

HB1035/503126/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1035

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**Electric**” in line 2 down through “**Energy**” in line 3 and substitute “**Energy**”; in line 3, after “**Plans**” insert “**and Green and Healthy Task Force**”; in line 4, after the second “and” insert “the Department of Housing and Community Development to develop a certain plan for achieving certain energy efficiency, conservation, and greenhouse gas emissions reduction targets through certain programs and services; requiring”; in line 5, strike “its customers or”; strike beginning with “to” in line 8 down through “targets” in line 9 and substitute “for achieving certain energy efficiency, conservation, and greenhouse gas emissions reduction targets”; in line 12, after “manner” insert “, including requiring certain municipal electric or gas utilities and electric cooperatives to include certain programs or services as part of their service to their customers as directed by the Commission”; strike beginning with “requiring” in line 12 down through “targets” in line 16 and substitute “requiring the Commission to establish and determine certain greenhouse gas emissions reduction targets; requiring certain contractors used for certain programs under this Act to meet certain job requirements; requiring the Department of Housing and Community Development to develop a plan to coordinate and leverage funding sources to support certain energy efficiency and other home upgrades”; in line 17, after “analysis;” insert “requiring each electric company and each gas company to promote certain rebates, tax credits, and incentives; establishing the Green and Healthy Task Force to analyze and advance the coordination of resources to address the housing needs of low-income communities; requiring the certification agency designated by the Board of Public Works and the Governor’s Office of Small, Minority, and Women Business Affairs, in consultation with the Department of Housing and Community Development, the Office of the Attorney General, and the General Assembly to study certain energy efficiency and conservation services and submit its findings on or before a certain date;”;

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in line 28, strike “and”; in the same line, strike “7–226” and substitute “7–228”; and strike line 29 in its entirety and substitute “Efficiency and Conservation Plans”; and 7–315”.

AMENDMENT NO. 2

On page 3, in line 1, after “OF” insert “THE”; in line 2, after “DIRECT” insert “USE OF”; in the same line, strike “FUEL” and substitute “FUELS IN BUILDINGS”; in the same line, after “WITH” insert “THE USE OF”; in the same line, after “THAT” insert “:

(1)”;

in line 3, after “LIFETIME” insert “GREENHOUSE GAS”; in the same line, strike “, ENERGY USE,” and substitute “;

(2)”;

in the same line, strike “OR” and substitute “CUSTOMERS”; in the same line, after “COSTS” insert “;OR

(3) ENABLES BETTER MANAGEMENT OF THE ELECTRIC GRID”;

in line 5, after “OF” insert “A”; in line 12, after “TO” insert “;

(I)”;

in line 9, after “COMPANY” insert “, AN ELECTRICITY SUPPLIER, OR A THIRD PARTY”; in line 13, after “PRICES” insert a semicolon; in the same line, strike “WHEN” and substitute:

“(II) ENSURE”;

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in lines 13 and 14, strike “IS JEOPARDIZED”; after line 14, insert:

“(F) “DEPARTMENT” MEANS THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT”;

and in lines 15, 17, 21, and 25, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(G)”, “(H)”, “(I)”, and “(J)”, respectively.

On page 4, in lines 4, 12, and 14, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(K)”, “(N)”, and “(O)”, respectively; after line 11, insert:

“(L) “LOW-INCOME PROGRAM” MEANS A PROGRAM THAT DELIVERS ENERGY EFFICIENCY, CONSERVATION, AND GREENHOUSE GAS EMISSIONS REDUCTION MEASURES TO REDUCE UTILITY EXPENSES FOR BUILDING OWNERS, MANAGERS, AND TENANTS OF HOUSING WITH RESIDENTS WHO QUALIFY FOR THE DEPARTMENT’S LOW-INCOME ASSISTANCE PROGRAMS, INCLUDING:

(1) THE EMPOWER MARYLAND LIMITED INCOME ENERGY EFFICIENCY PROGRAM;

(2) THE MULTIFAMILY ENERGY EFFICIENCY AND HOUSING AFFORDABILITY PROGRAM; AND

(3) THE WEATHERIZATION ASSISTANCE PROGRAM.

