better for our environment than electricity. Electricity is not sourced as cleanly as you want to promote. Natural gas is also far more efficient. Your decision is ultimately worse for the environment and will cost homeowners more money. Why would you make a decision for your constituents that will cost them more money? Also, gas cooking is a luxury many homeowners want. You are making decisions which will further the lead of people existing the county. I strongly encourage you to reconsider and be more transparent to those you supposedly represent.

Joseph S Bird
Realtor

joe@ericpakulla.com | www.ericpakulla.com
C: 443.538.3899 | O: 410.740.1200



#1 RE/MAX Team in Central Maryland
Now serving Ocean City, MD



We will never send wiring instructions via email. Please always check with your title company before sending monies. E-mails sent or received shall neither constitute acceptance of conducting transactions via electronic means nor create a binding contract until and unless a written contract is signed by the parties. ***TRANSACTIONS IN PENNSYLVANIA HAVE NO AFFILIATION WITH PAKULLA PROFESSIONALS

Sayers, Margery

From: Mary <fisherprofessional1@gmail.com>
Sent: Sunday, October 31, 2021 7:17 AM
To: CouncilMail
Subject: Opposal to CB71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good Morning,

I recieved notification of your last minute amendment to CB71

As one of your constituents (I voted for you!!) I am appalled and disappointed that you are doing things like this after running on a campaign of transparency.

No matter how you feel- it's not fair to sneak last minute amendments in. I live and work in your district. I'm in Real Estate and my Husband is a contractor. This affects our livelihood and we deserve to have a voice. We pay taxes and work hard. We send our kids to Howard County School.

I'm as entrenched in the community as you are. While I supported your campaign- I am now regretful as it looks like you're exactly the same as those you railed against. I implore to please reconsider your actions- and allow us residents to have a voice.

Sincerely,

--

Mary Fisher

Keller Williams Integrity
3290 N. Ridge Road, #150
Ellicott City, MD 21043

Cell 443-803-9355 Office 443-574-1600

Licensed in Maryland and Pennsylvania
Notary Public for the State of Maryland

Website: <https://maryfisher.kw.com/>

Download my app at: <https://www.kw.com/download/KW2CYUTMF>



Sayers, Margery

From: JAN MANDART <JAN.MANDART@Longandfoster.com>
Sent: Saturday, October 30, 2021 9:55 PM
To: CouncilMail
Subject: Amendment 1 to CB 71.

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I oppose this amendment. A change like this should NOT be made through a last-minute amendment to a bill after the public hearing took place
Thanks for your consideration,
jan

jan mandart, ABR, PSA

realtor

long and foster real estate, inc.

10805 hickory ridge road

columbia, maryland 21044

O 410 730 3456

C 240 460 4114

www.janmandart.com

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond** to the email and immediately contact your agent via phone.

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Sharyn Doyle <sdoyle@godouglasrealty.com>
Sent: Saturday, October 30, 2021 8:29 PM
To: Sharyn Doyle
Subject: HoCo Council Bill 71 i

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Council Member Walsh had filed an amendment to an existing building code bill which would require new homes constructed after Nov 2022 to be all-electric (IE no gas cooking, heating, etc).

There are several cities in California which have made this change to their local codes, citing environmental benefits. However, those proposals have been stand alone measures which proceeded through the normal legislative process with ample discussion and feedback.

By contrast, this amendment is being offered on a bill where the public hearing has already occurred. There would be no opportunity for testimony, and it's unlikely that most County residents know that this is on the table.

Regardless of any thoughts on all-electric homes, pro or con, it is important that this debate take place in a transparent manner, with opportunity for testimony from Howard residents who will ultimately be the ones impacted by this change.

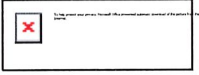
HoCo Council Bill 71 is an adoption of the 2021 National Building Code Standards. Ordinarily building codes are more or less a rubber stamp pass, with appropriate comments from stakeholders taken into account but otherwise fairly low on the controversy scale.

