STATE OF MARYLAND

OFFICE OF THE GOVERNOR

Wes Moore

July 26, 2023

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
Office of the Greenhouse Gas Reduction Fund
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan,

I write in support of Maryland Clean Energy Center's (MCEC) letter of intent for the Greenhouse Gas Reduction Fund Solar for All grant program. Investing in solar energy and expanding access to solar technologies will also expand access to the benefits of clean energy, such as reduced energy-related greenhouse gas emissions, increased household savings, energy resilience, reduced grid demand, improved air quality, wealth building, and quality jobs.

The mission of MCEC is to advance clean energy and energy efficiency products, services, and technologies by implementing financing solutions that catalyze the growth of business, create jobs, and make clean energy products and services affordable and accessible for Maryland consumers. MCEC will lead a coordinated effort amongst several Maryland agencies, including the Maryland Energy Administration (MEA), Maryland Department of Housing and Community Development (DHCD) and Maryland Department of Environment (MDE). Partnering with our state agencies will bring the right mix of vision and skills ensuring alignment with state energy and climate policy and programs. Collectively, this team will mobilize the state's collective resources to expand solar energy generation and storage technologies into low-income, underserved, and disadvantaged communities.

My Administration has made combating climate change and encouraging clean energy a high priority, calling for 100% of Maryland's electricity to be produced by clean sources by 2035. Additionally, Maryland's Climate Solutions Now Act of 2022 calls for the state to reduce greenhouse gas emissions 60% by 2031 and achieve net zero emissions by 2045, while maximizing positive impact for Marylanders experiencing low to moderate income.

Maryland is a leader in the advancement of clean energy technologies. Your full consideration of this proposal is greatly appreciated. Thank you in advance for your time and attention to this matter.

Sincerely,

Wes Moore
Governor of Maryland

Chapter 38

(Senate Bill 528)

AN ACT concerning

Climate Solutions Now Act of 2022

FOR the purpose of requiring the State to reduce statewide greenhouse gas emissions through the use of various measures, including the alteration of statewide greenhouse gas emissions goals, the establishment of a net–zero statewide greenhouse gas emissions goal, the development of certain energy efficiency and ~~electrification~~ emissions reduction requirements for certain buildings, requiring electric companies to increase their annual incremental gross energy savings through certain programs and services, the establishment of certain zero–emission vehicle requirements for the State vehicle fleet and local school buses, and the establishment of a certain personal property tax ~~exemptions~~ exemption; requiring the Governor to include a certain amount in the annual budget bill in certain fiscal years for the Maryland Healthy Soils Program; establishing the Climate Catalytic Capital Fund; requiring interest earnings of the Climate Catalytic Capital Fund to be credited to the Climate Catalytic Capital Fund; *requiring the Department of the Environment, in coordination with the Public Service Commission and the Maryland Energy Administration, to coordinate with certain utility providers to apply for and access certain federal funds;* altering the duties of the Commission on Environmental Justice and Sustainable Communities; ~~requiring landfill operators and the Department of the Environment to take certain actions regarding methane emissions; requiring the Department of the Environment to regulate methane emissions from landfills;~~ requiring the Department of the Environment to establish Building ~~Emissions~~ Energy Performance Standards for certain buildings; requiring the Commission on Climate Change to establish the Just Transition Employment and Retraining Working Group ~~to advise the Commission on Climate Change on certain matters and conduct a certain study~~, *the Energy Industry Revitalization Working Group, the Energy Resilience and Efficiency Working Group, and the Solar Photovoltaic Systems Recovery, Reuse, and Recycling Working Group*; requiring the Community Development Administration to develop and implement a program to provide grants for energy conservation projects and projects to install renewable energy systems in certain buildings; ~~establishing the Maryland Climate Justice Corps Program~~ *establishing labor standards for contractors and subcontractors participating in certain projects undertaken by investor–owned electric companies or gas and electric companies; altering the scope of the Chesapeake Conservation Corps Program and the membership of the Advisory Board of the Corps Program*; requiring the Maryland Department of Labor to ~~update the Maryland Building Performance Standards~~ ~~adopt a certain construction code on or before a certain date and within a certain period of time for each subsequent version of the code~~ ~~*update the Maryland Building Performance Standards*~~ *adopt a certain construction code on or before a certain date and within a certain period of time for each subsequent version of the code*; ~~altering the duties of the Maryland Green Building Council;~~ *altering certain*

percentages and purposes for certain targeted electricity reductions in certain years; establishing an electric school bus pilot program; requiring the Public Service Commission to implement and administer the pilot program; authorizing investor–owned electric companies to apply to the Public Service Commission to implement an electric school bus pilot program with a participating school system if the pilot program meets certain standards; authorizing investor–owned electric companies to recover certain costs under the pilot program, subject to the approval of the Public Service Commission; establishing certain State policy goals with regard to the State's electric distribution system; requiring the Public Service Commission and the Maryland Energy Administration to provide assistance and support to electric companies for applying for and obtaining access to certain federal funds to meet the State's policy goals for the electric distribution system; requiring the Maryland Energy Administration to identify certain funding sources; requiring certain electric companies to report to the Public Service Commission and the Maryland Energy Administration on certain funding information; establishing the Climate Transition and Clean Energy Hub in the Maryland Energy Administration; ~~establishing the Net–Zero School Grant Fund; requiring interest earnings of the Net–Zero School Grant Fund to be credited to the Net–Zero School Grant Fund;~~ establishing the Building Energy Transition Implementation Task Force to study certain matters and develop a plan for funding the retrofit of certain buildings; requiring the Public Service Commission and the Building Codes Administration to study and make recommendations on the electrification of buildings in the State; *requiring the Maryland Green Building Council to examine and report on specified items relating to the procurement of concrete by the State;* and generally relating to climate ~~change~~ *impacts* and measures to combat climate ~~change~~ *impacts*.

BY renumbering
Article – Environment
Section 2–1204.2
to be Section 2–1204.3
Annotated Code of Maryland
(2013 Replacement Volume and 2021 Supplement)

BY renumbering
Article – Economic Development
Section 10–854 and the part "Part V. Short Title"
to be Section 10–858 and the part "Part VI. Short Title"
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–1901(b)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

BY adding to
Article – Agriculture
Section 2–1901(e)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–801(a), (d), and (f)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)
(As enacted by Chapters 13 and 24 of the Acts of the General Assembly of the 2021 Special Session)

BY adding to
Article – Economic Development
Section 10–854 and 10–855 to be under the new part "Part V. Climate Catalytic Capital Fund"
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–303(k)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 5–312~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2021 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Environment
Section ~~1–701(f)~~ 1–701(a), (f), and (h), 2–1201(4), 2–1204.1, 2–1205, 2–1206, 2–1210, 2–1303(a), 2–1304, and 2–1305
Annotated Code of Maryland
(2013 Replacement Volume and 2021 Supplement)

BY adding to
Article – Environment
Section *1–205*, 1–702~~; 1–901 through 1–911 to be under the new subtitle "Subtitle 9. Maryland Climate Justice Corps"; 2–407, 2–408~~ ~~2–407 through 2–409~~, 2–1204.2, 2–1303.1*, 2–1303.2, 2–1303.3, 2–1303.4*, and 2–1505; and 2–1601

through 2–1603 to be under the new subtitle "Subtitle 16. Building ~~Emissions~~ Energy Performance Standards"
Annotated Code of Maryland
(2013 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section ~~1–701(a) and~~ 2–1501
Annotated Code of Maryland
(2013 Replacement Volume and 2021 Supplement)

~~BY adding to~~
~~Article – Natural Resources~~
~~Section 8–1927 through 8–1938 to be under the new part "Part III. Maryland Climate Justice Corps"~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume and 2021 Supplement)~~

BY adding to
Article – Housing and Community Development
Section 4–211(d)
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

BY adding to
Article – Labor and Employment
Section 3–416
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1913, 8–1914, 8–1915(a)(2), 8–1920, and 8–1921
Annotated Code of Maryland
(2012 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–1915(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2021 Supplement)

BY adding to
Article – Natural Resources
Section 8–1923.1
Annotated Code of Maryland

(2012 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–501 and 12–505(a)(1)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–503
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–211(g)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY adding to
Article – Public Utilities
Section 7–217; and 7–801 through 7–804 to be under the new subtitle "Subtitle 8. Electric Distribution System Planning"
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 3–602.1, 4–809(f), and 6–226(a)(2)(ii)144. and 145.~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume)~~

BY adding to
Article – State Finance and Procurement
Section ~~3–602.4,~~ 4–810, 6–226(a)(2)(ii)146. ~~and 147.~~, and 14–418
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)144. and 145.
Annotated Code of Maryland
(2021 Replacement Volume)

BY adding to
Article – State Government
Section 9–2010 ~~and 9–2011~~
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–237
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2–1204.2 of Article – Environment of the Annotated Code of Maryland be renumbered to be Section(s) 2–1204.3.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 10–854 and the part "Part V. Short Title" of Article – Economic Development of the Annotated Code of Maryland be renumbered to be Section(s) 10–858 and the part "Part VI. Short Title".

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Agriculture

2–1901.

(b) There is a Maryland Healthy Soils Program.

(E) IN EACH OF FISCAL YEARS 2024 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST $500,000 FOR THE PROGRAM.

Article – Environment

~~2–1204.1.~~

~~The State shall reduce statewide greenhouse gas emissions by [40%] 60% from 2006 levels by 2030.~~

2–1204.2.

THE STATE SHALL ACHIEVE NET–ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

10–801.

(a) In this subtitle the following words have the meanings indicated.

(d) "Board" means the Board of Directors of the Center.

(f) "Center" means the Maryland Clean Energy Center.

PART V. CLIMATE CATALYTIC CAPITAL FUND.

10–854.

(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "FUND" MEANS THE CLIMATE CATALYTIC CAPITAL FUND.

(C) "LOW– TO MODERATE–INCOME HOUSEHOLD" MEANS A HOUSEHOLD LOCATED IN A CENSUS TRACT WITH AN AVERAGE MEDIAN INCOME AT OR BELOW 80% OF THE AVERAGE MEDIAN INCOME FOR THE STATE.

~~(C)~~ *(D)* "QUALIFIED PROJECT" MEANS A PROJECT RELATED TO THE PURPOSES SPECIFIED IN § 10–855(B) OF THIS SUBTITLE.

10–855.

(A) THERE IS A CLIMATE CATALYTIC CAPITAL FUND.

(B) THE PURPOSE OF THE FUND IS TO PROMOTE ~~ENVIRONMENTAL JUSTICE~~ *GEOGRAPHICAL IMPACT REMEDIES* AND TO LEVERAGE INCREASED PRIVATE CAPITAL INVESTMENT IN TECHNOLOGY DEVELOPMENT AND DEPLOYMENT, INCLUDING PROJECT PLANNING, TO:

(1) REDUCE GREENHOUSE GAS EMISSIONS AND ENABLE THE ADOPTION OF MEASURES TO COMBAT CLIMATE ~~CHANGE~~ *IMPACTS*;

(2) FACILITATE THE ELECTRIFICATION OF THE TRANSPORTATION SECTOR AND THE USE OF SUSTAINABLE ALTERNATIVE FUELS IN AVIATION;

(3) ENABLE IMPROVEMENTS IN ENERGY MANAGEMENT AND EFFICIENCY TO REDUCE GREENHOUSE GAS EMISSIONS FROM THE BUILDING SECTOR;

(4) EXPAND THE DEPLOYMENT OF CLEAN ENERGY GENERATION AND ENERGY STORAGE CAPACITY;

(5) TARGET THE IMPLEMENTATION OF ENERGY AND WEATHERIZATION MEASURES FOR LOW– TO MODERATE–INCOME HOUSEHOLDS;

(6) OPTIMIZE THE ECONOMIC, HEALTH, SOCIAL, AND ENVIRONMENTAL VALUE OF COMMUNITY–SCALE INFRASTRUCTURE FOR RESILIENCE AND ENERGY EQUITY;

(7) ALLOW FOR THE DEPLOYMENT OF ~~CUTTING–EDGE,~~ ADVANCED CLEAN ENERGY TECHNOLOGY; AND

(8) PROVIDE FOR THE CREATION OF A MARYLAND GREEN BOND PROGRAM.

(C) (1) THE CENTER SHALL ADMINISTER THE FUND.

(2) THE CENTER SHALL ESTABLISH A FUND OVERSIGHT COMMITTEE, APPOINTED BY THE BOARD, TO MANAGE THE FUND.

(D) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) MONEY MADE AVAILABLE TO THE FUND THROUGH PRIVATE CONTRIBUTIONS AND FEDERAL GRANTS OR PROGRAMS;

(3) PROCEEDS FROM THE SALE, DISPOSITION, LEASE, OR RENTAL OF COLLATERAL RELATED TO FINANCING MADE FROM THE FUND;

(4) REPAYMENT OF FINANCING MADE FROM THE FUND;

(5) RETURNS FROM OR RECOVERY OF ANY FINANCING MADE FROM THE FUND;

(6) PROCEEDS FROM THE SALE OF ANY FINANCING MADE, OR ASSETS ACQUIRED WITH PROCEEDS, FROM THE FUND;

(7) INTEREST EARNINGS ON MONEY IN THE FUND; AND

(8) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(E) (1) THE FUND MAY BE USED ONLY TO:

(I) EVALUATE AND COORDINATE FINANCING FOR QUALIFIED PROJECTS AND CLEAN ENERGY TECHNOLOGIES RELATED TO THE PURPOSES SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION;

(II) PROVIDE FINANCING FOR QUALIFIED PROJECTS;

(III) FACILITATE EFFICIENT TAX EQUITY MARKETS FOR QUALIFIED PROJECTS;

(IV) SECURE PRIVATE INVESTMENT CAPITAL FOR FINANCING OF QUALIFIED PROJECTS;

(V) MAKE GRANTS TO OTHER GREEN BANKS IN THE STATE FOR THE PURPOSE OF FINANCING QUALIFIED PROJECTS; AND

(VI) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ADMINISTER THE FUND AND ACTIVITIES OF THE CENTER IN CARRYING OUT THIS PART.

(2) NOT MORE THAN 5% OF THE FUND BALANCE MAY BE USED FOR ADMINISTRATIVE PURPOSES.

(3) THE FUND MAY NOT BE USED FOR A PROJECT TO INSTALL NEW EQUIPMENT THAT USES FOSSIL FUELS OR IMPROVE THE EFFICIENCY OF EXISTING EQUIPMENT THAT USES FOSSIL FUELS.

(F) (1) EXPENDITURES FROM THE FUND MAY BE MADE ONLY WITH THE APPROVAL OF THE FUND OVERSIGHT COMMITTEE.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN EACH FISCAL YEAR AT LEAST 40% OF THE FUND BALANCE SHALL BE USED FOR QUALIFIED PROJECTS IN ~~LOW– TO MODERATE–INCOME COMMUNITIES~~ *COMMUNITIES WITH LOW– TO MODERATE–INCOME HOUSEHOLDS.*

(II) IN ANY FISCAL YEAR THAT THERE ARE NOT SUFFICIENT APPLICATIONS FOR QUALIFIED PROJECTS IN ~~LOW– TO MODERATE–INCOME COMMUNITIES~~ *COMMUNITIES WITH LOW– TO MODERATE–INCOME HOUSEHOLDS*, THE FUND OVERSIGHT COMMITTEE MAY AUTHORIZE FUNDING THAT WOULD OTHERWISE BE RESERVED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO BE USED FOR OTHER QUALIFIED PROJECTS.

(G) (1) THE FUND SHALL BE SUBJECT TO INDEPENDENT AUDIT.

(2) ON OR BEFORE OCTOBER 1 EACH YEAR, THE CENTER SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE USE OF THE FUND AND OUTCOMES OF INVESTMENTS MADE FROM THE FUND.

(H) FOR FISCAL YEARS 2024, 2025, AND 2026, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $5,000,000 TO THE FUND.

10–856. RESERVED.

10–857. RESERVED.

Article – Education

5–303.

(k) (1) A county is eligible for an adjustment to the local cost–share for school construction projects under paragraph (2) of this subsection if:

(i) A county's median household income is in the bottom quartile in the State; and

(ii) The State and local cost–share formula for the county is 50% State and 50% local.

(2) (i) The local cost–share of a school construction project in a county that is eligible under paragraph (1) of this subsection shall be reduced to equal the local cost–share of the adjacent county that is less than 50% but closest to 50%.

(ii) The State cost–share of a school construction project in the eligible county shall be increased by a percentage that is equal to the reduction under subparagraph (i) of this paragraph.

(3) A COUNTY SHALL RECEIVE A 5 PERCENTAGE POINT INCREASE IN THE STATE SHARE OF A SCHOOL CONSTRUCTION PROJECT IF THE PROPOSED PROJECT IS TO BUILD A NET–ZERO SCHOOL.

~~**Article – Education**~~

~~5–312.~~

~~(a) In this section, "high performance building" has the meaning stated in § 3–602.1 of the State Finance and Procurement Article.~~

~~(b) This section applies to the construction of new schools that have not initiated a Request For Proposal for the selection of an architectural and engineering consultant on or before July 1, 2009.~~

~~(c) **(1)** [Except] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND EXCEPT** as provided in subsection (d) of this section, a new school that receives State public school construction funds shall be constructed to be a high performance building.~~

~~**(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE NET–ZERO ENERGY REQUIREMENTS THAT APPLY FOR A BUILDING TO MEET THE DEFINITION OF A "HIGH PERFORMANCE BUILDING" UNDER § 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE DO NOT APPLY TO PUBLIC SCHOOL BUILDINGS.**~~

~~**(II) SUBJECT TO THE AVAILABILITY OF FUNDING FROM THE NET–ZERO SCHOOL GRANT FUND ESTABLISHED UNDER § 9–2010 OF THE STATE GOVERNMENT ARTICLE, AT LEAST ONE OF THE SCHOOLS CONSTRUCTED IN EACH LOCAL SCHOOL SYSTEM FROM JULY 1, 2023, THROUGH JUNE 30, 2033, INCLUSIVE, SHALL BE CONSTRUCTED TO MEET NET–ZERO ENERGY REQUIREMENTS IN ACCORDANCE WITH § 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**~~

~~**(3) (I) FOR EACH SCHOOL CONSTRUCTED BY A LOCAL SCHOOL SYSTEM FROM JULY 1, 2024, THROUGH JUNE 30, 2033, INCLUSIVE, THE LOCAL SCHOOL SYSTEM SHALL CONSIDER WHETHER THE SCHOOL SHOULD BE CONSTRUCTED WITH SOLAR PANELS ON THE ROOF OF THE SCHOOL.**~~

~~**(II) IF, AFTER CONSIDERING INSTALLING SOLAR PANELS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A LOCAL SCHOOL SYSTEM DECIDES NOT TO CONSTRUCT SOLAR PANELS ON THE ROOF OF THE SCHOOL, THE LOCAL SCHOOL SYSTEM SHALL PROVIDE TO THE INTERAGENCY COMMISSION INFORMATION REGARDING WHY THE SCHOOL SYSTEM CHOSE NOT TO CONSTRUCT SOLAR PANELS ON THE ROOF OF THE SCHOOL.**~~

~~(d) (1) The Interagency Commission shall establish a process to allow a school system to obtain a waiver from complying with subsection (c) of this section.~~

~~(2) The waiver process shall:~~

~~(i) Include a review by the Interagency Commission to determine if the construction of a high-performance building is not practicable; and~~

~~(ii) Require the approval of a waiver by the Interagency Commission.~~

~~**(3) THE INTERAGENCY COMMISSION SHALL WAIVE THE REQUIREMENTS OF SUBSECTION (C)(2)(II) OF THIS SUBSECTION IF THE INTERAGENCY COMMISSION DETERMINES THAT:**~~

~~**(I) THE CONSTRUCTION OF A NET-ZERO ENERGY SCHOOL BUILDING IS NOT PRACTICABLE BECAUSE OF SPATIAL LIMITATIONS AT THE BUILDING SITE; OR**~~

~~**(II) WHEN TAKING INTO CONSIDERATION THE AVAILABILITY OF STATE COST SHARE FUNDS AND GRANTS FROM THE NET-ZERO SCHOOL GRANT FUND ESTABLISHED UNDER § 9–2010 OF THE STATE GOVERNMENT ARTICLE, THE COST TO THE LOCAL JURISDICTION OF CONSTRUCTING A NET-ZERO ENERGY SCHOOL BUILDING WOULD EXCEED THE COST OF CONSTRUCTING A TRADITIONAL, HIGH PERFORMANCE SCHOOL BUILDING.**~~

~~(e) For fiscal years 2010 through 2014 only, the State shall pay 50% of the local share of the extra costs, identified and approved by the Interagency Commission, that are incurred in constructing a new school to meet the high performance building requirements of this section.~~

~~(f) **(1)** The Interagency Commission shall adopt regulations to implement the requirements of this section.~~

~~**(2) IN IMPLEMENTING NET-ZERO ENERGY REQUIREMENTS FOR SCHOOL BUILDINGS, THE INTERAGENCY COMMISSION SHALL CONSULT WITH THE CLIMATE TRANSITION AND CLEAN ENERGY HUB ESTABLISHED UNDER § 9–2011 OF THE STATE GOVERNMENT ARTICLE.**~~

Article – Environment

1–205.

IN ORDER TO MEET THE POLICY GOALS OF THE STATE FOR THE ELECTRIC DISTRIBUTION GRID SYSTEM, THE DEPARTMENT, IN COORDINATION WITH THE PUBLIC SERVICE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION, SHALL COORDINATE WITH UTILITY PROVIDERS IN THE STATE TO APPLY FOR AND ACCESS FEDERAL FUNDS, INCLUDING FUNDS MADE AVAILABLE UNDER §§ 40101, 40103, AND 40107 OF THE FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT.

1–701.

(a) (1) In this section the following words have the meanings indicated.

(2) "Business organization" means a corporation, business trust, partnership, or any other for–profit entity.

(3) "Commission" means the Commission on Environmental Justice and Sustainable Communities.

(4) "Community listening session" means a public convening to gather information and input from community members.

(5) "Environmental justice" means equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.

(6) "Environmental organization" means a nonprofit entity engaged in advocacy ~~or~~**,** action**, EDUCATION, OR JOB TRAINING** related to conservation, stewardship of natural resources, ~~or~~ pollution reduction**, OR CLIMATE ~~CHANGE~~** ***IMPACTS.***

(7) "OVERBURDENED COMMUNITY" MEANS ANY CENSUS TRACT FOR WHICH THREE OR MORE OF THE FOLLOWING ENVIRONMENTAL HEALTH INDICATORS ARE ABOVE THE 75TH PERCENTILE STATEWIDE:

(I) PARTICULATE MATTER (PM) 2.5;

(II) OZONE;

(III) NATIONAL AIR TOXICS ASSESSMENT (NATA) DIESEL PM;

(IV) NATA CANCER RISK;

(V) NATA RESPIRATORY HAZARD INDEX;

(VI) TRAFFIC PROXIMITY;

(VII) LEAD PAINT INDICATOR;

(VIII) NATIONAL PRIORITIES LIST SUPERFUND SITE PROXIMITY;

(IX) RISK MANAGEMENT PLAN FACILITY PROXIMITY;

(X) HAZARDOUS WASTE PROXIMITY;

(XI) WASTEWATER DISCHARGE INDICATOR;

(XII) PROXIMITY TO A CONCENTRATED ANIMAL FEEDING OPERATION (CAFO);

(XIII) PERCENT OF THE POPULATION LACKING BROADBAND COVERAGE;

(XIV) ASTHMA EMERGENCY ROOM DISCHARGES;

(XV) MYOCARDIAL INFARCTION DISCHARGES;

(XVI) LOW–BIRTH–WEIGHT INFANTS;

(XVII) PROXIMITY TO EMITTING POWER PLANTS;

(XVIII) PROXIMITY TO A TOXIC RELEASE INVENTORY (TRI) FACILITY;

(XIX) PROXIMITY TO A BROWNFIELDS SITE;

(XX) PROXIMITY TO MINING OPERATIONS; AND

(XXI) PROXIMITY TO A HAZARDOUS WASTE LANDFILL.

(8) "UNDERSERVED COMMUNITY" MEANS ANY CENSUS TRACT IN WHICH, ACCORDING TO THE MOST RECENT U.S. CENSUS BUREAU SURVEY:

(I) AT LEAST 25% OF THE RESIDENTS QUALIFY AS LOW–INCOME;

(II) AT LEAST 50% OF THE RESIDENTS IDENTIFY AS NONWHITE; OR

(III) AT LEAST 15% OF THE RESIDENTS HAVE LIMITED ENGLISH PROFICIENCY.

(f) **(1)** The Department shall provide staff for the Commission.

(2) THE STAFFING RESPONSIBILITIES OF THE DEPARTMENT SHALL INCLUDE ~~CONDUCTING~~:

(I) CONDUCTING RESEARCH AND GATHERING DATA AT THE DIRECTION OF THE COMMISSION;

(II) ARRANGING AND STAFFING COMMISSION MEETINGS;

(III) SERVING AS AN INFORMED RESOURCE FOR THE CHAIR AND MEMBERS; AND

(IV) MANAGING, IMPLEMENTING, AND CARRYING OUT THE COMMISSION'S WORK TO ACHIEVE ITS MISSION AND OVERALL PURPOSE.

(h) The Commission shall:

(1) Advise State government agencies on environmental justice and related community issues;

(2) Use data sets and mapping tools to review and analyze the impact of current State and local laws, permits, actions, and policies on the issue of environmental justice and sustainable communities, including cumulative impacts, effects, and exposure;

(3) Assess the adequacy of State and local government laws to address the issue of environmental justice and sustainable communities, including assessing compliance with Title VI of the federal Civil Rights Act of 1964;

(4) Coordinate with the Children's Environmental Health and Protection Advisory Council, the Maryland Office of Minority Health and Health Disparities, and the Commission on Climate Change on recommendations related to environmental justice and sustainable communities; **[**and**]**

(5) IN ACCORDANCE WITH § 1–702 OF THIS SUBTITLE, COORDINATE WITH THE DEPARTMENT ON:

(I) THE ADOPTION OF A METHODOLOGY FOR IDENTIFYING COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE ~~CHANGE~~ *IMPACTS*;

(II) THE DEVELOPMENT OF SPECIFIC STRATEGIES TO ADDRESS ~~ENVIRONMENTAL JUSTICE~~ *GEOGRAPHICAL IMPACT* CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES AND CO–POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN DISPROPORTIONATELY AFFECTED COMMUNITIES; AND

(III) THE ESTABLISHMENT OF GOALS FOR THE PERCENTAGE OF STATE FUNDING FOR GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD BE USED FOR THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES; AND

(6) Recommend options to the Governor and the General Assembly for addressing issues, concerns, or problems related to environmental justice that surface after reviewing State laws and policies, including prioritizing areas of the State that need immediate attention.

1–702.

(A) ON OR BEFORE DECEMBER 31, 2023, THE DEPARTMENT, IN CONSULTATION WITH THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES, SHALL:

(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ADOPT A METHODOLOGY FOR IDENTIFYING COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE ~~CHANGE~~ *IMPACTS*;

(2) DEVELOP SPECIFIC STRATEGIES TO ADDRESS ~~ENVIRONMENTAL JUSTICE~~ *GEOGRAPHICAL IMPACT* CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES AND CO–POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE ~~CHANGE~~ *IMPACTS*;

(3) SET APPROPRIATE GOALS FOR THE PERCENTAGE OF STATE FUNDING FOR GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD BE USED FOR THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES; AND

(4) REPORT TO THE MARYLAND COMMISSION ON CLIMATE CHANGE AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE POLICIES AND PROGRAMS DEVELOPED UNDER THIS SUBSECTION.

(B) IN EVALUATING METHODOLOGIES UNDER SUBSECTION (A)(1) OF THIS SECTION, THE DEPARTMENT SHALL ~~USE MARYLAND EJSCREEN OR OTHER APPROPRIATE MAPPING TOOLS TO CONSIDER GEOGRAPHIC, DEMOGRAPHIC, PUBLIC HEALTH, ENVIRONMENTAL HAZARD, AND SOCIOECONOMIC CRITERIA, INCLUDING:~~, *AT A MINIMUM, INCLUDE:*

(1) UNDERSERVED COMMUNITIES;

(2) OVERBURDENED COMMUNITIES; AND

~~(1) AREAS BURDENED BY CUMULATIVE ENVIRONMENTAL POLLUTION AND OTHER HAZARDS THAT CAN LEAD TO NEGATIVE PUBLIC HEALTH EFFECTS;~~

~~(2) AREAS WITH HIGH CONCENTRATIONS OF:~~

~~(I) PEOPLE PERSONS EXPERIENCING POVERTY, HIGH UNEMPLOYMENT RATES, HIGH RENT BURDENS, LOW LEVELS OF HOME OWNERSHIP, OR LOW LEVELS OF EDUCATIONAL ATTAINMENT; OR~~

~~(II) POPULATIONS THAT HAVE HISTORICALLY EXPERIENCED DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY OR SUBGROUPS THAT HAVE EXPERIENCED SIGNIFICANTLY HIGHER AND MORE ADVERSE HEALTH AND ENVIRONMENTAL EFFECTS BASED ON RACE, GENDER, ETHNICITY, COLOR, CULTURE, NATIONAL ORIGIN, OR INCOME; AND~~

(3) AREAS THAT ARE VULNERABLE TO ~~THE IMPACTS OF~~ CLIMATE ~~CHANGE~~ *IMPACTS*, SUCH AS FLOODING, STORM SURGES, AND URBAN HEAT ISLAND EFFECTS, DUE TO LOW LEVELS OF TREE COVERAGE, HIGH LEVELS OF IMPERVIOUS SURFACES, OR OTHER FACTORS.

(C) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS SECTION, THE DEPARTMENT SHALL ~~SOLICIT~~:

(1) SOLICIT INPUT FROM ALL SEGMENTS OF THE POPULATION THAT WILL BE IMPACTED BY THE POLICIES DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION, INCLUDING INDIVIDUALS LIVING IN AREAS THAT MAY BE IDENTIFIED AS DISPROPORTIONATELY AFFECTED COMMUNITIES UNDER THE PROPOSED CRITERIA;

(2) ENSURE THAT EQUITY AND ~~ENVIRONMENTAL JUSTICE~~ *GEOGRAPHICAL IMPACT REMEDIES* ARE KEY PRINCIPLES; AND

(3) INCORPORATE ~~ENVIRONMENTAL AND CLIMATE JUSTICE~~ *GEOGRAPHICAL IMPACT* CONSIDERATIONS INTO ALL RECOMMENDATIONS, POLICIES, PROGRAMS, AND FUNDING PRIORITIES.

