



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

February 22, 2023

MEMORANDUM

TO: Jennifer A. Jenkins
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Alex Hirtle 
Legislative Budget and Policy Analyst

Policy Analysis and Fiscal Impact Statement
CR-006-2023 Adoption of the Climate Action Plan

CR-006-2023 (*proposed by:* Council Members Olson, Blegay, Burroughs, Dernoga, Ivey, Oriadha, Fisher, Watson)

Assigned to Transportation, Infrastructure, Energy, and Environment Committee (TIEE)

A RESOLUTION CONCERNING THE CLIMATE ACTION PLAN for the purpose of providing that the sunset of the provisions of CR-032 be repealed; and generally regarding climate.

Fiscal Summary

Direct Impact:

Expenditures: No direct additional expenditures.

Revenues: No direct additional revenues.

Indirect Impact:

Additional expenditures may be necessary for medium-term implementation of some of the strategies. However, over time implementation should permit the realization of potentially significant long-term cost savings, especially after cost-recovery points, as well as quality of life enhancement, through programs and policies extending beyond calendar year 2023.

Legislative Summary:

During the 2022 Legislative Year, the Council adopted CR-032-2022, a Resolution to adopt the draft Climate Action Plan submitted by the County's Climate Action Commission. Although the County governing body embraced 26 recommended implementation strategies for Climate Action across the County Government, including a prioritization of these strategies as well as costs and proposed funding mechanisms, the adopted Resolution (CR-032-2022) also imposed a "sunset" date of December 31, 2023, absent further legislative action of the County.

Draft 1 of this Resolution was introduced on December 12th, 2022, and would have adopted, as permanent County policy, the Climate Action Plan (CAP) by the County governing body, with much of the wording from CR-032-2022 inserted into the body of the legislation.

Proposed Draft 2 of this Resolution, which was posted on the County's Legislative/Zoning Information System (LIS) about February 21st, 2023, omits significant portions of the text from Draft 1, and from the original legislation passed in July 2022 (CR-032). The omitted text includes permanent adoption of the Climate Action Plan (page 1, line 3); references to the Department of the Environment (DoE) leading County efforts to implement the 26 priority recommendations by the Climate Action Commission (page 1, lines 8-10); support for the establishment of the CAP Implementation Task Force and Resident Advisory Group to develop strategies and actions (page 1, lines 13-15); supporting the County Executive to direct DoE in developing a final Climate Action Implementation Plan for the County (page 1, lines 18-19), and others.

Current Law/Background:

As noted, this Resolution amends CR-032-2022, which was passed with the provision of a sunset clause, allowing the Resolution to become abrogated and of no further force and effect after December 31st, 2023 if the County Council takes no other action.

The provision was inserted in the legislation as a compromise between councilmembers for passage of the Resolution. The make-up of the Council has changed notable since the legislation was passed, and this Resolution will repeal the sunset clause, thus making CR-032-2022 permanent indefinitely.

Resource Personnel:

Michelle Garcia, Chief of Staff/Legislative Aide, Council District 1

Discussion/Policy Analysis:

This Resolution's purpose is, in Draft 1, the permanent adoption of the Prince George's County Climate Action Commission's Climate Action Plan for Prince George's County, with "permanent effect". Draft 1 also includes much of the text that was in the original Resolution (CR-032-2022). The proposed Draft 2 omits much of the text from Draft 1, including DoE leading County efforts in implementation of the 26 Priorities recommended by the Climate Action Commission, and implementation of a task force and resident advisory group; as well as supporting the County Executive to direct DoE in developing a final implementation plan for the County, and others. It also provides that the sunset provisions of CR-032-2022 be "repealed".

The change in the Resolution's language from Draft 1 to Draft 2 is notable, but not substantive. Proposed Draft 2 removes several of the "whereas clauses" from Draft 1, and more directly states the effect of the resolution – simply to remove the sunset clause from adopted CR-032-2022. The changes may be viewed as the proposers wanting simpler language to repeal the sunset clause inserted in CR-032-2022, making the Resolution more succinct. With that said, the language of CR-032-2022 remains standing, as the text of CR-006-2023 (DR-2) purpose is the repealing of the noted sunset clause.

Fiscal Impact:

- *Direct Impact*

Enactment of either CR-006-2022 Draft 1 or proposed Draft 2, in and of themselves, will not have a direct fiscal impact on the County. The legislation in both drafts simply removes, in different wording, the sunset clause within CR-032-2022.

- *Indirect Impact*

Enactment of CR-006-2023, with either draft, may have an indirect effect on the County fiscally. In the medium term, implementation of the Climate Action Plan's recommendations that may otherwise have not been implemented due to the sunset clause will necessitate additional expenditures. By making CR-032-2022 permanent and ending the sunset clause, the legislation extends for an indefinite amount of time, providing for additional opportunities for long-term implementation of the Commission's 26 priority recommendations. As a piece of legislation that has permanency and probable longevity, the County could expect to see effects of long-term implementation of clean energy, climate change resiliency, increased building and transportation efficiency, and smart-growth policies and actions. This could lead to a probable healthier environment for its residents and workers, resulting in a higher quality of life, as well as significant

cost savings to the County in lower utility and fuel bills, and decreased cost in infrastructure development and maintenance.

- *Appropriated in the Current Fiscal Year Budget*

No.

Effective Date of Proposed Legislation:

This Resolution takes place immediately after adoption.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.