

UNOFFICIAL COPY OF HOUSE BILL 66

M5, M3, K3

HOUSE BILL 66

(PRE-FILED)

1lr1514
CF SB 148

By: **Delegates Brooks and Barve**

Requested: October 31, 2020

Introduced and read first time: January 13, 2021

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Electric Generation - Transition From Fossil Fuels - Carbon Dioxide Emissions**
3 **Rate and Transition Plan and Fund**
4 **(Maryland Coal Community Transition Act of 2021)**

5 FOR the purpose of prohibiting the carbon dioxide emissions rate for certain affected
6 electric generating units from exceeding a certain amount; establishing the Fossil
7 Fuel Community Transition Fund as a special, nonlapsing fund; specifying the
8 purposes of, authorized uses of, and allocation of funds from the Fund; requiring the
9 Maryland Department of Labor to establish certain policies and procedures for the
10 administration of the Fund; requiring the State Treasurer to hold the Fund and the
11 Comptroller to account for the Fund; specifying the contents of the Fund; requiring
12 an individual responsible for a certain project to hire certain subcontractors or sign
13 a certain agreement; establishing the Fossil Fuel Transition Advisory Council;
14 providing for the composition, chair, and staffing of the Council; providing for the
15 term of a Council member; requiring the Council to meet a certain minimum number
16 of times each year for certain purposes; prohibiting a member of the Council from
17 receiving certain compensation, but authorizing the reimbursement of certain
18 expenses; requiring the Council to review the Department's proposals for grant
19 awards from the Fund and make certain recommendations; requiring the
20 Department to consider certain recommendations of the Council when making
21 certain decisions about awarding grants from the Fund; requiring the Council to
22 develop a certain standard; requiring the Council to develop a certain statewide fossil
23 fuel transition plan in a certain manner and to submit certain plans to the General
24 Assembly on or before certain dates; requiring the Department to report, on or before
25 a certain date each year, to the Governor, the Council, and the General Assembly;
26 requiring an owner of an affected electric generating unit or, under certain circumstances, an electric
generating unit permanently retired on or after a certain date to report, on or before a
27 certain date each year, to the Council on certain information regarding employee
28 layoffs; requiring the Maryland Energy Administration to use the Maryland
29 Strategic Energy Investment Fund to provide a certain funding amount for certain
30 fiscal years for the Fund; providing for the application of certain provisions of this

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1 Act; defining certain terms; and generally relating to the transition from fossil fuels
2 for electric generation.

3 BY adding to

4 Article - Environment

5 Section 2-10A-01 through 2-10A-03 to be under the new subtitle "Subtitle 10A.

6 Carbon Dioxide Emissions"

7 Annotated Code of Maryland

8 (2013 Replacement Volume and 2020 Supplement)

9 BY adding to

10 Article - Labor and Employment

11 Section 11-1401 through 11-1405 to be under the new subtitle "Subtitle 14.

12 Transition From Fossil Fuels"

13 Annotated Code of Maryland

14 (2016 Replacement Volume and 2020 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article - State Government

17 Section 9-20B-01(a), (b), (e), and (f)

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2020 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article - State Government

22 Section 9-20B-05(f)

23 Annotated Code of Maryland

24 (2014 Replacement Volume and 2020 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

26 That the Laws of Maryland read as follows:

27 **Article - Environment**

28 **SUBTITLE 10A. CARBON DIOXIDE EMISSIONS.**

29 **2-10A-01.**

30 **(A) IN THIS SUBTITLE, "AFFECTED ELECTRIC GENERATING UNIT" MEANS**
31 **AN ELECTRIC GENERATING UNIT IN THE STATE THAT PRIMARILY BURNS COAL AS**
32 **FUEL.**

33 **(B) "AFFECTED ELECTRIC GENERATING UNIT" INCLUDES:**

34 **(1) BRANDON SHORES UNITS 1 AND 2;**

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- (2) CHALK POINT UNITS 1 AND 2;
- (3) H.A. WAGNER UNIT 3;
- (4) MORGANTOWN UNITS 1 AND 2; AND
- (5) WARRIOR RUN UNIT 1.