This bill was slated for a vote Monday evening, after having already had its appropriate public comment period. Council Member Walsh is bypassing the procedure and thus tacking on an amendment AFTER the due process has been served. This is an egregious breach of protocol and flies in the face of the established rules of procedure of the Council.

As a realtor servicing Howard County, this is very disappointing. Is this what your new legislative Council is to be known for???

--

Sharyn Doyle, SPHR, SHRM-SCP, HOC, MRP, C2EX, Notary,
[410-788-2338](tel:410-788-2338) (office)
[443-990-4663](tel:443-990-4663) (cell/text)
www.dreamhomesbysharyn.com



Governing Board

Your Referrals are the greatest compliment! Thank you!

Sharyn Doyle, Realtor 443-990-Home
Douglas Realty, LLC
8221 Ritchie Hwy Ste 101
Pasadena MD 21122
Office: (410) 255-3690
Realtor © Equal Housing Opportunity

****Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.***

****This email may not form the basis of a binding agreement unless and until incorporated into a separate, mutually acceptable, written agreement signed by the parties.***

Sayers, Margery

From: JAN DECKERT <JAN.DECKERT@Longandfoster.com>
Sent: Saturday, October 30, 2021 5:46 PM
To: CouncilMail
Subject: Oppose Amendment 1 to to CB71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I oppose Amendment 1 to CB 71.

- * A change like this should NOT be made through a last-minute amendment to a bill after the public hearing took place
- * Homebuyers should have time to evaluate this proposal and provide feedback and testimony
- * It is unlikely that most county residents know this is being considered

Jan Deckert

Jan Deckert, Associate Broker
Long and Foster Real Estate Inc.
443-463-6005/mobile
410-715-2723/office

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: LAURA GLICK <LAURA.GLICK@Longandfoster.com>
Sent: Saturday, October 30, 2021 5:25 PM
To: CouncilMail; Ball, Calvin
Subject: CB 71-ammendment 1 opposition

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Executive Ball and Council,

The recent proposal of CB71 (amendment 1) which was added to the bill AFTER the public hearing needs more time for evaluation from consumers and those in the real estate community. This is a significant change that will require a more thorough exploration and input from homebuyers and the like. Due to the haste with which this amendment was put forward, it's likely that many of our neighbors do not even know about the change or understand the impact of such a change. Many consumers I have worked with over the last 20+ years in real estate will not consider properties that are fueled exclusively by electricity.

Until this can be put forward in a public forum with opportunity for testimony and feedback from the community, I remain opposed to this amendment.

Sincerely,

Laura Glick

Laura Glick, Maryland REALTOR(R)/Certified Negotiator
301-996-7646

www.lauraglick.com

In Practice since 1997-THANKS FOR YOUR REFERRALS!



ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Steve Miller <steve@scottomiller.com>
Sent: Saturday, October 30, 2021 4:48 PM
To: Ball, Calvin; CouncilMail
Subject: CB71 Amendment 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good afternoon County Executive Ball and Members of the County Council:

I write this not in my official capacity as the 2022 Chair of the HCAR Legislative Committee but as a Realtor and concerned citizen.

It has come to my attention that an amendment to the proposed CB71 was filed at the last minute, after the timeline for public comment has passed.

Putting aside content of the amendment, this is a serious breach of protocol and procedure. The precedent, should this be allowed to move forward, entirely removes and thus negates the right of the public to participate in the legislative process.

All bills must have their time to be heard, discussed, debated, and amended accordingly, but in the open.

Tacking on an amendment at the 11th hour is thus not only inappropriate but insulting to the very citizens who the legislation would affect. Given the timing of the addition of this amendment it is highly unlikely the citizens of Howard County have been made aware of this change. On that point alone it must be rejected.

Far as the content of the proposed amendment:

As a Realtor, I am keenly aware of the desires and wants of my clients when searching for their homes. Gas heating and cooking is a highly desirable amenity in new homes, and expected in most new construction. In resale the presence of gas is an overall advantage for all parties. Furthermore: the first LEED certified housing community in Howard County-- Oxford Square-- is equipped entirely with gas heating and cooking. If LEED certification can be achieved using natural gas, then the supposed merits of this amendment are without grounds.

