



Testimony for CB24-2025

Adopting – Howard County Building Codes

Position – Support with Amendment

Betsy Singer, Jewish Community Relations Council

Jewish Federation of Howard County

April 21, 2025

Good evening: My name is Betsy Singer and I am representing the Jewish Community Relations Council, the outreach and advocacy committee of the Jewish Federation of Howard County.

Tonight, we are asking you to include an amendment to CB24 to require or strongly incentivize all-electric buildings in Howard County. Our Jewish values tell us that we have the responsibility of tikkun olam, or "repair of the world." Taking steps, both small and large, to lessen the amount of carbon emissions being pumped into the atmosphere, is surely an effort to repair the world.

We know that the Howard County Council is aware of the real threat and imminent dangers of flooding Earth's atmosphere with carbon emissions. Climate change is already causing regular catastrophes. Fires and floods and increased viciousness of tornadoes, and hurricanes means that no part of our country or the state of Maryland will escape these threats...unless we continue our commitment to meet the goals set by the state of Maryland's Climate Solutions Act of 2022 and those found in County's Climate Action Plan. Each required substantial reductions in greenhouse gas emissions for the public and private sectors to achieve net-zero emissions by 2045.

CB24 makes progress towards better energy efficiency but it doesn't go far enough. The crisis we face demands that we stop using fossil fuels

to the greatest possible degree. About 11 per cent of greenhouse gas emissions in the County are produced by the direct combustion of fossil fuels in homes and other buildings, mainly for heat, to produce hot water and for cooking. Getting rid of that direct combustion will not only be good for the planet but will be good for Howard County residents' health and for their wallets.

**This is why JCRC supports CB24 with an amendment. Please find a way to amend this bill so that our new homes and buildings in Howard County are electric from the start.**

On a personal level, I have lived in an all-electric home in Columbia in Howard County for the past 26 years. The air quality is cleaner, safer, and the electricity is quieter, less expensive, more comfortable, and more reliable than any other home I've lived in, all of which were powered by oil or gas.

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Chair Walsh and Councilmembers, my name is Doug Siglin. I am a retired Republican Capitol Hill staffer and DC-based nonprofit leader. I have lived in Howard County for two decades. I volunteer for the CCAN Action Fund, on whose behalf I'm speaking tonight.

The bottom line is that I ask you to amend CB24 to require or strongly encourage electrification of all new construction.

55 years ago tomorrow, I was one of millions of people across America who celebrated the first Earth Day. Since then, something terrible has happened: the broad political consensus that Americans must work together to solve environmental problems has been destroyed. Back then, President Nixon and others across the political spectrum proudly called themselves environmentalists, or conservationists, recognizing that the words conservative and conservation come from the same root.

Even the archconservative Senator and 1964 presidential candidate Barry Goldwater wrote in 1970: *"Although I am a great believer in the free, competitive enterprise system and all that it entails, I am an even stronger believer in the right of our people to live in clean and pollution-free environments."* He went on: *"To this end, it is my belief that when pollution is found, it should be halted at the source, even if this requires stringent government action against important segments of our national economy."*

Today we are facing an extraordinary environmental crisis in global climate disruption. Atmospheric carbon is 33% higher than it was in 1965 when the White House Science Advisory Committee warned the President that we were already on track to dire consequences. And yet today state and local elected officials are being intimidated by the vindictive, head-in-the-sand White House, the prospect of being primaried, and the likelihood that every attempt to solve a shared environmental problem will end up in court.

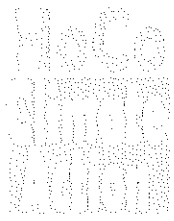
I urge you not to be intimidated. It seems almost naïve for me to say this given what I just said, but you have a special opportunity here: to come together to help address the biggest environmental issue of our time. You're not going to solve the climate crisis on your own, but you can model the behavior that we all need to see.

