



AGENDA CATEGORY: Intergovernmental Relations Office

ITEM NUMBER: 1

DATE: March 17, 2021

SUBJECT	Legislative Update
SUMMARY	Updates on WSSC Water-related bills for the 2021 Legislative Session.
SPECIAL COMMENTS	The legislative update is current as of February 26, 2021, and will be updated as legislation is received and/or positions are taken.
CONTRACT NO./ REFERENCE NO.	N/A
COSTS	N/A
AMENDMENT/ CHANGE ORDER NO. AMOUNT	N/A
MBE PARTICIPATION	N/A
PRIOR STAFF/ COMMITTEE REVIEW	<div> <div>DS</div> <div>CR</div> </div> Carla A. Reid, General Manager/CEO
PRIOR STAFF/ COMMITTEE APPROVALS	<div> <div>DS</div> <div>MJ</div> </div> Monica Johnson, Deputy General Manager, Strategy & Partnerships
	<div> <div>KAR</div> </div> Karyn A. Riley, Director, Intergovernmental Relations Office
RECOMMENDATION TO COMMISSION	
COMMISSION ACTION	



SESSION 2021 LEGISLATIVE UPDATE

As of February 26, 2021

WSSC Water Sponsored Legislation

Bill #	Title (Sponsor)/Description	Position	Status/Notes
HB 501 (MC/PG 102-21)	Washington Suburban Sanitary Commission – Board of Ethics - Financial Disclosure Statements - Late Fees (MC/PG 102-21) Authorizes the WSSC Board of Ethics to impose a late fee on individuals who file late or fail to file required financial disclosure statements.	SUPPORT (10/21/2020)	Hearings: House Environment & Transportation 2/23/2021 Positions: PGHD – FAV (1/22/21) MCHD – FAV (1/29/21) MCCE – Support MCCC – Support PGCC – Support

WSSC Water Related Legislation

Bill #	Title (Sponsor)/Description	Position	Status/Notes
HB 561	Renewable Energy Portfolio Standard – Wastewater, Thermal, and Other Renewable Sources (D.E. Davis) Expands Tier 1 renewable energy sources to include: <ul style="list-style-type: none"> (1) “methane from the anaerobic decomposition or organic materials in a landfill or wastewater treatment plant used to generate electricity, thermal energy, or mechanical energy”; and (2) “raw or treated wastewater used as a heat source or sink for a heating or cooling system”. The bill also allows producers of energy generated from wastewater heating or cooling systems to receive renewable energy credits, if specified criteria is met.	SUPPORT (1/27/2021)	Hearings: House Economic Matters Committee 1/29/2021

Bill #	Title (Sponsor)/Description	Position	Status/Notes
HB 789 (MC/PG 100-21)	<p>Washington Suburban Sanitary Commission – Video Streaming and Archiving Meetings and Late Payment Charges (MC/PG 100-21) (Charkoudian)</p> <p>Requires WSSC to stream live video of the open meetings of the Commission and to maintain on its website a complete and unedited archived video recording of these meetings. Also alters the amount the Commission can impose as a late payment charge for unpaid water and sewer usage charges.</p> <p>1/7/2021 – As amended, audio and/or video of all open meetings are to be live streamed. If live streaming is unavailable, the meetings are to be recorded. Video, audio and recordings are to be posted to the Commission's website. Provisions were added to protect the validity of actions taken by the Commission should a failure involving the live streaming or recording occur during an open meeting.</p> <p>Changes to the amount the Commission as a late payment charge for unpaid water and sewer usage charges have been removed from the bill. Language has been added to specify financial assistance may include the reduction or waiver of fees, including late fees, under the Customer Affordability Program.</p>	<p>SUPPORT w/ Amendments (1/27/2021)</p>	<p>Hearings:</p> <p>House Environment & Transportation 3/2/2021</p> <p>Positions:</p> <p>PGHD – FWA (1/22/21) MCHD – FWA (1/7/2021) MCSD – FWA (2/12/2021) MCCE – Support w/ Amendment MCCC – Hold PGCC – Support w/ Amendment</p>

Legislation of Interest

Bill #	Title (Sponsor)/Description	Position	Status/Notes
MC 6-21	<p>Montgomery County – Public Ethics – Payments to Elected Officials (Acevero & Carr)</p> <p>Prohibits an applicant or agent of the applicant from making a payment to an elected official, or a slate that includes an elected official, during the pendency of the application a land use matter.</p>		<p>Withdrawn (12/7/2020)</p>