Personally, when looking for a home for my family we did not even consider homes where natural gas was not present.

I urge you to reject this amendment and any further attempts to backdoor changes to legislation already heard in the public sphere.

Sincerely,

Steve Miller

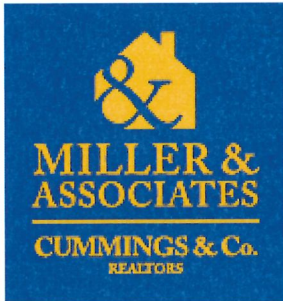
Steve Miller
Licensed Realtor & Salesperson

**Miller & Associates of
Cummings & Co. Realtors**

Check us out on Facebook
Follow us on Twitter- [@MillerAssocTeam](#)

O: 410-823-0033
M: 410-971-3050

www.scottomiller.com



FRAUD ALERT: Never trust wiring instructions sent via email. Cybercriminals are hacking email accounts and sending emails with fake wiring instructions. These emails are convincing and sophisticated. Always independently confirm wiring instructions in person or via a telephone call to a trusted and verified phone number. Never wire money without double-checking that the wiring instructions are correct.

Confidentiality Notice:

This email may contain privileged, confidential, copyrighted, and/or other legally protected information. If you are not the intended recipient, you may not use, copy or retransmit the information contained within. If you have received this by mistake, please notify us by return email, then delete the email and any attachments.

Sayers, Margery

From: andy frgmd.com <andy@frgmd.com>
Sent: Saturday, October 30, 2021 3:48 PM
To: CouncilMail
Subject: Amendment 1 to CB 71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please let me start that I am adamantly opposed to **Amendment 1 to CB 71**

A change in the Building Code of this magnitude cannot be allowed as a last-minute attachment to a bill after the public hearing has taken place. This can only be considered after the citizens and home buyers have time to review and evaluate this proposal.

I just completed building my home in Highland. I have a 97% efficient heating system which is combination gas and electric along with gas stove in my home which provides a smaller carbon footprint than an all-electric home. It is obvious that Councilwoman Liz Walsh has done no research on the advantage of an all-electric home because there are none. Current electric production produces a larger carbon footprint than homes using gas to heat and cook and there is no cost advantage to the end user.

When did it become local governments decision to mandate its citizens purchasing new homes on how to heat their home and cook their meals? Last but not the least many of the taxpayers in Howard County are not even aware of this last-minute attachment to the bill. Whose interest is Councilwoman Walsh representing.

Where is the transparency in government that we expect in Howard County?

Andy Bowen
Highland, MD

Sayers, Margery

From: becki gershman <beckigershman@yahoo.com>
Sent: Saturday, October 30, 2021 3:31 PM
To: CouncilMail
Cc: Ball, Calvin
Subject: Amendment 1 to CB71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am opposed to the above amendment on the basis that the public hasn't the issue awareness or weighed in on the matter, and it was just tacked onto a piece of Proposed County legislation at the last minute.

Gas heating and cooking has always been considered a plus in our market area, and all-electric has inherent major issues with climate change, outages, etc. Potential hardships for our County residents cannot be underestimated, and it's important to consider the demographics of our population, whether they be older, less financially sound, etc

Please do NOT pass this amendment. Thanks

Becki Gershman, GRI,SRES
Long and Foster Real Estate Inc
10805 Hickory Ridge Rd
Columbia MD 21044
410.730.3456 (Ofc)
410.913.8345 (cell)
beckigershman@yahoo.com

Sent from my iPhone

Sayers, Margery

From: NELLIE ARRINGTON <NELLIE.ARRINGTON@Longandfoster.com>
Sent: Saturday, October 30, 2021 2:36 PM
To: CouncilMail
Cc: Ball, Calvin; Leonardo McClarty; jessica@hcar.org; SUZI PADGETT
Subject: CB71, Amendment 1 OPPOSED

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To the Members of the Howard County Council, and County Executive Calvin Ball;

I strongly oppose the last minute inclusion of this amendment to the proposed County Building Code, scheduled for a vote on Monday, November 1, 2021, without any opportunity for public hearing or input. My opposition is on two points -- the substance, and the procedure.