2-10A-02.

THIS SUBTITLE APPLIES TO:

- (1) ON AND AFTER JUNE 1, 2021, CHALK POINT UNITS 1 AND 2;
- (2) ON AND AFTER OCTOBER 1, ~~2024~~ 2027, MORGANTOWN UNITS 1 AND 2;
- (3) ON AND AFTER DECEMBER 31, 2025, BRANDON SHORES UNITS 1 AND 2 AND H.A. WAGNER UNIT 3; AND
- (4) ON AND AFTER MARCH 1, 2030, WARRIOR RUN UNIT 1.

2-10A-03.

THE CARBON DIOXIDE EMISSIONS RATE FOR AN AFFECTED ELECTRIC GENERATING UNIT MAY NOT EXCEED 180 POUNDS PER MILLION BRITISH THERMAL UNITS.

Article - Labor and Employment

SUBTITLE 14. TRANSITION FROM FOSSIL FUELS.

11-1401.

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

(B) (1) "AFFECTED COUNTY" MEANS A COUNTY THAT IS IMPACTED BY :

(I)

THE PERMANENT RETIREMENT OF AN ELECTRIC GENERATING UNIT ; OR

(II) A PERMANENT CHANGE IN THE OPERATION OF AN ELECTRIC GENERATING UNIT THAT REDUCES THE UNIT'S CARBON DIOXIDE EMISSIONS RATE TO LESS THAN 180 POUNDS PER MILLION BRITISH THERMAL UNITS.

(2) "AFFECTED COUNTY" INCLUDES:

(I) ALLEGANY COUNTY;

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- (II) ANNE ARUNDEL COUNTY;
- (III) CHARLES COUNTY;
- (IV) MONTGOMERY COUNTY;
- (V) PRINCE GEORGE'S COUNTY; AND
- (VI) ANY OTHER COUNTY WITH RESIDENTS WHO HAVE BECOME UNEMPLOYED AS A DIRECT OR INDIRECT RESULT OF :

1. THE PERMANENT RETIREMENT OF AN ELECTRIC GENERATING UNIT ; OR

2. A PERMANENT CHANGE IN THE OPERATION OF AN ELECTRIC GENERATING UNIT THAT REDUCES THE UNIT'S CARBON DIOXIDE EMISSIONS RATE TO LESS THAN 180 POUNDS PER MILLION BRITISH THERMAL UNITS.

(C) "AFFECTED ELECTRIC GENERATING UNIT" HAS THE MEANING STATED IN § 2-10A-01 OF THE ENVIRONMENT ARTICLE.

(D) "COUNCIL" MEANS THE FOSSIL FUEL TRANSITION ADVISORY COUNCIL ESTABLISHED UNDER § 11-1403 OF THIS SUBTITLE.

(E) "DISPLACED WORKER" MEANS ~~A RESIDENT OF THE STATE~~ AN INDIVIDUAL WHO:

(1) ON OR AFTER MAY 15, 2020, WAS TERMINATED FROM EMPLOYMENT OR WHOSE CONTRACT WAS TERMINATED, DUE TO :

(I) THE PERMANENT RETIREMENT OF AN ELECTRIC GENERATING UNIT ~~THAT RESULTED IN THE DISPLACEMENT OF AT LEAST 20 WORKERS~~ ; OR

(II) A PERMANENT CHANGE IN THE OPERATION OF AN ELECTRIC GENERATING UNIT THAT REDUCES THE UNIT'S CARBON DIOXIDE EMISSIONS RATE TO LESS THAN 180 POUNDS PER MILLION BRITISH THERMAL UNITS;

(2) HAD AT LEAST 75% OF THE ~~RESIDENT'S~~ INDIVIDUAL'S NET INCOME DERIVED FROM WAGES FROM THE RETIRED ELECTRIC GENERATING UNIT;

(3) (I) OVER A 2-MONTH PERIOD, HAS NOT BEEN ABLE TO REPLACE THE WAGES LOST FROM :