Bill #	Title (Sponsor)/Description	Position	Status/Notes
HB 567	<p>Montgomery County – Cooperative Housing Corporations, Condominiums, and Homeowners Associations – Reserve Studies - (MC 3-21) (Crutchfield & Stewart)</p> <p>Requires the governing body of Montgomery County cooperative housing corporations (CO-OP), condominium, or homeowners association (HOA) to conduct a study of the reserves required for future major repairs and replacement of common elements. Studies are to be conducted by a certain time based on the establishment date of the CO-OP, condominium board, or HOA and must be conducted at least every 5 years thereafter.</p>	Monitor	<p>Hearings:</p> <p>House Environment & Transportation 2/16/2021</p> <p>Positions:</p> <p>MCHD – FWA (1/7/2021)</p> <p>MCCE – Support MCCC – Hold</p>
HB581 (SB486)	<p>Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act) (Davis, D.E.)</p> <p>Establishes numerous benefits and protections for essential workers during an emergency, and related responsibilities for each employer of an essential worker. Among other things, the bill requires an employer to provide hazard pay and personal protective equipment (PPE) at no cost to essential workers.</p>	Monitor	<p>Hearings:</p> <p>House Economic Matters 2/5/2021</p>
HB 635 (PG 407-21)	<p>Maryland Emergency Management Agency, Department of Transportation, and Department of the Environment – Study on Historic and Recent Flooding in Prince George’s County (Ivey)</p> <p>Requires the MEMA, the Department of Transportation and the Department of the Environment to conduct a study analyzing flooding in Prince George’s County and develop recommendations for mitigation solutions.</p> <p>Bill has been amended to require the named agencies to invite the Army Corps of Engineers and municipalities to participate in the study.</p>	Monitor	<p>Hearings:</p> <p>House Environment & Transportation 3/3/2021</p> <p>Positions:</p> <p>PGHD – FWA (1/29/21)</p>

Bill #	Title (Sponsor)/Description	Position	Status/Notes
HB 636 (SB 546)	<p>School Buildings - Drinking Water Outlets - Elevated Level of Lead (Safe School Drinking Water Act) (Solomon)</p> <p>Redefines “elevated level of lead” to mean a lead concentration in drinking water that exceeds five parts per billion (ppb) for the purposes of required lead water testing and remedial measures in public and nonpublic schools and makes conforming changes to existing notice and remediation requirements. If a water test sample for a drinking water outlet was analyzed on or before June 1, 2021, and the analysis indicated a concentration of lead that was more than 5 ppb but less than 20 ppb, a school must take appropriate remedial measures by August 1, 2022.</p>	Monitor	<p>Hearings:</p> <p>House Environment & Transportation (Appropriations) 2/10/2021</p>
HB 650 (SB 765)	<p>Minority Business Enterprises - Sexual and Gender Minorities (Imari’s Business Pride Act) (Boyce)</p> <p>Alters the definition of "socially and economically disadvantaged individual" for purposes of certifying certain minority business enterprises to include certain sexual and gender minorities.</p>	Monitor	<p>Hearings:</p> <p>House Health & Government Operations 2/17/2021</p>
HB 1129 (SB 873)	<p>Department of Information Technology – State and Local Government Employees and Contractors – Cybersecurity Training (Krimm)</p> <p>Requires the Department of Information Technology, in coordination with the Maryland Cybersecurity Council, to develop criteria for the certification of certain cybersecurity training programs for use by State and local government employees required to complete cybersecurity training each year. Each employee (including contractors) whose job-related duties include accessing government computer systems or databases is required to complete a certified program annually.</p> <p>ALL WSSC users who have an IT domain account or access to WSSC Water internal corporate systems are required to take annual cybersecurity training.</p>	Monitor	<p>Hearings:</p> <p>House Health & Government Operations 3/10/2021 1:30 p.m.</p>