(M) “LOW-INCOME RESIDENTIAL” MEANS A COMMUNITY, BUILDING, OR HOUSEHOLD WITH RESIDENTS THAT:

(1) HAVE INCOMES BELOW 250% OF THE FEDERAL POVERTY LEVEL AS DETERMINED BY THE FEDERAL CENSUS; OR

(Over)

(2) MEET THE ELIGIBILITY CRITERIA APPROVED BY THE COMMISSION FOR LOW-INCOME PROGRAMS.;

in line 12, strike “UTILITY” and substitute “**GREENHOUSE GAS EMISSIONS REDUCTION**”; in line 17, strike “ENERGY EFFICIENCY, CONSERVATION, AND”; in line 18, strike “REDUCTION TARGETS” and substitute “**REDUCTIONS THROUGH ENERGY EFFICIENCY, CONSERVATION, DEMAND RESPONSE, AND BENEFICIAL ELECTRIFICATION**”; and after line 19, insert:

“(P) ‘TASK FORCE’ MEANS THE GREEN AND HEALTHY TASK FORCE ESTABLISHED UNDER § 7-315 OF THIS TITLE.”.

On page 5, in line 3, strike the first “AND” and substitute “**, EACH**”; in the same line, after the second “COMPANY” insert “**, AND THE DEPARTMENT**”; in line 4, strike the second “AND” and substitute a comma; in the same line, after “7-224” insert “**, AND 7-225**”; in line 6, after “ENERGY” insert “**, DEMAND RESPONSE, AND BENEFICIAL ELECTRIFICATION**”; in the same line, strike “AND”; in the same line, after “GAS COMPANIES” insert “**, AND THE DEPARTMENT**”; in line 12, after “CONSERVATION” insert “**, DEMAND RESPONSE, AND BENEFICIAL ELECTRIFICATION**”; in line 17, strike “AND SET” and substitute “**, ESTABLISHED**”; in the same line, strike “§ 7-223(A)” and substitute “**§ 7-223(B)**”; in line 18, after “SUBTITLE” insert “**, AND SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE**”; in line 22, after “PROVIDE” insert “**, THROUGH A SURCHARGE LINE ITEM ON CUSTOMER BILLS:**

(I) ON OR BEFORE JANUARY 1, 2027, FULL;

and strike beginning with “AND” in line 23 down through “RESOURCES” in line 27 and substitute “**OF REASONABLY INCURRED COSTS FOR PROGRAMS AND SERVICES ESTABLISHED UNDER ITEM (1) OF THIS SUBSECTION, INCLUDING FULL RECOVERY ON A CURRENT BASIS;**

(II) ON OR BEFORE DECEMBER 31, 2031, THE ELIMINATION OF ANY UNPAID COSTS AND UNAMORTIZED COSTS THAT:

1. EXISTED ON DECEMBER 31, 2023; AND
2. WERE ACCRUED FOR THE PURPOSE OF ACHIEVING STATUTORY TARGETS FOR ANNUAL INCREMENTAL GROSS ENERGY SAVINGS; AND

(III) REASONABLE FINANCIAL PERFORMANCE INCENTIVES AND PENALTIES FOR INVESTOR-OWNED ELECTRIC COMPANIES AND GAS COMPANIES, AS APPROPRIATE”.

On pages 5 and 6, strike in their entirety the lines beginning with line 32 on page 5 through line 20 on page 6, inclusive, and substitute:

“(A) ON OR BEFORE JANUARY 1, 2024, THE COMMISSION SHALL, BY REGULATION OR ORDER, REQUIRE EACH ELECTRIC COMPANY AND EACH GAS COMPANY TO DEVELOP AND IMPLEMENT A PLAN THAT:

- (1) COVERS EACH RATEPAYER CLASS;
- (2) COVERS A 3-YEAR PROGRAM CYCLE; AND
- (3) ACHIEVES THE GREENHOUSE GAS EMISSIONS REDUCTION TARGET ESTABLISHED FOR THE ELECTRIC COMPANY OR GAS COMPANY UNDER SUBSECTION (B) OF THIS SECTION THROUGH COST-EFFECTIVE ENERGY EFFICIENCY AND CONSERVATION PROGRAMS AND SERVICES, DEMAND RESPONSE PROGRAMS AND SERVICES, AND BENEFICIAL ELECTRIFICATION PROGRAMS AND SERVICES.