1. THE RETIREMENT OF THE ELECTRIC GENERATING UNIT; OR

2. A PERMANENT CHANGE IN THE OPERATION OF AN ELECTRIC GENERATING UNIT THAT REDUCES THE UNIT'S CARBON DIOXIDE EMISSIONS RATE TO LESS THAN 180 POUNDS PER MILLION BRITISH THERMAL UNITS; OR

(II) HAS ANNUAL WAGES OR IS RECEIVING UNEMPLOYMENT BENEFITS THAT ARE AT LEAST 25% LESS THAN WHEN THE RETIRED ELECTRIC GENERATING UNIT WAS OPERATING WITH A CARBON DIOXIDE EMISSIONS RATE GREATER THAN 180 POUNDS PER MILLION BRITISH THERMAL UNITS; AND

(4) DOES NOT QUALIFY FOR FULL BENEFITS UNDER A PENSION OR RETIREMENT PLAN.

(F) "ELECTRIC GENERATING UNIT" MEANS AN ELECTRIC GENERATING UNIT IN THE STATE THAT PRIMARILY BURNS FOSSIL FUEL.

27 **(G) "FUND" MEANS THE FOSSIL FUEL COMMUNITY TRANSITION FUND**
28 **ESTABLISHED UNDER § 11-1402 OF THIS SUBTITLE.**

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1 (H) "PLAN" MEANS THE STATEWIDE FOSSIL FUEL TRANSITION PLAN
2 DEVELOPED BY THE COUNCIL IN ACCORDANCE WITH § 11-1405 OF THIS SUBTITLE.

3 (I) "WAGE DIFFERENTIAL BENEFIT" MEANS SUPPLEMENTAL INCOME THAT
4 COVERS ALL OR PART OF THE DIFFERENCE BETWEEN AN INDIVIDUAL'S PREVIOUS
5 EMPLOYMENT WITH AN ELECTRIC GENERATING UNIT, A COAL MINE, OR THE
6 TRANSPORTATION SUPPLY CHAIN OF AN ELECTRIC GENERATING UNIT OR A COAL
7 MINE, AND THE INDIVIDUAL'S NEW EMPLOYMENT OR SUPPLEMENTAL INCOME
8 DURING JOB RETRAINING.

9 11-1402.

10 (A) THERE IS A FOSSIL FUEL COMMUNITY TRANSITION FUND.

11 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO SUPPORT:

12 (1) DISPLACED WORKERS WHO ARE TRANSITIONING FROM
13 EMPLOYMENT WITH AN ELECTRIC GENERATING UNIT;

14 (2) COMMUNITIES THAT ARE IMPACTED BY THE PERMANENT
15 RETIREMENT OF AN ELECTRIC GENERATING UNIT OR A PERMANENT CHANGE IN THE OPERATION OF AN ELECTRIC
GENERATING UNIT THAT REDUCES THE UNIT'S CARBON DIOXIDE EMISSIONS RATE TO LESS THAN 180 POUNDS PER
16 MILLION
17 BRITISH THERMAL UNITS; AND

18 (3) PROGRAMS THAT ASSIST DISPLACED WORKERS TRANSITIONING
19 FROM EMPLOYMENT WITH AN ELECTRIC GENERATING UNIT, A COAL MINE, OR THE
20 TRANSPORTATION SUPPLY CHAIN OF AN ELECTRIC GENERATING UNIT OR A COAL
21 MINE.

22 (C) THE DEPARTMENT SHALL ESTABLISH POLICIES AND PROCEDURES FOR
23 THE ADMINISTRATION OF THE FUND, INCLUDING:

24 (1) THE GRANT APPLICATION PROCESS; AND

25 (2) CRITERIA FOR AWARDING GRANTS UNDER THIS SECTION.