Substance -- To require all residences built after November 2022 to have exclusively electric power is an odious imposition that overreaches acceptable government boundaries. As a Realtor, I have had many clients specify that they want natural gas heating systems and cooking appliances. For those who request gas heating, the preference is for the quality of the indoor comfort. For those who request gas cooking, it is because of their culinary preferences, or because their ethnic food preparation depends on the temperature controls offered by the gas flame. I have had many clients who will not purchase a house that does not have gas cooking because their ethnic heritage and traditions depend on it.

Procedure -- I understand this amendment was proposed AFTER the public hearing on Council Bill 71 was conducted, with no opportunity for public awareness or testimony prior to the November 1 vote on the adoption of the County Building Code (a measure which has been in the legislative process for some time). This is the most egregious example of overstepping the bounds of public trust I have ever witnessed in Howard County. I am comfortable saying that no voter ever gives a mandate to any elected public SERVANT to make broadbrush legislative edicts in an apparent power grab born of self-aggrandizement. To adopt this amendment without public input subverts the democracy the undergirds the process. The precedent thus set would sabotage the intent of the Howard County Charter.

Any Council Member who proposes or supports this -- either in substance or procedure -- should never be returned to office by their constituents.

Nellie Arrington
9384 Parsley Drive
Ellicott City, MD 21042

Nellie Arrington, CRS
Associate Broker
Long & Foster REALTORS

410-715-2703 direct or Nellie@MarylandHouse.com
www.MarylandHouse.com www.HouseinMaryland.com

10805 Hickory Ridge Road, Columbia, MD 21044

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Alan Grubb <alan@4uhome.com>
Sent: Saturday, October 30, 2021 2:35 PM
To: CouncilMail; Ball, Calvin
Subject: Stop this madness

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I would like to start out by saying I oppose Amendment 1 to County Building Code (CB 71) which would require new construction to be all-electric by Nov 2022.

Council Member Walsh sneaking a last-minute amendment of this magnitude into a bill after public input on the bill has already concluded is not only sneaky but downright scandalous.

Homebuyers should have time to evaluate this proposal and provide feedback and testimony

I would think that other county residents, like me, are getting a little tired of the government regulating and telling us how to live our lives.

Just for the record, I do believe that there is a climate change issue, but for someone to take it on themselves and dictate that I can't cook my food with open flame or have a cookout without even asking whether that would be a problem, is not right.

--



Alan Grubb

Create your own email signature



Sayers, Margery

From: Ryan Breeden <rbreeden1@gmail.com>
Sent: Saturday, October 30, 2021 2:10 PM
To: CouncilMail
Subject: I oppose Amendment 1 to CB 71.

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council members,

I oppose this amendment (Amendment 1 to CB 71) and something like this should **NOT** be slipped into a bill at the last minute as it does not allow for public impute on the issue. This seems like a shady way to run the government and is not transparent as you never brought it up before the public hearing was held. It is very unlikely that most residents know about this issue being considered and it must be publicly debated before you slip it into a bill at the last minute.

I'm a local Realtor and can tell you that buyers prefer houses with gas cooking, tankless gas hot water heaters (that are much more efficient and use much less energy) and gas heat. Many of my buyers won't even look at a house that does not have gas run to it.

Sincerely,
Ryan Breeden

2020, 2019, 2018 & 2017 - Long & Foster Columbia Top Producing Team of the Year!

2020, 2019, 2018 & 2017 - Named by the Washingtonian as a Top Area Realtor

2016 - Long & Foster Top Individual Producer of the Year!