(Over)

(B) (1) FOR EACH 3-YEAR PROGRAM CYCLE, THE COMMISSION SHALL ESTABLISH A GREENHOUSE GAS EMISSIONS REDUCTION TARGET FOR EACH ELECTRIC COMPANY AND EACH GAS COMPANY AS PROVIDED IN THIS SUBSECTION.

(2) WHEN ESTABLISHING GREENHOUSE GAS EMISSIONS REDUCTION TARGETS UNDER THIS SUBSECTION, THE COMMISSION SHALL MEASURE THE GREENHOUSE GAS EMISSIONS FROM ELECTRICITY USING DATA OBTAINED FROM PJM INTERCONNECTION ON MARGINAL GREENHOUSE GAS EMISSIONS RATES FROM THE PREVIOUS YEAR.

(3) AS A BASELINE FOR DETERMINING GREENHOUSE GAS EMISSIONS REDUCTIONS UNDER THIS SUBSECTION, THE COMMISSION SHALL USE THE GREENHOUSE GAS EMISSIONS RESULTING FROM THE DIRECT CONSUMPTION OF GAS AND ELECTRICITY IN MARYLAND BUILDINGS IN 2020, AS DETERMINED BY THE DEPARTMENT OF THE ENVIRONMENT.

(4) FOR THE TIME PERIOD 2024-2032, THE COMMISSION SHALL DETERMINE AN OVERALL STATEWIDE GREENHOUSE GAS EMISSIONS REDUCTION TARGET BASED ON AN AVERAGE ANNUAL REDUCTION OF AT LEAST 1.8% OF THE BASELINE DETERMINED UNDER PARAGRAPH (3) OF THIS SUBSECTION.

(C) THE COMMISSION MAY PRIORITIZE LONG-LIVED GREENHOUSE GAS EMISSIONS REDUCTION MEASURES IN THE PLANS BY ESTABLISHING A MINIMUM WEIGHTED AVERAGE MEASURE LIFE FOR THE PLAN OF EACH ELECTRIC COMPANY AND GAS COMPANY.”.

On page 6, in line 21, strike “(3)” and substitute “(D)”; in line 22, after the second “COMPANY” insert “:

(1)”;

in line 23, strike “**INCLUDE PROGRAMS AND RESOURCES THAT ARE RECOVERED**” and substitute “**, NOTWITHSTANDING § 7-222(C)(2) OF THIS SUBTITLE, INCLUDE RECOVERY OF THE REASONABLE AND PRUDENT COSTS FROM PROGRAMS THAT ARE NOT BEHIND-THE-METER PROGRAMS**”; in line 24, after “**APPROVAL**” insert “**;**
AND

(2) MAY NOT INCLUDE THE INCREASED ADOPTION OF ELECTRIC VEHICLES.

(E) BEGINNING JANUARY 1, 2024, AT LEAST 80% OF THE GREENHOUSE GAS EMISSIONS REDUCTIONS COUNTED TOWARD EACH ELECTRIC COMPANY’S AND EACH GAS COMPANY’S GREENHOUSE GAS EMISSIONS REDUCTION TARGETS ESTABLISHED UNDER THIS SECTION SHALL COME FROM BEHIND-THE-METER PROGRAMS.

7-224”;

in line 25, strike “**(B)**” and substitute “**(A)**”; in the same line, strike “**SEPTEMBER 1, 2023**” and substitute “**JANUARY 1, 2024**”; in line 28, strike the first comma and substitute “**AND**”; in the same line, after “**CONSERVATION**” insert “**PROGRAMS AND SERVICES, DEMAND RESPONSE PROGRAMS AND SERVICES**”; in the same line, after “**AND**” insert “**BENEFICIAL ELECTRIFICATION PROGRAMS AND SERVICES THAT ACHIEVE THE**”; in line 29, strike “**PROGRAMS AND SERVICES**” and substitute “**TARGETS ESTABLISHED FOR THE DEPARTMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION**”; after line 29, insert:

(Over)

“(2) FOR THE TIME PERIOD 2024–2032, THE PROGRAMS AND SERVICES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ON A TRAJECTORY TO ACHIEVE GREENHOUSE GAS REDUCTIONS AFTER 2026 OF AT LEAST 0.9% OF THE BASELINE DETERMINED UNDER SUBSECTION (G) OF THIS SECTION.