~~SUBTITLE 9. MARYLAND CLIMATE JUSTICE CORPS.~~

~~1–901.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) "CLEAN ENERGY PROJECT" MEANS A PROJECT TO IMPROVE ACCESS TO CLEAN, RENEWABLE ENERGY SOURCES IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.~~

~~(C) "CLIMATE MITIGATION PROJECT" MEANS A PROJECT TO REDUCE EMISSIONS OF GREENHOUSE GASES AND CO–POLLUTANTS AND MITIGATE THE HEALTH IMPACTS OF CLIMATE CHANGE IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.~~

~~(D) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE" MEANS A COMMUNITY IDENTIFIED USING THE METHODOLOGY RECOMMENDED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES UNDER § 1–702 OF THIS TITLE.~~

~~(E) "COORDINATING ENTITY" MEANS THE CHESAPEAKE BAY TRUST ESTABLISHED UNDER § 8–1902 OF THE NATURAL RESOURCES ARTICLE.~~

~~(E) (F) "CORPS BOARD" MEANS THE ADVISORY BOARD OF THE CORPS PROGRAM.~~

~~(F) (G) "CORPS PROGRAM" MEANS THE MARYLAND CLIMATE JUSTICE CORPS PROGRAM ESTABLISHED UNDER § 1–902 OF THIS SUBTITLE.~~

~~(G) (H) "QUALIFIED ORGANIZATION" MEANS:~~

~~(1) A NONPROFIT ORGANIZATION OR NONBUSINESS ENTITY;~~

~~(2) AN EDUCATIONAL, ADVOCACY, OR JOB TRAINING ORGANIZATION;~~

~~(3) A COMMUNITY ASSOCIATION;~~

~~(4) A SERVICE, YOUTH, OR CIVIC GROUP;~~

~~(5) A PUBLIC OR PRIVATE EDUCATIONAL INSTITUTION;~~

~~(6) A COUNTY OR MUNICIPALITY; OR~~

~~(7) A UNIT OF STATE OR LOCAL GOVERNMENT.~~

~~1–902.~~

~~(A) THERE IS A MARYLAND CLIMATE JUSTICE CORPS PROGRAM ADMINISTERED BY THE DEPARTMENT, IN CONSULTATION WITH THE CORPS BOARD~~

~~DEPARTMENT AND MANAGED BY THE COORDINATING ENTITY IN ACCORDANCE WITH THIS SUBTITLE.~~

~~(B) THE COORDINATING ENTITY SHALL MANAGE THE PRIMARY ACTIVITIES, MANAGE THE BUDGET, AND PROMOTE THE PURPOSE OF THE CORPS PROGRAM.~~

~~(B)~~ (C) ~~THE PURPOSE OF THE CORPS PROGRAM IS TO:~~

~~(1) PROMOTE CLIMATE JUSTICE AND ASSIST THE STATE IN ACHIEVING ITS GREENHOUSE GAS EMISSIONS REDUCTION TARGETS;~~

~~(2) PROVIDE YOUTH AND YOUNG ADULTS WITH OPPORTUNITIES TO ENGAGE IN MEANINGFUL SERVICE TO THEIR COMMUNITIES AND THE STATE;~~

~~(3) MOBILIZE, EDUCATE, AND TRAIN YOUTH AND YOUNG ADULTS TO DEPLOY CLEAN ENERGY TECHNOLOGY AND MITIGATE AND PREVENT THE ENVIRONMENTAL AND HEALTH IMPACTS OF CLIMATE CHANGE IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;~~

~~(4) ENSURE UNDERSERVED AND ENVIRONMENTAL JUSTICE POPULATIONS ARE GIVEN ASSISTANCE NEEDED TO PREPARE FOR AND ADAPT TO THE IMPACTS OF CLIMATE CHANGE; AND~~

~~(5) PROVIDE A GREEN CAREER LADDER AND OPPORTUNITIES FOR ALL YOUTH AND YOUNG ADULTS, ESPECIALLY THOSE MOST AT RISK, TO BE EXPOSED TO AND TRAINED IN THE ENERGY EFFICIENCY, ENVIRONMENTAL PROTECTION, GOVERNMENTAL AND REGULATORY ADMINISTRATION, AND RENEWABLE ENERGY GENERATION SECTORS.~~

~~1–903.~~

~~(A) (1) THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE DEPARTMENT COORDINATING ENTITY AND THE DEPARTMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.~~

~~(2) THE CORPS BOARD CONSISTS OF THE FOLLOWING MEMBERS:~~

~~(I) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(II) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;~~

~~(III) ONE PRESIDENT FROM A HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE, OR THE PRESIDENT'S DESIGNEE, APPOINTED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES;~~

~~(IV) TWO MEMBERS OF THE BOARD OF DIRECTORS OF THE MARYLAND CORPS BOARD APPOINTED BY THE BOARD CHAIR;~~

~~(V) THREE MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, INCLUDING AT LEAST ONE INDIVIDUAL FROM THE NONPROFIT SECTOR WITH A BACKGROUND IN EDUCATION AND STUDENT SERVICE AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT; AND~~

~~(VI) THREE MEMBERS OF THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES, APPOINTED BY THE CHAIR OF THE COMMISSION.~~

~~(3) IF A REGULATED LOBBYIST IS APPOINTED TO SERVE AS A MEMBER OF THE CORPS BOARD, THE LOBBYIST IS NOT SUBJECT TO:~~

~~(I) § 5–504(D) OF THE GENERAL PROVISIONS ARTICLE; OR~~

~~(II) § 5–704(F)(3) OF THE GENERAL PROVISIONS ARTICLE AS A RESULT OF THAT SERVICE.~~

~~(B) A MEMBER OF THE CORPS BOARD SHALL RESIDE IN THE STATE.~~

~~(C) IN MAKING APPOINTMENTS TO THE CORPS BOARD, THE GOVERNOR SHALL CONSIDER:~~

~~(1) RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY; AND~~

~~(2) ALL GEOGRAPHIC REGIONS OF THE STATE.~~

~~(D) A MEMBER OF THE CORPS BOARD:~~

~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE CORPS BOARD; BUT~~

~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

~~(E) (1) THE TERM OF A MEMBER IS 4 YEARS.~~

~~(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON JULY 1, 2022.~~

~~(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(F) THE APPOINTING AUTHORITY MAY REMOVE A MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.~~

~~(G) (1) THE CORPS BOARD SHALL DETERMINE THE TIMES AND PLACES OF ITS MEETINGS.~~

~~(2) THE CORPS BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF SEVEN MEMBERS.~~

~~(3) THE CORPS BOARD SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.~~

~~1–904.~~

~~(A) FROM AMONG ITS MEMBERS, THE CORPS BOARD SHALL ELECT A CHAIR AND A VICE CHAIR.~~

~~(B) THE DEPARTMENT COORDINATING ENTITY SHALL PROVIDE STAFF SUPPORT FOR THE CORPS BOARD.~~

~~1–905.~~

~~(A) (1) THE DEPARTMENT COORDINATING ENTITY, IN CONSULTATION WITH THE CORPS BOARD, SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS TO SUPPORT A MARYLAND CLIMATE JUSTICE CORPS PROGRAM THAT INVOLVES YOUTH AND YOUNG ADULTS THROUGHOUT THE STATE TO CARRY OUT THIS SUBTITLE.~~

~~(2) THE CORPS PROGRAM SHALL ENGAGE AND DEVELOP CORPS MEMBERS IN CLIMATE JUSTICE PROJECTS AND CLEAN ENERGY PROJECTS IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.~~

~~(3) ELIGIBLE CORPS PROGRAM EXPENSES INCLUDE PERSONNEL COSTS, STIPENDS, SUPPLIES, AND OTHER MATERIALS FOR PROJECTS UNDERTAKEN BY CORPS MEMBERS.~~

~~(B) THE DEPARTMENT–COORDINATING ENTITY, IN CONSULTATION WITH THE CORPS BOARD, SHALL DEVELOP GUIDELINES FOR EVALUATING APPLICATIONS FROM QUALIFIED ORGANIZATIONS.~~

~~(C) THE GUIDELINES DEVELOPED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL:~~

~~(1) CONSIDER THE CAPABILITY OF THE QUALIFIED ORGANIZATION TO CARRY OUT CORPS PROGRAMS OR PROJECTS;~~

~~(2) ENCOURAGE AND CONSIDER MULTIYEAR, MULTIPARTNER PROPOSALS, LOCAL MATCH, COST–SHARING AGREEMENTS, AND IN–KIND MATCH AS FACTORS IN EVALUATING CORPS PROGRAM GRANT APPLICATIONS; AND~~

~~(3) REQUIRE GRANT APPLICATIONS TO DESCRIBE HOW THE QUALIFYING ORGANIZATION INTENDS TO:~~

~~(I) ASSESS THE SKILLS OF CORPS PROGRAM PARTICIPANTS;~~

~~(II) PROVIDE LIFE SKILLS AND WORK SKILLS TRAINING;~~

~~(III) PROVIDE TRAINING AND EDUCATION, IN ADDITION TO THE TRAINING PROVIDED AS A PART OF THE MAIN CORPS PROGRAM;~~

~~(IV) DEVELOP, WHERE RELEVANT, AGREEMENTS FOR ACADEMIC STUDY WITH:~~

~~1. LOCAL EDUCATION AGENCIES;~~

~~2. COMMUNITY COLLEGES;~~

~~3. 4–YEAR COLLEGES;~~

~~4. AREA CHARTER HIGH SCHOOLS AND VOCATIONAL–TECHNICAL SCHOOLS; AND~~

~~5. COMMUNITY–BASED ORGANIZATIONS; AND~~

~~(V) PROVIDE CAREER AND EDUCATIONAL GUIDANCE.~~

~~(D) A GRANT AGREEMENT REGARDING FUNDS FROM THE DEPARTMENT COORDINATING ENTITY SHALL:~~

~~(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER THE GRANT, INCLUDING ACCOUNTABILITY MEASURES AND PERFORMANCE REQUIREMENTS;~~

~~(2) TAKE INTO ACCOUNT THE NEED FOR EFFICIENT MULTIYEAR FUNDING AND ADMINISTRATION OF THE FUNDS; AND~~

~~(3) INCLUDE PROVISIONS FOR VERIFICATION THAT CORPS PROGRAMS AND PROJECTS ARE BEING IMPLEMENTED AS PLANNED.~~

~~1–906.~~

~~(A) FOR THE CORPS PROGRAM, THE DEPARTMENT COORDINATING ENTITY AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM 6–MONTH COMMITMENT WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OLD AND NOT MORE THAN 25 YEARS OLD.~~

~~(B) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.~~

~~(C) A CORPS MEMBER MAY RECEIVE A STIPEND.~~

~~(D) STIPENDS FOR CORPS MEMBERS SHALL INCLUDE MONETARY PAYMENTS OF AT LEAST $15 PER HOUR AND HEALTH INSURANCE BENEFITS.~~

~~1–907.~~

~~(A) THE DEPARTMENT COORDINATING ENTITY SHALL PROVIDE TECHNICAL ASSISTANCE TO QUALIFIED ORGANIZATIONS THAT REQUEST ASSISTANCE.~~

~~(B) THE DEPARTMENT COORDINATING ENTITY SHALL CONVENE CORPS MEMBERS ON A REGULAR BASIS IN ORDER TO:~~

~~(1) PROMOTE TEAM BUILDING AMONG THE PARTICIPANTS;~~

~~(2) DEVELOP AN UNDERSTANDING OF THE OVERALL CORPS PROGRAM PURPOSE;~~

~~(3) SHARE INFORMATION ABOUT BEST PRACTICES;~~

~~(4) RECOGNIZE EXCELLENCE; AND~~

~~(5) PROVIDE TRAINING AND OTHER LEARNING OPPORTUNITIES.~~

~~(C) IN PROVIDING TRAINING AND TECHNICAL ASSISTANCE, THE DEPARTMENT COORDINATING ENTITY MAY CONTRACT WITH AN ORGANIZATION WITH A PROVEN TRACK RECORD OF DEVELOPING AND SUSTAINING CORPS PROGRAMS, WORKING WITH THE MARYLAND CONSERVATION CORPS MODEL, AND ENGAGING YOUNG PEOPLE.~~

~~1–908.~~

~~(A) THE CORPS PROGRAM'S PROJECTS AND ACTIVITIES SHALL MEET AN IDENTIFIABLE PUBLIC NEED WITHIN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE, WITH SPECIFIC EMPHASIS ON PROJECTS THAT RESULT IN LONG TERM REDUCTIONS TO GREENHOUSE GAS EMISSIONS AND IMPROVEMENTS TO PUBLIC HEALTH AND THE ENVIRONMENT.~~

~~(B) CLIMATE MITIGATION PROJECTS MAY INCLUDE:~~

~~(1) PROJECTS TO EXPAND URBAN TREE CANOPY, IMPLEMENT GREEN ROOFTOPS, AND TAKE OTHER ACTIONS TO REDUCE URBAN HEAT ISLAND EFFECTS; AND~~

~~(2) PROJECTS TO IMPROVE ACCESS TO CLEAN, RELIABLE TRANSPORTATION, INCLUDING THROUGH THE EXPANSION OF BIKE TRAILS AND PEDESTRIAN WALKWAYS.~~

~~(C) CLEAN ENERGY PROJECTS MAY INCLUDE:~~

~~(1) PROJECTS TO INSTALL RENEWABLE ENERGY SYSTEMS AT LOW–INCOME HOUSEHOLDS AND SCHOOLS, LIBRARIES, AND OTHER PUBLIC BUILDINGS;~~

~~(2) PROJECTS TO UNDERTAKE HOLISTIC RETROFITS OF LOW–INCOME HOUSEHOLDS, INCLUDING WEATHERIZATION AND HEAT PUMP INSTALLATION; AND~~

~~(3) PROJECTS TO PROVIDE EXPERIENCE IN THE ENERGY EFFICIENCY, ENVIRONMENTAL PROTECTION, GOVERNMENTAL AND REGULATORY ADMINISTRATION, AND RENEWABLE ENERGY GENERATION SECTORS.~~

~~1–909.~~

~~(A) THE DEPARTMENT AND THE CORPS BOARD COORDINATING ENTITY SHALL SEEK FEDERAL FUNDS AND GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE DEPARTMENT FOR THE PURPOSE OF LONG–TERM FUNDING OF THE CORPS PROGRAM.~~

~~(B) (1) IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $1,500,000 TO THE DEPARTMENT FOR THE CORPS PROGRAM.~~

~~(2) THE DEPARTMENT SHALL TRANSFER THE FUNDS RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE COORDINATING ENTITY FOR THE OPERATION OF THE CORPS PROGRAM.~~

~~1–910.~~

~~(A) IN DEVELOPING ITS PROGRAMS AND SEEKING FEDERAL AND STATE GRANTS, THE DEPARTMENT AND THE CORPS BOARD COORDINATING ENTITY SHALL:~~

~~(1) COORDINATE ALL EFFORTS WITH THE MARYLAND CORPS PROGRAM ESTABLISHED UNDER § 24–1102 OF THE EDUCATION ARTICLE;~~

~~(2) COORDINATE ALL EFFORTS WITH THE MARYLAND CONSERVATION CORPS, TO ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;~~

~~(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND PRIVATE SOURCES; AND~~

~~(4) EXPLORE OPPORTUNITIES FOR INITIATING A COLLEGE–LEVEL CAMPAIGN TO ENGAGE WITH COMMUNITY COLLEGES, HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, AND OTHER INSTITUTES OF HIGHER LEARNING IN THE STATE.~~

~~(B) IN DEVELOPING CLEAN ENERGY INFRASTRUCTURE AND EDUCATIONAL PROGRAMS, THE DEPARTMENT COORDINATING ENTITY AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH THE MARYLAND CLEAN ENERGY CENTER UNDER TITLE 10, SUBTITLE 8 OF THE ECONOMIC DEVELOPMENT ARTICLE.~~

~~(C) IN DEVELOPING ITS CORPS MEMBER PROGRAMS, THE DEPARTMENT COORDINATING ENTITY AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH:~~

~~(1) THE MARYLAND SERVICE CORPS AND THE GOVERNOR'S OFFICE ON SERVICE AND VOLUNTEERISM UNDER TITLE 9.5, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;~~

~~(2) THE DEPARTMENT OF COMMERCE AND OTHER APPROPRIATE UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND~~

~~(3) COMMUNITY COLLEGES, 4–YEAR COLLEGES, AND UNIVERSITIES IN THE STATE, TO DEVELOP OPPORTUNITIES FOR COURSE CREDIT ARRANGEMENTS THROUGH WHICH CORPS MEMBERS MAY EARN COURSE CREDITS FOR PARTICIPATION IN THE CORPS PROGRAM AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND.~~

~~1–911.~~

~~(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT, IN CONSULTATION WITH THE COORDINATING ENTITY AND THE CORPS BOARD, SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.~~

~~(B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL STATEMENT COVERING THE OPERATIONS OF THE CORPS BOARD COORDINATING ENTITY AND A SUMMARY OF THE ACTIVITIES OF THE CORPS BOARD DURING THE PRECEDING FISCAL YEAR.~~

~~2–407.~~

~~(A) THIS SUBJECT TO § 2–409 OF THIS SUBTITLE, THIS SECTION APPLIES ONLY TO A MUNICIPAL SOLID WASTE LANDFILL THAT IS REQUIRED TO MONITOR AND REPORT METHANE EMISSIONS TO THE DEPARTMENT.~~

~~(B) IF METHANE EMISSIONS DATA ACQUIRED FROM AIRCRAFT OBSERVATIONS, WHERE AVAILABLE, EXCEEDS THE GROUND–LEVEL EMISSIONS DATA REPORTED BY A MUNICIPAL SOLID WASTE LANDFILL BY MORE THAN 25%, THE DEPARTMENT SHALL REQUIRE THE LANDFILL OPERATOR TO:~~

~~(1) INVESTIGATE THE DIFFERENCE BETWEEN THE DATA;~~

~~(2) REASSESS THE METHODOLOGY AND EQUIPMENT USED TO OBTAIN THE GROUND–LEVEL DATA; AND~~

~~(3) (I) TAKE ANY STEPS NECESSARY TO IMPROVE THE ACCURACY OF GROUND–LEVEL EMISSIONS DATA; OR~~

~~(II) EXPLAIN TO THE DEPARTMENT THE SCIENTIFIC BASIS FOR BELIEVING THAT THE GROUND–LEVEL EMISSIONS DATA IS ACCURATE.~~

~~(C) THE DEPARTMENT SHALL PUBLICLY DISCLOSE ON THE DEPARTMENT'S WEBSITE:~~

~~(1) ALL METHANE EMISSIONS DATA OBTAINED THROUGH AIRPLANE OBSERVATIONS; AND~~

~~(2) ANY DISCREPANCIES BETWEEN METHANE EMISSIONS DATA OBTAINED THROUGH AIRCRAFT OBSERVATIONS AND GROUND–LEVEL METHANE EMISSIONS DATA REPORTED BY MUNICIPAL SOLID WASTE LANDFILLS.~~

~~2–408.~~

~~(A) ON SUBJECT TO § 2–409 OF THIS SUBTITLE, ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING SURFACE METHANE EMISSIONS STANDARDS FOR MUNICIPAL SOLID WASTE LANDFILLS.~~

~~(B) THE REGULATIONS SHALL BE AT LEAST AS STRINGENT AS THE CALIFORNIA LANDFILL METHANE REGULATION ADOPTED ON JUNE 17, 2010.~~

~~2–409.~~

~~(A) THE DEPARTMENT MAY EXEMPT A MUNICIPAL SOLID WASTE LANDFILL FROM THE REQUIREMENTS OF § 2–407 OF THIS SUBTITLE AND ANY REGULATIONS ADOPTED UNDER § 2–408 OF THIS SUBTITLE BASED ON:~~

~~(1) ACTUAL SITE EMISSION DATA OR MODELS;~~

~~(2) ACTIVITIES SUCH AS VOLUNTARY IMPLEMENTATION OF LANDFILL GAS MANAGEMENT SYSTEMS BELOW MANDATORY GAS MANAGEMENT THRESHOLDS ESTABLISHED UNDER TITLE V OF THE FEDERAL CLEAN AIR ACT;~~

~~(3) IMPLEMENTATION OF ORGANICS COMPOSTING SYSTEMS;~~

~~(4) IMPLEMENTATION OF ENCLOSED ORGANICS ANAEROBIC DIGESTION WITH GAS CAPTURE THAT OTHERWISE REDUCES GREENHOUSE GASES;~~

~~(5) REQUESTS FROM MUNICIPAL SOLID WASTE LANDFILL OPERATORS TO ACCOMMODATE THE CONSTRUCTION OF NEW RENEWABLE ENERGY FACILITIES ON CLOSED MUNICIPAL SOLID WASTE LANDFILLS; OR~~

~~(6) OTHER SCIENCE–BASED, EVIDENTIARY EXEMPTION REQUESTS.~~

~~(B) IF THE COST OF MONITORING OR MEASURING METHANE EMISSIONS FROM A MUNICIPAL SOLID WASTE LANDFILL IN ACCORDANCE WITH STATE REQUIREMENTS ESTABLISHED UNDER § 2–407 OR § 2–408 OF THIS SUBTITLE EXCEEDS THE COSTS OF MEASURING OR MONITORING METHANE EMISSIONS IN ACCORDANCE WITH FEDERAL REQUIREMENTS, THE STATE SHALL REIMBURSE THE LANDFILL OPERATOR FOR 50% OF THE COST DIFFERENCE.~~

2–1201.

The General Assembly finds that:

(4) The State has the ingenuity to reduce the threat of global warming and make greenhouse gas reductions a part of the State's future by achieving a 25% reduction in greenhouse gas emissions from 2006 levels by 2020 and by preparing a plan to meet a longer–term goal of **[**reducing greenhouse gas emissions by up to 90% from 2006 levels by 2050**]** **ACHIEVING NET–ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045** in a manner that promotes new "green" jobs, and protects existing jobs and the State's economic well–being;

2–1204.1.

*The State shall reduce statewide greenhouse gas emissions by **[**40%**] 60%** from 2006 levels by **[**2030**] 2031**.*

2–1205.

(a) The State shall develop plans, adopt regulations, and implement programs that reduce statewide greenhouse gas emissions in accordance with this subtitle.

(b) On or before **[**December 31, 2018**] JUNE 30, 2023**, the Department shall:

(1) Submit a proposed plan that reduces statewide greenhouse gas emissions by **[**40%**] 60%** from 2006 levels by ~~2030~~ ***2031*** to the Governor and General Assembly;

(2) Make the proposed plan available to the public; and

(3) Convene a series of public workshops to provide interested parties with an opportunity to comment on the proposed plan.

(c) (1) The Department shall, on or before December 31, 2012, adopt a final plan that reduces statewide greenhouse gas emissions by 25% from 2006 levels by 2020.

(2) The Department shall, on or before December 31, **[**2019**] 2023**, adopt a final plan that **[**reduces**]:**

(I) REDUCES statewide greenhouse gas emissions by **[**40%**] 60%** from 2006 levels by ~~2030~~ ***2031*****; AND**

(II) SETS THE STATE ON A PATH TOWARD ACHIEVING NET–ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045.

(3) **[**The plans shall be developed in recognition of the finding by the Intergovernmental Panel on Climate Change that developed countries will need to reduce greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050**] THE DEPARTMENT SHALL:**

(I) ON OR BEFORE DECEMBER 31, 2030, ADOPT A FINAL PLAN THAT ACHIEVES NET–ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045; AND

(II) ON OR BEFORE DECEMBER 31, 2035, REVIEW AND, AS NECESSARY, REVISE THE FINAL PLAN TO ACHIEVE NET–ZERO STATEWIDE GAS EMISSIONS BY 2045.

(d) The final plans required under subsection (c) of this section shall include:

(1) Adopted regulations that implement all plan measures for which State agencies have existing statutory authority; and

(2) A summary of any new legislative authority needed to fully implement the plans and a timeline for seeking legislative authority.

(E) A FINAL PLAN DEVELOPED UNDER THIS SECTION:

(1) MAY NOT INCLUDE HIGHWAY WIDENING OR ADDITIONAL ROAD CONSTRUCTION AS A GREENHOUSE GAS EMISSION REDUCTION MEASURE;

(2) MAY INCLUDE THE USE OF CARBON CAPTURE, *ELECTRIC DISTRIBUTION AND TRANSMISSION INFRASTRUCTURE IMPROVEMENTS*, AND STORAGE TECHNOLOGY AS A GREENHOUSE GAS EMISSION REDUCTION MEASURE

ONLY IF THE TECHNOLOGY HAS BEEN SCIENTIFICALLY PROVEN TO ACHIEVE VERIFIABLE CARBON REDUCTIONS;

(3) SHALL USE THE GLOBAL WARMING POTENTIAL FOR METHANE OVER A 20–YEAR TIME HORIZON, AS ACCEPTED IN THE MOST RECENT ASSESSMENT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, IN ESTIMATING THE STATE'S GREENHOUSE GAS EMISSIONS REDUCTIONS;

(4) SHALL INCLUDE POLICY RECOMMENDATIONS TO ENSURE THE CONTINUED OPERATION OF MARYLAND'S EXISTING ZERO CARBON EMISSION ELECTRIC GENERATORS THROUGH CURRENT OPERATING LICENSES;

~~(4)~~ *(5)* SHALL INCLUDE SPECIFIC ESTIMATES OF THE GREENHOUSE GAS EMISSIONS REDUCTIONS THAT COULD BE ACHIEVED THROUGH THE EXPANSION OF MASS TRANSIT OPTIONS; AND

~~(5)~~ *(6)* SHALL INCLUDE SPECIFIC ESTIMATES OF THE REDUCTIONS EXPECTED FROM EACH GREENHOUSE GAS EMISSIONS REDUCTION MEASURE INCLUDED IN THE PLAN.

[(e)**] (F)** In developing and adopting a final plan to reduce statewide greenhouse gas emissions, the Department shall consult with State and local agencies as appropriate.

[(f)**] (G)** (1) Unless required by federal law or regulations or existing State law, regulations adopted by State agencies to implement a final plan may not:

(i) Require greenhouse gas emissions reductions from the State's manufacturing sector; or

(ii) Cause a significant increase in costs to the State's manufacturing sector.

(2) Paragraph (1) of this subsection may not be construed to exempt greenhouse gas emissions sources in the State's manufacturing sector from the obligation to comply with:

(i) Greenhouse gas emissions monitoring, recordkeeping, and reporting requirements for which the Department had existing authority under § 2–301(a) of this title on or before October 1, 2009; or

(ii) Greenhouse gas emissions reductions required of the manufacturing sector as a result of the State's implementation of the Regional Greenhouse Gas Initiative.

[(g)**] (H)** A regulation adopted by a State agency for the purpose of reducing greenhouse gas emissions in accordance with this section may not be construed to result in a significant increase in costs to the State's manufacturing sector unless the source would not incur the cost increase but for the new regulation.

2–1206.

In developing and implementing the plans required by § 2–1205 of this subtitle, the Department shall:

(1) Analyze the feasibility of measures to comply with the greenhouse gas emissions reductions required by this subtitle;

(2) Consider the impact on rural communities of any transportation related measures proposed in the plans;

(3) Provide that a greenhouse gas emissions source that voluntarily reduces its greenhouse gas emissions before the implementation of this subtitle shall receive appropriate credit for its early voluntary actions;

(4) Provide for the use of offset credits generated by alternative compliance mechanisms executed within the State, including carbon sequestration projects, to achieve compliance with greenhouse gas emissions reductions required by this subtitle;

(5) Ensure that the plans do not decrease the likelihood of reliable and affordable electrical service and statewide fuel supplies;

(6) Consider whether the measures would result in an increase in electricity costs to consumers in the State;

(7) Consider the impact of the plans on the ability of the State to:

(i) Attract, expand, and retain commercial aviation services; and

(ii) Conserve, protect, and retain agriculture; **[**and**]**

(8) Ensure that the greenhouse gas emissions reduction measures implemented in accordance with the plans:

(i) Are implemented in an efficient and cost–effective manner;

(ii) Do not disproportionately impact rural or low–income, low– to moderate–income, or minority communities or any other particular class of electricity ratepayers;

(iii) Minimize leakage;

(iv) Are quantifiable, verifiable, and enforceable;

(v) Directly cause no loss of existing jobs in the manufacturing sector;

(vi) Produce a net economic benefit to the State's economy and a net increase in jobs in the State**, AS COMPARED WITH A NO–ACTION SCENARIO**; and

(vii) Encourage new employment opportunities in the State related to energy conservation, alternative energy supply, and greenhouse gas emissions reduction technologies**, PARTICULARLY IN AREAS OF THE STATE EXPERIENCING** ~~LOW RATES OF EMPLOYMENT OR HIGH CONCENTRATIONS OF POVERTY~~ **A COMBINATION OF URBAN HEAT**~~,~~ ***AND*** **CLIMATE** ~~CHANGE, AND ENVIRONMENTAL JUSTICE~~ **IMPACTS;**

(9) INCORPORATE TOP–DOWN METHANE EMISSIONS DATA ACQUIRED THROUGH AIRCRAFT OBSERVATIONS; AND

(10) USE THE BEST AVAILABLE SCIENTIFIC INFORMATION, AS INCLUDED IN THE MOST RECENT ASSESSMENTS AND REPORTS OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE.

2–1210.

On review of the study required under § 2–1207 of this subtitle, and the reports required under § 2–1211 of this subtitle, the General Assembly:

(1) May act to maintain, revise, or eliminate the **[**40%**]** greenhouse gas emissions **[**reduction**]** **REDUCTIONS** required under **[**§ 2–1204.1**]** **§§ 2–1204.1 AND 2–1204.2** of this subtitle; and

(2) Shall consider whether to continue the special manufacturing provisions in § 2–1205(f)(1) of this subtitle.

2–1303.

(a) The Commission shall establish:

(1) A Scientific and Technical Working Group;

(2) A Greenhouse Gas Mitigation Working Group;

(3) An Adaptation and Response Working Group; **[**and**]**

(4) An Education, Communication, and Outreach Working Group**;** ~~AND~~

(5) SUBJECT TO § 2–1303.1 OF THIS SUBTITLE, A JUST TRANSITION EMPLOYMENT AND RETRAINING WORKING GROUP;

(6) SUBJECT TO § 2–1303.2 OF THIS SUBTITLE, AN ENERGY INDUSTRY REVITALIZATION WORKING GROUP;

(7) SUBJECT TO § 2–1303.3 OF THIS SUBTITLE, AN ENERGY RESILIENCE AND EFFICIENCY WORKING GROUP; AND

(8) SUBJECT TO § 2–1303.4 OF THIS SUBTITLE, A SOLAR PHOTOVOLTAIC SYSTEMS RECOVERY, REUSE, AND RECYCLING WORKING GROUP.

2–1303.1.

(A) IN THIS SECTION, "WORKING GROUP" MEANS THE JUST TRANSITION EMPLOYMENT AND RETRAINING WORKING GROUP OF THE COMMISSION.

(B) THE COMMISSION SHALL ESTABLISH A JUST TRANSITION EMPLOYMENT AND RETRAINING WORKING GROUP.

(C) THE WORKING GROUP SHALL INCLUDE:

(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF LABOR, OR THE SECRETARY'S DESIGNEE;

(5) *THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE;*

***(6)* ONE ELECTRICAL WORKER, SELECTED BY THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS;**

~~(6)~~ *(7)* ONE CONSTRUCTION LABORER, SELECTED BY THE BALTIMORE WASHINGTON LABORERS' DISTRICT COUNCIL;

~~(7)~~ *(8)* **TWO REPRESENTATIVES OF THE BUILDING AND CONSTRUCTION TRADE INDUSTRY, SELECTED BY THE BALTIMORE–DC METRO BUILDING AND CONSTRUCTION TRADES COUNCIL;**

~~(8)~~ *(9)* **FOUR LABOR REPRESENTATIVES, THREE SELECTED BY THE MARYLAND STATE AFL–CIO AND ONE SELECTED BY THE MID–ATLANTIC PIPE TRADES ASSOCIATION;**

~~(9)~~ *(10)* **ONE REPRESENTATIVE OF THE ENERGY EFFICIENCY INDUSTRY, SELECTED BY THE SECRETARY;**

~~(10)~~ *(11)* ~~**ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE SIERRA CLUB, SELECTED BY THE MARYLAND CHAPTER OF THE SIERRA CLUB;**~~ **TWO REPRESENTATIVES OF ENVIRONMENTAL ORGANIZATIONS, SELECTED BY THE GOVERNOR;**

~~(11)~~ *(12)* **ONE REPRESENTATIVE OF THE SOLAR ENERGY INDUSTRY, SELECTED BY THE** ~~**MARYLAND–DC–DELAWARE–VIRGINIA SOLAR ENERGY INDUSTRIES**~~ **CHESAPEAKE SOLAR AND STORAGE ASSOCIATION;**

~~(12)~~ *(13)* **ONE REPRESENTATIVE OF THE WIND ENERGY INDUSTRY, SELECTED BY THE AMERICAN** ~~**WIND ENERGY**~~ **CLEAN POWER ASSOCIATION;**

~~(13)~~ *(14)* **ONE REPRESENTATIVE OF THE GEOTHERMAL ENERGY INDUSTRY SELECTED BY THE MARYLAND GEOTHERMAL ASSOCIATION;**

~~(13)~~ ~~(14)~~ *(15)* **TWO REPRESENTATIVES OF REGISTERED APPRENTICESHIP SPONSORS, ONE SELECTED BY THE MARYLAND CHAPTERS OF THE ASSOCIATED BUILDERS AND CONTRACTORS AND ONE SELECTED BY THE BALTIMORE–DC METRO BUILDING AND CONSTRUCTION TRADES COUNCIL;**

~~(14)~~ ~~(15)~~ *(16)* **ONE COMMUNITY COLLEGE REPRESENTATIVE, SELECTED BY THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES;**

~~(15)~~ ~~(16)~~ *(17)* **ONE REPRESENTATIVE WHO IS A VETERAN, SELECTED BY THE MARYLAND MILITARY COALITION;**

~~(16)~~ ~~(17)~~ *(18)* **ONE REPRESENTATIVE WHO IS A FORMERLY INCARCERATED INDIVIDUAL, SELECTED BY THE LEGAL ACTION CENTER NATIONAL H.I.R.E. NETWORKS;**

~~(17)~~ ~~(18)~~ *(19)* **TWO AT–LARGE REPRESENTATIVES WHO ARE WOMEN IN AFFECTED INDUSTRIES, SELECTED BY THE GOVERNOR;** ~~**AND**~~

~~(18)~~ ~~(19)~~ *(20)* **TWO REPRESENTATIVES SELECTED BY THE MARYLAND STATE CHAPTER OF THE NAACP;**

~~(20)~~ *(21)* **ONE HEATING OIL OR PROPANE DISTRIBUTOR IN THE STATE, SELECTED BY THE SECRETARY;**

~~(21)~~ *(22)* **ONE REPRESENTATIVE OF MUNICIPAL ELECTRIC UTILITIES, SELECTED BY THE PUBLIC SERVICE COMMISSION; AND**

~~(22)~~ *(23)* **ONE REPRESENTATIVE OF INVESTOR–OWNED UTILITIES, SELECTED BY THE PUBLIC SERVICE COMMISSION.**

(D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING GROUP.

(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.