Bill #	Title (Sponsor)/Description	Position	Status/Notes
HB 1312	<p>COVID-19 Eviction and Housing Relief Act of 2021 (Wilkins)</p> <p>Makes numerous changes to and imposes various requirements relating to the eviction process in the State. The bill establishes a Maryland Rent Relief Fund to be administered by DHCD.</p> <p>Landlords who receive funds from the Relief Fund are required to forgive 20% of the past due rent owed by the tenant and waive all fees and costs incurred by the tenant for failure to pay rent, including utility fees.</p>	Monitor	<p>Hearings:</p> <p>House Judiciary 2/17/2021</p>
HB 1328 (SB 824)	<p>Economic Development - Broadband Providers - Joint Trenching and Fee (Building Out Broadband Act of 2021) (Feldmark)</p> <p>Requires the MDOT and units of local government to allow joint trenching by broadband providers in on a nonexclusive and nondiscriminatory basis, under certain conditions.</p>	Under Review	<p>Hearings:</p> <p>House Economic Matters 3/4/2021 1:30 p.m.</p>
SB486 (HB581)	<p>Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act) (Augustine)</p> <p>Establishes numerous benefits and protections for essential workers during an emergency, and related responsibilities for each employer of an essential worker. Among other things, the bill requires an employer to provide hazard pay and personal protective equipment (PPE) at no cost to essential workers.</p>	Monitor	<p>Hearings:</p> <p>Senate Finance 2/11/2021</p>
SB 546 (HB 636)	<p>School Buildings - Drinking Water Outlets - Elevated Level of Lead (Safe School Drinking Water Act) (McCray)</p> <p>Redefines "elevated level of lead" to mean a lead concentration in drinking water that exceeds five parts per billion (ppb) for the purposes of required lead water testing and remedial measures in public and nonpublic schools and makes conforming changes to existing notice and remediation requirements. If a water test sample for a</p>	Monitor	<p>Hearings:</p> <p>Senate Education, Health and Environmental Affairs 2/24/2021</p>

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	drinking water outlet was analyzed on or before June 1, 2021, and the analysis indicated a concentration of lead that was more than 5 ppb but less than 20 ppb, a school must take appropriate remedial measures by August 1, 2022.		
SB 765 (HB 650)	Minority Business Enterprises - Sexual and Gender Minorities (Imari's Business Pride Act) (Washington) Alters the definition of "socially and economically disadvantaged individual" for purposes of certifying certain minority business enterprises to include certain sexual and gender minorities.	Monitor	Hearings: Senate Education, Health and Environmental Affairs 3/4/2021 1:00 p.m.
SB 824 (HB 1328)	Economic Development - Broadband Providers - Joint Trenching and Fee (Building Out Broadband Act of 2021) (Hester) Requires the MDOT and units of local government to allow joint trenching by broadband providers in on a nonexclusive and nondiscriminatory basis, under certain conditions.	Under Review	Hearings: Senate Finance 3/16/2021 1:00 p.m.
SB 873 (HB 1129)	Department of Information Technology – State and Local Government Employees and Contractors – Cybersecurity Training (Jackson) Requires the Department of Information Technology, in coordination with the Maryland Cybersecurity Council, to develop criteria for the certification of certain cybersecurity training programs for use by State and local government employees required to complete cybersecurity training each year. Each employee (including contractors) whose job-related duties include accessing government computer systems or databases is required to complete a certified program annually. ALL WSSC users who have an IT domain account or access to WSSC Water internal corporate systems are required to take annual cybersecurity training.	Monitor	Hearings: Senate Education, Health and Environmental Affairs 3/2/2021

Positions

FAV = Favorable; FAW = Favorable with Amendments; MCCC = Montgomery County Council; MCCE = Montgomery County Executive; MCHD = Montgomery County House Delegation; MCSD = Montgomery County Senate Delegation; PGCC = Prince George's County Council; PGCE = Prince George's County Executive; PGHD = Prince George's House Delegation; PGSD = Prince George's Senate Delegation

Key Dates

- March 22, 2021 – Crossover Date
- April 12, 2021 – Sine Die

Websites

Maryland General Assembly: <http://mgaleg.maryland.gov/mgawebbsite/>

2021 Session Calendar (PDF): <http://mgaleg.maryland.gov/pubs-current/current-session-dates.pdf>

Track Legislation: <http://mgaleg.maryland.gov/webmga/frmTrackingMain.aspx?pid=trackpage>

Montgomery County Delegation: <http://www.montgomerycountydelegation.com/>

Prince George's County Delegation: <https://www.princegeorgescountymd.gov/house-delegation/>