“(3) THE GREENHOUSE GAS REDUCTIONS ACHIEVED TO MEET THE TARGETS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL COUNT TOWARD THE ACHIEVEMENT OF THE GREENHOUSE GAS REDUCTION TARGET ESTABLISHED UNDER § 7–223(B) OF THIS SUBTITLE.”;

in line 30, strike “(2)” and substitute “(B) (1)”; and after line 33, insert:

“(2) THE DEPARTMENT MAY USE THE SAVINGS ACHIEVED THROUGH ALL FUNDING SOURCES TOWARD CALCULATING THE TARGETED GREENHOUSE GAS REDUCTIONS IF THE FUNDING SOURCES MEET THE STANDARDS OF PROGRAMS FUNDED THROUGH:

- (I) A SURCHARGE UNDER § 7–222 OF THIS SUBTITLE; OR
- (II) THE U.S. DEPARTMENT OF ENERGY.”.

On page 6, in lines 26 and 30 and 31, on page 7 in lines 1 and 2, 7 and 8, 17, and 23 and 24, on page 8 in lines 8 and 9 and 14 and 15, on page 9 in lines 1 and 2, 14, and 23, and on page 10 in lines 5 and 6, in each instance, strike “OF HOUSING AND COMMUNITY DEVELOPMENT”.

On page 7, in line 1, strike “(3)” and substitute “(C)”; in the same line, strike “THE” and substitute “ON OR BEFORE SEPTEMBER 1, 2023, AND EVERY 3 YEARS THEREAFTER, THE”; in line 2, after “SUBMIT” insert “ITS PLANS FOR”; in line 3, strike

“PARAGRAPH (1) OF THIS SUBSECTION” and substitute “SUBSECTION (A) OF THIS SECTION”; after line 4, insert:

“(D) FOR WEATHERIZATION OF LEASED OR RENTED RESIDENCES, THE DEPARTMENT SHALL ADOPT REGULATIONS TO ENSURE THAT:

(1) THE BENEFITS OF WEATHERIZATION ASSISTANCE, INCLUDING UTILITY BILL REDUCTION AND PRESERVATION OF AFFORDABLE HOUSING STOCK, ACCRUE PRIMARILY TO LOW-INCOME TENANTS OCCUPYING A LEASED OR RENTED RESIDENCE; AND

(2) THE RENT ON THE RESIDENCE IS NOT INCREASED AND THE TENANT IS NOT EVICTED AS A RESULT OF WEATHERIZATION PROVIDED UNDER THIS SECTION.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE PROGRAMS AND SERVICES PROVIDED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT USE THERMAL INSULATING MATERIALS FOR BUILDING ELEMENTS, INCLUDING WALLS, FLOORS, CEILINGS, ATTICS, AND ROOF INSULATION, THAT CONTAIN FORMALDEHYDE.

(2) THERMAL INSULATING MATERIALS FOR BUILDING ELEMENTS MAY NOT CONTAIN FORMALDEHYDE IF THE FORMALDEHYDE:

(I) WAS INTENTIONALLY ADDED; OR

(II) IS PRESENT IN THE PRODUCT AT GREATER THAN 0.1% BY WEIGHT.