(F) A MEMBER OF THE WORKING GROUP:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE WORKING GROUP; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(G) THE WORKING GROUP SHALL:

(1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES FOR WORKFORCE DEVELOPMENT AND TRAINING RELATED TO ENERGY EFFICIENCY MEASURES, RENEWABLE ENERGY, AND OTHER CLEAN ENERGY TECHNOLOGIES, WITH SPECIFIC FOCUS ON TRAINING AND WORKFORCE OPPORTUNITIES FOR:

(I) SEGMENTS OF THE POPULATION THAT MAY BE UNDERREPRESENTED IN THE CLEAN ENERGY WORKFORCE, SUCH AS VETERANS, WOMEN, AND FORMERLY INCARCERATED INDIVIDUALS; AND

(II) DISLOCATED WORKERS AFFECTED BY THE DOWNSIZING OF FOSSIL FUEL INDUSTRIES;

(2) IDENTIFY:

(I) ENERGY–INTENSIVE INDUSTRIES AND RELATED TRADES;

(II) SITES OF ELECTRIC GENERATING FACILITIES THAT MAY BE CLOSED AS A RESULT OF A TRANSITION TO RENEWABLE ENERGY SOURCES;

(III) SECTOR–SPECIFIC IMPACTS OF THE STATE'S GREENHOUSE GAS EMISSIONS REDUCTION PLAN ON THE STATE'S CURRENT WORKFORCE;

(IV) AVENUES TO MAXIMIZE THE SKILLS AND EXPERTISE OF MARYLAND WORKERS IN THE NEW ENERGY ECONOMY;

(V) CHALLENGES AND OPPORTUNITIES RELATED TO MINIMIZING ADVERSE EMPLOYMENT AND FINANCIAL IMPACTS ON DISPLACED WORKERS AND THEIR COMMUNITIES THROUGH ENVIRONMENTAL POLICIES CONDITIONED ON THE FAIR DISTRIBUTION OF COSTS AND BENEFITS; AND

(VI) RESOURCES NECESSARY TO PROTECT WORKERS FROM ECONOMIC INSECURITY, INCLUDING OPTIONS FOR MAINTAINING OR SUPPLEMENTING RETIREMENT AND HEALTH CARE BENEFITS FOR DISLOCATED WORKERS AFFECTED BY THE DOWNSIZING OF FOSSIL FUEL INDUSTRIES;

(3) ADVISE THE COMMISSION ON THE POTENTIAL IMPACTS OF CARBON LEAKAGE RISKS ON MARYLAND INDUSTRIES AND LOCAL HOST COMMUNITIES, INCLUDING THE IMPACT OF ANY POTENTIAL GREENHOUSE GAS EMISSIONS REDUCTION MEASURES ON THE COMPETITIVENESS OF MARYLAND BUSINESSES AND INDUSTRY; AND

(4) CONDUCT A STUDY OF:

(I) THE NUMBER OF JOBS CREATED TO COUNTER CLIMATE ~~CHANGE~~ *IMPACTS*, INCLUDING IN THE ENERGY SECTOR, BUILDING SECTOR, TRANSPORTATION SECTOR, AND WORKING LANDS SECTOR;

(II) THE PROJECTED INVENTORY OF JOBS NEEDED AND SKILLS AND TRAINING REQUIRED TO MEET FUTURE DEMAND FOR JOBS TO COUNTER CLIMATE ~~CHANGE~~ *IMPACTS*;

(III) WORKFORCE DISRUPTION DUE TO COMMUNITY CHANGES CAUSED BY THE TRANSITION TO A LOW–CARBON ECONOMY; AND

(IV) STRATEGIES FOR TARGETING WORKFORCE DEVELOPMENT AND JOB CREATION IN FENCELINE COMMUNITIES THAT HAVE HISTORICALLY BORNE THE BRUNT OF HOSTING CARBON POLLUTERS.

(H) ON OR BEFORE DECEMBER 31, 2023, THE WORKING GROUP SHALL REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY REQUIRED UNDER SUBSECTION (G)(4) OF THIS SECTION.

2–1303.2.

(A) IN THIS SECTION, "WORKING GROUP" MEANS THE ENERGY INDUSTRY REVITALIZATION WORKING GROUP OF THE COMMISSION.

(B) THE COMMISSION SHALL ESTABLISH AN ENERGY INDUSTRY REVITALIZATION WORKING GROUP.

(C) THE WORKING GROUP SHALL INCLUDE:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S DESIGNEE;

(5) ONE REPRESENTATIVE OF THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS, SELECTED BY THE STATE DIRECTOR OF THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS;

(6) ONE REPRESENTATIVE OF THE MARYLAND CHAMBER OF COMMERCE, SELECTED BY THE PRESIDENT AND CEO OF THE MARYLAND CHAMBER OF COMMERCE;

(7) ONE REPRESENTATIVE OF THE MARYLAND SMALL BUSINESS DEVELOPMENT CENTER, SELECTED BY THE REGIONAL DIRECTORS OF THE MARYLAND SMALL BUSINESS DEVELOPMENT CENTER; AND

(8) SIX REPRESENTATIVES OF THE ENERGY INDUSTRY, INCLUDING:

(I) TWO REPRESENTATIVES SELECTED BY THE SECRETARY;

(II) TWO REPRESENTATIVES SELECTED BY THE PUBLIC SERVICE COMMISSION; AND

(III) TWO REPRESENTATIVES SELECTED BY THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION.

(D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING GROUP.

(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.

(F) A MEMBER OF THE WORKING GROUP:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE WORKING GROUP; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(G) THE WORKING GROUP SHALL:

(1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES RELATED TO SMALL BUSINESS REVITALIZATION AND THE TRANSITION TO RENEWABLE ENERGY'S EFFECTS ON SMALL BUSINESSES;

(2) CONDUCT A STUDY OF THE IMPACTS OF TRANSITIONING TO RENEWABLE ENERGY; AND

(3) INCLUDE IN THE STUDY:

(I) THE NUMBER OF SMALL BUSINESSES IMPACTED BY THE TRANSITION TO RENEWABLE ENERGY;

(II) THE PROJECTED COST OF TRANSITIONING EXISTING SMALL BUSINESSES TO RENEWABLE ENERGY;

(III) THE ECONOMIC IMPACT OF THE TRANSITION TO RENEWABLE ENERGY AND NEW ENERGY SOURCES, INCLUDING SUPPLY CHAIN IMPACTS;

(IV) AN ANALYSIS THAT IDENTIFIES ENERGY GENERATING FACILITIES THAT MAY CLOSE AS A RESULT OF A TRANSITION TO RENEWABLE ENERGY, INCLUDING ISSUES AND OPPORTUNITIES RELATED TO REPURPOSING THE SITES; AND

(V) AN ANALYSIS THAT IDENTIFIES OR ESTIMATES, TO THE EXTENT PRACTICABLE:

1. THE TIMING AND LOCATION OF FACILITY CLOSURES AND LAYOFFS IN NONRENEWABLE ENERGY INDUSTRIES;

2. THE IMPACT OF FACILITY CLOSURES AND LAYOFFS ON AFFECTED WORKERS, BUSINESSES, AND COMMUNITIES; AND

3. HOW THE COMMISSION CAN MOST EFFECTIVELY RESPOND TO THE IMPACT OF FACILITY CLOSURES AND LAYOFFS, INCLUDING THE POTENTIAL TO:

A. COMPENSATE BUSINESSES THAT CLOSED DUE TO THE EFFECTS OF THE TRANSITION TO RENEWABLE ENERGY; AND

B. INCENTIVIZE BUSINESSES TO TRANSITION TO RENEWABLE ENERGY THROUGH SUBSIDIES.

(H) ON OR BEFORE DECEMBER 31, 2023, THE WORKING GROUP SHALL REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY REQUIRED UNDER SUBSECTION (G) OF THIS SECTION.

2–1303.3.

(A) IN THIS SECTION, "WORKING GROUP" MEANS THE ENERGY RESILIENCE AND EFFICIENCY WORKING GROUP OF THE COMMISSION.

(B) THE COMMISSION SHALL ESTABLISH AN ENERGY RESILIENCE AND EFFICIENCY WORKING GROUP.

(C) THE WORKING GROUP SHALL INCLUDE:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(4) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION;

(5) THREE REPRESENTATIVES OF THE NUCLEAR ENERGY INDUSTRY, SELECTED BY THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION;

(6) THREE REPRESENTATIVES OF THE ENERGY TRANSMISSION INFRASTRUCTURE INDUSTRY, SELECTED BY THE PUBLIC SERVICE COMMISSION; AND

(7) THREE REPRESENTATIVES OF THE ENERGY STORAGE AND BACKUP INDUSTRY, SELECTED BY THE SECRETARY.

(D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING GROUP.

(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.

(F) A MEMBER OF THE WORKING GROUP:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE WORKING GROUP; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(G) THE WORKING GROUP SHALL:

(1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES RELATED TO ENERGY INFRASTRUCTURE IMPROVEMENTS, TRANSMISSION EFFICIENCY IMPROVEMENTS, AND BATTERY BACKUP VIABILITY; AND

(2) CONDUCT A STUDY OF:

(I) METHODS FOR THE STATE TO ENCOURAGE ELECTRICITY STORAGE TECHNOLOGY RESEARCH;

(II) METHODS OF INCREASING THE SECURITY OF THE ELECTRICITY GRID BY SUPPORTING DISTRIBUTED RENEWABLE ENERGY PROJECTS AND ENERGY STORAGE WITH THE POTENTIAL TO SUPPLY ELECTRIC ENERGY TO CRITICAL FACILITIES DURING A WIDESPREAD POWER OUTAGE;

(III) POTENTIAL ELECTRIC GRID DISTRIBUTION TRANSFORMATION PROJECTS;

(IV) THE POTENTIAL TO DEVELOP CLEAN ENERGY RESOURCES ON PREVIOUSLY DEVELOPED PROJECT SITES; AND

(V) THE LIFESPAN AND VIABILITY OF ENERGY FACILITIES IN THE STATE THAT DO NOT EMIT GREENHOUSE GAS, INCLUDING:

1. SOLAR ENERGY GENERATING FACILITIES;

2. NUCLEAR ENERGY GENERATING FACILITIES;

3. WIND ENERGY GENERATING FACILITIES;

4. GEOTHERMAL ENERGY GENERATING FACILITIES;

5. HYDROELECTRIC ENERGY GENERATING FACILITIES; AND

6. BIOFUEL ENERGY GENERATING FACILITIES.

(H) ON OR BEFORE DECEMBER 31, 2023, THE WORKING GROUP SHALL REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY REQUIRED UNDER SUBSECTION (G)(2) OF THIS SECTION.

2–1303.4.

(A) IN THIS SECTION, "WORKING GROUP" MEANS THE SOLAR PHOTOVOLTAIC SYSTEMS RECOVERY, REUSE, AND RECYCLING WORKING GROUP OF THE COMMISSION.

(B) THE COMMISSION SHALL ESTABLISH A SOLAR PHOTOVOLTAIC SYSTEMS RECOVERY, REUSE, AND RECYCLING WORKING GROUP.

(C) THE WORKING GROUP SHALL INCLUDE:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(4) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION, OR THE DIRECTOR'S DESIGNEE;

(5) THE SECRETARY OF NATURAL RESOURCES, OR THE SECRETARY'S DESIGNEE;

(6) ONE REPRESENTATIVE OF THE PUBLIC SERVICE COMMISSION, SELECTED BY THE CHAIR OF THE COMMISSION;

(7) ONE REPRESENTATIVE OF THE CHESAPEAKE CLIMATE ACTION NETWORK, SELECTED BY THE CHESAPEAKE CLIMATE ACTION NETWORK;

(8) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE OF AN INVESTOR–OWNED ELECTRIC COMPANY WITH CUSTOMERS IN THE STATE;

(II) ONE REPRESENTATIVE OF THE UTILITY–SCALE SOLAR INDUSTRY;

(III) ONE REPRESENTATIVE OF THE COMMUNITY SOLAR ENERGY INDUSTRY;

(IV) ONE REPRESENTATIVE OF THE DISTRIBUTED GENERATION SOLAR INDUSTRY;

(V) ONE REPRESENTATIVE WITH EXPERTISE IN SOLAR PHOTOVOLTAIC SYSTEMS RECOVERY, REUSE, AND RECYCLING; AND

(VI) ONE INDIVIDUAL WITH EXPERTISE IN DECOMMISSIONING ENERGY–RELATED PROJECTS; AND

(9) ANY OTHER INDIVIDUAL IDENTIFIED BY THE COMMISSION.

(D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING GROUP.

(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.

(F) A MEMBER OF THE WORKING GROUP:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE WORKING GROUP; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(G) THE WORKING GROUP SHALL:

(1) REVIEW SOLAR PHOTOVOLTAIC SYSTEMS CURRENTLY USED IN THE STATE, INCLUDING:

(I) EXAMINING THE EXPECTED ECONOMICALLY PRODUCTIVE LIFE CYCLE OF THE SYSTEMS;

(II) REVIEWING THE MATERIALS THAT ARE USED, HAVE BEEN USED, OR MAY BE USED IN SOLAR PHOTOVOLTAIC SYSTEMS SOLD IN THE STATE, INCLUDING IDENTIFYING MATERIALS THAT CAN BE RECYCLED OR THAT EXHIBIT ANY CHARACTERISTICS OF HAZARDOUS WASTE UNDER STATE OR FEDERAL LAW; AND

(III) IDENTIFYING THE NUMBER OF SOLAR PHOTOVOLTAIC SYSTEMS IN USE AND ESTIMATING THE POTENTIAL IMPACTS ON THE STATE'S LANDFILL CAPACITY OF DISPOSING THE SYSTEMS IN THE STATE'S LANDFILLS;

(2) REVIEW OTHER PROGRAMS ON SOLAR PHOTOVOLTAIC SYSTEMS RECYCLING, DISPOSAL, AND DECOMMISSIONING;

(3) IDENTIFY ONGOING AND RECENT STUDIES RELATED TO SOLAR PHOTOVOLTAIC SYSTEMS RECYCLING, LIFE–CYCLE ANALYSIS, AND END–OF–LIFE PROGRAMS;

(4) REVIEW INDUSTRY–APPROVED BEST PRACTICES FOR MANAGING END–OF–LIFE SOLAR PHOTOVOLTAIC SYSTEMS AND THEIR COMPONENTS, INCLUDING THE EXTENT TO WHICH THE SYSTEMS AND COMPONENTS MAY BE:

(I) IF NOT DAMAGED OR IN NEED OF REPAIR, REUSED FOR A SIMILAR PURPOSE;

(II) IF NOT SUBSTANTIALLY DAMAGED, REFURBISHED AND REUSED FOR A SIMILAR PURPOSE;

(III) RECYCLED AND THE COMPONENTS RECOVERED FOR REUSE;

(IV) FOR COMPONENTS THAT DO NOT EXHIBIT ANY CHARACTERISTICS OF HAZARDOUS WASTE UNDER STATE OR FEDERAL LAW, SAFELY DISPOSED OF IN A CONSTRUCTION AND DEMOLITION OR MUNICIPAL SOLID WASTE LANDFILL; AND

(V) FOR COMPONENTS THAT EXHIBIT ANY CHARACTERISTICS OF HAZARDOUS WASTE UNDER STATE OR FEDERAL LAW, SAFELY DISPOSED OF IN ACCORDANCE WITH STATE AND FEDERAL REQUIREMENTS;

(5) PERFORM AN ECONOMIC ANALYSIS TO DETERMINE THE POTENTIAL IMPACT OF SOLAR PHOTOVOLTAIC SYSTEMS RECOVERY, REUSE, AND RECYCLING ON RATEPAYERS, INCLUDING A COMPARISON TO THE ECONOMIC IMPACT ON RATEPAYERS OF DECOMMISSIONING, STORING WASTE, AND OTHER COSTS ASSOCIATED WITH THE END OF LIFE OF OTHER FORMS OF ENERGY GENERATION;

(6) PERFORM AN IMPACT ASSESSMENT TO EXAMINE THE ENVIRONMENTAL IMPACTS OF VARIOUS SOLAR PHOTOVOLTAIC SYSTEMS' END–OF–LIFE SCENARIOS, INCLUDING THE SCENARIOS SPECIFIED UNDER ITEM (4) OF THIS SUBSECTION, COMPARED TO THE LIFE–CYCLE ENVIRONMENTAL IMPACTS OF NONSOLAR ENERGY GENERATION SOURCES IN THE STATE, INCLUDING THE ENVIRONMENTAL IMPACTS OF DECOMMISSIONING, DISPOSAL, AND LONG–TERM WASTE STORAGE;

(7) PERFORM AN IMPACT ASSESSMENT TO EXAMINE THE ENVIRONMENTAL AND ECONOMIC BENEFITS OF GENERATING ENERGY FROM SOLAR PHOTOVOLTAIC SYSTEMS, INCLUDING A COMPARISON TO THE ENVIRONMENTAL AND ECONOMIC BENEFITS OF NONSOLAR ENERGY GENERATION SOURCES IN THE STATE;

(8) EXAMINE AND RECOMMEND INFRASTRUCTURE NEEDED TO DEVELOP A PRACTICAL, EFFECTIVE, AND COST–EFFICIENT METHOD FOR COLLECTING AND TRANSPORTING END–OF–LIFE SOLAR PHOTOVOLTAIC MODULES FOR REUSE, REFURBISHMENT, RECYCLING, OR DISPOSAL;

(9) ANALYZE WHETHER FINANCING MECHANISMS, INCLUDING ADVANCE RECOVERY FEES, RECYCLING AND DISPOSAL FEES, AND PRODUCT STEWARDSHIP PROGRAMS, ARE NECESSARY TO ENSURE PROPER END–OF–LIFE MANAGEMENT OF SOLAR PHOTOVOLTAIC SYSTEMS; AND

(10) RECOMMEND FINANCING MECHANISMS ANALYZED UNDER ITEM (9) OF THIS SUBSECTION THAT BEST SUPPORT A CIRCULAR ECONOMY APPROACH.

(H) ON OR BEFORE DECEMBER 31, 2023, THE WORKING GROUP SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE COMMISSION AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

2–1304.

(A) On or before November 15 of each year, the Commission shall report to the Governor and General Assembly, in accordance with § 2–1257 of the State Government Article, on the status of the State's efforts to mitigate the causes of, prepare for, and adapt

to the consequences of climate change, including future plans and recommendations for legislation, if any, to be considered by the General Assembly.

(B) THE REPORT DUE ON OR BEFORE NOVEMBER 15, 2023, AND EACH SUBSEQUENT REPORT SHALL INCLUDE AN ANALYSIS, PREPARED BY THE DEPARTMENT, OF:

(1) THE TOTAL AMOUNT OF STATE MONEY SPENT ON MEASURES TO REDUCE GREENHOUSE GASES AND, TO THE EXTENT PRACTICABLE, CO–POLLUTANTS, DURING THE IMMEDIATELY PRECEDING FISCAL YEAR; AND

(2) THE PERCENTAGE OF THAT FUNDING THAT BENEFITED DISPROPORTIONATELY AFFECTED COMMUNITIES IDENTIFIED ACCORDING TO THE METHODOLOGY ADOPTED BY THE DEPARTMENT UNDER § 1–702 OF THIS ARTICLE.

2–1305.

(a) (1) Each State agency shall review its planning, regulatory, and fiscal programs to identify and recommend actions to more fully integrate the consideration of Maryland's greenhouse gas reduction goal and the impacts of climate change.

(2) The review shall include the consideration of:

(i) Sea level rise;

(ii) Storm surges and flooding;

(iii) Increased precipitation and temperature; and

(iv) Extreme weather events.

(b) Each State agency shall identify and recommend specific policy, planning, regulatory, and fiscal changes to existing programs that do not currently support the State's greenhouse gas reduction efforts or address climate change.

(c) (1) The following State agencies shall report annually on the status of programs that support the State's greenhouse gas reduction efforts or address climate change, in accordance with § 2–1257 of the State Government Article, to the Commission and the Governor:

(i) The Department;

(ii) The Department of Agriculture;

(iii) The Department of General Services;

(iv) The Department of Housing and Community Development;

(v) The Department of Natural Resources;

(vi) The Department of Planning;

(vii) The Department of Transportation;

(viii) The Maryland Energy Administration;

(ix) The Maryland Insurance Administration;

(x) The Public Service Commission; and

(xi) The University of Maryland Center for Environmental Science.

(2) The report required in paragraph (1) of this subsection shall include:

(i) Program descriptions and objectives;

(ii) Implementation milestones, whether or not they have been met;

(iii) Enhancement opportunities;

(iv) Funding;

(v) Challenges;

(vi) Estimated greenhouse gas emissions reductions, by program, for the prior calendar year; and

(vii) Any other information that the agency considers relevant.

(D) EACH STATE AGENCY, WHEN CONDUCTING LONG–TERM PLANNING, DEVELOPING POLICY, AND DRAFTING REGULATIONS, SHALL TAKE INTO ~~CONSIDERATION THE~~ CONSIDERATION:

(1) THE LIKELY CLIMATE IMPACT OF THE AGENCY'S DECISIONS RELATIVE TO MARYLAND'S GREENHOUSE GAS EMISSIONS REDUCTION GOALS; AND

(2) THE LIKELY IMPACT OF THE AGENCY'S DECISIONS ON DISPROPORTIONATELY AFFECTED COMMUNITIES IDENTIFIED ACCORDING TO THE METHODOLOGY ADOPTED BY THE DEPARTMENT UNDER § 1–702 OF THIS ARTICLE.

2–1501.

(a) In this subtitle the following words have the meanings indicated.

(b) "Fund" means the Zero–Emission Vehicle School Bus Transition Fund.

(c) "Program" means the Zero–Emission Vehicle School Bus Transition Grant Program.

(d) "Zero–emission vehicle" has the meaning stated in § 23–206.4 of the Transportation Article.

2–1505.

(A) IN THIS SECTION, "INCREMENTAL COSTS" MEANS:

(1) IN THE CASE OF A CONTRACT FOR THE PURCHASE OF SCHOOL BUSES, THE COST DIFFERENCE BETWEEN PURCHASING AND OPERATING SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES AND SCHOOL BUSES THAT ARE DIESEL–POWERED VEHICLES; AND

(2) IN THE CASE OF A CONTRACT FOR THE USE OF SCHOOL BUSES, THE COST DIFFERENCE BETWEEN CONTRACTING FOR THE USE OF SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES AND SCHOOL BUSES THAT ARE DIESEL–POWERED VEHICLES.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, BEGINNING IN FISCAL YEAR ~~2024~~ 2025, A COUNTY BOARD OF EDUCATION MAY NOT ENTER INTO A NEW CONTRACT ~~FOR THE~~ FOR:

(1) THE PURCHASE ~~OR USE~~ OF ANY SCHOOL BUS THAT IS NOT A ZERO–EMISSION VEHICLE; OR

(2) THE USE OF ANY SCHOOL BUS THAT IS NOT A ZERO–EMISSION VEHICLE, UNLESS THE SCHOOL BUS HAS AN IN–SERVICE DATE OF JULY 1, 2024, OR BEFORE.

(C) THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION DO NOT APPLY IF:

(1) THE DEPARTMENT DETERMINES THAT NO AVAILABLE ZERO–EMISSION VEHICLE MEETS THE PERFORMANCE REQUIREMENTS FOR THE COUNTY BOARD'S USE; OR

(2) THE COUNTY BOARD IS UNABLE TO OBTAIN FEDERAL, STATE, OR PRIVATE FUNDING SUFFICIENT TO COVER THE INCREMENTAL COSTS ASSOCIATED WITH CONTRACTING FOR THE PURCHASE OR USE OF SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES.

(D) A COUNTY BOARD MAY ENTER INTO AN AGREEMENT WITH AN ELECTRIC COMPANY TO OBTAIN MONETARY INCENTIVES IN EXCHANGE FOR ALLOWING THE ELECTRIC COMPANY TO USE THE STORAGE BATTERIES OF ZERO–EMISSION BUSES OWNED OR OPERATED BY THE COUNTY BOARD TO ACCESS THE STORED ELECTRICITY THROUGH VEHICLE–TO–GRID TECHNOLOGY.

(E) THE DEPARTMENT, IN CONSULTATION WITH OTHER APPROPRIATE STATE AGENCIES, SHALL WORK WITH THE COUNTY BOARDS AND PRIVATE SCHOOL BUS CONTRACTORS TO DEVELOP ELECTRIC VEHICLE INFRASTRUCTURE SUFFICIENT TO SUPPORT SCHOOL BUSES THAT ARE ZERO–EMISSION VEHICLES.

(F) THE DEPARTMENT SHALL PRIORITIZE THE USE OF AVAILABLE FEDERAL FUNDING TO CARRY OUT THIS SECTION.

SUBTITLE 16. BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS.

2–1601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "AGRICULTURAL BUILDING" MEANS A STRUCTURE THAT IS USED PRIMARILY TO CULTIVATE, MANUFACTURE, PROCESS, OR PRODUCE AGRICULTURAL CROPS, RAW MATERIALS, PRODUCTS, OR COMMODITIES.

(2) "AGRICULTURAL BUILDING" INCLUDES A GREENHOUSE.

~~(B)~~ (C) "BUILDING" HAS THE MEANING STATED IN THE INTERNATIONAL BUILDING CODE.

(D) "COMMERCIAL BUILDING" MEANS A BUILDING THAT IS SUBJECT TO THE COMMERCIAL PROVISIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

~~(C)~~ (E) (1) "COVERED BUILDING" MEANS A *BUILDING THAT:*

(I) 1. IS A* COMMERCIAL OR MULTIFAMILY RESIDENTIAL BUILDING IN THE STATE ~~THAT HAS~~*; OR

2. IS OWNED BY THE STATE; AND

(II) HAS **A GROSS FLOOR AREA OF ~~25,000~~ *35,000* SQUARE FEET OR MORE, EXCLUDING THE PARKING GARAGE AREA.**

(2) "COVERED BUILDING" DOES NOT INCLUDE:

(I) A BUILDING DESIGNATED AS A HISTORIC PROPERTY UNDER FEDERAL, STATE, OR LOCAL LAW; ~~OR~~

(II) A PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL BUILDING; ~~OR~~

(III) *A MANUFACTURING BUILDING; OR*

(IV) **AN AGRICULTURAL BUILDING.**

~~(D)~~ (F) "DIRECT GREENHOUSE GAS EMISSIONS" MEANS GREENHOUSE GAS EMISSIONS PRODUCED ON–SITE BY ~~A COVERED BUILDING~~ COVERED BUILDINGS.

(G) "DISTRICT ENERGY" MEANS THERMAL ENERGY GENERATED AT ONE OR MORE CENTRAL FACILITIES THAT PRODUCE HOT WATER, STEAM, OR CHILLED WATER THAT THEN FLOWS THROUGH A NETWORK OF INSULATED UNDERGROUND PIPES TO PROVIDE HOT WATER, SPACE HEATING, AIR CONDITIONING, OR CHILLED WATER TO NEARBY BUILDINGS.

Article – Housing and Community Development

4–211.

(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "COVERED BUILDING" HAS THE MEANING STATED IN § 2–1601 OF THE ENVIRONMENT ARTICLE.

(III) "ENERGY CONSERVATION PROJECT" MEANS A PROJECT THAT QUALIFIES UNDER § 4–218 OF THIS SUBTITLE.

(2) FOR THE PURPOSE OF REDUCING DIRECT GREENHOUSE GAS EMISSIONS FROM MULTIFAMILY RESIDENTIAL BUILDINGS IN ACCORDANCE WITH THE STANDARDS ADOPTED UNDER § 2–1602 OF THE ENVIRONMENT ARTICLE, THE ADMINISTRATION SHALL DEVELOP AND IMPLEMENT A PROGRAM TO PROVIDE

GRANTS FOR ENERGY CONSERVATION PROJECTS AND PROJECTS TO INSTALL RENEWABLE ENERGY GENERATING SYSTEMS IN COVERED BUILDINGS THAT HOUSE PRIMARILY LOW– TO MODERATE–INCOME HOUSEHOLDS.

(3) GRANTS PROVIDED UNDER THIS SUBSECTION MAY NOT BE USED FOR A PROJECT TO INSTALL NEW EQUIPMENT THAT USES FOSSIL FUELS OR IMPROVE THE EFFICIENCY OF EXISTING EQUIPMENT THAT USES FOSSIL FUELS.

(4) IN EACH OF FISCAL YEARS 2024 THROUGH 2026, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $5,000,000 TO THE DEPARTMENT FOR THE PURPOSE OF PROVIDING GRANTS UNDER THIS SUBSECTION.

(5) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER 1 THEREAFTER, THE ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE PROJECTS FUNDED UNDER THIS SUBSECTION.

Article – Labor and Employment

3–416.

(A) THIS SECTION APPLIES:

(1) TO A PROJECT UNDERTAKEN BY AN INVESTOR–OWNED ELECTRIC COMPANY OR GAS AND ELECTRIC COMPANY THAT:

(I) INVOLVES THE CONSTRUCTION, RECONSTRUCTION, INSTALLATION, DEMOLITION, RESTORATION, OR ALTERATION OF ANY ELECTRIC INFRASTRUCTURE OF THE COMPANY, AND ANY RELATED TRAFFIC CONTROL ACTIVITIES; AND

(II) IS FUNDED BY FEDERAL FUNDS TO MEET THE STATE'S POLICY GOALS FOR THE ELECTRIC DISTRIBUTION SYSTEM UNDER TITLE 7, SUBTITLE 8 OF THE PUBLIC UTILITIES ARTICLE, INCLUDING FUNDS MADE AVAILABLE UNDER § 40101, § 40103, OR § 40107 OF THE FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT; AND

(2) ONLY TO THE PORTION OF THE PROJECT SUPPORTED BY THE FEDERAL FUNDS.

(B) AN INVESTOR–OWNED ELECTRIC COMPANY OR GAS AND ELECTRIC COMPANY SHALL REQUIRE A CONTRACTOR OR SUBCONTRACTOR ON A PROJECT DESCRIBED IN SUBSECTION (A) OF THIS SECTION TO:

(1) PAY THE AREA PREVAILING WAGE FOR EACH TRADE EMPLOYED, INCLUDING WAGES AND FRINGE BENEFITS;

(2) OFFER HEALTH CARE AND RETIREMENT BENEFITS TO THE EMPLOYEES WORKING ON THE PROJECT;

(3) PARTICIPATE IN AN APPRENTICESHIP PROGRAM REGISTERED WITH THE STATE FOR EACH TRADE EMPLOYED ON THE PROJECT;

(4) ESTABLISH AND EXECUTE A PLAN FOR OUTREACH, RECRUITMENT, AND RETENTION OF STATE RESIDENTS TO PERFORM WORK ON THE PROJECT, WITH AN ASPIRATIONAL GOAL OF 25% OF TOTAL WORK HOURS PERFORMED BY MARYLAND RESIDENTS, INCLUDING RESIDENTS WHO ARE:

(I) RETURNING CITIZENS;

(II) WOMEN;

(III) MINORITY INDIVIDUALS; OR

(IV) VETERANS;

(5) HAVE BEEN IN COMPLIANCE WITH FEDERAL AND STATE WAGE AND HOUR LAWS FOR THE PREVIOUS 3 YEARS;

(6) BE SUBJECT TO ALL STATE REPORTING AND COMPLIANCE REQUIREMENTS; AND

(7) MAINTAIN ALL APPROPRIATE LICENSES IN GOOD STANDING.

Article – Natural Resources

8–1913.

(a) In this part the following words have the meanings indicated.

(B) "CLEAN ENERGY PROJECT" MEANS A PROJECT TO IMPROVE ACCESS TO CLEAN, RENEWABLE ENERGY SOURCES IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.

(C) "CLIMATE MITIGATION PROJECT" MEANS A PROJECT TO REDUCE EMISSIONS OF GREENHOUSE GASES AND CO–POLLUTANTS AND MITIGATE THE HEALTH IMPACTS OF CLIMATE IMPACTS IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.

(D) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS" MEANS A COMMUNITY IDENTIFIED USING THE METHODOLOGY RECOMMENDED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES UNDER § 1–702 OF THE ENVIRONMENT ARTICLE.

[(b)***]*** ***(E)*** *"Corps Board" means the Advisory Board of the Corps Program.*

[(c)***]*** ***(F)*** *"Corps Program" means the Chesapeake Conservation Corps Program established under § 8–1914 of this part.*

[(d)***]*** ***(G)*** *"Energy conservation project" means a project to promote energy conservation or efficiency, including a project to:*

(1) Improve energy efficiency of households and public structures through energy audits, weatherization, and other on–site energy conservation measures;

(2) Implement clean energy projects in communities to enhance the use of renewable energy, reduce carbon emissions, and mitigate climate ***[****change****]*** ***IMPACTS****;*

(3) Implement community greening and urban tree canopy projects that create energy savings; and

(4) Assist schools in becoming "green schools" and reducing energy costs.

[(e)***]*** ***(H)*** *"Environmental project" means a project that results in long–term preservation, protection, and conservation of the environment, in areas including environmental restoration, agricultural and forestry, infrastructure, energy conservation, and educational improvements.*

[(f)***]*** ***(I)*** *"Qualified organization" means:*

(1) A nonprofit organization;

(2) A school;

(3) A community association;

(4) A service, youth, or civic group;

(5) An institution of higher education;

(6) A county or municipality; or

(7) A unit of State government.

***[**(g)**]* (J)** *"Trust" means the Chesapeake Bay Trust.*

8–1914.

(a) There is a Chesapeake Conservation Corps Program administered by the Trust, in consultation with the Corps Board.

(b) The purpose of the Corps Program is to:

(1) Promote, preserve, protect, and sustain the environment;

(2) Provide young adults with opportunities to become better citizens, students, and workers through meaningful service to their communities and the State;

(3) Mobilize, educate, and train youth and young adults to work with communities and schools to promote energy conservation and mitigate and prevent threats to the environment;

(4) MOBILIZE, EDUCATE, AND TRAIN YOUTH AND YOUNG ADULTS TO DEPLOY CLEAN ENERGY TECHNOLOGY AND MITIGATE AND PREVENT THE ENVIRONMENTAL AND HEALTH IMPACTS OF CLIMATE IMPACTS IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS;

(5) ENSURE UNDERSERVED AND GEOGRAPHICAL CLIMATE DISPARITIES POPULATIONS ARE GIVEN ASSISTANCE NEEDED TO PREPARE FOR AND ADAPT TO CLIMATE IMPACTS;

[**(4)**]* (6)** ***[**Provide opportunities for youth and young adults, especially disadvantaged youth, to be trained for careers that will be part of the emerging field of "green collar" jobs**]* PROVIDE A GREEN CAREER LADDER AND OPPORTUNITIES FOR ALL YOUTH AND YOUNG ADULTS, ESPECIALLY THOSE MOST AT RISK, TO BE EXPOSED TO AND TRAINED IN THE ENERGY EFFICIENCY, ENVIRONMENTAL PROTECTION, GOVERNMENTAL AND REGULATORY ADMINISTRATION, AND RENEWABLE ENERGY GENERATION SECTORS;

***[**(5)**]* (7)** *Educate and train communities and individuals for the long–term action needed to continue to promote, preserve, protect, and sustain the environment after a Corps project has been completed;*

[(6)] (8) *Act as a coordinator and facilitator of efforts to foster public–private partnerships in developing "green collar" job opportunities and in enhancing and expanding the workforce available for environmental protection and clean energy industries; and*

[(7)] (9) *Channel available public and private resources to the protection, conservation, and preservation of the environment of the State.*

8–1915.