The room tonight is full of people wearing green t-shirts that say "Be a Real Climate Leader." Leadership here means electrification. As the architects, engineers, and consumer advocates who are speaking tonight are telling you, the climate benefits, the health benefits, and the financial benefits are great. All-electric construction would reduce greenhouse gases. Respiratory benefits for children and older people are significant. Building costs for all-electric new buildings are the same, or in many cases less, than dual-fuel buildings. With electric heat pump/air conditioners, operational costs for homeowners, business owners, and tenants go down. The need for new infrastructure is minimal. There is plenty of grid capacity for the relatively few new buildings that will be built in Howard County.

You will no doubt get pressure from business interests, including the threat of lawsuits. If the past three years here and in Annapolis are any guide, they will come to you with misleading arguments about costs and grid capacity. Resist them. They are advocating for their interests. But their interests are not the interests of the people of Howard County, or the state, or the nation.

Amending CB24 will be the most important environmental thing that you do this year. As Senator Booker said at the end of his marathon speech: *"for all Americans, it's a moral moment. It's not left or right. It's right or wrong,"* Around the nation, people are watching you. Please show them that Howard County is willing to recognize the crisis we're in and proudly put on the mantle of environmental leadership.

You know, Howard County really is a special place. Many young families, including mine, have moved here because of the advantages that it offers. Amending this bill to help to achieve our climate goals, our health goals, and our financial goals will make Howard County an even better place to live and work. I urge all five of you to come together to amend the bill to include electrification of all new construction before passing it. Thank you.



HoCoClimateAction.org  
Howard County, Maryland

## **Testimony of Larry Liebesman Esq on**

**CB 24 April 21, 2025** *Larry.liebesman@gmail.com*

Good evening, my name is Larry Liebesman. I have been a County resident for over 45 years and live in the Waters Edge Community in Town Center ( District 4). I have been practicing environmental law for over 45 years including work at EPA and DOJ. I have also taught environmental law at University of Balt and GW Law Schools and have testified before the Md Climate Change Commission. I sit on the Ho Co Environmental Sustainability Board ( ESB).I am testifying today on behalf of HoCo Climate Action and not the ESB. HoCo Climate Action is 350.org local chapter and a grass roots organization representing approximately 1400 subscribers. It is also a member of the Climate Justice Wing of the Maryland Legislative Coalition.

### **Overview**

In my view, CB 24 adopting the IECC base code, is not sufficient without amendments to ensure that the County will meet the 60 % GHG reduction goals by 2030 and net carbon neutrality by 2045 in both state law and the County's Climate Action Plan. The County Executive's April 2024 Report clearly recognizes that changes to the County's building codes must be enacted to reduce GHG emissions from residential and commercial buildings—the second largest source of GHG emissions after transportation

**Enacting All Electric Building Standards would not be preempted by Federal law.**

I recognize the County's Concern that enacting all electric building standards could invite a lawsuit as preempted under the Federal Energy Policy Conservation Act ( EPCA) of 1975 as has occurred in Montgomery County and the District and in cases in Berkeley Cal and New York City. In my view, while any amendment of CB 24 should try to minimize that risk, should any suit ensue, the arguments against pre-emption are much stronger when looking at the

language and intent of the Act and recent court interpretation.

EPCA's preemption clause states that “ **On the effective date of any energy conservation standard ... for any covered product , no State regulation concerning the energy efficiency , energy use ... of such covered product shall be effective with respect to such product.**” 42 U.S.C section 6297 ( c ) unless the regulation meets certain exceptions.

EPCA was enacted in response to the 1970's energy crisis with the focus on establishing nationwide conservation program for consumer appliances and requiring DOE to prescribe minimum energy efficiency standards for certain covered products such as air conditioners, ranges, ovens, clothes dryers and furnaces to counteract separate state appliance standards. Manufacturers then had to meet specific energy use design standards for covered products at the “point of use” --- ie when the product is actually in the hands of consumers. The Act's reference to building codes was intended to ensure that local building codes do not require installation of a product

with a different energy efficiency standard than that established under federal law unless certain exceptions were met. It was not intended to preempt local building codes to meet public health and environmental goals such as GHG reduction.