(Over)

(F) THE DEPARTMENT'S APPROVED CONTRACTORS USED FOR THE PROGRAMS UNDER THIS SECTION SHALL MEET THE FOLLOWING JOB REQUIREMENTS:

- (1) PAY AT LEAST 150% OF THE STATE MINIMUM WAGE;**
- (2) PROVIDE CAREER ADVANCEMENT TRAINING;**
- (3) AFFORD EMPLOYEES THE RIGHT TO BARGAIN COLLECTIVELY FOR WAGES AND BENEFITS;**
- (4) PROVIDE PAID LEAVE;**
- (5) BE CONSIDERED COVERED EMPLOYMENT FOR PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS IN ACCORDANCE WITH TITLE 8 OF THE LABOR AND EMPLOYMENT ARTICLE;**
- (6) ENTITLE THE EMPLOYEE TO WORKERS' COMPENSATION BENEFITS IN ACCORDANCE WITH TITLE 9 OF THE LABOR AND EMPLOYMENT ARTICLE;**
- (7) BE COMPLIANT WITH FEDERAL AND STATE WAGE AND HOUR LAWS FOR THE PREVIOUS 3 YEARS;**
- (8) OFFER EMPLOYER-PROVIDED HEALTH INSURANCE BENEFITS WITH MONTHLY PREMIUMS THAT DO NOT EXCEED 8.5% OF THE EMPLOYEE'S NET MONTHLY EARNINGS; AND**
- (9) OFFER RETIREMENT BENEFITS.**

(G) AS A BASELINE FOR DETERMINING GREENHOUSE GAS EMISSIONS REDUCTION TARGETS UNDER THIS SUBSECTION, THE COMMISSION SHALL USE THE GREENHOUSE EMISSIONS RESULTING FROM THE DIRECT CONSUMPTION OF GAS AND ELECTRICITY BY LOW- AND MODERATE-INCOME RESIDENTIAL HOUSEHOLDS IN 2020, AS DETERMINED BY THE DEPARTMENT OF THE ENVIRONMENT.

(H) (1) THE DEPARTMENT SHALL DEVELOP A PLAN TO COORDINATE FUNDING SOURCES AND LEVERAGE THE GREATEST FUNDING POSSIBLE TO SUPPORT A WHOLE HOME APPROACH BY ADDRESSING:

(I) HEALTH AND SAFETY UPGRADES;

(II) WEATHERIZATION;

(III) ENERGY EFFICIENCY; AND

(IV) OTHER GENERAL MAINTENANCE FOR LOW-INCOME HOUSING.

(2) THE PLAN SHALL COORDINATE FUNDING AMONG:

(I) THE STRATEGIC ENERGY INVESTMENT FUND;

(II) FEDERAL WEATHERIZATION ASSISTANCE PROGRAMS;

(III) RATEPAYER CONTRIBUTIONS TO:

(Over)

1. THE EMPOWER MARYLAND LIMITED INCOME ENERGY EFFICIENCY PROGRAM; AND

2. THE MULTIFAMILY ENERGY EFFICIENCY AND HOUSING AFFORDABILITY PROGRAM;

(IV) THE MARYLAND AFFORDABLE HOUSING TRUST FUND;

(V) U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAMS, INCLUDING:

1. COMMUNITY DEVELOPMENT BLOCK GRANTS;

2. THE HOME INVESTMENT PARTNERSHIP GRANTS PROGRAM; AND

3. LEAD HAZARD CONTROL AND HEALTHY HOMES GRANTS;

(VI) U.S. DEPARTMENT OF AGRICULTURE PROGRAMS, INCLUDING THE HOME REPAIR PROGRAM;

(VII) THE HEALTHY HOMES FOR HEALTHY KIDS PROGRAM;

(VIII) THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM;

(IX) STATE APPROPRIATIONS;

(X) FUNDS FROM THE FEDERAL INFLATION REDUCTION ACT OF 2022; AND

(XI) ANY OTHER SOURCE OF FUNDING THAT THE DEPARTMENT OR THE TASK FORCE IDENTIFIES.

(3) THE DEPARTMENT SHALL COLLABORATE WITH THE MEMBERS OF THE TASK FORCE AND IDENTIFY OTHER INTERESTED STAKEHOLDERS TO DEVELOP THE PLAN.

(4) ON OR BEFORE DECEMBER 31, 2023, THE DEPARTMENT SHALL SUBMIT THE PLAN TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(I) THE DEPARTMENT, THE MARYLAND ENERGY ADMINISTRATION, AND OTHER STATE AGENCIES SHALL APPLY FOR ALL FEDERAL FUNDING THAT MAY BECOME AVAILABLE TO CARRY OUT THIS SECTION.