(a) (1) The purpose of the Corps Board is to advise the Trust in the development and implementation of the Corps Program.

*(2) The Corps Board consists of the following **[**11**]** members:*

(i) One member of the Senate of Maryland, appointed by the President of the Senate;

(ii) One member of the House of Delegates, appointed by the Speaker of the House;

(iii) One member appointed by the Chancellor of the University System of Maryland with the advice and consent of the Senate, to serve as a liaison between the Corps Board, the Chancellor, and the Board of Regents;

(iv) ONE MEMBER APPOINTED BY THE PRESIDENT OF MORGAN STATE UNIVERSITY, TO SERVE AS A LIAISON BETWEEN THE CORPS BOARD, THE PRESIDENT, AND THE BOARD OF REGENTS;

(V) *Three members of the Board of Trustees of the Chesapeake Bay Trust, appointed by the Chair of the Board; and*

[(v)] (VI) *Five members appointed by the Governor with the advice and consent of the Senate, including at least one individual from the nonprofit sector with a background in education and student service and one with a background in workforce development.*

8–1920.

*(a) The Corps Program's projects and activities shall meet an identifiable public need**[**, with**]:***

(1) WITH *specific emphasis on projects that result in long–term preservation, protection, and conservation of the environment, in areas including*

*environmental restoration, agricultural and forestry, infrastructure, and educational improvements**; OR***

(2) WITHIN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS, WITH SPECIFIC EMPHASIS ON CLIMATE MITIGATION AND CLEAN ENERGY PROJECTS THAT RESULT IN LONG–TERM REDUCTIONS TO GREENHOUSE GAS EMISSIONS AND IMPROVEMENTS TO PUBLIC HEALTH AND THE ENVIRONMENT.

(b) Environmental restoration projects may include:

(1) Specific nutrient reduction activities, such as planting of bay grasses and oysters and installing natural shorelines on public spaces; and

(2) Working with communities to improve their environmental impacts and activities and to encourage appropriate environmental stewardship.

(c) Agricultural and forestry projects may include working with Corps Program volunteers from rural areas of the State in partnership with the agricultural community in projects to prevent or reduce nutrient runoff.

(d) Infrastructure projects may include:

(1) Improving the energy efficiency of housing for elderly and low–income households;

(2) Implementing clean energy projects in communities to enhance the use of renewable energy, including free and low–cost energy audits; and

(3) Building or assisting in building infrastructure to promote environmental education including outdoor classrooms, nature trails, and schoolyard habitats and watershed restoration, stream restoration, rain gardens, and other low–impact development projects.

(e) Educational projects may include:

(1) Developing interactive environmental education and energy conservation education for elementary and secondary school students and the public;

(2) Developing curriculum targeted at training high school students and apprentices to obtain skills necessary to create and implement clean energy projects in their communities and to compete for jobs in the emerging clean energy sector; and

(3) Assisting schools to become "green schools" and reduce energy costs through hands–on projects with their students.

(f) Energy conservation projects may include the projects defined in § 8–1913(d) of this part.

(G) CLIMATE MITIGATION PROJECTS MAY INCLUDE:

(1) PROJECTS TO EXPAND URBAN TREE CANOPY, IMPLEMENT GREEN ROOFTOPS, AND TAKE OTHER ACTIONS TO REDUCE URBAN HEAT ISLAND EFFECTS; AND

(2) PROJECTS TO IMPROVE ACCESS TO CLEAN, RELIABLE TRANSPORTATION, INCLUDING THROUGH THE EXPANSION OF BIKE TRAILS AND PEDESTRIAN WALKWAYS.

(H) CLEAN ENERGY PROJECTS MAY INCLUDE:

(1) PROJECTS TO INSTALL RENEWABLE ENERGY SYSTEMS AT LOW–INCOME HOUSEHOLDS AND SCHOOLS, LIBRARIES, AND OTHER PUBLIC BUILDINGS;

(2) PROJECTS TO UNDERTAKE HOLISTIC RETROFITS OF LOW–INCOME HOUSEHOLDS, INCLUDING WEATHERIZATION AND HEAT PUMP INSTALLATION; AND

(3) PROJECTS TO PROVIDE EXPERIENCE IN THE ENERGY EFFICIENCY, ENVIRONMENTAL PROTECTION, GOVERNMENTAL AND REGULATORY ADMINISTRATION, AND RENEWABLE ENERGY GENERATION SECTORS.

8–1921.

*(a) [The] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE** Corps Program shall be funded each fiscal year with:*

(1) The amount specified in § 3–302(d) of this article; and

(2) Up to $250,000 in additional funds that may be allocated by the Trust through its annual budget process.

(b) The Trust and the Corps Board shall seek federal funds and grants and donations from private sources to be made to the Trust for the purpose of long–term funding of the Corps Program.

(C) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF

$1,500,000 TO THE TRUST FOR THE CORPS PROGRAM TO IMPLEMENT CLIMATE MITIGATION AND CLEAN ENERGY PROJECTS UNDER § 8–1920 OF THIS SUBTITLE.

8–1923.1.

(A) THIS SECTION APPLIES TO PROGRAMS DEVELOPED TO IMPLEMENT CLIMATE MITIGATION AND CLEAN ENERGY PROJECTS UNDER § 8–1920 OF THIS SUBTITLE.

(B) (1) THE TRUST AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM 6–MONTH COMMITMENT, WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OLD AND UNDER THE AGE OF 26 YEARS.

(2) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.

(3) A CORPS MEMBER MAY RECEIVE A STIPEND.

(4) STIPENDS FOR CORP MEMBERS SHALL INCLUDE MONETARY PAYMENTS OF AT LEAST $15 PER HOUR.

(C) IN DEVELOPING ITS PROGRAMS AND SEEKING FEDERAL AND STATE GRANTS, THE TRUST AND THE CORPS BOARD SHALL:

(1) COORDINATE EFFORTS WITH THE MARYLAND CORPS PROGRAM ESTABLISHED UNDER § 24–1102 OF THE EDUCATION ARTICLE;

(2) COORDINATE EFFORTS WITH THE MARYLAND CONSERVATION CORPS TO ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;

(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND PRIVATE SOURCES; AND

(4) EXPLORE OPPORTUNITIES FOR INITIATING A COLLEGE–LEVEL CAMPAIGN TO ENGAGE WITH COMMUNITY COLLEGES, HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, AND OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

(D) IN DEVELOPING CLEAN ENERGY INFRASTRUCTURE AND EDUCATIONAL PROGRAMS, THE TRUST AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH THE MARYLAND CLEAN ENERGY CENTER UNDER TITLE 10, SUBTITLE 8 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(E) IN DEVELOPING ITS CORPS MEMBER PROGRAMS, THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH:

(1) THE MARYLAND SERVICE CORPS AND THE GOVERNOR'S OFFICE ON SERVICE AND VOLUNTEERISM UNDER TITLE 9.5, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;

(2) THE DEPARTMENT OF COMMERCE AND OTHER APPROPRIATE UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE–SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND

(3) COMMUNITY COLLEGES, 4–YEAR COLLEGES, AND UNIVERSITIES IN THE STATE TO DEVELOP OPPORTUNITIES FOR COURSE CREDIT ARRANGEMENTS THROUGH WHICH CORPS MEMBERS MAY EARN COURSE CREDITS FOR PARTICIPATION IN THE CORPS PROGRAM AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND.

~~**Article – Natural Resources**~~

~~**8–1925. RESERVED.**~~

~~**8–1926. RESERVED.**~~

~~**PART III. MARYLAND CLIMATE JUSTICE CORPS.**~~

~~**8–1927.**~~

~~**(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**~~

~~**(B) "CLEAN ENERGY PROJECT" MEANS A PROJECT TO IMPROVE ACCESS TO CLEAN, RENEWABLE ENERGY SOURCES IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.**~~

~~**(C) "CLIMATE MITIGATION PROJECT" MEANS A PROJECT TO REDUCE EMISSIONS OF GREENHOUSE GASES AND CO–POLLUTANTS AND MITIGATE THE HEALTH IMPACTS OF CLIMATE CHANGE IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.**~~

~~**(D) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE" MEANS A COMMUNITY IDENTIFIED USING THE METHODOLOGY RECOMMENDED BY**~~

~~THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES UNDER § 1–702 OF THE ENVIRONMENT ARTICLE.~~

~~(E) "CORPS BOARD" MEANS THE ADVISORY BOARD OF THE CORPS PROGRAM.~~

~~(F) "CORPS PROGRAM" MEANS THE MARYLAND CLIMATE JUSTICE CORPS PROGRAM ESTABLISHED UNDER § 8–1928 OF THIS PART.~~

~~(G) "QUALIFIED ORGANIZATION" MEANS:~~

~~(1) A NONPROFIT ORGANIZATION;~~

~~(2) A SCHOOL;~~

~~(3) A COMMUNITY ASSOCIATION;~~

~~(4) A SERVICE, YOUTH, OR CIVIC GROUP;~~

~~(5) AN INSTITUTION OF HIGHER EDUCATION;~~

~~(6) A COUNTY OR MUNICIPALITY; OR~~

~~(7) A UNIT OF STATE GOVERNMENT.~~

~~(H) "TRUST" MEANS THE CHESAPEAKE BAY TRUST.~~

~~8–1928.~~

~~(A) THERE IS A MARYLAND CLIMATE JUSTICE CORPS PROGRAM ADMINISTERED BY THE TRUST, IN CONSULTATION WITH THE CORPS BOARD.~~

~~(B) THE PURPOSE OF THE CORPS PROGRAM IS TO:~~

~~(1) PROMOTE CLIMATE JUSTICE AND ASSIST THE STATE IN ACHIEVING ITS GREENHOUSE GAS EMISSIONS REDUCTION TARGETS;~~

~~(2) PROVIDE YOUNG ADULTS WITH OPPORTUNITIES TO BECOME BETTER CITIZENS, STUDENTS, AND WORKERS THROUGH MEANINGFUL SERVICE TO THEIR COMMUNITIES AND THE STATE;~~

~~(3) MOBILIZE, EDUCATE, AND TRAIN YOUTH AND YOUNG ADULTS TO DEPLOY CLEAN ENERGY TECHNOLOGY AND MITIGATE AND PREVENT THE~~

~~ENVIRONMENTAL AND HEALTH IMPACTS OF CLIMATE CHANGE IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE; AND~~

~~(4) PROVIDE OPPORTUNITIES FOR YOUTH AND YOUNG ADULTS, ESPECIALLY DISADVANTAGED YOUTH, TO BE TRAINED FOR CAREERS THAT WILL BE PART OF THE EMERGING FIELD OF "GREEN–COLLAR" JOBS.~~

~~8–1929.~~

~~(A) (1) THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE TRUST IN THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.~~

~~(2) THE CORPS BOARD CONSISTS OF THE FOLLOWING 11 MEMBERS:~~

~~(I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;~~

~~(III) ONE MEMBER APPOINTED BY THE PRESIDENT OF MORGAN STATE UNIVERSITY, TO SERVE AS A LIAISON BETWEEN THE CORPS BOARD, THE PRESIDENT, AND THE BOARD OF REGENTS;~~

~~(IV) THREE MEMBERS OF THE BOARD OF TRUSTEES OF THE CHESAPEAKE BAY TRUST, APPOINTED BY THE CHAIR OF THE BOARD; AND~~

~~(V) FIVE MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, INCLUDING AT LEAST ONE INDIVIDUAL FROM THE NONPROFIT SECTOR WITH A BACKGROUND IN EDUCATION AND STUDENT SERVICE AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT.~~

~~(3) IF A REGULATED LOBBYIST IS APPOINTED TO SERVE AS A MEMBER OF THE CORPS BOARD, THE LOBBYIST IS NOT SUBJECT TO:~~

~~(I) § 5–504(D) OF THE GENERAL PROVISIONS ARTICLE; OR~~

~~(II) § 5–704(F)(3) OF THE GENERAL PROVISIONS ARTICLE AS A RESULT OF THAT SERVICE.~~

~~(B) A MEMBER OF THE CORPS BOARD SHALL RESIDE IN THE STATE.~~

~~(C) IN MAKING APPOINTMENTS TO THE CORPS BOARD, THE GOVERNOR SHALL CONSIDER:~~

~~(1) DIVERSITY; AND~~

~~(2) ALL GEOGRAPHIC REGIONS OF THE STATE.~~

~~(D) A MEMBER OF THE CORPS BOARD:~~

~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE CORPS BOARD; BUT~~

~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

~~(E) (1) THE TERM OF A MEMBER IS 4 YEARS.~~

~~(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON JULY 1, 2022.~~

~~(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(F) THE APPOINTING AUTHORITY MAY REMOVE A MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.~~

~~(G) (1) THE CORPS BOARD SHALL DETERMINE THE TIMES AND PLACES OF ITS MEETINGS.~~

~~(2) THE CORPS BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF SIX MEMBERS.~~

~~8–1930.~~

~~(A) FROM AMONG ITS MEMBERS, THE CORPS BOARD SHALL ELECT A CHAIR AND A VICE CHAIR.~~

~~(B) THE TRUST SHALL PROVIDE STAFF SUPPORT FOR THE CORPS BOARD.~~

~~8–1931.~~

~~(A) (1) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS FOR THE CREATION OR EXPANSION OF FULL– AND PART–TIME MARYLAND CLIMATE JUSTICE CORPS PROGRAMS, THAT INVOLVE STUDENTS AND YOUNG ADULTS THROUGHOUT THE STATE, TO CARRY OUT THIS PART.~~

~~(2) CORPS PROGRAMS SHALL ENGAGE AND DEVELOP STIPEND VOLUNTEERS IN CLIMATE JUSTICE PROJECTS AND CLEAN ENERGY PROJECTS IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.~~

~~(3) ELIGIBLE CORPS PROGRAM EXPENSES INCLUDE PERSONNEL COSTS, STIPENDS, SUPPLIES, AND OTHER MATERIALS FOR PROJECTS UNDERTAKEN BY CORPS PROGRAM VOLUNTEERS.~~

~~(B) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL DEVELOP GUIDELINES FOR EVALUATING APPLICATIONS FROM QUALIFIED ORGANIZATIONS.~~

~~(C) THE GUIDELINES DEVELOPED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL:~~

~~(1) CONSIDER THE CAPABILITY OF THE QUALIFIED ORGANIZATION TO CARRY OUT CORPS PROGRAMS OR PROJECTS;~~

~~(2) ENCOURAGE AND CONSIDER MULTIYEAR, MULTIPARTNER PROPOSALS, LOCAL MATCH, COST–SHARING AGREEMENTS, AND IN–KIND MATCH AS FACTORS IN EVALUATING CORPS PROGRAM GRANT APPLICATIONS; AND~~

~~(3) REQUIRE GRANT APPLICATIONS TO DESCRIBE HOW THE QUALIFYING ORGANIZATION INTENDS TO:~~

~~(I) ASSESS THE SKILLS OF CORPS PROGRAM VOLUNTEERS;~~

~~(II) PROVIDE LIFE SKILLS AND WORK SKILLS TRAINING;~~

~~(III) PROVIDE TRAINING AND EDUCATION, IN ADDITION TO THE TRAINING PROVIDED AS A PART OF THE MAIN CORPS PROGRAM;~~

~~(IV) DEVELOP, WHERE RELEVANT, AGREEMENTS FOR ACADEMIC STUDY WITH:~~

~~1. LOCAL EDUCATION AGENCIES;~~

~~2. COMMUNITY COLLEGES;~~

~~3. 4–YEAR COLLEGES;~~

~~4. AREA CHARTER HIGH SCHOOLS AND VOCATIONAL–TECHNICAL SCHOOLS; AND~~

~~5. COMMUNITY–BASED ORGANIZATIONS;~~

~~(V) PROVIDE CAREER AND EDUCATIONAL GUIDANCE;~~

~~(VI) RECRUIT PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS; AND~~

~~(VII) RECRUIT RETIRED AND SEMIRETIRED SENIORS AND OTHER QUALIFIED INDIVIDUALS WITH RELEVANT EXPERIENCE TO TRAIN CORPS PROGRAM VOLUNTEERS AND PARTICIPATE IN CORPS PROJECTS BY VOLUNTEERING THEIR EXPERIENCE AND SKILLS.~~

~~(D) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST SHALL:~~

~~(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER THE GRANT, INCLUDING ACCOUNTABILITY MEASURES AND PERFORMANCE REQUIREMENTS;~~

~~(2) TAKE INTO ACCOUNT THE NEED FOR EFFICIENT MULTIYEAR FUNDING AND ADMINISTRATION OF THE FUNDS; AND~~

~~(3) INCLUDE PROVISIONS FOR VERIFICATION THAT CORPS PROGRAMS AND PROJECTS ARE BEING IMPLEMENTED AS PLANNED.~~

~~8–1932.~~

~~(A) FOR STIPEND VOLUNTEER PROGRAMS, THE TRUST AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM 6–MONTH COMMITMENT WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OLD AND NOT MORE THAN 25 YEARS OLD.~~

~~(B) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.~~

~~(C) A STIPEND VOLUNTEER:~~

~~(1) MAY NOT RECEIVE A SALARY AS A STIPEND VOLUNTEER; BUT~~

~~(2) MAY RECEIVE A STIPEND, AS DETERMINED BY THE TRUST, BASED ON THE NEEDS OF THE STIPEND VOLUNTEER AND THE LIMITS OF BUDGETARY APPROPRIATIONS.~~

~~(D) (1) A STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY PARTISAN POLITICAL ACTIVITY WHILE ENGAGED IN THE PERFORMANCE OF DUTIES AS A STIPEND VOLUNTEER.~~

~~(2) THIS PART IS EFFECTIVE ONLY TO THE EXTENT THAT IT DOES NOT CONFLICT WITH ANY FEDERAL OR STATE LAWS OR REGULATIONS RELATING TO PARTICIPATION IN PARTISAN POLITICAL ACTIVITIES.~~

~~(3) A STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY REGULATORY OR STATUTORY ENFORCEMENT ACTIVITIES WHILE ENGAGED IN THE PERFORMANCE OF DUTIES AS A MEMBER OF THE CORPS PROGRAM.~~

~~8–1933.~~

~~(A) THE TRUST SHALL PROVIDE TECHNICAL ASSISTANCE TO QUALIFIED ORGANIZATIONS THAT REQUEST ASSISTANCE.~~

~~(B) THE TRUST SHALL CONVENE MARYLAND CLIMATE JUSTICE CORPS PROGRAM PARTICIPANTS ON A REGULAR BASIS IN ORDER TO:~~

~~(1) PROMOTE TEAM BUILDING AMONG THE PARTICIPANTS;~~

~~(2) DEVELOP AN UNDERSTANDING OF THE OVERALL CORPS PROGRAM PURPOSE;~~

~~(3) SHARE INFORMATION ABOUT BEST PRACTICES;~~

~~(4) RECOGNIZE EXCELLENCE; AND~~

~~(5) PROVIDE TRAINING AND OTHER LEARNING OPPORTUNITIES.~~

~~(C) IN PROVIDING TRAINING AND TECHNICAL ASSISTANCE, THE TRUST MAY CONTRACT WITH AN ORGANIZATION WITH A PROVEN TRACK RECORD OF DEVELOPING AND SUSTAINING CORPS PROGRAMS, WORKING WITH THE CONSERVATION CORPS MODEL, AND ENGAGING YOUNG PEOPLE FROM DISADVANTAGED BACKGROUNDS.~~

~~8–1934.~~

~~(A) THE CORPS PROGRAM'S PROJECTS AND ACTIVITIES SHALL MEET AN IDENTIFIABLE PUBLIC NEED WITHIN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE, WITH SPECIFIC EMPHASIS ON PROJECTS THAT RESULT IN LONG–TERM REDUCTIONS TO GREENHOUSE GAS EMISSIONS AND IMPROVEMENTS TO PUBLIC HEALTH AND THE ENVIRONMENT.~~

~~(B) CLIMATE MITIGATION PROJECTS MAY INCLUDE:~~

~~(1) PROJECTS TO EXPAND URBAN TREE CANOPY, IMPLEMENT GREEN ROOFTOPS, AND TAKE OTHER ACTIONS TO REDUCE URBAN HEAT ISLAND EFFECTS; AND~~

~~(2) PROJECTS TO IMPROVE ACCESS TO CLEAN, RELIABLE TRANSPORTATION, INCLUDING THROUGH THE EXPANSION OF BIKE TRAILS AND PEDESTRIAN WALKWAYS.~~

~~(C) CLEAN ENERGY PROJECTS MAY INCLUDE:~~

~~(1) PROJECTS TO INSTALL RENEWABLE ENERGY SYSTEMS AT LOW–INCOME HOUSEHOLDS AND SCHOOLS, LIBRARIES, AND OTHER PUBLIC BUILDINGS; AND~~

~~(2) PROJECTS TO UNDERTAKE HOLISTIC RETROFITS OF LOW–INCOME HOUSEHOLDS, INCLUDING WEATHERIZATION AND HEAT PUMP INSTALLATION.~~

~~8–1935.~~

~~THE TRUST AND THE CORPS BOARD SHALL SEEK FEDERAL FUNDS AND GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR THE PURPOSE OF LONG–TERM FUNDING OF THE CORPS PROGRAM.~~

~~8–1936.~~

~~COLLEGES AND UNIVERSITIES MAY:~~

~~(1) CONTRACT WITH THE TRUST TO CARRY OUT CORPS PROGRAM WORK;~~

~~(2) ASSIGN TO THE TRUST RESOURCES TO ASSIST IN ITS CORPS PROGRAM WORK, DEVELOPMENT, AND ACTIVITIES; AND~~

~~(3) ASSIGN FACULTY AND STAFF TO THE TRUST FOR THE PURPOSE OF CARRYING OUT OR ASSISTING WITH CORPS PROGRAMS.~~

~~8–1937.~~

~~(A) IN DEVELOPING ITS PROGRAMS AND SEEKING FEDERAL AND STATE GRANTS, THE TRUST AND THE CORPS BOARD SHALL:~~

~~(1) COORDINATE ALL EFFORTS WITH THE MARYLAND CONSERVATION CORPS ESTABLISHED IN TITLE 5, SUBTITLE 2 OF THIS ARTICLE TO ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;~~

~~(2) COORDINATE ALL EFFORTS WITH THE CIVIC JUSTICE CORPS, AN ADJUNCT PROGRAM OF THE MARYLAND CONSERVATION CORPS, TO ENGAGE YOUTH IN CONSERVATION SERVICE PROJECTS; AND~~

~~(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND PRIVATE SOURCES.~~

~~(B) IN DEVELOPING CLEAN ENERGY INFRASTRUCTURE AND EDUCATIONAL PROGRAMS, THE TRUST AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH THE MARYLAND CLEAN ENERGY CENTER UNDER TITLE 10, SUBTITLE 8 OF THE ECONOMIC DEVELOPMENT ARTICLE.~~

~~(C) IN DEVELOPING ITS VOLUNTEER PROGRAMS, THE TRUST AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH:~~

~~(1) THE MARYLAND SERVICE CORPS AND THE GOVERNOR'S OFFICE ON SERVICE AND VOLUNTEERISM UNDER TITLE 9.5, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;~~

~~(2) THE DEPARTMENT OF COMMERCE AND OTHER APPROPRIATE UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND~~

~~(3) MORGAN STATE UNIVERSITY AND OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, TO DEVELOP OPPORTUNITIES FOR COURSE CREDIT ARRANGEMENTS THROUGH WHICH STUDENTS MAY EARN COURSE CREDITS FOR PARTICIPATION IN CORPS PROGRAMS AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND.~~

~~8–1938.~~

~~(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE TRUST, IN CONSULTATION WITH THE CORPS BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.~~

~~(B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL STATEMENT COVERING THE OPERATIONS OF THE CORPS BOARD AND A SUMMARY OF THE ACTIVITIES OF THE CORPS BOARD DURING THE PRECEDING FISCAL YEAR.~~

Article – Public Safety

12–501.

(a) In this subtitle the following words have the meanings indicated.

(b) "Building" has the meaning stated in the International Building Code.

(c) "Department" means the Maryland Department of Labor.

(d) (1) "International Building Code" means the first printing of the most recent edition of the International Building Code issued by the International Code Council.

(2) "International Building Code" does not include interim amendments or subsequent printings of the most recent edition of the International Building Code.

(e) (1) "International Energy Conservation Code" means the first printing of the most recent edition of the International Energy Conservation Code issued by the International Code Council.

(2) "International Energy Conservation Code" does not include interim amendments or subsequent printings of the most recent edition of the International Energy Conservation Code.

(f) (1) "International Green Construction Code" means the first printing of the most recent edition of the International Green Construction Code issued by the International Code Council.

(2) "International Green Construction Code" does not include interim amendments or subsequent printings of the most recent edition of the International Green Construction Code.

(g) "Local jurisdiction" means the county or municipal corporation that is responsible for implementation and enforcement of the Standards under this subtitle.

(h) "Standards" means the Maryland Building Performance Standards.

(i) "Structure" has the meaning stated in the International Building Code.

12–503.

(a) (1) The Department shall adopt by regulation, as the Maryland Building Performance Standards, the International Building Code, including the International Energy Conservation Code, with the modifications incorporated by the Department under subsection (b) of this section.

(2) The Department shall adopt each subsequent version of the Standards within 18 months after it is issued.

(b) (1) Before adopting each version of the Standards, the Department shall:

(i) review the International Building Code to determine whether modifications should be incorporated in the Standards;

(ii) consider changes to the International Building Code to enhance energy conservation and efficiency;

(iii) subject to the provisions of paragraph (2)(ii) of this subsection, adopt modifications to the Standards that allow any innovative approach, design, equipment, or method of construction that can be demonstrated to offer performance that is at least the equivalent to the requirements of:

1. the International Energy Conservation Code;

2. Chapter 13, "Energy Efficiency", of the International Building Code; or

3. Chapter 11, "Energy Efficiency", of the International Residential Code;

(iv) accept written comments;

(v) consider any comments received; and

(vi) hold a public hearing on each proposed modification.

(2) (i) Except as provided in subparagraph (ii) of this paragraph and § 12–510 of this subtitle, the Department may not adopt, as part of the Standards, a modification of a building code requirement that is more stringent than the requirement in the International Building Code.

(ii) The Department may adopt energy conservation requirements that are more stringent than the requirements in the International Energy Conservation

Code, but may not adopt energy conservation requirements that are less stringent than the requirements in the International Energy Conservation Code.

~~*(3) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT SHALL ADOPT, AS PART OF THE STANDARDS, A REQUIREMENT THAT NEW BUILDINGS BE PROVIDED WITH SUFFICIENT ELECTRICAL CAPACITY AND INFRASTRUCTURE, INCLUDING CIRCUITS, RACEWAYS, RECEPTACLES, AND JUNCTION BOXES, TO SUPPORT THE REPLACEMENT OF INSTALLED FOSSIL–FUEL APPLIANCES AND EQUIPMENT WITHOUT REQUIRING DESTRUCTIVE MODIFICATIONS TO THE BUILDING INTERIOR OR EXTERIOR TO COMPLETE THE NECESSARY ELECTRICAL WORK FOR THE INSTALLATION.*~~

~~**(3) (I) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT SHALL ADOPT, AS PART OF THE STANDARDS:**~~

~~**1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A REQUIREMENT THAT NEW BUILDINGS MEET ALL WATER AND SPACE HEATING DEMAND WITHOUT THE USE OF FOSSIL FUELS; AND**~~

~~**2. ELECTRIC–READY STANDARDS TO ENSURE THAT NEW BUILDINGS ARE READY FOR:**~~

~~**A. THE INSTALLATION OF SOLAR ENERGY SYSTEMS;**~~

~~**B. THE INSTALLATION OF ELECTRIC VEHICLE CHARGING EQUIPMENT; AND**~~

~~**C. BUILDING–GRID INTERACTION.**~~

~~**(II) 1. A LOCAL JURISDICTION MAY GRANT A VARIANCE FROM THE REQUIREMENTS OF SUBPARAGRAPH (I)1 OF THIS PARAGRAPH FOR A BUILDING ONLY IF THE LOCAL JURISDICTION DETERMINES, IN ACCORDANCE WITH A COST–EFFECTIVENESS TEST DEVELOPED BY THE DEPARTMENT, THAT THE INCREMENTAL COST OF CONSTRUCTING THE BUILDING TO COMPLY WITH THE REQUIREMENTS WOULD BE GREATER THAN THE SOCIAL COST OF THE GREENHOUSE GASES THAT WOULD BE REDUCED BY COMPLYING WITH THE REQUIREMENTS.**~~

~~**2. THE COST–EFFECTIVENESS TEST DEVELOPED BY THE DEPARTMENT UNDER THIS SUBPARAGRAPH SHALL:**~~

~~**A. FOR THE PURPOSE OF CALCULATING THE SOCIAL COST OF GREENHOUSE GASES, USE EITHER THE RATE ADOPTED BY THE DEPARTMENT OF THE ENVIRONMENT OR THE RATE ADOPTED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, WHICHEVER IS GREATER; AND**~~

~~**B. ACCOUNT FOR PROJECTED UTILITY COST RATES AND EMISSIONS RATES BASED ON THE MOST RECENT FINAL GREENHOUSE GAS EMISSIONS REDUCTION PLAN ADOPTED UNDER § 2–1205 OF THE ENVIRONMENT ARTICLE.**~~

~~**3. A BUILDING THAT RECEIVES A VARIANCE IN ACCORDANCE WITH THE COST–EFFECTIVENESS TEST DEVELOPED UNDER THIS SUBPARAGRAPH SHALL STILL BE REQUIRED TO COMPLY WITH ELECTRIC–READY STANDARDS ADOPTED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH.**~~

(c) The Standards apply to each building or structure in the State for which a building permit application is received by a local jurisdiction on or after August 1, 1995.

(d) In addition to the Standards, the Department **[**may**]** **SHALL:**

(1) ON OR BEFORE JANUARY 1, 2023, adopt by regulation the **2018** International Green Construction Code**; AND**

(2) ADOPT EACH SUBSEQUENT VERSION OF THE CODE WITHIN 18 MONTHS AFTER IT IS ISSUED.

12–505.

(a) (1) (i) Each local jurisdiction shall implement and enforce the most current version of the Standards and any local amendments to the Standards.

(ii) Any modification of the Standards adopted by the State after December 31, 2009, shall be implemented and enforced by a local jurisdiction no later than 12 months after the modifications are adopted by the State.

Article – Public Utilities

7–211.

(g) (1) Except as provided in subsection (e) of this section, on or before December 31, 2008, by regulation or order, the Commission shall:

(i) to the extent that the Commission determines that cost–effective energy efficiency and conservation programs and services are available, for each affected class, require each electric company to procure or provide for its electricity customers cost–effective energy efficiency and conservation programs and services with projected and verifiable electricity savings that are designed to achieve a targeted reduction of at least 5% by the end of 2011 and 10% by the end of 2015 of per capita electricity consumed in the electric company's service territory during 2007; and

(ii) require each electric company to implement a cost–effective demand response program in the electric company's service territory that is designed to achieve a targeted reduction of at least 5% by the end of 2011, 10% by the end of 2013, and 15% by the end of 2015, in per capita peak demand of electricity consumed in the electric company's service territory during 2007.

(2) (i) Except as provided in subsection (e) of this section, for the duration of the **[**2018–2020 and**]** 2021–2023 **AND 2024–2026** program cycles, by regulation or order, the Commission shall, to the extent that the Commission determines that cost–effective energy efficiency and conservation programs and services are available, for each affected class, require each electric company to procure or provide for its electricity customers cost–effective energy efficiency and conservation programs and services with projected and verifiable electricity savings that are designed on a trajectory to achieve a targeted annual incremental gross energy savings of at least **[**2.0% per year, calculated as a percentage of the electric company's 2016 weather–normalized gross retail sales and electricity losses**] THE FOLLOWING ANNUAL PERCENTAGES, CALCULATED AS A PERCENTAGE OF THE ELECTRIC COMPANY'S 2016 WEATHER–NORMALIZED GROSS RETAIL SALES AND ELECTRICITY LOSSES:**

1. ~~2.25%~~ *2.0%* PER YEAR IN *2022 THROUGH* 2024 ~~AND 2025~~;

2. ~~2.5%~~ *2.25% PER YEAR* IN *2025 AND* 2026; AND

3. ~~2.75%~~ *2.5%* PER YEAR IN 2027 AND THEREAFTER.

(ii) The savings trajectory shall use the approved 2016 plans submitted under subsection (h)(2) of this section as a baseline for an incremental increase of a rate of.20% per year until the minimum **[**2.0% per year**]** savings rate **SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH** is achieved.

(iii) The gross retail sales against which the savings are measured shall:

1. reflect sales associated with customer classes served by utility–administered programs only; and

2. be updated by the Commission for each plan submitted under subsection (h)(2) of this section.