The recent March 18 decision of the NY Federal Court ( Judge Ronnie Abrams) in *Association of Contracting Plumbers v. City of New York* ( No. 23- CV- 11292 ( RA) affirmed that interpretation in upholding the City's ordinance that newly constructed residential buildings in New York City must meet carbon neutrality goals by capping fossil fuel combustion of CO<sub>2</sub> in those buildings. ( 25 Kg of CO<sub>2</sub> / BTUs). In so holding the Court deferred to NY's fuel limitation ordinance to meet GHG reduction goals . ( "Regulations prohibiting the use of certain types of fuels and appliances in residential , commercial and industrial settings are integral to municipal construction and fire codes." ) ( p. 14). The Court strongly rejected the Ninth Circuit's ruling in *Cal. Rest. Association v. City of Berkeley*, 89 F. 4<sup>th</sup> 1094 ( 9<sup>th</sup> Cir. 2024). In that case, the Ninth Circuit held that EPCA preempted the City's ordinance



prohibiting the installation of gas piping in new buildings to meet GHG reduction goals. In rejecting the Berkeley Court's reasoning, the NY court agreed with the strong dissent in that case by Judge Friedland as concurred in by 8 judges on the Ninth Circuit following rehearing of the entire Circuit.

## **Conclusion**

It is critical that the Howard County works aggressively to meeting the climate goals of State law and County policy. I urge the Council to adopt amendments to CB 24 for new residential and commercial construction to meet these goals. I strongly believe federal pre-emption law will not be a barrier.

## Testimony on CR24 and the adoption of IECC 2023

Daniel Helfrich  
4420 Manor Lane  
Ellicott City, Maryland  
Howard County District 5 Homeowner  
Retired Mechanical Systems Engineer

April 21, 2025

For several years now, my wife Mary and I have been incrementally renovating our modest 1968 raised rancher located on a rural residential lane in far west Ellicott City. Gas isn't supplied to our lane, and we don't have a propane supply system, and we don't mind it that way at all. As homes are being renovated and rebuilt on our lane, it would be wise for them to eschew residential gas as we have, for a variety of sound reasons. In my opinion, all new construction in the county should move to modern electric-only utilities. Unfortunately, CR24 doesn't go far enough in this regard. It is backward-thinking and irresponsible to leave out requirements for new construction in Howard County to build in the ability for new homes to be all-electric in deference to gas and gas-supported special interest groups.

Our home was built decades ago and was all electric from the start, aside from a basement woodstove used for auxiliary heat. Since we moved in, we have made many improvements indoors and out, including installing solar panels on the roof and replacing all of the electric baseboard heaters with a modern, high performance electric heat pump for both heating and cooling the house. We have an electric vehicle and are in the process of installing a Level 2 charger in the driveway.

Never once have we considered adding any kind of gas appliances. Aside from the cost and dangers that would bring about, the health impacts of gas combustion indoors presents a strong negative. We are so fortunate that we have had enough capacity on our electrical panel that we have not had to make any major changes to it, but once we decide to add a garage, an expensive update to the panel may become a reality. It's a big hurdle among others that we may not overcome as we age in place. That's why it makes sense to do it the right way from the start.

Previously we had been heating with a basement woodstove and electric baseboard heaters. Cooling was only possible via a whole house fan or window air conditioners. With the aging insulation and leaky construction, we were struggling with maintaining a comfortable interior for quite a few years. Escaped smoke from the woodstove was sometimes very annoying, aside from its long-term health effects. The high performance Mitsubishi heat pump we installed performs amazingly, without any backup equipment needed, and without any need for fossil fuel.

Building codes are a great way to coordinate progress in building technology that would otherwise be ignored due to cost, perceived needs, or traditional practices. A lot of misinformation is also put out by biased sources, and it is the task of all levels of government to fight these unscrupulous parties and work to the benefit of the public.

**Moving forward, the county council should act in the interest of the public to institute the requirement for all new residential construction to be all-electric.** I firmly believe that all Howard County taxpayers will benefit in the long run from the demise of gas technology in homes.

Sincerely,  
Daniel Helfrich