(J) (1) THE DEPARTMENT SHALL COLLABORATE WITH THE MEMBERS OF THE TASK FORCE TO DEVELOP A PLAN, INCLUDING A BUDGET, A TIMELINE, AND POTENTIAL FUNDING SOURCES, TO PROVIDE ENERGY EFFICIENCY RETROFITS TO ALL LOW-INCOME HOUSEHOLDS BY 2031.

(2) THE DEPARTMENT, IN COLLABORATION WITH THE TASK FORCE, SHALL SUBMIT THE PLAN TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON OR BEFORE DECEMBER 1, 2023.”;

in line 5, strike “7-224.” and substitute “7-225.”; in line 6, after “(A)” insert “AS SOON AS POSSIBLE IN 2023, AND AT LEAST 8 MONTHS BEFORE THE FILING DEADLINE”

(Over)

FOR PLANS AFTER 2023, THE COMMISSION SHALL ISSUE AN ORDER THAT FULLY ALLOCATES AMONG ELECTRIC COMPANIES, GAS COMPANIES, AND THE DEPARTMENT THE TOTAL AMOUNT OF THE OVERALL STATEWIDE GREENHOUSE GAS EMISSIONS REDUCTION TARGET DETERMINED UNDER § 7-223(B) OF THIS SUBTITLE AND THE GREENHOUSE GAS EMISSIONS REDUCTIONS SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE.

(B)”;

in lines 6 and 22, in each instance, after “(1)” insert “(I)”; in line 6, strike “ON OR BEFORE” and substitute “BEGINNING ON”; in the same line, after “AND” insert “ON OR BEFORE JULY 1”; in line 7, strike the first comma and substitute “AND”; in lines 7 and 23, in each instance, after the second “COMPANY” insert “THAT SUBMITTED A PLAN FOR ACHIEVING ELECTRICITY SAVINGS AND DEMAND REDUCTION TARGETS TO THE COMMISSION BEFORE JULY 1, 2023”; strike beginning with the second “THE” in line 11 down through the second “OF” in line 12; in line 13, strike “GOALS AND”; strike beginning with “SPECIFIED” in line 13 down through “SET” in line 14 and substitute “ESTABLISHED”; in line 15, after “SUBTITLE” insert “AND SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE”; after line 15, insert:

“(II) ON OR BEFORE OCTOBER 1, 2023, AND ON OR BEFORE JULY 1 EVERY 3 YEARS THEREAFTER, EACH ELECTRIC COMPANY AND EACH GAS COMPANY THAT DID NOT SUBMIT A PLAN FOR ACHIEVING ELECTRICITY SAVINGS AND DEMAND REDUCTION TARGETS TO THE COMMISSION BEFORE JULY 1, 2023, SHALL COMPLY WITH THE CONSULTING REQUIREMENTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

in line 22, strike “(B)” and substitute “(C)”; in the same line, after “AND” insert “ON OR BEFORE SEPTEMBER 1”; in line 23, strike “AN” and substitute “EACH”; in the same line, strike “, A” and substitute “AND EACH”; after line 25, insert:

“(II) ON OR BEFORE DECEMBER 1, 2023, AND ON OR BEFORE SEPTEMBER 1 EVERY 3 YEARS THEREAFTER, EACH ELECTRIC COMPANY AND EACH GAS COMPANY THAT DID NOT SUBMIT A PLAN FOR ACHIEVING ELECTRICITY SAVINGS AND DEMAND REDUCTION TARGETS TO THE COMMISSION BEFORE JULY 1, 2023, SHALL SUBMIT ITS PLAN TO THE COMMISSION.”;

and strike beginning with “THE” in line 26 down through “AND” in line 27.