(iv) The targeted annual incremental gross energy savings shall be achieved based on the 3–year average of an electric company's plan submitted under subsection (h)(2) of this section.

(V) FOR 2025 AND THEREAFTER, THE CORE OBJECTIVE OF THE TARGETED REDUCTIONS UNDER THIS SECTION SHALL INCLUDE DEVELOPMENT AND IMPLEMENTATION OF A PORTFOLIO OF MUTUALLY REINFORCING GOALS, INCLUDING GREENHOUSE GAS EMISSIONS REDUCTION, ENERGY SAVINGS, NET CUSTOMER BENEFITS, AND REACHING UNDERSERVED CUSTOMERS.

7–217.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ELECTRIC SCHOOL BUS" MEANS A SCHOOL BUS THAT IS POWERED EXCLUSIVELY BY AN ELECTRIC MOTOR THAT DRAWS ITS CURRENT FROM RECHARGEABLE STORAGE BATTERIES THAT ARE RECHARGED WITH ELECTRICITY FROM AN ELECTRIC VEHICLE CHARGING STATION.

(3) "ELECTRIC SCHOOL BUS PILOT PROGRAM" MEANS A PILOT PROGRAM CONDUCTED BY AN INVESTOR–OWNED ELECTRIC COMPANY UNDER THIS SECTION.

(4) "INCREMENTAL ADMINISTRATIVE AND OPERATING COSTS" MEANS THE AMOUNT BY WHICH THE COST OF ADMINISTERING AND OPERATING AN ELECTRIC SCHOOL BUS PROGRAM EXCEEDS THE COST OF ADMINISTERING AND OPERATING A DIESEL SCHOOL BUS PROGRAM.

(5) "INCREMENTAL COSTS OF PURCHASING AND DEPLOYING ELECTRIC SCHOOL BUSES" MEANS THE AMOUNT BY WHICH THE COSTS OF PURCHASING AND DEPLOYING ELECTRIC SCHOOL BUSES EXCEED THE COSTS OF PURCHASING AND DEPLOYING DIESEL SCHOOL BUSES.

(6) "INTERCONNECTION EQUIPMENT" MEANS A GROUP OF COMPONENTS OR AN INTEGRATED SYSTEM THAT CONNECTS AN ELECTRIC VEHICLE CHARGING STATION WITH THE DISTRIBUTION SYSTEM OF AN INVESTOR–OWNED ELECTRIC COMPANY.

(7) "INTERCONNECTION FACILITIES" MEANS FACILITIES REQUIRED BY AN INVESTOR–OWNED ELECTRIC COMPANY TO ACCOMMODATE THE INTERCONNECTION OF AN ELECTRIC VEHICLE CHARGING STATION.

(8) "PARTICIPATING SCHOOL SYSTEM" MEANS A SCHOOL SYSTEM LOCATED WITHIN AN INVESTOR–OWNED ELECTRIC COMPANY'S SERVICE TERRITORY THAT:

(I) PARTICIPATES IN AN ELECTRIC SCHOOL BUS PILOT PROGRAM UNDER AN AGREEMENT BETWEEN ITS SCHOOL BOARD AND AN INVESTOR–OWNED ELECTRIC COMPANY; AND

(II) OWNS ITS SCHOOL BUSES OR CONTRACTS WITH ANOTHER ENTITY FOR SCHOOL BUS SERVICES.

(9) "PROGRAM COSTS" MEANS:

(I) ANY COSTS TO DEPLOY APPROPRIATE ELECTRIC SCHOOL BUS CHARGING INFRASTRUCTURE THAT ARE INCURRED BY AN INVESTOR–OWNED ELECTRIC COMPANY IN IMPLEMENTING AN ELECTRIC SCHOOL BUS PILOT PROGRAM; AND

(II) REBATES PAID TO A PARTICIPATING SCHOOL SYSTEM.

(10) "REBATE" MEANS AN INCENTIVE PROVIDED BY AN INVESTOR–OWNED ELECTRIC COMPANY TO A PARTICIPATING SCHOOL SYSTEM THAT IS EQUAL TO:

(I) THE DEMONSTRABLE INCREMENTAL COSTS OF PURCHASING AND DEPLOYING ELECTRIC SCHOOL BUSES TO PARTICIPATING SCHOOL SYSTEMS; AND

(II) THE INCREMENTAL ADMINISTRATIVE AND OPERATING COSTS INCURRED BY A PARTICIPATING SCHOOL SYSTEM IN IMPLEMENTING ITS ELECTRIC SCHOOL BUS PILOT PROGRAM.

(B) (1) THERE IS AN ELECTRIC SCHOOL BUS PILOT PROGRAM.

(2) THE ELECTRIC SCHOOL BUS PILOT PROGRAM SHALL BE IMPLEMENTED AND ADMINISTERED BY THE COMMISSION AND SHALL OPERATE AS PROVIDED IN THIS SECTION.

(C) AN INVESTOR–OWNED ELECTRIC COMPANY MAY APPLY TO THE COMMISSION TO IMPLEMENT AN ELECTRIC SCHOOL BUS PILOT PROGRAM IF THE PILOT PROGRAM IS STRUCTURED TO:

(1) COMMENCE ON OR BEFORE OCTOBER 1, 2024;

(2) PROVIDE FOR THE DEPLOYMENT OF NOT FEWER THAN 25 ELECTRIC SCHOOL BUSES;

(3) PROVIDE FOR ELECTRIC SCHOOL BUS REBATES TO PARTICIPATING SCHOOL SYSTEMS;

(4) LIMIT TOTAL REBATES TO $50,000,000;

(5) ALLOW THE INVESTOR–OWNED ELECTRIC COMPANY TO USE THE STORAGE BATTERIES OF THE ELECTRIC SCHOOL BUSES TO ACCESS THE STORED ELECTRICITY THROUGH VEHICLE–TO–GRID TECHNOLOGY:

(I) EXCEPT AS PROVIDED IN ITEM (6) OF THIS SUBSECTION, WITHOUT ADDITIONAL COMPENSATION TO THE SCHOOL SYSTEM FOR THE ELECTRICITY; AND

(II) AT TIMES WHEN THE PARTICIPATING SCHOOL SYSTEM DETERMINES THAT THE SCHOOL BUSES ARE NOT NEEDED TO TRANSPORT STUDENTS;

(6) ENSURE THAT IF THE INVESTOR–OWNED UTILITY USES ELECTRICITY THAT A PARTICIPATING SCHOOL SYSTEM PROVIDES TO CHARGE AN ELECTRIC SCHOOL BUS BATTERY, THE INVESTOR–OWNED UTILITY REPLACES THAT ELECTRICITY AT NO COST TO THE PARTICIPATING SCHOOL SYSTEM;

(7) PROVIDE FOR THE SELECTION OF SCHOOL SYSTEMS THAT APPLY TO PARTICIPATE IN THE PILOT PROGRAM ON THE BASIS OF APPROPRIATE FACTORS DETERMINED BY THE INVESTOR–OWNED ELECTRIC COMPANY WITH THE APPROVAL OF THE COMMISSION, INCLUDING THE LOCATIONAL BENEFITS THAT THE STORAGE BATTERIES OF SCHOOL BUSES MAY BRING TO THE INVESTOR–OWNED ELECTRIC COMPANY;

(8) CONSIDER, IN DETERMINING THE APPROPRIATE FACTORS UNDER ITEM (7) OF THIS SUBSECTION, THE HEALTH AND ECONOMIC EFFECTS ON LOW–INCOME AND MINORITY COMMUNITIES;

(9) PROVIDE AND INSTALL THE INTERCONNECTION EQUIPMENT AND INTERCONNECTION FACILITIES FOR ELECTRIC VEHICLE CHARGING STATIONS ~~AND TRAIN SCHOOL PERSONNEL IN THE PROPER USE OF THE EQUIPMENT AND FACILITIES~~;

(10) ~~EQUIP~~ ENSURE EACH ELECTRIC SCHOOL BUS IS EQUIPPED WITH LAP AND SHOULDER BELTS IN ACCORDANCE WITH RECOMMENDATIONS FROM THE NATIONAL TRANSPORTATION SAFETY BOARD; AND

(11) ~~***PROVIDE***~~ ***ENSURE THE SCHOOL BOARD IS PROVIDED WITH ADEQUATE TRAINING AND EXPERTISE TO OPERATE ABLY ELECTRIC SCHOOL BUSES, ELECTRIC VEHICLE CHARGING STATIONS, AND ASSOCIATED INFRASTRUCTURE.***

(D) A PARTICIPATING SCHOOL SYSTEM SHALL:

(1) WHEN DEPLOYING ELECTRIC SCHOOL BUSES, CONSIDER CRITERIA THAT BENEFIT STUDENTS WHO ARE ELIGIBLE FOR FREE AND REDUCED PRICE MEALS; AND

(2) BEFORE THE DELIVERY OF ELECTRIC SCHOOL BUSES, DEVELOP A PLAN FOR TRAINING AND RETAINING ANY SCHOOL SYSTEM EMPLOYEE AFFECTED BY THE ELECTRIC SCHOOL BUS PILOT PROGRAM.

(E) ~~***(1)***~~ ***SUBJECT TO THE COMMISSION'S APPROVAL, AN INVESTOR–OWNED ELECTRIC COMPANY MAY RECOVER ALL REASONABLE AND PRUDENT PROGRAM COSTS INCURRED UNDER AN ELECTRIC SCHOOL BUS PILOT PROGRAM THROUGH A*** ~~***RATE APPLICATION TO BE***~~ ***MECHANISM THAT IS REVIEWED AND APPROVED BY THE COMMISSION.***

~~***(2) A RATE APPLICATION UNDER THIS SUBSECTION SHALL INCLUDE CONFORMING CHANGES TO THE PARTICIPATING INVESTOR–OWNED ELECTRIC COMPANY'S APPLICABLE RATE SCHEDULES.***~~

~~***(3) SUBJECT TO THE COMMISSION'S APPROVAL, THE ELECTRIC SCHOOL BUS PILOT PROGRAM SHALL BECOME A REGULAR RATE SCHEDULE OF THE PARTICIPATING INVESTOR–OWNED ELECTRIC COMPANY.***~~

(F) SUBJECT TO THE COMMISSION'S APPROVAL, AN INVESTOR–OWNED ELECTRIC COMPANY MAY ESTABLISH A PILOT TARIFF OR RATE TO PROVIDE SERVICE TO AN ELECTRIC SCHOOL BUS.

(G) AN INVESTOR–OWNED ELECTRIC COMPANY THAT APPLIES TO IMPLEMENT AN ELECTRIC SCHOOL BUS PILOT PROGRAM SHALL PROVIDE TO THE COMMISSION ANY INFORMATION, DATA, AND ANALYSIS THAT THE COMMISSION REQUIRES.

(H) THE COMMISSION SHALL APPROVE, DENY, OR APPROVE WITH MODIFICATIONS AN INVESTOR–OWNED ELECTRIC COMPANY'S APPLICATION TO IMPLEMENT AN ELECTRIC SCHOOL BUS PILOT PROGRAM.

(I) (1) AN INVESTOR–OWNED ELECTRIC COMPANY THAT ESTABLISHES AN ELECTRIC SCHOOL BUS PILOT PROGRAM AUTHORIZED BY THIS SECTION SHALL, IN CONSULTATION WITH EACH PARTICIPATING SCHOOL SYSTEM, BY FEBRUARY 1, 2025,

AND EACH YEAR THEREAFTER FOR THE DURATION OF THE PILOT PROGRAM, REPORT ON THE STATUS OF THE PILOT PROGRAM TO THE GOVERNOR, THE COMMISSION, AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE ECONOMIC MATTERS COMMITTEE AND THE SENATE FINANCE COMMITTEE.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) AN EVALUATION OF THE ENVIRONMENTAL AND HEALTH BENEFITS OF THE PILOT PROGRAM; AND

(II) THE FINANCIAL COSTS AND BENEFITS OF IMPLEMENTING THE PILOT PROGRAM TO THE PARTICIPATING SCHOOL SYSTEM AND THE INVESTOR–OWNED UTILITY, INCLUDING:

1. THE DEPLOYMENT, OPERATION, AND MAINTENANCE OF THE ELECTRIC SCHOOL BUSES; AND

2. THE USE OF VEHICLE–TO–GRID TECHNOLOGY.

(J) THE INITIAL DURATION OF AN ELECTRIC SCHOOL BUS PILOT PROGRAM SHALL BE AT LEAST 3 YEARS AND MAY NOT EXCEED 5 YEARS.

(K) ON THE REQUEST OF AN INVESTOR–OWNED ELECTRIC COMPANY, THE COMMISSION MAY AUTHORIZE AN EXPANSION OF THE SCOPE, DEPLOYMENT, PROGRAM COSTS, AND DURATION OF THE ELECTRIC SCHOOL BUS PILOT PROGRAM.

SUBTITLE 8. ELECTRIC DISTRIBUTION SYSTEM PLANNING.

7–801.

IT IS THE GOAL OF THE STATE THAT THE ELECTRIC DISTRIBUTION SYSTEM SUPPORT, IN A COST–EFFECTIVE MANNER, THE STATE'S POLICY GOALS WITH REGARD TO:

(1) GREENHOUSE GAS REDUCTION;

(2) RENEWABLE ENERGY;

(3) DECREASING DEPENDENCE ON ELECTRICITY IMPORTED FROM OTHER STATES; AND

(4) ACHIEVING ENERGY DISTRIBUTION RESILIENCY, EFFICIENCY, AND RELIABILITY.

7–802.

ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY WITH INFORMATION REGARDING THE CURRENT STATUS OF ELECTRIC DISTRIBUTION SYSTEM EVOLUTION, INCLUDING INFORMATION ON ELECTRIC DISTRIBUTION SYSTEM PLANNING PROCESSES AND IMPLEMENTATION THAT PROMOTE, AS SPECIFIC GOALS, THE FOLLOWING:

(1) MEASURES TO DECREASE GREENHOUSE GAS EMISSIONS INCIDENT TO ELECTRIC DISTRIBUTION, INCLUDING HIGH LEVELS OF DISTRIBUTED ENERGY RESOURCES AND ELECTRIC VEHICLES;

(2) GIVING PRIORITY TO VULNERABLE COMMUNITIES IN THE DEVELOPMENT OF DISTRIBUTED ENERGY RESOURCES AND ELECTRIC VEHICLE INFRASTRUCTURE;

(3) ENERGY EFFICIENCY;

(4) MEETING ANTICIPATED INCREASES IN LOAD;

(5) INCORPORATION OF ENERGY STORAGE TECHNOLOGY AS APPROPRIATE AND PRUDENT TO:

(I) SUPPORT EFFICIENCY AND RELIABILITY OF THE ELECTRIC DISTRIBUTION SYSTEM; AND

(II) PROVIDE ADDITIONAL CAPACITY TO ACCOMMODATE INCREASED DISTRIBUTED RENEWABLE ELECTRICITY GENERATION IN CONNECTION WITH ELECTRIC DISTRIBUTION SYSTEM MODERNIZATION;

(6) EFFICIENT MANAGEMENT OF LOAD VARIABILITY;

(7) ELECTRIC DISTRIBUTION SYSTEM RESILIENCY AND RELIABILITY;

(8) BIDIRECTIONAL POWER FLOWS;

(9) DEMAND RESPONSE AND OTHER NONWIRE AND NONCAPITAL ALTERNATIVES;

(10) INCREASED USE OF DISTRIBUTED ENERGY RESOURCES, INCLUDING ELECTRIC VEHICLES;

(11) TRANSPARENT STAKEHOLDER PARTICIPATION IN ONGOING ELECTRIC DISTRIBUTION SYSTEM PLANNING PROCESSES; AND

(12) ANY OTHER ISSUES THE COMMISSION CONSIDERS APPROPRIATE.

7–803.

(A) THE GENERAL ASSEMBLY STRONGLY ENCOURAGES THE ELECTRIC COMPANIES OF THE STATE TO PURSUE DILIGENTLY FEDERAL FUNDS TO MEET THE STATE'S POLICY GOALS FOR THE ELECTRIC DISTRIBUTION SYSTEM, INCLUDING FUNDS MADE AVAILABLE UNDER §§ 40101, 40103, AND 40107 OF THE FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT.

(B) THE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION SHALL PROVIDE ASSISTANCE AND SUPPORT TO ELECTRIC COMPANIES FOR APPLYING FOR AND OBTAINING ACCESS TO FEDERAL AND OTHER AVAILABLE FUNDS TO MEET THE STATE'S POLICY GOALS FOR THE ELECTRIC DISTRIBUTION SYSTEM.

(C) THE MARYLAND ENERGY ADMINISTRATION SHALL IDENTIFY FUNDING SOURCES THAT MAY BE AVAILABLE TO ELECTRIC COMPANIES TO IMPLEMENT THE STATE'S POLICY GOALS UNDER § 7–802 OF THIS SUBTITLE, INCLUDING FUNDING FOR:

(1) INCREASING THE EFFICIENCY OF ELECTRIC DISTRIBUTION SYSTEMS, INCLUDING THROUGH INSTALLATION AND INTEGRATION OF ENERGY STORAGE DEVICES AND OPERATIONAL CHANGES AND UPGRADES;

(2) GRID–HARDENING ACTIVITIES TO REDUCE THE OCCURRENCE OF OR CONSEQUENCES OF EVENTS THAT DISRUPT OPERATIONS OF THE ELECTRIC DISTRIBUTION SYSTEM DUE TO EXTREME WEATHER OR NATURAL DISASTERS;

(3) OTHER DISTRIBUTION SYSTEM–RELATED UPGRADE ACTIVITIES AVAILABLE FOR FUNDING UNDER § 40101, § 40103, OR § 40107 OF THE FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT; AND

(4) OTHER SPECIFIC ACTIVITIES THAT THE COMMISSION IDENTIFIES.

(D) AS NEEDED TO PROMOTE THE STATE'S POLICY GOALS UNDER § 7–802 OF THIS SUBTITLE, THE COMMISSION:

(1) SHALL REQUIRE EACH ELECTRIC COMPANY TO REPORT TO THE COMMISSION AND THE MARYLAND ENERGY ADMINISTRATION ON:

(I) THE FUNDING FOR WHICH THE ELECTRIC COMPANY HAS APPLIED;

(II) THE PURPOSES FOR WHICH THE FUNDING IS INTENDED TO BE USED;

(III) THE STATUS OF THE FUNDING APPLICATIONS; AND

(IV) CONDITIONS THAT MUST BE MET TO OBTAIN THE FUNDING; AND

(2) MAY ADOPT REGULATIONS OR ISSUE ORDERS THAT REQUIRE ELECTRIC COMPANIES TO APPLY FOR FEDERAL AND OTHER AVAILABLE FUNDS IN A TIMELY MANNER.

7–804.

ON OR BEFORE JULY 1, 2025, THE COMMISSION SHALL ADOPT REGULATIONS OR ISSUE ORDERS TO IMPLEMENT SPECIFIC POLICIES FOR ELECTRIC DISTRIBUTION SYSTEM PLANNING AND IMPROVEMENTS IN ORDER TO PROMOTE THE STATE'S POLICY GOALS UNDER § 7–802 OF THIS SUBTITLE.

Article – State Finance and Procurement

~~3–602.1.~~

~~(a) (1) In this section the following words have the meanings indicated.~~

~~(2) "High performance building" means a building that:~~

~~(i) 1. A. [meets or exceeds the current] ACHIEVES AT LEAST A SILVER RATING ACCORDING TO THE MOST RECENT version of the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) Green Building Rating System [Silver rating]; OR~~

~~B. 2. IS A SCHOOL OR PUBLIC SAFETY BUILDING THAT ACHIEVES AT LEAST A CERTIFIED RATING ACCORDING TO THE MOST RECENT VERSION OF THE U.S. GREEN BUILDING COUNCIL'S LEED GREEN BUILDING RATING SYSTEM AND, BASED ON THE BUILDING'S LOCATION, ACHIEVES 5 POINTS OR FEWER IN THE COMBINED CREDITS FOR ACCESS TO QUALITY TRANSIT AND SURROUNDING DENSITY AND DIVERSE USES;~~

~~[(ii)]~~ ~~2.~~ ~~Achieves at least a comparable numeric rating according to a nationally recognized, accepted, and appropriate numeric sustainable development rating system, guideline, or standard approved by the Secretaries of Budget and Management and General Services; or~~

~~[(iii)]~~ ~~3.~~ ~~Complies with a nationally recognized and accepted green building code, guideline, or standard reviewed and recommended by the Maryland Green Building Council and approved by the Secretaries of Budget and Management and General Services; AND~~

~~(II)~~ ~~1.~~ ~~MEETS OR EXCEEDS THE CURRENT REQUIREMENTS FOR CERTIFICATION UNDER THE U.S. GREEN BUILDING COUNCIL'S LEED (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) ZERO ENERGY PROGRAM; OR~~

~~2.~~ ~~ACHIEVES A NET–ZERO ENERGY BALANCE IN ACCORDANCE WITH STANDARDS OR GUIDELINES RECOMMENDED BY THE MARYLAND GREEN BUILDING COUNCIL AND APPROVED BY THE SECRETARY OF BUDGET AND MANAGEMENT AND THE SECRETARY OF GENERAL SERVICES.~~

~~(3)~~ ~~"Major renovation" means the renovation of a building where:~~

~~(i)~~ ~~the building shell is to be reused for the new construction;~~

~~(ii)~~ ~~the heating, ventilating, and air conditioning (HVAC), electrical, and plumbing systems are to be replaced; and~~

~~(iii)~~ ~~the scope of the renovation is 7,500 square feet or greater.~~

~~(b)~~ ~~It is the intent of the General Assembly that, to the extent practicable:~~

~~(1)~~ ~~the State shall employ green building technologies when constructing or renovating a State building not subject to this section; and~~

~~(2)~~ ~~high performance buildings shall meet the criteria and standards established under the "High Performance Green Building Program" adopted by the Maryland Green Building Council.~~

~~(c)~~ ~~(1)~~ ~~This subsection applies to:~~

~~(i)~~ ~~capital projects [that are funded solely] FOR WHICH AT LEAST 25% OF THE PROJECT COSTS ARE FUNDED with State funds; and~~

~~(ii)~~ ~~community college capital projects that receive State funds.~~

~~(2) Except as provided in subsections (d) and (e) of this section, if a capital project includes the construction or major renovation of a building that is 7,500 square feet or greater, the building shall be constructed or renovated to be a high performance building.~~

~~(d) The following types of unoccupied buildings are not required to be constructed or renovated to be high performance buildings:~~

~~(1) warehouse and storage facilities;~~

~~(2) garages;~~

~~(3) maintenance facilities;~~

~~(4) transmitter buildings;~~

~~(5) pumping stations; and~~

~~(6) other similar types of buildings, as determined by the Department.~~

~~(e) (1) The Department of Budget and Management and the Department of General Services shall jointly establish a process to allow a unit of State government or a community college to obtain a waiver from complying with subsection (c) of this section.~~

~~(2) The waiver process shall:~~

~~(i) include a review by the Maryland Green Building Council established under § 4–809 of this article, to determine if the use of a high performance building in a proposed capital project is not practicable; and~~

~~(ii) require the approval of a waiver by the Secretaries of Budget and Management, General Services, and Transportation.~~

~~**3–602.4.**~~

~~**(A) (1) THIS SECTION APPLIES ONLY TO:**~~

~~**(I) A CAPITAL PROJECT THAT IS FUNDED SOLELY WITH STATE FUNDS; AND**~~

~~**(II) SUBJECT TO § 5–312 OF THE EDUCATION ARTICLE, AT LEAST ONE PUBLIC SCHOOL CONSTRUCTION PROJECT IN EACH LOCAL SCHOOL SYSTEM FROM JULY 1, 2023, THROUGH JUNE 30, 2033, INCLUSIVE.**~~

~~**(2) THIS SECTION DOES NOT APPLY TO UNOCCUPIED BUILDINGS THAT ARE NOT REQUIRED TO BE CONSTRUCTED TO BE HIGH PERFORMANCE BUILDINGS UNDER § 3–602.1 OF THIS SUBTITLE.**~~

~~(B) IN ADDITION TO MEETING THE HIGH PERFORMANCE BUILDING REQUIREMENTS ESTABLISHED UNDER § 3–602.1 OF THIS SUBTITLE, IF A PROJECT DESCRIBED IN SUBSECTION (A)(1) OF THIS SECTION INCLUDES THE CONSTRUCTION OF A BUILDING THAT IS 7,500 SQUARE FEET OR GREATER, THE BUILDING SHALL BE CONSTRUCTED TO:~~

~~(1) MEET OR EXCEED THE CURRENT REQUIREMENTS FOR CERTIFICATION UNDER THE U.S. GREEN BUILDING COUNCIL'S LEED (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) ZERO ENERGY PROGRAM; OR~~

~~(2) ACHIEVE A NET–ZERO ENERGY BALANCE IN ACCORDANCE WITH STANDARDS OR GUIDELINES RECOMMENDED BY THE MARYLAND GREEN BUILDING COUNCIL AND APPROVED BY THE SECRETARY OF BUDGET AND MANAGEMENT AND THE SECRETARY OF GENERAL SERVICES.~~

~~(C) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF GENERAL SERVICES SHALL JOINTLY ESTABLISH A PROCESS TO ALLOW A UNIT OF STATE GOVERNMENT TO OBTAIN A WAIVER FROM COMPLYING WITH SUBSECTION (B) OF THIS SECTION.~~

~~(2) THE WAIVER PROCESS SHALL:~~

~~(I) INCLUDE A REVIEW BY THE MARYLAND GREEN BUILDING COUNCIL ESTABLISHED UNDER § 4–809 OF THIS ARTICLE, TO DETERMINE IF THE USE OF A NET–ZERO ENERGY BUILDING IN A PROPOSED CAPITAL PROJECT IS NOT PRACTICABLE; AND~~

~~(II) REQUIRE THE APPROVAL OF A WAIVER BY THE SECRETARY OF BUDGET AND MANAGEMENT, THE SECRETARY OF GENERAL SERVICES, AND THE SECRETARY OF TRANSPORTATION.~~

~~4–809.~~

~~(f) The Maryland Green Building Council shall:~~

~~(1) evaluate current high performance building technologies;~~

~~(2) provide recommendations concerning the most cost–effective green building technologies that the State might consider requiring in the construction of State facilities, including consideration of the additional cost associated with the various technologies;~~

~~(3) provide recommendations concerning how to expand green building in the State;~~

~~(4) develop a list of building types for which green building technologies should not be applied, taking into consideration the operational aspects of facilities evaluated, and the utility of a waiver process where appropriate;~~

~~(5) establish a process for receiving public input; [and]~~

~~[(6) develop guidelines for new public school buildings to achieve the equivalent of the current version of the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) Green Building Rating System Silver rating or a comparable rating system or building code as authorized in § 3–602.1 of this article without requiring an independent certification that the buildings have achieved the required standards.]~~

~~**(6) ENSURE THAT STATE BUILDINGS, PUBLIC SCHOOLS, AND COMMUNITY COLLEGES THAT ARE REQUIRED TO MEET THE HIGH PERFORMANCE BUILDING REQUIREMENTS UNDER § 3–602.1 OF THIS ARTICLE OR § 5–312 OF THE EDUCATION ARTICLE MEET THOSE REQUIREMENTS; AND**~~

~~**(7) DEVELOP GUIDELINES FOR EVALUATING THE ENERGY BALANCE AND ACHIEVING A NET–ZERO ENERGY BALANCE IN BUILDINGS SUBJECT TO § 3–602.1 § 3–602.4 OF THIS ARTICLE.**~~

4–810.

~~**(A) IN THIS SECTION, "LOW–CARBON RENEWABLE ENERGY SOURCE" MEANS:**~~

~~**(1) SOLAR ENERGY, INCLUDING ENERGY FROM PHOTOVOLTAIC TECHNOLOGIES AND SOLAR WATER HEATING SYSTEMS;**~~

~~**(2) WIND;**~~

~~**(3) GEOTHERMAL, INCLUDING ENERGY GENERATED THROUGH GEOTHERMAL EXCHANGE FROM OR THERMAL ENERGY AVOIDED BY, GROUNDWATER OR A SHALLOW GROUND SOURCE;**~~

~~**(4) OCEAN, INCLUDING ENERGY FROM WAVES, TIDES, CURRENTS, AND THERMAL DIFFERENCES; AND**~~

~~**(5) HYDROELECTRIC POWER OTHER THAN PUMP STORAGE GENERATION.**~~

~~(B)~~ **ON OR BEFORE JANUARY 1, 2030, EACH PRIMARY PROCUREMENT UNIT SHALL ENSURE THAT AT LEAST 75% OF THE ELECTRICITY SUPPLY PROCURED BY THE UNIT FOR USE IN STATE FACILITIES IS DERIVED FROM *NO– OR* LOW–CARBON ~~RENEWABLE~~ ENERGY SOURCES.**

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

144. the Health Equity Resource Community Reserve Fund; **[**and**]**

145. the Access to Counsel in Evictions Special Fund**;** ***AND***

146. ~~**THE NET–ZERO SCHOOL GRANT FUND; AND**~~

~~**147.**~~ **THE CLIMATE CATALYTIC CAPITAL FUND**.

14–418.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HYBRID VEHICLE" MEANS AN AUTOMOBILE THAT CAN DRAW PROPULSION ENERGY FROM BOTH OF THE FOLLOWING SOURCES OF STORED ENERGY:

(I) GASOLINE OR DIESEL FUEL; AND

(II) A RECHARGEABLE ENERGY STORAGE SYSTEM.

(3) "LIGHT–DUTY VEHICLE" MEANS A VEHICLE WITH A GROSS WEIGHT OF 8,500 POUNDS OR LESS.

(4) "PASSENGER CAR" HAS THE MEANING STATED IN § 11–144.2 OF THE TRANSPORTATION ARTICLE.

(5) "ZERO–EMISSION VEHICLE" HAS THE MEANING STATED IN § 23–206.4 OF THE TRANSPORTATION ARTICLE.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT *100% OF*:

(1) PASSENGER CARS IN THE STATE VEHICLE FLEET BE ZERO–EMISSION VEHICLES BY ~~2030~~ *2031*; AND

(2) OTHER LIGHT–DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO–EMISSION VEHICLES BY 2036.

(C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES:

(1) THAT HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY FOR THE PROTECTION AND WELFARE OF THE PUBLIC; OR

(2) BY THE DEPARTMENT OF TRANSPORTATION OR THE MARYLAND TRANSIT ADMINISTRATION THAT WILL BE USED TO PROVIDE PARATRANSIT SERVICE.

(D) ~~SUBJECT TO THE AVAILABILITY OF FUNDING, THE~~ ~~THE~~ *~~SUBJECT TO THE AVAILABILITY OF FUNDING, THE~~* *THE* STATE SHALL ENSURE THAT:

(1) (I) IN FISCAL ~~YEAR~~ *YEARS* 2023 *THROUGH 2025, INCLUSIVE*, AT LEAST 25% OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES;

(II) IN FISCAL YEARS ~~2024~~ *2026* AND ~~2025~~ *2027*, AT LEAST ~~40%~~ *50%* OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES;

(III) *BEGINNING* IN FISCAL YEAR ~~2026~~ *2028*, ~~AT LEAST~~ ~~75%~~ *100%* OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES; *AND*

(IV) ~~BEGINNING IN FISCAL YEAR 2027, 100% OF PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES; AND~~

~~(V)~~ BEGINNING IN FISCAL YEAR 2024, ANY PASSENGER CAR PURCHASED FOR THE STATE VEHICLE FLEET THAT IS NOT A ZERO–EMISSION VEHICLE IS A HYBRID VEHICLE; AND

(2) (I) IN FISCAL YEARS 2028 THROUGH 2030, INCLUSIVE, AT LEAST 25% OF ALL OTHER LIGHT–DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES;

(II) IN FISCAL YEARS 2031 AND 2032, AT LEAST 50% OF ALL OTHER LIGHT–DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES; AND

(III) BEGINNING IN FISCAL YEAR 2033, 100% OF ALL OTHER LIGHT–DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO–EMISSION VEHICLES.

(E) THE DEPARTMENT *OF GENERAL SERVICES* SHALL ENSURE THE DEVELOPMENT OF CHARGING INFRASTRUCTURE TO SUPPORT THE OPERATION OF ZERO–EMISSION VEHICLES IN THE STATE VEHICLE FLEET.

(F) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE CHIEF PROCUREMENT OFFICER SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL REPORT THAT INCLUDES, FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:

(I) THE TOTAL NUMBER OF PASSENGER CARS AND OTHER LIGHT–DUTY VEHICLES PURCHASED BY EACH UNIT;

(II) THE NUMBER OF ZERO–EMISSION PASSENGER CARS AND OTHER LIGHT–DUTY VEHICLES PURCHASED BY EACH UNIT;

(III) THE CURRENT PERCENTAGE OF PASSENGER CARS AND OTHER LIGHT–DUTY VEHICLES IN THE STATE VEHICLE FLEET THAT ARE ZERO–EMISSION VEHICLES;

(IV) ANY OPERATIONAL SAVINGS ASSOCIATED WITH THE PURCHASE AND OPERATION OF ZERO–EMISSION VEHICLES; AND

(V) AN EVALUATION OF THE CHARGING INFRASTRUCTURE THAT EXISTS TO SUPPORT THE OPERATION OF ZERO–EMISSION VEHICLES IN THE STATE VEHICLE FLEET.

(2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED UNDER THIS SUBSECTION.