2020, 2019, 2018, 2017, 2016 - Top 10 agent's in Maryland for client satisfaction award from AIREP

2020, 2019, 2018, 2017, 2016, 2015, 2014 & 2013 - Angie's List Super Service Award winner

2013 - present - Long & Fosters Gold Team member

2006 - 2012 several other awards

2005 - Long & Foster Rookie of the Year

ReadRyansReviews.com
443-896-6081 - Cell
410-715-2778 - Office

Sayers, Margery

From: Gerald Axtell <gerald@LongandFoster.com>
Sent: Saturday, October 30, 2021 2:05 PM
To: CouncilMail; Ball, Calvin
Subject: Opposing Amendment 1 to CB 71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Councilman Ball,
As a Real Estate agent and resident in Howard County. I oppose Amendment 1 to CB 71.

I have many clients that will list gas range as one of their core requirements in home rental and purchase options. I've found that there is very limited home inventory in Howard County.

As recently as Spring of 2020, I closed new home with a homebuyer in Anne Arundel County and one of the key features they were looking for was gas appliances. The new home that purchase in AA county had a gas range.

Finally, it is critical that the residents get the option to review this amendment and understand this change before it is ratified. This last minute change after the public hearing is an unfair shift to in the legislation.

I appreciate your attention to this change. Have a great weekend and please make another appearance at the Longfellow 4th of July parade in 2022!!

Thanks,

Gerald D. Axtell
Long & Foster Real Estate, Inc. - The Cummins Team
10805 Hickory Ridge Rd, Columbia, MD 21044
Office: 410-715-7095 Cell: 410-458-0816
<https://www.longandfoster.com/geraldaxtell>
gerald@lnf.com

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond to the email and immediately contact your agent via phone.**

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which

requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Michael Bridges <mb2michael@gmail.com>
Sent: Sunday, October 31, 2021 3:03 AM
To: CouncilMail
Subject: CB 71 item 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I oppose 1 (CB 71)

Sayers, Margery

From: BARBARA SEELY <barb@Inf.com>
Sent: Saturday, October 30, 2021 1:48 PM
To: CouncilMail
Subject: CB-71

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good Afternoon:

I strongly oppose this amendment to the above referenced legislation for the following reasons:

- * You oppose Amendment 1 to CB 71.
- * A change like this should NOT be made through a last-minute amendment to a bill after the public hearing took place
- * Homebuyers should have time to evaluate this proposal and provide feedback and testimony
- * It is unlikely that most county residents know this is being considered
- * Gas heating and cooking has always been the preference of homebuyers and to take that choice away from them without significant input seems irresponsible
- * This is a decision that should be made with input from all stakeholders, not a unilateral decision by politicians when many people don't know about the change

I respectfully ask that this amendment be postponed until further meetings and input can be given by the general population.

Thank you

Barb Seely

Barbara N. Seely, CRS, GRI, ABR, Realtor
Long and Foster Realtors
10805 Hickory Ridge Road
Columbia, MD 21044
410-715-7393 direct
443-691-2985 cell
410-730-3456 of

barb@Inf.com email
barbseely.Inf.com website

Put my experience to work for you!!!

ALERT! Long & Foster Real Estate will never send you wiring information via email or request that you send us personal financial information by email. If you receive an email message like this concerning any transaction involving Long & Foster Real Estate, **do not respond** to the email and immediately contact your agent via phone.

The contents of this e-mail message may be privileged and/or confidential. If you are not the intended recipient, any review, dissemination, copying, distribution or other use of the contents of this message or any attachment by you is strictly prohibited. If you receive this communication in error, please notify us immediately by return e-mail, and please delete this message and all attachments from your system.

Warning: If you receive an email from anyone concerning a transaction involving Long & Foster Companies ("Long & Foster") which requests that you wire funds or that you provide nonpublic personal information by unsecured return email, do not respond to the message. To protect yourself, immediately call your real estate agent or other contact at Long & Foster.