On page 8, in line 13, strike “(C)” and substitute “(D)”; in line 17, strike “SET” and substitute “ESTABLISHED”; in the same line, after “SUBTITLE” insert “AND SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE”; in lines 17 and 32, in each instance, strike “§ 7-223(A)” and substitute “§ 7-223(B)”; in line 19, strike “AND” and substitute a comma; in line 20, after “ENVIRONMENT” insert “, AND THE OFFICE OF PEOPLE’S COUNSEL”; in line 21, strike “IN” and substitute “SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IN”; in the same line, after “APPROVING” insert “, MODIFYING, OR DENYING”; in line 23, strike “AND” and substitute a comma; in line 24, after “COMMERCIAL” insert “, AND INDUSTRIAL”; in the same line, after “USING” insert “1.”;

in line 26, after “COMMISSION” insert “, TO DETERMINE THE COST-EFFECTIVENESS OF A PROGRAM OR SERVICE PROSPECTIVELY, INCLUDING CONSIDERATION OF:

- A. PARTICIPANT NONENERGY BENEFITS;**
- B. UTILITY NONENERGY BENEFITS; AND**
- C. SOCIETAL NONENERGY BENEFITS; AND**

(Over)

2. A TOTAL RESOURCE COST TEST TO COMPARE THE ELECTRICITY SAVINGS AND DEMAND REDUCTION TARGETS OF THE PROGRAM OR SERVICE WITH THE RESULTS OF SIMILAR PROGRAMS OR SERVICES IMPLEMENTED IN OTHER JURISDICTIONS, INCLUDING:

A. PARTICIPANT NONENERGY BENEFITS; AND

B. UTILITY NONENERGY BENEFITS”;

in line 32, strike “AND SET” and substitute “, ESTABLISHED”; in the same line, after “SUBTITLE” insert “, AND SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE”; and after line 32, insert:

“(4) NONENERGY BENEFITS CONSIDERED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL BE QUANTIFIABLE AND DIRECTLY RELATED TO A PROGRAM OR SERVICE.”.

On page 9, in line 1, strike “(4)” and substitute “(5)”; in the same line, after “APPROVING” insert “, MODIFYING, OR DENYING”; in lines 12 and 19 and 20, in each instance, strike “AND SET” and substitute “, ESTABLISHED”; in lines 12, 20, and 28, in each instance, strike “§ 7-223(A)” and substitute “§ 7-223(B)”; in lines 12 and 20, after “SUBTITLE” insert “, AND SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE”; in line 16, strike “(D)” and substitute “(E)”; in line 21, strike “7-225.” and substitute “7-226.”; strike beginning with “THE” in line 25 down through “OF” in line 26; in line 26, strike “GOALS AND”; and strike beginning with “SPECIFIED” in line 27 down through “SET” in line 28 and substitute “ESTABLISHED”; and in the same line, after “SUBTITLE” insert “AND SPECIFIED IN § 7-224(A)(2) OF THIS SUBTITLE”.

On page 10, in line 10, after “CONSERVATION” insert “AND GREENHOUSE GAS REDUCTION”; strike beginning with “TO” in line 17 down through “REDUCTIONS” in

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line 19 and substitute "APPROVED UNDER THIS SUBTITLE"; in line 22, strike "AND"; in line 24, after "SERVICES" insert ";

(3) THE PER CAPITA ELECTRICITY CONSUMPTION AND THE WINTER AND SUMMER PEAK DEMAND FOR THE PREVIOUS CALENDAR YEAR; AND

(4) BEGINNING MAY 1, 2025, PROGRESS MADE TOWARDS REDUCING GREENHOUSE GAS EMISSIONS IN ACCORDANCE WITH §§ 7-223 AND 7-224 OF THIS SUBTITLE;

in line 25, strike "7-226." and substitute "7-227."; and after line 32, insert:

7-228.

(A) EACH ELECTRIC COMPANY AND EACH GAS COMPANY SHALL PROMOTE THE AVAILABILITY OF FEDERAL AND STATE REBATES, TAX CREDITS, AND INCENTIVES THAT CAN BE USED TO SUPPORT ENERGY EFFICIENCY INVESTMENTS, ENERGY EFFICIENT AND NON-FOSSIL-FUEL-POWERED APPLIANCES AND COOKING EQUIPMENT, BREAKER BOX UPGRADES, AND PORTABLE HEATING AND COOLING EQUIPMENT.

(B) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

7-315.

(A) IN THIS SECTION, "LOW-EMISSIONS HOUSING" MEANS HOUSING THAT IS ENGINEERED TO OR USES MEASURES THAT REDUCE GREENHOUSE GAS EMISSIONS.

(Over)

(B) THERE IS A GREEN AND HEALTHY TASK FORCE.