Article – State Government

~~9–2010.~~

~~(A) IN THIS SECTION, "FUND" MEANS THE NET–ZERO SCHOOL GRANT FUND.~~

~~(B) THERE IS A NET–ZERO SCHOOL GRANT FUND.~~

~~(C) THE PURPOSE OF THE FUND IS TO ASSIST LOCAL SCHOOL SYSTEMS TO COVER THE COST DIFFERENCE BETWEEN MEETING THE BASIC HIGH PERFORMANCE BUILDING REQUIREMENTS AND THE NET–ZERO ENERGY REQUIREMENTS UNDER § 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(D) THE ADMINISTRATION SHALL ADMINISTER THE FUND.~~

~~(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

~~(F) THE FUND CONSISTS OF:~~

~~(1) ANY FEDERAL MONEY ALLOCATED TO THE STATE FOR THE PURPOSE OF CONSTRUCTING NET–ZERO ENERGY SCHOOL BUILDINGS;~~

~~(2) MONEY ALLOCATED TO THE FUND IN THE STATE BUDGET; AND~~

~~(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.~~

~~(G) (1) THE FUND MAY BE USED ONLY FOR PROVIDING LOCAL SCHOOL SYSTEMS WITH GRANTS OF UP TO $3,000,000 TO COVER THE COST DIFFERENCE BETWEEN MEETING THE HIGH PERFORMANCE BUILDING REQUIREMENTS ESTABLISHED UNDER § 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE NET–ZERO ENERGY REQUIREMENTS UNDER § 3–602.1 § 3–602.4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(2) THE ADMINISTRATION SHALL DEVELOP GUIDELINES AND REPORTING REQUIREMENTS FOR LOCAL SCHOOL SYSTEMS TO RECEIVE GRANTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

~~(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

~~(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.~~

~~(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.~~

~~(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED TO ASSIST LOCAL SCHOOL SYSTEMS WITH SCHOOL CONSTRUCTION COSTS.~~

~~(K) FOR EACH FISCAL YEAR FROM FISCAL YEAR 2024 THROUGH 2032, INCLUSIVE, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $12,000,000 TO THE FUND.~~

~~9–2011.~~ *9–2010.*

(A) IN THIS SECTION, "HUB" MEANS THE CLIMATE TRANSITION AND CLEAN ENERGY HUB.

(B) THERE IS A CLIMATE TRANSITION AND CLEAN ENERGY HUB IN THE ADMINISTRATION.

(C) THE PURPOSE OF THE HUB IS TO SERVE AS A CLEARINGHOUSE FOR INFORMATION ON ADVANCED TECHNOLOGY AND ARCHITECTURAL SOLUTIONS TO REDUCE GREENHOUSE GAS EMISSIONS FROM THE BUILDING SECTOR.

(D) *(1)* **THE HUB SHALL PROVIDE TECHNICAL ASSISTANCE TO PUBLIC AND PRIVATE ENTITIES TO ACHIEVE GREENHOUSE GAS EMISSIONS REDUCTIONS AND COMPLY WITH STATE AND LOCAL ENERGY EFFICIENCY AND ELECTRIFICATION REQUIREMENTS, INCLUDING:**

~~(1) NET–ZERO ENERGY REQUIREMENTS FOR PUBLIC SCHOOL BUILDINGS ESTABLISHED UNDER § 5–312 OF THE EDUCATION ARTICLE;~~

~~(2)~~ *(I)* **BUILDING EMISSIONS STANDARDS FOR COVERED COMMERCIAL AND MULTIFAMILY RESIDENTIAL BUILDINGS ESTABLISHED UNDER TITLE 2, SUBTITLE 16 OF THE ENVIRONMENT ARTICLE;**

~~(3)~~ *(II)* **THE MARYLAND BUILDING PERFORMANCE STANDARDS AND LOCAL AMENDMENTS TO THE STANDARDS ESTABLISHED UNDER TITLE 12, SUBTITLE 5 OF THE PUBLIC SAFETY ARTICLE; AND**

~~(4)~~ ***(III)*** **HIGH PERFORMANCE BUILDING REQUIREMENTS FOR STATE–FUNDED BUILDINGS ESTABLISHED UNDER § 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(2) THE HUB SHALL ALSO PROVIDE TECHNICAL ASSISTANCE FOR INCREASING BUILDING PERFORMANCE AND ENERGY EFFICIENCY FOR OTHER EXISTING AND NEW RESIDENTIAL PROPERTIES.

Article – Tax – Property

7–237.

(a) Except as provided in subsection (b) of this section, personal property is exempt from property tax if the property is machinery or equipment used to generate:

(1) electricity or steam for sale; or

(2) hot or chilled water for sale that is used to heat or cool a building.

(b) Subject to § 7–514 of this title, **AND EXCEPT AS PROVIDED IN ~~SUBSECTION SUBSECTIONS~~ SUBSECTION (C) ~~AND (D)~~ OF THIS SECTION,** personal property that is machinery or equipment described in subsection (a) of this section is subject to county or municipal corporation property tax on:

(1) 75% of its value for the taxable year beginning July 1, 2000; and

(2) 50% of its value for the taxable year beginning July 1, 2001 and each subsequent taxable year.

(C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "BROWNFIELD" MEANS:

1. A FORMER INDUSTRIAL OR COMMERCIAL SITE IDENTIFIED BY FEDERAL OR STATE LAWS OR REGULATIONS AS CONTAMINATED OR POLLUTED; OR

2. A CLOSED MUNICIPAL OR RUBBLE LANDFILL REGULATED UNDER A REFUSE DISPOSAL PERMIT BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.

(III) "COMMUNITY SOLAR ENERGY GENERATING SYSTEM" HAS THE MEANING STATED IN § 7–306.2 OF THE PUBLIC UTILITIES ARTICLE.

(IV) "ELECTRIC COMPANY" HAS THE MEANING STATED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE.

(2) ~~FOR ANY TAXABLE YEAR BEGINNING AFTER JUNE 30, 2022, PERSONAL PERSONAL~~ *PERSONAL* PROPERTY IS EXEMPT FROM COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IF THE PROPERTY IS MACHINERY OR EQUIPMENT THAT:

~~(1)~~ (I) AS DEFINED IN REGULATION OF THE PUBLIC SERVICE COMMISSION, IS PART OF A COMMUNITY SOLAR ENERGY GENERATING SYSTEM THAT:

1. HAS A GENERATING CAPACITY THAT DOES NOT EXCEED 2 MEGAWATTS AS MEASURED BY THE ALTERNATING CURRENT RATING OF THE SYSTEM'S INVERTER; AND

2. PROVIDES AT LEAST 50% OF THE ENERGY IT PRODUCES TO LOW– OR MODERATE–INCOME CUSTOMERS AT A COST THAT IS AT LEAST 20% LESS THAN THE AMOUNT CHARGED BY THE ELECTRIC COMPANY THAT SERVES THE AREA WHERE THE COMMUNITY SOLAR ENERGY GENERATING SYSTEM IS LOCATED; AND

(II) IS INSTALLED ON ~~ROOFTOPS, PARKING LOTS, ROADWAYS, OR BROWNFIELDS SITES; AND~~ A ROOFTOP, PARKING FACILITY CANOPY, OR BROWNFIELD.

~~(2) IS PART OF A COMMUNITY SOLAR ENERGY GENERATING SYSTEM, AS DEFINED IN § 7–306.2 OF THE PUBLIC UTILITIES ARTICLE, THAT SERVES MORE THAN 51% OF KILOWATT–HOUR OUTPUT TO LOW– OR MODERATE–INCOME CUSTOMERS, AS DEFINED IN REGULATIONS OF THE PUBLIC SERVICE COMMISSION.~~

(3) PERSONAL PROPERTY THAT RECEIVES AN EXEMPTION UNDER THIS SUBSECTION IS EXEMPT FROM COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX FOR EACH TAXABLE YEAR IN WHICH THE PROPERTY CONTINUES TO MEET THE REQUIREMENTS FOR THE EXEMPTION UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(4) THE SUPERVISOR OF A COUNTY OR A MUNICIPAL CORPORATION MAY NOT ACCEPT AN APPLICATION FROM A PROPERTY OWNER FOR THE EXEMPTION UNDER THIS SUBSECTION AFTER DECEMBER 31, 2024.

(5) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE NUMBER AND LOCATION OF PROJECTS THAT, IN THE IMMEDIATELY PRECEDING TAXABLE YEAR, HAVE RECEIVED THE EXEMPTION UNDER THIS SUBSECTION.

~~**(D) IN ADDITION TO THE EXEMPTION PROVIDED UNDER SUBSECTION (C) OF THIS SECTION, THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY EXEMPT, BY LAW, ANY OTHER MACHINERY OR EQUIPMENT THAT IS PART OF A SOLAR ENERGY GENERATING SYSTEM, WIND ENERGY SYSTEM, OR GEOTHERMAL ENERGY SYSTEM FROM THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX.**~~

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1602.

(A) THE DEPARTMENT SHALL DEVELOP BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS *FOR COVERED BUILDINGS* THAT ACHIEVE:

~~**(1) FOR COVERED BUILDINGS OWNED BY THE STATE:**~~

~~**(I)**~~ ***(1)*** **A ~~50%~~ *20%* REDUCTION IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION; AND**

~~**(II)**~~ ***(2)*** **NET–ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, ~~2035; AND~~ *2040.***

~~**(2) FOR COVERED BUILDINGS NOT OWNED BY THE STATE:**~~

~~**(I) A 20% REDUCTION IN NET GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030;**~~

~~**(II) A 40% REDUCTION OF AT LEAST 30% IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION; AND**~~

~~**(III) (II) NET–ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2040.**~~

(B) TO FACILITATE THE DEVELOPMENT OF BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE OWNERS OF COVERED BUILDINGS ~~AND SCHOOLS~~ TO MEASURE AND REPORT DIRECT EMISSIONS ~~USE THE ENERGY STAR PORTFOLIO MANAGER OR ANOTHER BENCHMARKING TOOL DESIGNATED BY THE DEPARTMENT TO COLLECT AND REPORT BENCHMARKING~~ DATA TO THE DEPARTMENT ANNUALLY BEGINNING IN 2025.

(C) (1) ~~THE~~ *ON OR BEFORE JUNE 1, 2023, THE* DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) REGULATIONS ADOPTED UNDER THIS SECTION SHALL:

(I) SUBJECT TO ITEMS (II) AND (III) OF THIS PARAGRAPH, INCLUDE ENERGY USE INTENSITY TARGETS BY BUILDING TYPE;

(II) AS NECESSARY, INCLUDE SPECIAL PROVISIONS OR EXCEPTIONS TO ACCOUNT FOR:

1. BUILDING AGE;

2. REGIONAL DIFFERENCES;

3. THE UNIQUE NEEDS OF PARTICULAR BUILDING OR OCCUPANCY TYPES, INCLUDING HEALTH CARE FACILITIES ~~AND LABORATORIES~~, *LABORATORIES, ASSISTED LIVING AND NURSING FACILITIES, MILITARY BUILDINGS, CRITICAL INFRASTRUCTURE, AND BUILDINGS USED IN LIFE SCIENCES AS DEFINED IN § 3–201 OF THE ECONOMIC DEVELOPMENT ARTICLE*; AND

4. THE USE OF DISTRICT ENERGY SYSTEMS *AND BIOFUELS* BY COVERED BUILDINGS;

(III) ~~ACCOUNT FOR~~ *CONSIDER* THE NEEDS OF THE OWNERS OF COVERED BUILDINGS WHO:

1. ARE NOT RESPONSIBLE FOR THE DESIGN, MODIFICATION, FIXTURES, OR EQUIPMENT OF COMMERCIAL TENANTS;

2. DO NOT HAVE ACCESS TO OR CONTROL OVER BUILDING ENERGY SYSTEMS THAT ARE USED OR CONTROLLED BY COMMERCIAL TENANTS; OR

3. OWN BUILDINGS OCCUPIED BY COMMERCIAL TENANTS WHO ARE RESPONSIBLE FOR ALL MAINTENANCE OF AND REPAIRS TO THE BUILDINGS;

~~(I)~~ (IV) PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF COVERED BUILDINGS TO COMPLY WITH BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS;

~~(II)~~ (V) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A COVERED BUILDING TO PAY A FEE FOR ~~BUILDING EMISSIONS THAT EXCEED THE BUILDING EMISSIONS STANDARDS~~ GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ~~ENERGY USE INTENSITY~~ *DIRECT GREENHOUSE GAS EMISSIONS REDUCTION* TARGETS ~~SET BY THE DEPARTMENT~~; AND

~~(III)~~ (VI) TO THE EXTENT AUTHORIZED BY LAW, INCLUDE FINANCIAL INCENTIVES RECOMMENDED BY THE BUILDING ENERGY TRANSITION IMPLEMENTATION TASK FORCE.

(3) THE DEPARTMENT MAY NOT SET AN ALTERNATIVE COMPLIANCE FEE THAT IS LESS THAN THE SOCIAL COST OF GREENHOUSE GASES ADOPTED BY THE DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

(D) ELECTRIC COMPANIES AND GAS COMPANIES SHALL PROVIDE ENERGY DATA, INCLUDING WHOLE–BUILDING AND AGGREGATE DATA, TO THE OWNERS OF COVERED BUILDINGS FOR BENCHMARKING PURPOSES.

(E) IN CALCULATING THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT UNDER THIS SECTION, AN OWNER OF A COVERED BUILDING MAY NOT CONSIDER GREENHOUSE GAS EMISSIONS OR ENERGY USE BY A COMMERCIAL TENANT OF THE COVERED BUILDING THAT:

(1) IS A FOOD SERVICE FACILITY AS DEFINED IN COMAR 10.15.03.02; AND

(2) ENGAGES IN COMMERCIAL COOKING AND WATER HEATING.

~~(E) (1) A COUNTY MAY DEVELOP AND ADOPT LOCAL BUILDING ENERGY PERFORMANCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE STANDARDS DEVELOPED BY THE DEPARTMENT, IF THE COUNTY'S STANDARDS ARE APPROVED BY THE DEPARTMENT.~~

~~(2) COVERED BUILDINGS LOCATED IN A COUNTY THAT ADOPTS LOCAL BUILDING ENERGY PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBSECTION SHALL BE EXEMPT FROM THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT.~~

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1602.

(A) THE DEPARTMENT SHALL DEVELOP BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS *FOR COVERED BUILDINGS* THAT ACHIEVE~~:~~

~~(1) FOR COVERED BUILDINGS OWNED BY THE STATE:~~

~~(I) A 50%~~ *A 20%* REDUCTION IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION~~; AND~~

~~(II) NET–ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035; AND~~

~~(2) FOR COVERED BUILDINGS NOT OWNED BY THE STATE:~~

~~(I) A 20% REDUCTION IN NET GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2030; AND~~

~~(II) A 40%, A REDUCTION OF AT LEAST 30% IN NET DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1, 2035, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR CONSTRUCTION~~.

(B) TO FACILITATE THE DEVELOPMENT OF BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE OWNERS OF COVERED BUILDINGS ~~AND SCHOOLS~~ TO MEASURE AND REPORT DIRECT EMISSIONS DATA TO THE DEPARTMENT ANNUALLY BEGINNING IN 2025.

(C) (1) ~~THE~~ *ON OR BEFORE JUNE 1, 2023, THE* DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) REGULATIONS ADOPTED UNDER THIS SECTION SHALL:

(I) SUBJECT TO ITEMS (II) AND (III) OF THIS PARAGRAPH, INCLUDE ENERGY USE INTENSITY TARGETS BY BUILDING TYPE;

(II) AS NECESSARY, INCLUDE SPECIAL PROVISIONS OR EXCEPTIONS TO ACCOUNT FOR:

1. BUILDING AGE;

2. REGIONAL DIFFERENCES;

3. THE UNIQUE NEEDS OF PARTICULAR BUILDING OR OCCUPANCY TYPES, INCLUDING HEALTH CARE FACILITIES ~~AND LABORATORIES~~, *LABORATORIES, ASSISTED LIVING AND NURSING FACILITIES, MILITARY BUILDINGS, CRITICAL INFRASTRUCTURE, AND BUILDINGS USED IN LIFE SCIENCES AS DEFINED IN § 3–201 OF THE ECONOMIC DEVELOPMENT ARTICLE*; AND

4. THE USE OF DISTRICT ENERGY SYSTEMS *AND BIOFUELS* BY COVERED BUILDINGS;

(III) ~~ACCOUNT FOR~~ *CONSIDER* THE NEEDS OF THE OWNERS OF COVERED BUILDINGS WHO:

1. ARE NOT RESPONSIBLE FOR THE DESIGN, MODIFICATION, FIXTURES, OR EQUIPMENT OF COMMERCIAL TENANTS;

2. DO NOT HAVE ACCESS TO OR CONTROL OVER BUILDING ENERGY SYSTEMS THAT ARE USED OR CONTROLLED BY COMMERCIAL TENANTS; OR

3. OWN BUILDINGS OCCUPIED BY COMMERCIAL TENANTS WHO ARE RESPONSIBLE FOR ALL MAINTENANCE OF AND REPAIRS TO THE BUILDINGS;

~~(I)~~ (IV) PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF COVERED BUILDINGS TO COMPLY WITH BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS;

~~(II)~~ (V) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A COVERED BUILDING TO PAY A FEE FOR ~~BUILDING EMISSIONS THAT EXCEED THE BUILDING EMISSIONS STANDARDS~~ GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE BUILDING'S FAILURE TO MEET ~~ENERGY USE INTENSITY~~ *DIRECT GREENHOUSE GAS EMISSIONS REDUCTION* TARGETS; AND

~~(III)~~ (VI) **TO THE EXTENT AUTHORIZED BY LAW, INCLUDE FINANCIAL INCENTIVES RECOMMENDED BY THE BUILDING ENERGY TRANSITION IMPLEMENTATION TASK FORCE.**

(3) THE DEPARTMENT MAY NOT SET AN ALTERNATIVE COMPLIANCE FEE THAT IS LESS THAN THE SOCIAL COST OF GREENHOUSE GASES ADOPTED BY THE DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

(D) ELECTRIC COMPANIES AND GAS COMPANIES SHALL PROVIDE ENERGY DATA, INCLUDING WHOLE–BUILDING AND AGGREGATE DATA, TO THE OWNERS OF COVERED BUILDINGS FOR BENCHMARKING PURPOSES.

(E) IN CALCULATING THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT UNDER THIS SECTION, AN OWNER OF A COVERED BUILDING MAY NOT CONSIDER GREENHOUSE GAS EMISSIONS OR ENERGY USE BY A COMMERCIAL TENANT OF THE COVERED BUILDING THAT:

(1) IS A FOOD SERVICE FACILITY AS DEFINED IN COMAR 10.15.03.02; AND

(2) ENGAGES IN COMMERCIAL COOKING AND WATER HEATING.

~~(E) (1) A COUNTY MAY DEVELOP AND ADOPT LOCAL BUILDING ENERGY PERFORMANCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE STANDARDS DEVELOPED BY THE DEPARTMENT, IF THE COUNTY'S STANDARDS ARE APPROVED BY THE DEPARTMENT.~~

~~(2) COVERED BUILDINGS LOCATED IN A COUNTY THAT ADOPTS LOCAL BUILDING ENERGY PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBSECTION SHALL BE EXEMPT FROM THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT.~~

SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1603.

(A) THERE IS A BUILDING ENERGY TRANSITION IMPLEMENTATION TASK FORCE.

(B) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

(1) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(2) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

(3) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S DESIGNEE;

(4) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION, OR THE DIRECTOR'S DESIGNEE;

(5) THE CHAIR OF THE PUBLIC SERVICE COMMISSION, OR THE CHAIR'S DESIGNEE;

(6) THE PEOPLE'S COUNSEL, OR THE PEOPLE'S COUNSEL'S DESIGNEE;

(7) THE EXECUTIVE DIRECTOR OF THE MARYLAND CLEAN ENERGY CENTER, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(8) THE CHAIR OF THE MARYLAND GREEN BUILDING COUNCIL, OR THE CHAIR'S DESIGNEE;

(9) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(10) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(11) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE FROM A NONPROFIT OR PROFESSIONAL ORGANIZATION THAT ADVOCATES FOR ENERGY–EFFICIENT BUILDINGS OR A LOW–CARBON–BUILT ENVIRONMENT;

(II) ONE REPRESENTATIVE FROM A BUSINESS THAT PROVIDES ENERGY EFFICIENCY OR RENEWABLE ENERGY SERVICES TO LARGE BUILDINGS OR AFFORDABLE HOUSING IN MARYLAND;

(III) ONE REPRESENTATIVE WHO IS AN ARCHITECT WITH EXPERIENCE PLANNING MODIFICATIONS TO EXISTING BUILDINGS TO ACHIEVE GREENHOUSE GAS EMISSIONS REDUCTIONS;

(IV) ONE REPRESENTATIVE WHO IS A MECHANICAL, ELECTRICAL, OR PLUMBING ENGINEER OR COMMISSIONING AGENT WITH EXPERIENCE IN MODIFYING OR REPLACING SYSTEMS IN ORDER TO ACHIEVE GREENHOUSE GAS EMISSIONS REDUCTIONS;

(V) ONE REPRESENTATIVE OF THE ~~APARTMENT AND OFFICE BUILDING ASSOCIATION~~ *MULTIFAMILY HOUSING INDUSTRY*;

(VI) ONE REPRESENTATIVE WHO IS AN AFFORDABLE HOUSING DEVELOPER;

(VII) ONE REPRESENTATIVE WHO IS A FACILITIES OR PROPERTY MANAGER FOR AN APARTMENT BUILDING;

(VIII) ONE REPRESENTATIVE WHO IS A FACILITIES OR PROPERTY MANAGER FOR A COMMERCIAL BUILDING;

(IX) ONE REPRESENTATIVE OF A FINANCIAL INSTITUTION; ~~AND~~

(X) ONE REPRESENTATIVE OF A PRIVATE EQUITY FIRM; ~~AND~~

(XI) ONE REPRESENTATIVE OF THE DISTRICT ENERGY INDUSTRY*;*

(XII) ONE REPRESENTATIVE OF A STATEWIDE COMMERCIAL OR INDUSTRIAL BUILDING ASSOCIATION; ~~AND~~

(XIII) ONE REPRESENTATIVE OF ORGANIZED LABOR WHO REPRESENTS THE BUILDING TRADES; AND

(XIV) ONE REPRESENTATIVE WHO IS A TENANT OF AN APARTMENT BUILDING OR AN ADVOCATE FOR THE RIGHTS OF TENANTS OF APARTMENT BUILDINGS; AND

(12) THE FOLLOWING MEMBERS, SELECTED BY THE PUBLIC SERVICE COMMISSION:

(I) ONE REPRESENTATIVE OF A MUNICIPAL ELECTRIC UTILITY; AND

***(II) ONE REPRESENTATIVE OF AN INVESTOR–OWNED UTILITY*.**

(C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE TASK FORCE.

(D) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE TASK FORCE.

(E) A MEMBER OF THE TASK FORCE:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK FORCE; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(F) (1) THE TASK FORCE SHALL:

(I) STUDY AND MAKE RECOMMENDATIONS REGARDING THE DEVELOPMENT OF COMPLEMENTARY PROGRAMS, POLICIES, AND INCENTIVES AIMED AT REDUCING GREENHOUSE GAS EMISSIONS FROM THE BUILDING SECTOR IN ACCORDANCE WITH THIS SUBTITLE; ~~AND~~

(II) MAKE RECOMMENDATIONS ON TARGETING INCENTIVES TO ELECTRIFICATION PROJECTS THAT WOULD NOT OTHERWISE RESULT IN STRONG RETURNS ON INVESTMENT FOR BUILDING OWNERS; AND

(III) DEVELOP A PLAN FOR FUNDING THE RETROFIT OF COVERED BUILDINGS TO COMPLY WITH BUILDING EMISSIONS STANDARDS.

(2) THE PLAN DEVELOPED UNDER THIS SUBSECTION MAY INCLUDE RECOMMENDATIONS RELATED TO:

(I) THE CREATION OF COMMERCIAL TAX CREDITS OR DIRECT SUBSIDY PAYMENTS FOR BUILDING DECARBONIZATION PROJECTS;

(II) THE CREATION OF FINANCIAL INCENTIVES THROUGH ~~EMPOWER~~ *EMPOWER MARYLAND* AND OTHER STATE PROGRAMS TO SUPPORT ALL ASPECTS OF THE TRANSITION TO ELECTRIFIED BUILDINGS;

(III) THE ESTABLISHMENT OF LOW–INCOME HOUSEHOLD HOLISTIC RETROFIT TARGETS AND HEAT PUMP SALES TARGETS; AND

(IV) THE USE OF OPTIONS SUCH AS ON–BILL, LOW–INTEREST FINANCING TO SPREAD OUT THE UP–FRONT COSTS ASSOCIATED WITH ELECTRIFICATION RETROFIT UPGRADES.

(G) ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL REPORT ITS PLAN TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) A Position Identification Number (PIN) shall be created in the Maryland Energy Administration for the Coordinator of the Climate Transition and Clean Energy Hub.

(b) It is the intent of the General Assembly that, with the exception of the new Coordinator position and associated salary, the Maryland Energy Administration shall handle the responsibilities of the Climate Transition and Clean Energy Hub with existing resources.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, it is the intent of the General Assembly that the Public Service Commission continue with the submission of plans and making the determinations required under Sections 2 and 3 of Chapters 14 and 780 of the Acts of the General Assembly of 2017.

(b) The determination of the advisability of maintaining the methodology and magnitude of the savings trajectory established in § 7–211(g)(2) of the Public Utilities Article shall*:*

(1) take into account the changes made in § 7–211(g)(2) of the Public Utilities Article, as enacted by Section 4 of this Act*; and*

(2) require that the core objective of the alteration to percentages for 2025 and later years under § 7–211 of the Public Utilities Article, as enacted by Section 4 of this Act, change from electricity reduction to a portfolio of mutually reinforcing goals, including greenhouse gas emissions reduction, energy savings, net customer benefits, and reaching underserved customers.

SECTION 10. AND BE IT FURTHER ENACTED, That:

(a) In alignment with the Commission on Climate Change's recommendation to transition to an all–electric building code in the State:

(1) the General Assembly supports moving toward broader electrification of both existing buildings and new construction as a component of decarbonization; and

(2) it is the intent of the General Assembly that the State move toward broader electrification of both existing buildings and new construction on completion of the study required under subsection (b) of this section.

(b) (1) The Building Codes Administration shall:

(i) develop recommendations for an all–electric building code ~~and building energy performance standards~~ for the State, including appropriate exemptions for particular industries, *including life sciences, as defined in § 3–201 of the Economic Development Article*, local conditions, and sectors deemed critical infrastructure vital to the interest of national security as identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency;

(ii) develop recommendations for the fastest and most cost–efficient methods for decarbonizing buildings and other sectors in the State;

(iii) assess the availability of technology and equipment that will be needed to construct all–electric buildings in the State;

(iv) assess the impact of building electrification on workforce shortages;

(v) develop recommendations regarding efficient cost–effectiveness measures for the electrification of new and existing buildings; ~~and~~

(vi) on or before January 1, 2023, report to the Public Service Commission on the projected annual and peak summer and winter gas and electric loading impacts of electrification, categorized by building type and size, in sufficient detail for gas and electric public service companies to develop the plans required under subsection (c)(1)(i) of this section*; and*

(vii) consider recommendations for the inclusion of renewable, low–carbon biofuels, including biodiesel, during the State's transition to an all–electric building code including an analysis of the impact on electric and gas rates, market availability, and environmental impact.

(2) The Building Codes Administration may work with consultants and experts to complete the study required under paragraph (1) of this subsection.

(3) (i) On or before January 1, 2023, the Building Codes Administration shall make an interim report of its findings to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.

(ii) On or before ~~September~~ December 1, 2023, the Building Codes Administration shall make a final report of its findings and recommendations to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.

~~(c) (1) The Public Service Commission shall:~~

~~(i) require gas and electric public service companies in the State to develop infrastructure plans to determine the investments necessary to accommodate the~~

~~additional load of building electrification and the decommissioning of stranded gas facilities; and~~

~~(ii) determine whether the electric grid throughout the State is capable of accommodating the additional load of building electrification considering the infrastructure plans prepared under subparagraph (i) of this paragraph.~~

~~(2) (i) The Public Service Commission may work with consultants and experts to complete the study required under paragraph (1) of this subsection.~~

~~(ii) Gas and electric public service companies shall provide information to the Commission and its consultants and experts, as necessary, to complete the study required under paragraph (1) of this subsection.~~

~~(3) (i) On or before January 1, 2023, the Public Service Commission shall make an interim report of its findings to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.~~

~~(ii) On or before September December 1, 2023, the Public Service Commission shall make a final report of its findings and recommendations to the Legislative Policy Committee in accordance with § 2–1257 of the State Government Article.~~

(c) (1) The Public Service Commission shall complete a general system planning study, for gas and electric companies with total gross annual revenues equal to or greater than 3% of the total gross annual revenues of all public service companies in the State, assessing the capacity of each company's gas and electric distribution systems to successfully serve customers under a managed transition to a highly electrified building sector.

(2) The study required under paragraph (1) of this subsection shall:

(i) use a projection of average growth in system peak demand between 2021 and 2031 to assess the overall impact on each gas and electric distribution system;

(ii) compare future electric distribution system peak and energy demand load growth to historic rates;

(iii) consider the impacts of energy efficiency and conservation and electric load flexibility;

(iv) consider the capacity of the existing distribution systems and projected electric distribution system improvements and expansions to serve existing electric loads and projected electric load growth; and

(v) assess the effects of shifts in seasonal system gas and electric loads.

(3) (i) The Public Service Commission may work with consultants and experts to complete the study required under paragraph (1) of this subsection.

(ii) Gas and electric public service companies shall provide information to the Commission and its consultants and experts, as necessary, to complete the study required under paragraph (1) of this subsection.

(iii) The Commission may coordinate the preparation of the study under this subsection with that required for the annual report under § 7–802 of the Public Utilities Article, as enacted by Section 4 of this Act, and the interim reports required under Section 14 of this Act.

(4) On or before ~~June~~ September 30, 2023, the Public Service Commission shall report its findings to the Legislative Policy Committee, in accordance with § 2–1257 of the State Government Article.

SECTION 11. AND BE IT FURTHER ENACTED, That, on or before October 1, 2023, the Department of the Environment, in conjunction with the Department of General Services and the Department of Natural Resources, shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on State properties that are suitable for use as organics recycling facilities in a manner that is consistent with Programmatic Recommendation 9 in the Final Report of the Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure Study Group issued in July 2019, as required by Chapters 383 and 384 of the Acts of the General Assembly of 2017.

SECTION 12. AND BE IT FURTHER ENACTED, That, with respect to the electric school bus pilot program under § 7–217 of the Public Utilities Article, as enacted by Section 4 of this Act:

(1) the General Assembly encourages program applicants to seek any federal funds that may be available to the applicants, including funds available under the federal Infrastructure and Investment Jobs Act; and

(2) where feasible, the General Assembly encourages pilot program applicants to produce or procure electricity generated by renewable resources to power electric school bus charging infrastructure.

SECTION 13. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Green Building Council shall examine:

(1) the use of environmental product declarations to measure the climate impact of concrete procured by the State;

(2) the use of performance incentives to encourage adoption of low–carbon materials and methods by concrete manufacturers that provide concrete for State–funded projects;

(3) the establishment of an expedited product evaluation, testing, and approval protocol for low–carbon concrete products;

(4) the implementation of performance–based specification standards for concrete, including requirements that a structural material achieve specified performance–based outcomes from the use of structural material, including outcomes related to strength, durability, permeability or other attributes related to the function of building material for applied uses; and

(5) the use of methods of compliance, including maximum cement content specifications and specifications based on maximum potential for global warming.

(b) In examining the items under subsection (a) of this section, the Maryland Green Building Council shall consult with:

(1) any relevant associations that set industry standards for the procurement of low–carbon concrete; and

(2) affected contractors and subcontractors to consider both environmental and health and safety impacts.

(c) On or before December 1, 2022, the Maryland Green Building Council shall report its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION 14. AND BE IT FURTHER ENACTED, That, on or before December 31, 2022, and December 31, 2023, the Public Service Commission shall provide interim reports on the status of matters required to be reported under § 7–802 of the Public Utilities Article, as enacted by Section 4 of this Act, to the House Economic Matters Committee and the Senate Finance Committee, in accordance with § 2–1257 of the State Government Article.

SECTION ~~10.~~ ~~12.~~ *15.* AND BE IT FURTHER ENACTED, That *§ 7–237(c) of the Tax – Property Article, as enacted under Section 4 of this Act, shall be applicable to all taxable years beginning after June 30, 2022.*

SECTION 16. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect June 1, 2022. It shall remain effective for a period of ~~4~~ *8* years and 1 month and, at the end of June 30, ~~2026~~ *2030*, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION ~~11.~~ ~~13.~~ *17.* AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect June 1, 2022. It shall remain effective for a period of 7 years and 7 months and, at the end of December 31, 2029, Section 5 of this Act shall be abrogated and of no further force and effect.

SECTION ~~12.~~ ~~14.~~ *18.* AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect upon the taking effect of the termination provision specified in Section ~~11~~ ~~13~~ *17* of this Act.

SECTION ~~13.~~ ~~15.~~ *19.* AND BE IT FURTHER ENACTED, That Section 7 of this Act shall take effect June 1, 2022. It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2024, Section 7 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION ~~14.~~ ~~16.~~ *20.* AND BE IT FURTHER ENACTED, That, except as provided in Sections ~~10~~ ~~12~~ *16* through ~~13~~ ~~15~~ *19* of this Act, this Act shall take effect June 1, 2022.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 9, 2022.