Sayers, Margery

From: Rob Bowersox <rbowersox@keystonecustomhome.com>
Sent: Friday, October 29, 2021 3:52 PM
To: CouncilMail
Subject: opposition to bill CB71-21

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To whom it may concern,

I am writing in strong opposition to this bill. The bill requiring all homes to run on electricity and not propane or natural gas does not take into account the currently available technology and climate in this area. Heat from a heat pump or geothermal source only blows out of the vents at 70-90 degrees, reducing the ability for the home to stay warm and requiring MORE carbon fuels to be burned to produce electricity through our already strained grid system. On a cold MD day below 30 degrees, getting a home to even 65 degrees will be virtually impossible- making elderly people uncomfortable and forcing dangerous electric blankets and plug-in heaters. Anyone with any knowledge of home heating would know that heat pumps are terribly inefficient, and every home that has a heat pump or geothermal system is undesirable due to the poor performance. This will result in low property values, lower tax revenue, and Howard County losing its desirability with new home construction. Additionally, once buyers find out the electric heat does not work, they will convert to propane without permits, which is a safety concern.

I am a supporter of the Green initiatives and if you really want to save energy, requiring 16 SEER or higher HVAC systems and ARGON gas windows will be more beneficial- but don't regulate how we cook food, heat our homes and run fireplaces. That's a little too far. There is plenty of room to raise property taxes on homes assessed over \$800k in the county.

Rob Bowersox

Sayers, Margery

From: Paul Sill <paul@sillengineering.com>
Sent: Friday, October 29, 2021 2:41 PM
To: CouncilMail
Cc: Walsh, Elizabeth; Jones, Opel; Rigby, Christiana; Jung, Deb; Yungmann, David
Subject: CB 71-21 amendment

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Councilmembers,

I just heard that this bill has been amended to require all residential vehicles be converted to electric by November 2022: ONE YEAR, and will be voted on in THREE DAYS. This is the most impractical law I have ever seen proposed and should have Ms. Walsh recalled from her seat for mental instability. Even if I supported the thought of all electric vehicles, how in the world would that switch ever be made in ONE YEAR? Not to mention the cost! Ms. Walsh has shown over her tenure on the Council a lack of sound judgement in making Howard County a better place to live and I plan to heavily support any individual that runs against her in the next election. I implore the other council members to soundly reject this amendment and prove that Howard County isn't an insane asylum.

A citizen for common sense,

Paul M. Sill, PE, LEED AP



SILL ENGINEERING GROUP, LLC
SEG LAND SURVEYING, LLC

16005 Frederick Road, 2nd Floor
Woodbine, MD 21797 | Cell: 443-878-4314
Office: 443-325-5076 ext. 102 | Fax: 410-696-2022
Website: www.sillengineering.com

 Please consider the environment before printing this email.

Sayers, Margery

From: paul.baicich <paul.baicich@verizon.net>
Sent: Friday, October 29, 2021 11:27 AM
To: CouncilMail
Subject: CB71-2021 and electrification
Attachments: HowardCounty5ss.jpg

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council Member,

We at Our Revolution Howard County strongly urge the council members to support CB71-2021, the adoption of several 2021 international construction standards and specifically the International Energy Conservation Code to comprise the new Howard County Building Code. We also request the consideration and passage of an additional provision to require new construction for residential buildings to be all-electric.

Our country cannot achieve serious fossil-fuel reductions if we permit new construction of residential housing that uses fossil fuels for heating and cooking. At the very same time, electric power, here and elsewhere, can move toward "greener sourcing." It's all part of a process, and it should start with deliberate and directed electrification.

Indeed, all-electric buildings are a necessary step in reducing carbon emissions to avoid the worst impacts of the ongoing climate crisis. We should move smartly and quickly, and that is why we urge you to support building electrification, starting with any new residential construction. Moving "quickly," however, may still entail having a fuller discussion on CB71-2021. Such deeper discussion may not be possible at your next legislative session on Monday, 1 November. To do this, the renewal of the Act may need to be extended (01/17/22 if extended; or 02/21/22 if extended twice). But the issue of promoting smart electrification surely needs to be resolved in favor of smart and green energy.

Sincerely,

Paul J. Baicich - ORHoCo Chair