(C) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

(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 OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

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

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

(6) ONE REPRESENTATIVE OF THE OFFICE OF PEOPLE'S COUNSEL, DESIGNATED BY THE PEOPLE'S COUNSEL; AND

(7) AS APPOINTED BY THE CHAIR OF THE TASK FORCE:

(I) ONE REPRESENTATIVE OF THE MARYLAND AFFORDABLE HOUSING TRUST;

(II) ONE REPRESENTATIVE OF THE GREEN AND HEALTHY HOMES INITIATIVE;

(III) ONE REPRESENTATIVE OF MARYLAND ENERGY EFFICIENCY ADVOCATES;

(IV) ONE MEMBER WHO IS AN EXPERT IN PUBLIC HEALTH;

(V) ONE MEMBER FROM A COMMUNITY CONCERNED WITH

ENVIRONMENTAL JUSTICE;

(VI) ONE MEMBER WHO OWNS OR DEVELOPS AFFORDABLE HOUSING;

(VII) ONE MEMBER WHO HAS RECEIVED ASSISTANCE FROM A LOW-INCOME PROGRAM THAT DELIVERS ENERGY EFFICIENCY MEASURES; AND

(VIII) OTHER MEMBERS AS DETERMINED BY THE CHAIR OF THE TASK FORCE.

(D) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE, SHALL SERVE AS CHAIR OF THE TASK FORCE.

(E) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PROVIDE STAFF FOR THE TASK FORCE.

(F) 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.

(G) THE TASK FORCE SHALL:

(1) BEGINNING JULY 1, 2023, MEET QUARTERLY FOR A PERIOD OF 3 YEARS;

(2) ADVANCE THE ALIGNMENT, BRANDING, AND COORDINATION OF RESOURCES TO MORE EFFECTIVELY DELIVER GREEN AND HEALTHY HOUSING FOR LOW-INCOME HOUSEHOLDS IN THE STATE;

(3) EXAMINE THE PUBLIC AND PRIVATE RESOURCES NEEDED TO ADDRESS THE HOUSING NEEDS OF LOW-INCOME COMMUNITIES;

(Over)

(4) DEVELOP POLICY AND STATUTORY RECOMMENDATIONS TO ELIMINATE BARRIERS TO LOW-INCOME HOUSEHOLDS ACHIEVING HEALTHY, ENERGY-EFFICIENT, AFFORDABLE, AND LOW-EMISSIONS HOUSING; AND

(5) ENGAGE WITH INTERESTED PARTIES AND COLLABORATE WITH OTHER ENTITIES THAT CAN HELP ADVANCE THE GOALS OF THE TASK FORCE, INCLUDING EXPERTS IN THE FIELD OF HEALTHY, ENERGY-EFFICIENT, AND LOW-EMISSIONS HOUSING.

(H) ON OR BEFORE JULY 1, 2024, AND EACH JULY 1 THROUGH 2027, THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE SECRETARY OF HEALTH, THE SECRETARY OF THE ENVIRONMENT, THE COMMISSION, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”

On page 11, after line 14, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The certification agency designated by the Board of Public Works under § 14-303(b) of the State Finance and Procurement Article and the Governor's Office of Small, Minority, and Women Business Affairs, in consultation with the Department of Housing and Community Development, the Office of the Attorney General, and the General Assembly, shall initiate a study regarding the energy efficiency and conservation services used by the Department of Housing and Community Development to evaluate whether the enactment of remedial measures to assist minority and women-owned businesses in the energy efficiency and conservation services industry and market would comply with the U.S. Supreme Court decision in City of Richmond v. J. A. Croson Co., 488 U.S. 469, and any subsequent federal or constitutional requirements.

(b) The certification agency and the Governor's Office of Small, Minority, and Women Business Affairs shall submit the findings of the study required under subsection (a) of this section to the Legislative Policy Committee, in accordance with § 2-1257 of the State Government Article, on or before December 31, 2025, so that the Maryland General Assembly may review the findings before the 2026 legislative session.”;

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and in lines 15 and 21, strike “4.” and “5.”, respectively, and substitute “5.” and “6.”, respectively.