IRS Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248567571
Aug. 19, 2009 LTR 4076C E0
26-3864715 000000 00
00011848
BODC: SB

MARYLAND CLEAN ENERGY CENTER
% I KATHERINE MAGRUDER
9636 GUDELSKY DRIVE 4TH FLOOR
ROCKVILLE MD 20850-3481

03364

Federal Identification Number: 26-3864715
Person to Contact: Ms.Lee
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This responds to your request for information about your federal tax status. Our records do not specify your federal tax status. However, the following general information about the tax treatment of state and local governments and affiliated organizations may be of interest to you.

GOVERNMENTAL UNITS
Governmental units, such as States and their political subdivisions, are not generally subject to federal income tax. Political subdivisions of a State are entities with one or more of the sovereign powers of the State such as the power to tax. Typically they include counties or municipalities and their agencies or departments. Charitable contributions to governmental units are tax-deductible under section 170(c)(1) of the Internal Revenue Code if made for a public purpose.

ENTITIES MEETING THE REQUIREMENTS OF SECTION 115(1)
An entity that is not a governmental unit but that performs an essential government function may not be subject to federal income tax, pursuant to Code section 115(1). The income of such entities is excluded from the definition of gross income as long as the income (1) is derived from a public utility or the exercise of an essential government function, and (2) accrues to a State, a political subdivision of a State, or the District of Columbia. Contributions made to entities whose income is excluded income under section 115 may not be tax deductible to contributors.

TAX-EXEMPT CHARITABLE ORGANIZATIONS
An organization affiliated with a State, county, or municipal government may qualify for exemption from federal income tax under section 501(c)(3) of the Code, if (1) it is not an integral part of the government, and (2) it does not have governmental powers inconsistent with exemption (such as the power to tax or to exercise enforcement or regulatory powers). Note that entities may meet the requirements of both sections 501(c)(3) and 115 under certain circumstances. See Revenue Procedure 2003-12, 2003-1 C.B. 316.

0248567571
Aug. 19, 2009 LTR 4076C E0
26-3864715 000000 00
00011849

MARYLAND CLEAN ENERGY CENTER
% I KATHERINE MAGRUDER
9636 GUDELSKY DRIVE 4TH FLOOR
ROCKVILLE MD 20850-3481

Most entities must file a Form 1023, Application for Recognition of Exemption Under Section 501(c))(3) of the Internal Revenue Code, to request a determination that the organization is exempt from federal income tax under 501(c)(3) of the Code and that charitable contributions are tax deductible to contributors under section 170(c)(2). In addition, private foundations and other persons sometimes want assurance that their grants or contributions are made to a governmental unit or a public charity. Generally, grantors and contributors may rely on the status of governmental units based on State or local law. Form 1023 and Publication 4220, Applying for 501(c)(3) Tax-Exempt Status, are available online at www.irs.gov/eo.

We hope this general information will be of assistance to you. This letter, however, does not determine that you have any particular tax status. If you are unsure of your status as a governmental unit or state institution whose income is excluded under section 115(1) you may seek a private letter ruling by following the procedures specified in Revenue Procedure 2007-1, 2007-1 I.R.B. 1 (updated annually).

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I

HOUSE BILL 1337

M3, C5, C8

(8lr0576)

ENROLLED BILL

—Economic Matters / Finance—

Introduced by **Delegates Stein, Hecht, Bronrott, Cardin, Carr, ~~and Morhaim~~ Morhaim, Burns, Feldman, Krysiak, Manno, Mathias, McHale, and Minnick**

Read and Examined by Proofreaders:

_____

Proofreader.

_____

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____M.

_____

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Clean Energy Center**

3 FOR the purpose of establishing a Maryland Clean Energy Center in the State;
4 providing for the powers, purposes, and duties of the Center; establishing a
5 Board of Directors of the Center, with certain membership, powers, duties, and
6 officers; providing for the staffing of the Center, including appointment of an
7 Executive Director with certain duties; providing that the Attorney General is
8 the legal advisor of the Center; providing for the application of certain laws to
9 the Center; providing for the effect of a certain determination of the Board;
10 requiring the establishment of certain financial controls for the Center;
11 authorizing the Center to exercise certain powers, including those relating to
12 grants, projects, and borrowing; requiring the Center to act as a clearinghouse
13 of information regarding clean energy for certain purposes; exempting the

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.
Italics indicate opposite chamber / conference committee amendments.

Center from certain taxes; providing that the books and records of the Center are subject to audit in a certain manner; requiring the Center to report each year to certain persons; establishing a Maryland Clean Energy Technology Incubator Program in the Center for certain purposes; requiring the Center to adopt certain standards for the Program in a certain manner; authorizing the Center to award certain financial assistance to certain entities; requiring matching contributions for certain assistance; authorizing the Center to issue bonds and other evidences of indebtedness in certain manners; authorizing the Center to authorize certain persons to take certain actions regarding bond issuance for certain purposes, subject to certain limitations; providing for the contents of a certain trust agreement for certain purposes; authorizing the pledging of certain revenues for certain purposes in a certain manner; authorizing certain persons to invest in certain bonds; providing that certain bonds are not a debt or liability or a pledge of the faith and credit of the State or of a political subdivision; authorizing the Center to fix and collect certain rates, rents, fees, and charges for certain purposes; providing for the application of certain proceeds; authorizing the issuance of certain refunding bonds in a certain manner; authorizing the issuance of certain negotiable bond anticipation notes for certain purposes in a certain manner; providing for the enforcement of certain rights by certain persons; providing that certain projects, property, and bonds are exempt from certain taxes under certain circumstances; stating findings and intent of the General Assembly; defining certain terms; providing for the construction of this Act; and generally relating to the Maryland Clean Energy Center.

BY adding to
Article – Economic Development
Section 10–801 through 10–854 to be under the new subtitle "Subtitle 8. Maryland Clean Energy Center"
(As enacted by Chapter ____ (H.B. 1050) of the Acts of the General Assembly of 2008)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Economic Development

SUBTITLE 8. MARYLAND CLEAN ENERGY CENTER.

PART I. GENERAL PROVISIONS.

10–801.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS AND TERMS HAVE THE MEANINGS INDICATED.

1 (B) "ADMINISTRATION" MEANS THE MARYLAND ENERGY
2 ADMINISTRATION.

3 (C) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE CENTER.

4 (D) (1) "BOND" MEANS A BOND ISSUED BY THE CENTER UNDER THIS
5 SUBTITLE.

6 (2) "BOND" INCLUDES A REVENUE BOND, A REVENUE REFUNDING
7 BOND, A NOTE, AND ANY OTHER OBLIGATION, WHETHER A GENERAL OR LIMITED
8 OBLIGATION OF THE CENTER.

9 (E) "CENTER" MEANS THE MARYLAND CLEAN ENERGY CENTER.

10 (F) "CLEAN ENERGY" INCLUDES:

11 (1) SOLAR PHOTOVOLTAIC TECHNOLOGY;

12 (2) SOLAR HEATING;

13 (3) GEOTHERMAL;

14 (4) WIND;

15 (5) BIOFUELS;

16 (6) ETHANOL;

17 (7) OTHER QUALIFYING BIOMASS AS DEFINED IN § 7–701 OF THE
18 PUBLIC UTILITY COMPANIES ARTICLE;

19 (8) OCEAN, INCLUDING ENERGY FROM WAVES, TIDES, CURRENTS,
20 AND THERMAL DIFFERENCES;

21 (9) A FUEL CELL THAT PRODUCES ENERGY FROM BIOFUELS,
22 ETHANOL, OR OTHER QUALIFYING BIOMASS;

23 (10) ENERGY EFFICIENCY AND CONSERVATION;

24 (11) ANY OTHER TECHNOLOGY OR SERVICE THAT THE CENTER
25 DETERMINES WILL CONTRIBUTE DIRECTLY OR INDIRECTLY TO THE
26 PRODUCTION OF ENERGY FROM RENEWABLE OR SUSTAINABLE SOURCES, OR TO
27 THE IMPROVEMENT OF EFFICIENCY IN THE USE OF ENERGY; AND

1 (12) DEPLOYMENT OF ANY OF THE TECHNOLOGIES OR SERVICES
2 LISTED IN ITEMS (1) THROUGH (11) OF THIS SUBSECTION.

3 (G) "COST", WITH RESPECT TO A PROJECT FINANCED UNDER THIS
4 SUBTITLE, INCLUDES:

5 (1) THE PURCHASE PRICE OF A PROJECT;

6 (2) THE COST TO ACQUIRE ANY RIGHT, TITLE, OR INTEREST IN A
7 PROJECT;

8 (3) THE COST OF ANY IMPROVEMENT;

9 (4) THE COST OF ANY PROPERTY, RIGHT, EASEMENT, AND
10 FRANCHISE;

11 (5) THE COST OF DEMOLITION, REMOVAL, OR RELOCATION OF
12 STRUCTURES;

13 (6) THE COST OF ACQUIRING LAND TO WHICH THE STRUCTURES
14 MAY BE MOVED;

15 (7) THE COST OF EQUIPMENT;

16 (8) FINANCING CHARGES;

17 (9) INTEREST BEFORE AND DURING CONSTRUCTION AND, IF THE
18 CENTER DETERMINES, FOR A LIMITED PERIOD AFTER THE COMPLETION OF
19 CONSTRUCTION;

20 (10) RESERVES FOR PRINCIPAL AND INTEREST AND FOR
21 IMPROVEMENTS;

22 (11) THE COST OF REVENUE AND COST ESTIMATES,
23 ARCHITECTURAL, ENGINEERING, FINANCIAL, AND LEGAL SERVICES, PLANS,
24 SPECIFICATIONS, STUDIES, SURVEYS, AND OTHER EXPENSES NECESSARY OR
25 INCIDENT TO DETERMINING THE FEASIBILITY OF IMPROVING A PROJECT; AND

26 (12) OTHER EXPENSES AS NECESSARY OR INCIDENT TO:

27 (I) FINANCING A PROJECT;

28 (II) ACQUIRING AND IMPROVING A PROJECT; AND

1 (III) PLACING A PROJECT IN OPERATION.

2 (H) "DIRECTOR" MEANS THE DIRECTOR OF THE ADMINISTRATION.

3 (I) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
4 THE MARYLAND CLEAN ENERGY CENTER.

5 (J) "FINANCE" INCLUDES REFINANCE.

6 (K) "GOVERNMENTAL UNIT" MEANS:

7 (1) A COUNTY;

8 (2) A MUNICIPAL CORPORATION;

9 (3) A STATE UNIT;

10 (4) A LOCAL UNIT; OR

11 (5) ANY OTHER PUBLIC BODY OR UNIT ESTABLISHED IN
12 ACCORDANCE WITH A STATE OR LOCAL LAW, ORDINANCE, OR RESOLUTION.

13 ~~(K)~~ (L) "IMPROVE" MEANS TO ADD, ALTER, CONSTRUCT, EQUIP,
14 EXPAND, EXTEND, IMPROVE, INSTALL, RECONSTRUCT, REHABILITATE,
15 REMODEL, OR REPAIR.

16 ~~(L)~~ (M) "IMPROVEMENT" MEANS ADDITION, ALTERATION,
17 CONSTRUCTION, EQUIPPING, EXPANSION, EXTENSION, IMPROVEMENT,
18 INSTALLATION, RECONSTRUCTION, REHABILITATION, REMODELING, OR
19 REPAIR.

20 ~~(M) "GOVERNMENTAL UNIT" MEANS:~~

21 ~~(1) A COUNTY;~~

22 ~~(2) A MUNICIPAL CORPORATION;~~

23 ~~(3) A STATE UNIT;~~

24 ~~(4) A LOCAL UNIT; OR~~

25 ~~(5) ANY OTHER PUBLIC BODY OR UNIT ESTABLISHED IN~~
26 ~~ACCORDANCE WITH A STATE OR LOCAL LAW, ORDINANCE, OR RESOLUTION.~~

(N) (1) "PROJECT" MEANS ANY PROPERTY, THE ACQUISITION OR IMPROVEMENT OF WHICH THE BOARD, IN ITS SOLE DISCRETION, DETERMINES BY RESOLUTION WILL ACCOMPLISH AT LEAST ONE OF THE PURPOSES LISTED IN § 10–802(B) OF THIS SUBTITLE, WHETHER OR NOT THE PROPERTY:

(I) IS OR WILL BE USED OR OPERATED FOR PROFIT OR NOT FOR PROFIT;

(II) IS OR WILL BE LOCATED ON A SINGLE SITE OR MULTIPLE SITES; OR

(III) MAY BE FINANCED BY BONDS, THE INTEREST ON WHICH IS EXEMPT FROM INCOME TAXATION UNDER FEDERAL LAW.

(2) "PROJECT" INCLUDES:

(I) LAND OR AN INTEREST IN LAND;

(II) STRUCTURES, EQUIPMENT, FURNISHINGS, RAIL OR MOTOR VEHICLES, BARGES, AND BOATS;

(III) PROPERTY AND RIGHTS RELATED TO PROPERTY, APPURTENANCES, RIGHTS–OF–WAY, FRANCHISES, AND EASEMENTS;

(IV) PROPERTY THAT IS FUNCTIONALLY RELATED AND SUBORDINATE TO A PROJECT; AND

(V) PATENTS, LICENSES, AND OTHER RIGHTS NECESSARY OR USEFUL IN THE IMPROVEMENT OR OPERATION OF A PROJECT.

(O) (1) "REVENUES" MEANS THE INCOME, REVENUE, AND OTHER MONEY THE CENTER RECEIVES FROM OR IN CONNECTION WITH A PROJECT, AND ALL OTHER INCOME OF THE CENTER.

(2) "REVENUES" INCLUDES GRANTS, RENTALS, RATES, FEES, AND CHARGES FOR THE USE OF THE SERVICES FURNISHED OR AVAILABLE.

(P) (1) "TRUST AGREEMENT" MEANS AN AGREEMENT ENTERED INTO BY THE CENTER TO SECURE A BOND.

(2) "TRUST AGREEMENT" MAY INCLUDE A BOND CONTRACT, BOND RESOLUTION, OR OTHER CONTRACT WITH OR FOR THE BENEFIT OF A BONDHOLDER.

1 **10–802.**

2 (A) THE GENERAL ASSEMBLY FINDS THAT:

3 (1) THE UNITED STATES AS A WHOLE, AND THE STATE IN
4 PARTICULAR, ARE FACING INCREASED ENERGY COSTS BASED ON MANY
5 FACTORS, INCLUDING RISING FUEL COSTS, LIMITED INVESTMENT IN
6 GENERATION AND TRANSMISSION FACILITIES, AND A COMPLEX COMBINATION
7 OF MARKET–BASED AND OTHER REGULATORY MECHANISMS THAT BALANCE
8 ENVIRONMENTAL, ECONOMIC, HEALTH, AND WELFARE INTERESTS;

9 (2) CONTINUED EXCLUSIVE RELIANCE ON TRADITIONAL FORMS
10 OF ELECTRICITY SUPPLY ENTRENCHES THE STATE'S DEPENDENCE ON FOSSIL
11 FUELS, WORKING AGAINST THE STATE'S POLICY OF DECREASING GREENHOUSE
12 GAS PRODUCTION, AS EVIDENCED BY THE STATE'S ACCESSION TO THE
13 REGIONAL GREENHOUSE GAS INITIATIVE;

14 (3) "CLEAN ENERGY", A BROAD TERM THAT INCLUDES A WIDE
15 AND VARIED MIXTURE OF STRATEGIES AND TECHNIQUES TO PRODUCE USEFUL
16 ENERGY FROM RENEWABLE AND SUSTAINABLE SOURCES IN A MANNER THAT
17 MINIMIZES FOSSIL FUEL USE AND HARMFUL EMISSIONS, AND TO INCREASE THE
18 EFFICIENT USE OF ENERGY DERIVED FROM ALL SOURCES, OFFERS MANY
19 DIFFERENT OPPORTUNITIES FOR RESIDENTS OF THE STATE TO SUCCEED IN
20 ENTREPRENEURIAL AND OTHER COMMERCIAL ACTIVITY, TO THE OVERALL
21 ECONOMIC AND ENVIRONMENTAL BENEFIT OF THE ENTIRE STATE, AS
22 MEASURED IN IMPROVED AIR AND WATER QUALITY, MODERATED ENERGY
23 EXPENDITURES, AND INCREASED STATE AND LOCAL TAX RECEIPTS;

24 (4) MANY INDIVIDUALS AND BUSINESSES IN THE STATE POSSESS
25 TALENTS AND INTEREST IN THE CLEAN ENERGY TECHNOLOGY SECTOR, WHICH
26 MAY FORM THE BASIS FOR ENCOURAGING DEVELOPMENT AND DEPLOYMENT OF
27 SUSTAINABLE AND RENEWABLE ENERGY TECHNOLOGIES IN THE STATE, THE
28 NATION, AND THE WORLD;

29 (5) THE STATE WILL BENEFIT FROM A TARGETED EFFORT TO
30 ESTABLISH AND INCUBATE CLEAN ENERGY INDUSTRIES IN THE STATE,
31 INCLUDING FINANCIAL ASSISTANCE, INFORMATION SHARING, AND TECHNICAL
32 SUPPORT FOR ENTREPRENEURS IN THE MANUFACTURE AND INSTALLATION OF
33 CLEAN ENERGY TECHNOLOGY; AND

34 (6) IT IS IN THE PUBLIC INTEREST TO ESTABLISH A PUBLIC
35 CORPORATION TO UNDERTAKE THE TASKS OF PROMOTING CLEAN ENERGY
36 INDUSTRIES IN THE STATE, DEVELOPING INCUBATORS FOR THOSE INDUSTRIES,

1 PROVIDING FINANCIAL ASSISTANCE, AND ALSO PROVIDING INFORMATION
2 SHARING AND TECHNICAL ASSISTANCE.

3 (B) THE PURPOSES OF THIS SUBTITLE ARE TO:

4 (1) ENCOURAGE THE DEVELOPMENT OF CLEAN ENERGY
5 INDUSTRIES IN THE STATE;

6 (2) ENCOURAGE THE DEPLOYMENT OF CLEAN ENERGY
7 TECHNOLOGIES IN THE STATE;

8 (3) HELP RETAIN AND ATTRACT BUSINESS ACTIVITY AND
9 COMMERCE IN THE CLEAN ENERGY TECHNOLOGY INDUSTRY SECTOR IN THE
10 STATE;

11 (4) PROMOTE ECONOMIC DEVELOPMENT; AND

12 (5) PROMOTE THE HEALTH, SAFETY, AND WELFARE OF
13 RESIDENTS OF THE STATE.

14 (C) THE GENERAL ASSEMBLY INTENDS THAT:

15 (1) THE CENTER OPERATE AND EXERCISE ITS CORPORATE
16 POWERS IN ALL AREAS OF THE STATE;

17 (2) WITHOUT LIMITING ITS AUTHORITY TO OTHERWISE EXERCISE
18 ITS CORPORATE POWERS, THE CENTER EXERCISE ITS CORPORATE POWERS TO
19 ASSIST GOVERNMENTAL UNITS AND STATE AND LOCAL ECONOMIC
20 DEVELOPMENT AGENCIES TO CONTRIBUTE TO THE EXPANSION,
21 MODERNIZATION, AND RETENTION OF EXISTING ENTERPRISES IN THE STATE AS
22 WELL AS THE ATTRACTION OF NEW BUSINESS TO THE STATE;

23 (3) THE CENTER COOPERATE WITH PRIVATE INDUSTRIES AND
24 LOCAL GOVERNMENTS IN MAXIMIZING NEW ECONOMIC OPPORTUNITIES FOR
25 RESIDENTS OF THE STATE; AND

26 (4) THE CENTER ACCOMPLISH AT LEAST ONE OF THE PURPOSES
27 LISTED IN SUBSECTION (B) OF THIS SECTION AND COMPLEMENT EXISTING
28 STATE MARKETING AND FINANCIAL ASSISTANCE PROGRAMS BY:

29 (I) OWNING PROJECTS;

30 (II) LEASING PROJECTS TO OTHER PERSONS; OR

1 (III) LENDING THE PROCEEDS OF BONDS TO OTHER PERSONS
2 TO FINANCE THE COSTS OF ACQUIRING OR IMPROVING PROJECTS THAT THE
3 PERSONS OWN OR WILL OWN.

4 **10–803.**

5 *(A)* THIS SUBTITLE SHALL BE LIBERALLY CONSTRUED TO CARRY OUT
6 ITS PURPOSES.

7 *(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO LIMIT OR RESTRICT*
8 *THE DUTIES, PROGRAMS, OR AUTHORITY OF THE MARYLAND ENERGY*
9 *ADMINISTRATION.*

10 **10–804. RESERVED.**

11 **10–805. RESERVED.**

12 **PART II. MARYLAND CLEAN ENERGY CENTER.**

13 **10–806.**

14 (A) THERE IS A MARYLAND CLEAN ENERGY CENTER.

15 (B) THE CENTER IS A BODY POLITIC AND CORPORATE AND IS AN
16 INSTRUMENTALITY OF THE STATE.

17 (C) THE EXERCISE BY THE CENTER OF THE POWERS CONFERRED BY
18 THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL
19 FUNCTION.

20 (D) THE PURPOSES OF THE CENTER ARE TO:

21 (1) PROMOTE ECONOMIC DEVELOPMENT AND JOBS IN THE CLEAN
22 ENERGY INDUSTRY SECTOR IN THE STATE;

23 (2) PROMOTE THE DEPLOYMENT OF CLEAN ENERGY
24 TECHNOLOGY IN THE STATE;

25 (3) SERVE AS AN INCUBATOR FOR THE DEVELOPMENT OF CLEAN
26 ENERGY INDUSTRY IN THE STATE;

27 (4) COLLECT, ANALYZE, AND DISSEMINATE INDUSTRY DATA; AND

1 (5) PROVIDE OUTREACH AND TECHNICAL SUPPORT TO FURTHER
2 THE CLEAN ENERGY INDUSTRY IN THE STATE.

3 *(E) THE CENTER SHALL COORDINATE WITH THE MARYLAND ENERGY*
4 *ADMINISTRATION AND MAY NOT DUPLICATE THE PROGRAMS OR ACTIVITIES OF*
5 *THE ADMINISTRATION WITHOUT CONSENT OF THE ADMINISTRATION.*

6 **10–807.**

7 (A) A BOARD OF DIRECTORS SHALL MANAGE THE CENTER AND
8 EXERCISE ITS CORPORATE POWERS.

9 (B) THE BOARD CONSISTS OF THE FOLLOWING NINE MEMBERS:

10 (1) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE; AND

11 (2) EIGHT MEMBERS APPOINTED BY THE GOVERNOR WITH THE
12 ADVICE AND CONSENT OF THE SENATE:

13 (I) TWO REPRESENTING THE NOT–FOR–PROFIT CLEAN
14 ENERGY RESEARCH SECTOR OF THE STATE;

15 (II) TWO WITH EXPERTISE IN VENTURE CAPITAL FINANCING;

16 (III) TWO REPRESENTING CLEAN ENERGY INDUSTRIES IN
17 THE STATE; AND

18 (IV) TWO MEMBERS OF THE GENERAL PUBLIC.

19 (C) A MEMBER OF THE BOARD SHALL RESIDE IN THE STATE.

20 (D) IN MAKING APPOINTMENTS TO THE BOARD, THE GOVERNOR SHALL
21 CONSIDER:

22 (1) DIVERSITY; AND

23 (2) ALL GEOGRAPHIC REGIONS OF THE STATE.

24 (E) A MEMBER OF THE BOARD:

25 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
26 BOARD; BUT

1 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
2 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE
3 BUDGET.

4 (F) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS AND
5 BEGINS ON JULY 1.

6 (2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED
7 AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON OCTOBER 1, 2008.

8 (3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES
9 TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

10 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN
11 SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS
12 APPOINTED AND QUALIFIES.

13 (G) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER FOR
14 INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE
15 POSITION.

16 10–808.

17 ~~(A)~~ FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT A CHAIR, A
18 VICE CHAIR, AND A TREASURER.

19 ~~(B) THE CHAIR, VICE CHAIR, AND TREASURER SERVE AT THE PLEASURE~~
20 ~~OF THE GOVERNOR.~~

21 10–809.

22 (A) THE BOARD SHALL DETERMINE THE TIMES AND PLACES OF ITS
23 MEETINGS.

24 (B) (1) SIX MEMBERS OF THE BOARD ARE A QUORUM.

25 (2) THE BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF FIVE
26 BOARD MEMBERS.

27 10–810.

28 (A) (1) THE BOARD SHALL ESTABLISH AN ADVISORY COMMITTEE.

1 (2) THE ADVISORY COMMITTEE CONSISTS OF INDIVIDUALS THAT
2 THE BOARD CONSIDERS WILL ASSIST THE CENTER IN STUDYING AND
3 DEVELOPING POLICIES TO FURTHER THE PURPOSES OF THIS SUBTITLE.

4 (B) THE BOARD MAY ESTABLISH OTHER COMMITTEES AS
5 APPROPRIATE.

6 (C) (1) THE MEMBERSHIP OF A COMMITTEE MAY INCLUDE
7 INDIVIDUALS WHO ARE NOT BOARD MEMBERS.

8 (2) THE BOARD MAY ESTABLISH THE TERM AND MANNER OF
9 SELECTION OF THE MEMBERSHIP OF A COMMITTEE.

10 **10–811.**

11 (A) (1) SUBJECT TO THE APPROVAL OF THE GOVERNOR, THE BOARD
12 SHALL APPOINT AN EXECUTIVE DIRECTOR.

13 (2) THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF
14 THE BOARD.

15 (3) THE BOARD SHALL DETERMINE THE SALARY OF THE
16 EXECUTIVE DIRECTOR.

17 (B) (1) THE EXECUTIVE DIRECTOR IS THE CHIEF ADMINISTRATIVE
18 OFFICER OF THE CENTER.

19 (2) THE EXECUTIVE DIRECTOR SHALL MANAGE THE
20 ADMINISTRATIVE AFFAIRS AND TECHNICAL ACTIVITIES OF THE CENTER IN
21 ACCORDANCE WITH POLICIES AND PROCEDURES THAT THE BOARD
22 ESTABLISHES.

23 (C) THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR'S
24 DESIGNEE, SHALL:

25 (1) ATTEND ALL MEETINGS OF THE BOARD;

26 (2) ACT AS SECRETARY TO THE BOARD;

27 (3) KEEP MINUTES OF ALL PROCEEDINGS OF THE BOARD;

28 (4) APPROVE ALL SALARIES, PER DIEM PAYMENTS, AND
29 ALLOWABLE EXPENSES OF THE CENTER, ITS EMPLOYEES, AND ITS
30 CONSULTANTS;

1 (5) APPROVE ANY EXPENSES INCIDENTAL TO THE OPERATION OF
2 THE CENTER; AND

3 (6) PERFORM THE OTHER DUTIES THAT THE BOARD DIRECTS IN
4 CARRYING OUT THIS SUBTITLE.

5 **10–812.**

6 (A) THE ATTORNEY GENERAL IS THE LEGAL ADVISOR TO THE CENTER.

7 (B) WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE CENTER
8 MAY RETAIN ANY NECESSARY LAWYERS.

9 **10–813.**

10 THE CENTER MAY RETAIN ANY NECESSARY ACCOUNTANTS, ENGINEERS,
11 FINANCIAL ADVISORS, OR OTHER CONSULTANTS.

12 **10–814.**

13 (A) EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (E) OF THIS
14 SECTION, THE CENTER IS EXEMPT FROM:

15 (1) TITLE 10 AND DIVISION II OF THE STATE FINANCE AND
16 PROCUREMENT ARTICLE; AND

17 (2) §§ 10–505 AND 10–507 OF THE STATE GOVERNMENT
18 ARTICLE.

19 (B) THE CENTER IS SUBJECT TO THE PUBLIC INFORMATION ACT.

20 (C) THE BOARD AND THE OFFICERS AND EMPLOYEES OF THE CENTER
21 ARE SUBJECT TO THE PUBLIC ETHICS LAW.

22 (D) THE OFFICERS AND EMPLOYEES OF THE CENTER ARE NOT SUBJECT
23 TO THE PROVISIONS OF DIVISION I OF THE STATE PERSONNEL AND PENSIONS
24 ARTICLE THAT GOVERN THE STATE PERSONNEL MANAGEMENT SYSTEM.

25 (E) THE CENTER, ITS BOARD, AND EMPLOYEES ARE SUBJECT TO TITLE
26 12, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

27 (F) THE CENTER IS A PUBLIC BODY UNDER TITLE 5, SUBTITLE 4 OF
28 THIS ARTICLE, THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING

1 AUTHORITY ACT, FOR PURPOSES OF APPLYING FOR, RECEIVING, AND MAKING
2 AGREEMENTS IN CONNECTION WITH:

3 (1) A LOAN;

4 (2) A GRANT;

5 (3) INSURANCE; OR

6 (4) ANY OTHER FORM OF FINANCIAL ASSISTANCE.

7 **10–815.**

8 A FINDING BY THE BOARD CONCERNING THE PUBLIC PURPOSE OF AN
9 ACTION, THE LEGISLATIVE INTENT EXPRESSED UNDER THIS SUBTITLE, OR THE
10 APPROPRIATENESS OF THE ACTION IN SERVING THE PUBLIC PURPOSE AND
11 SATISFYING THE LEGISLATIVE INTENT IS CONCLUSIVE IN A PROCEEDING THAT
12 INVOLVES THE VALIDITY OR ENFORCEABILITY OF:

13 (1) AN AGREEMENT ENTERED INTO BY THE CENTER UNDER THIS
14 SUBTITLE;

15 (2) A BOND; OR

16 (3) ANY SECURITY RELATING TO A BOND.

17 **10–816.**

18 (A) THE CENTER SHALL ESTABLISH A SYSTEM OF FINANCIAL
19 ACCOUNTING, CONTROLS, AUDITS, AND REPORTS.

20 (B) THE FISCAL YEAR OF THE CENTER BEGINS ON JULY 1 AND ENDS ON
21 THE FOLLOWING JUNE 30.

22 **10–817.**

23 (A) THE CENTER MAY CREATE AND ADMINISTER THE ACCOUNTS THAT
24 IT REQUIRES.

25 (B) THE CENTER SHALL DEPOSIT ITS MONEY INTO A STATE OR
26 NATIONAL BANK OR A FEDERALLY INSURED SAVINGS AND LOAN ASSOCIATION
27 THAT HAS A TOTAL PAID–IN CAPITAL OF AT LEAST $1,000,000.

1 (C) THE CENTER MAY DESIGNATE THE TRUST DEPARTMENT OF A
2 STATE BANK, NATIONAL BANK, OR SAVINGS AND LOAN ASSOCIATION AS A
3 DEPOSITORY TO RECEIVE SECURITIES THAT THE CENTER OWNS OR ACQUIRES.

4 (D) UNLESS AN AGREEMENT OR COVENANT BETWEEN THE CENTER AND
5 THE HOLDERS OF ITS OBLIGATIONS LIMITS CLASSES OF INVESTMENTS, THE
6 CENTER MAY INVEST ITS MONEY IN BONDS OR OTHER OBLIGATIONS OF, OR
7 GUARANTEED AS TO PRINCIPAL AND INTEREST BY, THE UNITED STATES, THE
8 STATE, OR A GOVERNMENTAL UNIT.

9 **10–818.**

10 (A) (1) THE EXECUTIVE DIRECTOR AND EACH OTHER OFFICER
11 AUTHORIZED BY THE CENTER MAY:

12 (I) ALLOW COPIES TO BE MADE OF THE MINUTES AND
13 RECORDS OF THE CENTER; AND

14 (II) CERTIFY RECORDS UNDER SEAL SHOWING THAT THE
15 COPIES ARE TRUE COPIES.

16 (2) A PERSON MAY RELY ON THE CERTIFIED RECORD.

17 (B) THE RECORDS OF THE CENTER ARE PUBLIC RECORDS SUBJECT TO
18 REASONABLE INSPECTION.

19 **10–819.**

20 THE CENTER MAY:

21 (1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;

22 (2) ADOPT A SEAL;

23 (3) MAINTAIN OFFICES AT A PLACE IT DESIGNATES IN THE STATE;

24 (4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM
25 THE FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR
26 UNIVERSITY, OR A PRIVATE SOURCE;

27 (5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;

28 (6) SUE OR BE SUED;

1 (7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:

2 (I) A FRANCHISE, PATENT, OR LICENSE;

3 (II) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR
4 INTANGIBLE PROPERTY; OR

5 (III) AN INTEREST IN THE PROPERTY LISTED IN THIS ITEM;

6 (8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR
7 DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT IT ACQUIRES;

8 (9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND
9 CHARGES FOR SERVICES AND RESOURCES IT PROVIDES OR MAKES AVAILABLE;

10 (10) CREATE, OWN, CONTROL, OR BE A MEMBER OF A
11 CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER
12 ENTITY, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT;

13 (11) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE
14 CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD
15 CONFLICT WITH STATE LAW; AND

16 (12) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT
17 THE POWERS GRANTED BY THIS SUBTITLE.

18 **10–820.**

19 THE CENTER MAY MAKE GRANTS TO OR PROVIDE EQUITY INVESTMENT
20 FINANCING FOR CLEAN ENERGY TECHNOLOGY–BASED BUSINESSES.

21 **10–821.**

22 THE CENTER MAY:

23 (1) ACQUIRE, DEVELOP, IMPROVE, MANAGE, MARKET, LICENSE,
24 SUBLICENSE, MAINTAIN, LEASE AS LESSOR OR LESSEE, OR OPERATE A PROJECT
25 IN THE STATE TO CARRY OUT ITS PURPOSES;

26 (2) ACQUIRE, DIRECTLY OR INDIRECTLY, FROM A PERSON OR
27 GOVERNMENTAL UNIT, BY PURCHASE, GIFT, OR DEVISE ANY PROPERTY,
28 RIGHTS–OF–WAY, FRANCHISES, EASEMENTS, OR OTHER INTERESTS IN LAND,
29 INCLUDING SUBMERGED LAND AND RIPARIAN RIGHTS:

1 (I) AS NECESSARY OR CONVENIENT TO IMPROVE OR
2 OPERATE A PROJECT TO CARRY OUT ITS PURPOSES; AND

3 (II) ON THE TERMS AND AT THE PRICES THAT IT CONSIDERS
4 REASONABLE; AND

5 (3) ENTER INTO A PROJECT WITH A MANUFACTURER TO CARRY
6 OUT ITS PURPOSES.

7 10–822.

8 THE CENTER MAY:

9 (1) BORROW MONEY AND ISSUE BONDS TO FINANCE ANY PART OF
10 THE COST OF A PROJECT OR FOR ANY OTHER CORPORATE PURPOSE OF THE
11 CENTER;

12 (2) SECURE THE PAYMENT OF ANY PORTION OF THE BORROWING
13 BY PLEDGE OF OR MORTGAGE OR DEED OF TRUST ON PROPERTY OR REVENUES
14 OF THE CENTER;

15 (3) COMBINE PROJECTS FOR FINANCING, MAKE AGREEMENTS
16 WITH OR FOR THE BENEFIT OF THE BONDHOLDERS OR WITH OTHERS IN
17 CONNECTION WITH THE ISSUANCE OR FUTURE ISSUANCE OF BONDS, AS THE
18 CENTER CONSIDERS ADVISABLE; AND

19 (4) OTHERWISE PROVIDE FOR THE SECURITY OF BONDS AND THE
20 RIGHTS OF BONDHOLDERS.

21 10–823.

22 (A) THE CENTER SHALL SERVE AS A CLEARINGHOUSE FOR
23 INFORMATION AND MATERIALS THAT MAY BE PERTINENT TO CLEAN ENERGY
24 TECHNOLOGY, EDUCATION, AND DEPLOYMENT IN THE STATE, FOR PERSONS
25 ENGAGED IN THE CLEAN ENERGY INDUSTRY AS DEVELOPERS,
26 MANUFACTURERS, AND INSTALLERS, AS WELL AS FOR CONSUMERS AND
27 FINANCIAL INSTITUTIONS, INCLUDING INFORMATION ON AVAILABLE FEDERAL,
28 STATE, AND PRIVATE FINANCIAL ASSISTANCE AND TECHNICAL ASSISTANCE.

29 (B) THE CENTER MAY:

30 (1) COOPERATE WITH AND PROVIDE ASSISTANCE TO LOCAL
31 GOVERNMENTS, INSTRUMENTALITIES, AND RESEARCH ENTITIES IN THE STATE;
32 AND

1 (2) COORDINATE CLEAN ENERGY TECHNOLOGY DEVELOPMENT,
2 EDUCATION, AND DEPLOYMENT ACTIVITIES WITH PROGRAMS OF THE FEDERAL
3 GOVERNMENT AND OF GOVERNMENTAL UNITS AND PUBLIC AND PRIVATE
4 ENTITIES IN AND OUTSIDE THE STATE.

5 **10–824.**

6 THE CENTER IS EXEMPT FROM STATE AND LOCAL TAXES.

7 **10–825.**

8 THE BOOKS AND RECORDS OF THE CENTER ARE SUBJECT TO AUDIT:

9 (1) AT ANY TIME BY THE STATE; AND

10 (2) EACH YEAR BY AN INDEPENDENT AUDITOR THAT THE OFFICE
11 OF LEGISLATIVE AUDITS APPROVES.

12 **10–826.**

13 (A) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE CENTER SHALL
14 REPORT TO THE GOVERNOR, THE ADMINISTRATION, AND, IN ACCORDANCE
15 WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
16 ASSEMBLY.

17 (B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND
18 FINANCIAL STATEMENT COVERING THE CENTER'S OPERATIONS AND A
19 SUMMARY OF THE CENTER'S ACTIVITIES DURING THE PRECEDING FISCAL YEAR.

20 **10–827. RESERVED.**

21 **10–828. RESERVED.**

22 PART III. MARYLAND CLEAN ENERGY TECHNOLOGY INCUBATOR PROGRAM.

23 **10–829.**

24 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (B) "FINANCIAL ASSISTANCE" MEANS A GRANT, LOAN, CREDIT
27 ENHANCEMENT, OR SIMILAR ASSISTANCE.

1 (C) "PROGRAM" MEANS THE MARYLAND CLEAN ENERGY TECHNOLOGY
2 INCUBATOR PROGRAM.

3 10–830.

4 (A) THERE IS A MARYLAND CLEAN ENERGY TECHNOLOGY INCUBATOR
5 PROGRAM.

6 (B) THE CENTER SHALL ADMINISTER THE PROGRAM.

7 10–831.

8 THE PURPOSE OF THE PROGRAM IS TO PROMOTE ENTREPRENEURSHIP
9 AND THE CREATION OF JOBS IN CLEAN ENERGY TECHNOLOGY–RELATED
10 INDUSTRY BY ESTABLISHING AND OPERATING EFFECTIVE INCUBATORS
11 THROUGHOUT THE STATE THAT PROVIDE ADEQUATE PHYSICAL SPACE
12 DESIGNED, AND PROGRAMS INTENDED, TO INCREASE OR ACCELERATE
13 BUSINESS SUCCESS IN THE FIELD OF CLEAN ENERGY TECHNOLOGY.

14 10–832.

15 (A) TO CARRY OUT THE PURPOSES OF THE PROGRAM, THE CENTER
16 SHALL AWARD FINANCIAL ASSISTANCE UNDER THIS PART.

17 (B) THE CENTER SHALL CONSULT WITH THE ADMINISTRATION, THE
18 DEPARTMENT, AND OTHER APPROPRIATE GOVERNMENTAL UNITS IN THE
19 DEVELOPMENT OF THE PROGRAM.

20 10–833.

21 THE CENTER MAY AWARD FINANCIAL ASSISTANCE USING MONEY
22 PROVIDED BY THE FEDERAL GOVERNMENT, THE STATE, A GOVERNMENTAL
23 UNIT, OR ANY PERSON.

24 10–834.

25 (A) AFTER CONSULTING WITH THE DIRECTOR, THE CENTER SHALL
26 ADOPT STANDARDS TO AWARD FINANCIAL ASSISTANCE.

27 (B) THE STANDARDS SHALL AUTHORIZE THE AWARD OF FINANCIAL
28 ASSISTANCE TO:

29 (1) SUPPORT THE DEVELOPMENT AND USE OF BEST PRACTICES
30 IN THE INCUBATION PROCESS;

1 (2) PROVIDE STRATEGIC PLANNING, NEEDS ASSESSMENTS, AND
2 FEASIBILITY STUDIES; OR

3 (3) HELP ACQUIRE OR IMPROVE NEW OR EXPANDED SPACE OR
4 IMPROVE EXISTING SPACE FOR AN INCUBATOR, INCLUDING PROVIDING OR
5 HELPING ANOTHER WITH:

6 (I) ACQUISITION OF LAND;

7 (II) ACQUISITION OF ARCHITECTURAL OR ENGINEERING
8 SERVICES;

9 (III) PAYMENT OF ADMINISTRATIVE COSTS;

10 (IV) DEVELOPMENT OR UPGRADING OF COMMUNICATIONS
11 INFRASTRUCTURE;

12 (V) ACQUISITION OF FURNISHINGS OR EQUIPMENT; OR

13 (VI) ACQUISITION OF OTHER ITEMS ASSOCIATED WITH
14 TENANT BUILD–OUT.

15 **10–835.**

16 THE CENTER MAY AWARD FINANCIAL ASSISTANCE TO:

17 (1) A LOCAL GOVERNMENT;

18 (2) AN AGENCY, INSTRUMENTALITY, OR NOT–FOR–PROFIT
19 CORPORATION THAT THE LOCAL GOVERNMENT DESIGNATES;

20 (3) A PUBLIC OR PRIVATE COLLEGE OR UNIVERSITY;

21 (4) THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION;
22 OR

23 (5) A NOT–FOR–PROFIT ENTITY OPERATING AN INCUBATOR IN
24 THE STATE.

25 **10–836.**

1 (A) A RECIPIENT OF FINANCIAL ASSISTANCE UNDER § 10–834(B)(3) OF
2 THIS SUBTITLE SHALL PROVIDE MATCHING FUNDS OR IN–KIND CONTRIBUTIONS
3 FOR THE PROJECT AT LEAST EQUAL TO THE FINANCIAL ASSISTANCE AWARDED.

4 (B) THE CENTER MAY WAIVE THE REQUIREMENT OF SUBSECTION (A)
5 OF THIS SECTION FOR GOOD CAUSE SHOWN.

6 10–837.

7 UNLESS TWO–THIRDS OF THE MEMBERSHIP OF THE BOARD APPROVE,
8 THE CENTER MAY NOT AWARD FINANCIAL ASSISTANCE WITHIN A SINGLE
9 COUNTY UNDER § 10–834(B)(3) OF THIS SUBTITLE THAT EXCEEDS A TOTAL OF
10 $1,000,000 IN A SINGLE FISCAL YEAR.

11 10–838. RESERVED.

12 10–839. RESERVED.

13 PART IV. BONDS.

14 10–840.

15 (A) (1) THE CENTER MAY PERIODICALLY:

16 (I) ISSUE BONDS FOR ANY CORPORATE PURPOSE,
17 INCLUDING OPERATING EXPENSES;

18 (II) REFUND THOSE BONDS;

19 (III) PURCHASE ITS BONDS WITH ANY FUNDS AVAILABLE;
20 AND

21 (IV) HOLD, PLEDGE, CANCEL, OR RESELL BONDS.

22 (2) BY RESOLUTION, THE BOARD MAY AUTHORIZE THE CHAIR,
23 VICE CHAIR, ONE OF ITS MEMBERS, OR A COMMITTEE OF ITS MEMBERS TO
24 DETERMINE, PROVIDE FOR, OR APPROVE ANY MATTERS RELATING TO BONDS
25 THAT THE BOARD CONSIDERS APPROPRIATE INCLUDING:

26 (I) SPECIFYING, DETERMINING, PRESCRIBING, AND
27 APPROVING MATTERS, DOCUMENTS, AND PROCEDURES THAT RELATE TO THE
28 AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, AND PAYMENT OF AND
29 FOR THE BONDS;

1 (II) CREATING SECURITY FOR THE BONDS;

2 (III) PROVIDING FOR THE ADMINISTRATION OF BOND
3 ISSUES; AND

4 (IV) TAKING OTHER ACTIONS IT CONSIDERS APPROPRIATE
5 CONCERNING THE BONDS.

6 (3) THE POWER GRANTED IN PARAGRAPH (2) OF THIS
7 SUBSECTION IS IN ADDITION TO POWERS CONFERRED ON THE BOARD BY THIS
8 SUBTITLE AND DOES NOT LIMIT ANY POWER OF THE BOARD UNDER THIS
9 SUBTITLE.

10 (4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
11 THE BOARD MAY AUTHORIZE THE EXECUTIVE DIRECTOR TO TAKE ANY OF THE
12 ACTIONS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION.

13 (II) IF THE BOARD AUTHORIZES THE EXECUTIVE DIRECTOR
14 TO TAKE ANY OF THE ACTIONS DESCRIBED IN PARAGRAPH (2) OF THIS
15 SUBSECTION, THE BOARD SHALL PRESCRIBE LIMITS WITHIN WHICH THE
16 EXECUTIVE DIRECTOR MAY EXERCISE DISCRETION.

17 (B) (1) EXCEPT AS OTHERWISE PROVIDED BY THE CENTER, EACH
18 ISSUE OF ITS BONDS IS A GENERAL OBLIGATION OF THE CENTER PAYABLE
19 FROM ANY REVENUES OR MONEYS OF THE CENTER THAT ARE AVAILABLE AND
20 NOT OTHERWISE PLEDGED.

21 (2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION
22 ARE SUBJECT TO ANY AGREEMENTS WITH:

23 (I) HOLDERS OF PARTICULAR BONDS PLEDGING ANY
24 PARTICULAR REVENUES OR MONEYS; AND

25 (II) ANY PARTICIPATING INSTITUTION.

26 (C) FOR EACH ISSUE OF ITS BONDS, THE CENTER SHALL PASS A
27 RESOLUTION THAT:

28 (1) SPECIFIES AND DESCRIBES THE PROJECT FOR WHICH THE
29 PROCEEDS OF THE BOND ISSUANCE ARE INTENDED;

30 (2) GENERALLY DESCRIBES THE PUBLIC PURPOSE AND THE
31 FINANCING TRANSACTION TO BE ACCOMPLISHED;

1 (3) SPECIFIES THE MAXIMUM PRINCIPAL AMOUNT OF THE BONDS
2 THAT MAY BE ISSUED BY THE CENTER; AND

3 (4) IMPOSES ANY TERMS OR CONDITIONS ON THE ISSUANCE AND
4 SALE OF THE BONDS THAT THE CENTER CONSIDERS APPROPRIATE.

5 (D) SUBJECT TO ANY PROVISION FOR THEIR REGISTRATION, BONDS
6 ARE NEGOTIABLE INSTRUMENTS FOR ALL PURPOSES REGARDLESS OF
7 WHETHER THEY ARE PAYABLE FROM A SPECIAL FUND.

8 (E) (1) THE BONDS MAY BE:

9 (I) SERIAL BONDS;

10 (II) TERM BONDS; OR

11 (III) BOTH IN THE DISCRETION OF THE CENTER.

12 (2) SUBJECT TO ANY DELEGATION UNDER SUBSECTION (A)(2) OF
13 THIS SECTION, THE RESOLUTION AUTHORIZING BONDS MAY PROVIDE:

14 (I) THE DATES OF THE BONDS;

15 (II) THE MATURITY DATES OF THE BONDS;

16 (III) THE INTEREST RATES ON THE BONDS;

17 (IV) THE TIME AT WHICH THE BONDS WILL BE PAYABLE;

18 (V) THE DENOMINATIONS OF THE BONDS;

19 (VI) WHETHER THE BONDS WILL BE IN A COUPON OR
20 REGISTERED FORM;

21 (VII) ANY REGISTRATION PRIVILEGES OF THE BONDS;

22 (VIII) THE MANNER OF EXECUTION OF THE BONDS;

23 (IX) THE PLACE AT WHICH THE BONDS WILL BE PAYABLE;
24 AND

25 (X) ANY TERMS OF REDEMPTION OF THE BONDS.

26 (3) THE BONDS SHALL MATURE WITHIN A PERIOD NOT TO
27 EXCEED 50 YEARS AFTER THEIR DATE.

1 (4) THE BONDS SHALL BE PAYABLE IN UNITED STATES
2 CURRENCY.

3 (F) THE BONDS MAY BE SOLD BY COMPETITIVE OR NEGOTIATED SALE
4 AT A PRICE DETERMINED BY THE CENTER.

5 (G) PENDING PREPARATION OF THE DEFINITIVE BONDS, THE CENTER
6 MAY ISSUE INTERIM RECEIPTS OR CERTIFICATES THAT WILL BE EXCHANGED
7 FOR DEFINITIVE BONDS.

8 (H) (1) A TRUST AGREEMENT AUTHORIZING BONDS MAY CONTAIN
9 PROVISIONS THAT ARE PART OF THE CONTRACT WITH THE BONDHOLDERS.

10 (2) THE PROVISIONS MAY INCLUDE:

11 (I) PLEDGING THE FOLLOWING TO SECURE PAYMENT OF
12 BONDS, SUBJECT TO ANY EXISTING AGREEMENTS WITH BONDHOLDERS:

13 1. THE FULL FAITH AND CREDIT OF THE CENTER;

14 2. THE FULL FAITH AND CREDIT OF A
15 PARTICIPATING INSTITUTION;

16 3. REVENUES OF A PROJECT;

17 4. A REVENUE–PRODUCING CONTRACT THE CENTER
18 HAS MADE WITH A PERSON OR PUBLIC ENTITY; OR

19 5. THE PROCEEDS OF THE SALE OF BONDS;

20 (II) THE RENTALS, FEES, AND OTHER CHARGES, THE
21 AMOUNTS TO BE RAISED IN EACH YEAR, AND THE USE AND DISPOSITION OF THE
22 REVENUES;

23 (III) THE SETTING ASIDE OF RESERVES AND SINKING FUNDS
24 AND THEIR DISPOSITION;

25 (IV) LIMITS ON THE RIGHT OF THE CENTER OR ITS AGENTS
26 TO RESTRICT AND REGULATE THE USE OF A PROJECT;

27 (V) LIMITS ON THE PURPOSE TO WHICH THE PROCEEDS OF
28 SALE OF BONDS MAY BE APPLIED;

1 (VI) LIMITS ON ISSUING ADDITIONAL BONDS, THE TERMS
2 UNDER WHICH ADDITIONAL BONDS MAY BE ISSUED AND SECURED, AND
3 REFUNDING OUTSTANDING BONDS;

4 (VII) THE PROCEDURE TO AMEND OR ABROGATE THE TERMS
5 OF A CONTRACT WITH BONDHOLDERS AND THE REQUIREMENTS FOR CONSENT;

6 (VIII) LIMITS ON THE AMOUNT OF PROJECT REVENUES TO BE
7 EXPENDED FOR OPERATING, ADMINISTRATIVE, OR OTHER EXPENSES OF THE
8 CENTER;

9 (IX) THE ACTS OR OMISSIONS THAT CONSTITUTE DEFAULT
10 BY THE CENTER AND THE RIGHTS AND REMEDIES OF THE BONDHOLDERS IN
11 THE EVENT OF A DEFAULT;

12 (X) THE CONVEYANCE OR MORTGAGING OF A PROJECT AND
13 ITS SITE TO SECURE THE BONDHOLDERS; AND

14 (XI) CREATION AND DISPOSITION OF A COLLATERAL FUND,
15 INSTEAD OF CONVEYANCE OR MORTGAGE, FOR THE PURPOSE OF SECURING THE
16 BONDHOLDERS.

17 (I) THE MEMBERS OF THE BOARD AND A PERSON EXECUTING THE
18 BONDS MAY NOT BE HELD LIABLE PERSONALLY ON THE BONDS.

19 **10–841.**

20 (A) THE CENTER MAY SECURE BONDS BY A TRUST AGREEMENT.

21 (B) THE CORPORATE TRUSTEE UNDER A TRUST AGREEMENT MAY BE A
22 TRUST COMPANY OR A BANK THAT HAS THE POWERS OF A TRUST COMPANY IN
23 OR OUTSIDE THE STATE.

24 (C) IN ADDITION TO THE PROVISIONS DESCRIBED IN § 10–840(H) OF
25 THIS SUBTITLE, THE TRUST AGREEMENT MAY CONTAIN:

26 (1) EITHER:

27 (I) A PROVISION CONVEYING OR MORTGAGING ALL OR A
28 PORTION OF THE PROJECT; OR

29 (II) A PROVISION CREATING A COLLATERAL ACCOUNT;

1 (2) OTHER PROVISIONS THAT THE CENTER CONSIDERS
2 REASONABLE AND PROPER FOR THE SECURITY OF BONDHOLDERS; AND

3 (3) A PROVISION THAT RESTRICTS THE INDIVIDUAL RIGHT OF
4 ACTION BY BONDHOLDERS.

5 (D) AN EXPENSE INCURRED IN CARRYING OUT THE TRUST AGREEMENT
6 OR A RESOLUTION MAY BE TREATED AS PART OF THE COST OF THE OPERATION
7 OF A PROJECT.

8 **10–842.**

9 BONDS ARE SECURITIES:

10 (1) IN WHICH ANY OF THE FOLLOWING PERSONS MAY LEGALLY
11 AND PROPERLY INVEST MONEY, INCLUDING CAPITAL THAT THE PERSON OWNS
12 OR CONTROLS:

13 (I) AN OFFICER OR UNIT OF THE STATE OR A POLITICAL
14 SUBDIVISION;

15 (II) A BANK, TRUST COMPANY, SAVINGS AND LOAN
16 ASSOCIATION, INVESTMENT COMPANY, OR OTHER PERSON CONDUCTING A
17 BANKING BUSINESS;

18 (III) AN INSURANCE COMPANY, INSURANCE ASSOCIATION, OR
19 OTHER PERSON CONDUCTING AN INSURANCE BUSINESS;

20 (IV) A PERSONAL REPRESENTATIVE, GUARDIAN, TRUSTEE,
21 OR OTHER FIDUCIARY; AND

22 (V) ANY OTHER PERSON; AND

23 (2) THAT MAY BE DEPOSITED WITH AND RECEIVED BY A UNIT OF
24 THE STATE OR A POLITICAL SUBDIVISION FOR ANY PURPOSE FOR WHICH THE
25 DEPOSIT OF BONDS OR OBLIGATIONS OF THE STATE IS AUTHORIZED BY LAW.

26 **10–843.**

27 (A) A BOND:

28 (1) IS NOT:

1 (I) A DEBT OR LIABILITY OF THE STATE OR A POLITICAL
2 SUBDIVISION OF THE STATE; OR

3 (II) A PLEDGE OF THE FAITH AND CREDIT OF THE STATE OR
4 A POLITICAL SUBDIVISION OF THE STATE; AND

5 (2) IS PAYABLE SOLELY FROM MONEY AVAILABLE IN
6 ACCORDANCE WITH THIS SUBTITLE.

7 (B) EACH BOND SHALL STATE ON ITS FACE THAT:

8 (1) THE STATE AND ITS POLITICAL SUBDIVISIONS ARE NOT
9 OBLIGED TO PAY THE BOND OR THE INTEREST ON THE BOND EXCEPT FROM
10 REVENUES OF THE PROJECT OR THE PORTION OF THE PROJECT FOR WHICH
11 THE BOND IS ISSUED; AND

12 (2) THE FAITH, CREDIT, AND TAXING POWER OF THE STATE AND
13 ITS POLITICAL SUBDIVISIONS ARE NOT PLEDGED TO PAY THE PRINCIPAL OF OR
14 THE INTEREST ON THE BOND.

15 (C) THE ISSUANCE OF BONDS DOES NOT DIRECTLY, INDIRECTLY, OR
16 CONTINGENTLY OBLIGATE THE STATE OR ITS POLITICAL SUBDIVISIONS:

17 (1) TO LEVY OR PLEDGE A TAX TO PAY THE BONDS; OR

18 (2) TO MAKE AN APPROPRIATION TO PAY THE BONDS.

19 (D) THIS SECTION DOES NOT PREVENT THE CENTER FROM PLEDGING
20 ITS FULL FAITH AND CREDIT TO PAY BONDS.

21 **10–844.**

22 (A) THE CENTER MAY:

23 (1) FIX AND COLLECT RATES, RENTS, FEES, AND CHARGES FOR
24 THE USE OF A PROJECT AND FOR THE SERVICES FURNISHED OR TO BE
25 FURNISHED BY A PROJECT; AND

26 (2) CONTRACT WITH A PERSON OR GOVERNMENTAL ENTITY TO
27 EXERCISE ITS AUTHORITY UNDER THIS SECTION.

28 (B) THE RATES, RENTS, FEES, AND CHARGES ESTABLISHED BY THE
29 CENTER UNDER THIS SECTION SHALL BE FIXED AND ADJUSTED SO THAT THE

AGGREGATE AMOUNT OF THE RATES, RENTS, FEES, AND CHARGES FROM THE PROJECT, WHEN ADDED TO OTHER AVAILABLE MONEY, IS SUFFICIENT TO:

(1) PAY FOR MAINTAINING, REPAIRING, AND OPERATING THE PROJECT;

(2) PAY THE PRINCIPAL OF AND THE INTEREST ON THE BONDS THAT THE CENTER ISSUED FOR THE PROJECT AS THEY BECOME DUE AND PAYABLE; AND

(3) CREATE AND MAINTAIN RESERVES REQUIRED OR PROVIDED FOR IN A TRUST AGREEMENT.

(C) THE RATES, RENTS, FEES, AND CHARGES ESTABLISHED BY THE CENTER UNDER THIS SECTION ARE NOT SUBJECT TO SUPERVISION OR REGULATION BY ANY UNIT OF THE STATE OTHER THAN THE CENTER.

10–845.

(A) (1) ANY PLEDGE OF REVENUES AND OTHER MONEY UNDER § 10–840(H) OF THIS SUBTITLE IS VALID AND BINDING FROM THE TIME THE PLEDGE IS MADE.

(2) (I) THE REVENUE OR MONEY THAT THE CENTER PLEDGES AND RECEIVES IS SUBJECT IMMEDIATELY TO THE LIEN OF THE PLEDGE.

(II) NEITHER PHYSICAL DELIVERY OF THE REVENUE OR MONEY NOR ANY OTHER ACT IS REQUIRED TO VALIDATE THE LIEN.

(3) THE LIEN OF THE PLEDGE IS VALID AND BINDING AGAINST EACH PARTY WITH A CLAIM AGAINST THE CENTER IN TORT, CONTRACT, OR OTHERWISE, REGARDLESS OF WHETHER THE PARTY HAS NOTICE OF THE LIEN.

(B) THE TRUST AGREEMENT AND ANY OTHER AGREEMENT OR LEASE CREATING A PLEDGE UNDER THIS SECTION NEED NOT BE FILED OR RECORDED, EXCEPT IN THE RECORDS OF THE CENTER.

10–846.

(A) PROCEEDS FROM THE SALE OF BONDS AND OTHER REVENUES RECEIVED UNDER THIS SUBTITLE ARE TRUST FUNDS TO BE HELD AND APPLIED SOLELY AS PROVIDED IN THIS SUBTITLE.

1 (B) (1) EACH OFFICER, BANK, OR TRUST COMPANY THAT RECEIVES
2 MONEY FROM THE CENTER UNDER THIS SUBTITLE SHALL ACT AS TRUSTEE OF
3 THE MONEY AND SHALL HOLD AND APPLY THE MONEY FOR THE PURPOSES
4 SPECIFIED UNDER THIS SUBTITLE.

5 (2) THE OFFICER, BANK, OR TRUST COMPANY HOLDING MONEY IS
6 SUBJECT TO:

7 (I) ANY REGULATION ADOPTED UNDER THIS SUBTITLE;
8 AND

9 (II) THE TRUST AGREEMENT SECURING THE BONDS.

10 **10–847.**

11 (A) (1) THE CENTER MAY ISSUE BONDS TO REFUND OUTSTANDING
12 BONDS OF THE CENTER, INCLUDING PAYING:

13 (I) ANY REDEMPTION PREMIUM;

14 (II) INTEREST ACCRUED OR TO ACCRUE TO THE DATE OF
15 REDEMPTION, PURCHASE, OR MATURITY OF THE BONDS; AND

16 (III) IF CONSIDERED ADVISABLE BY THE CENTER, ANY PART
17 OF THE COST OF ACQUIRING OR IMPROVING A PROJECT.

18 (2) REFUNDING BONDS MAY BE ISSUED FOR ANY CORPORATE
19 PURPOSE, INCLUDING:

20 (I) REALIZING SAVINGS IN THE EFFECTIVE COSTS OF DEBT
21 SERVICE, DIRECTLY OR THROUGH A DEBT RESTRUCTURING; OR

22 (II) ALLEVIATING A POTENTIAL OR ACTUAL DEFAULT.

23 (B) A REFUNDING BOND THAT THE CENTER ISSUES UNDER THIS
24 SECTION SHALL BE ISSUED IN THE SAME MANNER AND IS SUBJECT TO THIS
25 SUBTITLE TO THE SAME EXTENT AS ANY OTHER BOND.

26 (C) (1) THE CENTER MAY ISSUE REFUNDING BONDS IN ONE OR MORE
27 SERIES IN AN AMOUNT GREATER THAN THE AMOUNT OF THE BONDS TO BE
28 REFUNDED.

1 (2) (I) IN ADDITION TO OTHER SOURCES OF PAYMENT THAT
2 THE CENTER DETERMINES, REFUNDING BONDS MAY BE PAYABLE FROM
3 ESCROWED BOND PROCEEDS AND EARNINGS AND PROFITS ON INVESTMENTS.

4 (II) ESCROWED BOND PROCEEDS AND EARNINGS AND
5 PROFITS ON INVESTMENTS USED UNDER SUBPARAGRAPH (I) OF THIS
6 PARAGRAPH CONSTITUTE REVENUES OF A PROJECT UNDER THIS SUBTITLE.

7 **10–848.**

8 (A) THE CENTER MAY ISSUE NEGOTIABLE BOND ANTICIPATION NOTES
9 IN ANTICIPATION OF THE SALE OF BONDS FOR ANY CORPORATE PURPOSE.

10 (B) BOND ANTICIPATION NOTES ISSUED UNDER THIS SECTION SHALL
11 BE ISSUED IN THE SAME MANNER AS BONDS.

12 (C) BOND ANTICIPATION NOTES ISSUED UNDER THIS SECTION AND THE
13 RESOLUTION AUTHORIZING THEM MAY CONTAIN ANY PROVISIONS, CONDITIONS,
14 OR LIMITATIONS THAT MAY BE INCLUDED IN A TRUST AGREEMENT.

15 (D) THE CENTER MAY ISSUE BOND ANTICIPATION NOTES TO PAY ANY
16 OTHER BOND ANTICIPATION NOTES.

17 (E) BOND ANTICIPATION NOTES SHALL BE PAID FROM:

18 (1) REVENUES OF THE CENTER;

19 (2) MONEY AVAILABLE AND NOT OTHERWISE PLEDGED; OR

20 (3) THE PROCEEDS OF THE SALE OF THE BONDS IN ANTICIPATION
21 OF WHICH THE NOTES WERE ISSUED.

22 **10–849.**

23 (A) THE CENTER SHALL CONVEY TITLE TO A PROJECT AND RELEASE
24 COLLATERAL IN ACCORDANCE WITH THIS SECTION WHEN THE FOLLOWING
25 CONDITIONS ARE MET:

26 (1) (I) THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED TO
27 FINANCE THE PROJECT, INCLUDING ANY REFUNDING BONDS, HAVE BEEN FULLY
28 PAID AND RETIRED; OR

29 (II) ADEQUATE PROVISION HAS BEEN MADE TO FULLY PAY
30 AND RETIRE THE BONDS;

1 (2) ALL OTHER CONDITIONS OF THE TRUST AGREEMENT HAVE
2 BEEN SATISFIED; AND

3 (3) THE LIEN OF THE TRUST AGREEMENT HAS BEEN RELEASED.

4 (B) ON SATISFACTION OF THE CONDITIONS UNDER SUBSECTION (A) OF
5 THIS SECTION, THE CENTER PROMPTLY SHALL EXECUTE ANY DEEDS,
6 CONVEYANCES, RELEASES, AND DOCUMENTS AND TAKE ANY OTHER ACTION
7 NECESSARY TO CONVEY TITLE TO THE PROJECT TO THE PARTICIPATING
8 INSTITUTION AND RELEASE COLLATERAL FREE OF ALL LIENS AND
9 ENCUMBRANCES CREATED THROUGH THE CENTER.

10 **10–850.**

11 (A) A BONDHOLDER, A HOLDER OF ANY COUPONS ATTACHED TO BONDS,
12 OR A TRUSTEE UNDER A TRUST AGREEMENT SECURING THE BONDS MAY SUE TO:

13 (1) PROTECT AND ENFORCE RIGHTS UNDER THE LAWS OF THE
14 STATE OR A TRUST AGREEMENT; AND

15 (2) ENFORCE AND COMPEL THE PERFORMANCE OF DUTIES BY
16 THE CENTER OR ITS OFFICER, EMPLOYEE, OR AGENT THAT THIS SUBTITLE OR A
17 TRUST AGREEMENT REQUIRES, INCLUDING FIXING AND COLLECTING RATES,
18 RENTS, FEES, AND CHARGES THAT THE TRUST AGREEMENT REQUIRES.

19 (B) THE RIGHTS UNDER THIS SECTION ARE SUBJECT TO ANY TRUST
20 AGREEMENT.

21 **10–851.**

22 (A) THE CENTER, ITS AGENT, OR ITS LESSEE IS NOT REQUIRED TO PAY
23 A TAX OR ASSESSMENT ON:

24 (1) A PROJECT OR PROPERTY THAT IT ACQUIRES OR USES UNDER
25 THIS SUBTITLE; OR

26 (2) THE INCOME FROM THAT PROJECT OR PROPERTY.

27 (B) THE PRINCIPAL OF AND INTEREST ON BONDS, THE TRANSFER OF
28 BONDS, AND ANY INCOME DERIVED FROM THE BONDS, INCLUDING PROFITS
29 MADE IN THEIR SALE OR TRANSFER, ARE FOREVER EXEMPT FROM ALL STATE
30 AND LOCAL TAXES.

10–852. RESERVED.

10–853. RESERVED.

PART V. SHORT TITLE.

10–854.

THIS SUBTITLE MAY BE CITED AS THE "MARYLAND CLEAN ENERGY CENTER ACT".

SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Board of Directors shall expire as follows:

(1) two in 2010;

(2) two in 2011;

(3) two in 2012; and

(4) two in 2013.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Clean Energy Center established by this Act not rely on funding from appropriations made from the General Fund. Nothing in this Section may be construed to limit the ability of the Center to seek and obtain funding from the Department of Business and Economic Development and from other State units and programs for economic and community development, however funded, or from federal programs involving a requirement for matching State funds.

SECTION ~~3.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.