26 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
27 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

28 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
29 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-20B-05(F) OF

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1 THE STATE GOVERNMENT ARTICLE;

2 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

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

5 (F) THE FUND MAY BE USED ONLY FOR AWARDING GRANTS CONSISTENT
6 WITH THE PURPOSES OF THE FUND, AND SHALL BE ALLOCATED AS FOLLOWS:

7 (1) 50% FOR:

8 (I) WORKER RETRAINING OR OTHER ASSISTANCE PROGRAMS,
9 INCLUDING INDUSTRY- AND UNION-SPONSORED APPRENTICESHIP PROGRAMS, AND
10 PROGRAMS WITHIN THE DEPARTMENT;

11 (II) PAYMENTS TO DISPLACED WORKERS WHO ARE WITHIN 3
12 YEARS OF RETIREMENT AGE FOR SUPPLEMENTAL RETIREMENT SECURITY;

13 (III) WAGE DIFFERENTIAL BENEFITS FOR DISPLACED WORKERS;

14 (IV) PAYMENTS TO DISPLACED WORKERS ENROLLED IN ANY OF
15 THE FOLLOWING RETRAINING, EDUCATION, OR APPRENTICESHIP PROGRAMS:

16 1. PRE-APPRENTICESHIP JOBS TRAINING PROGRAMS
17 UNDER § 11-708.1 OF THIS TITLE;

18 2. ~~YOUTH APPRENTICESHIP TRAINING PROGRAMS AND~~
19 ~~REGISTERED APPRENTICESHIP JOBS TRAINING PROGRAMS UNDER § 11-708.1 OF~~
20 ~~THIS TITLE;~~

21 ~~3.~~ ANY OTHER APPRENTICESHIP JOBS TRAINING
22 PROGRAM APPROVED BY THE COUNCIL; OR

23 ~~4.~~ 3. PROGRAMS AT HISTORICALLY BLACK COLLEGES AND
24 UNIVERSITIES; ~~AND~~

25 (V) PAYMENTS TO DISPLACED WORKERS ENROLLED IN
26 RETRAINING, EDUCATION, OR APPRENTICESHIP PROGRAMS FOR THE FOLLOWING
27 OCCUPATIONS:

28 1. COMPUTER NUMERICALLY CONTROLLED MACHINE
29 TOOL PROGRAMMERS, METAL AND PLASTIC (BUREAU OF LABOR STATISTICS CODE

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1 51-4012);

2 2. HEAVY AND TRACTOR TRAILER TRUCK DRIVERS
3 (BUREAU OF LABOR STATISTICS CODE 53-3032);4 3. FIRST-LINE SUPERVISORS OF MECHANICS,
5 INSTALLERS, AND REPAIRERS (BUREAU OF LABOR STATISTICS CODE 49-1011);6 4. FIRST-LINE SUPERVISORS OF CONSTRUCTION
7 TRADES AND EXTRACTION WORKERS (BUREAU OF LABOR STATISTICS CODE
8 47-1011);9 5. ENGINEERING TECHNICIANS, EXCEPT DRAFTERS
10 (BUREAU OF LABOR STATISTICS CODE 17-3029);11 6. OPERATING ENGINEERS AND OTHER CONSTRUCTION
12 EQUIPMENT OPERATORS (BUREAU OF LABOR STATISTICS CODE 47-2073);13 7. LIFE, PHYSICAL, AND SOCIAL SCIENCE TECHNICIANS
14 (BUREAU OF LABOR STATISTICS CODE 19-4099);15 8. STATIONARY ENGINEERS IN BOILER OPERATORS
16 (BUREAU OF LABOR STATISTICS CODE 51-8021); OR17 9. ANY OTHER JOBS TRAINING PROGRAM APPROVED BY
18 THE COUNCIL; AND

(VI) AS DETERMINED BY THE DEPARTMENT IN CONSULTATION WITH
THE COUNCIL, OTHER FINANCIAL ASSISTANCE TO DISPLACED WORKERS;

19 (2) 30% FOR CLEAN ENERGY OR ENERGY EFFICIENCY PROJECTS, OR
20 A PROJECT FOR THE NEW CONSTRUCTION OF LEED-CERTIFIED (LEADERSHIP IN
21 ENERGY AND ENVIRONMENTAL DESIGN) OR ENERGY-EFFICIENT BUILDINGS, IF
22 THE PROJECT:

23 (I) IS LOCATED IN AN AFFECTED COUNTY; AND

24 (II) 1. CREATES AND MAINTAINS JOBS WITH A HIRING
25 PREFERENCE FOR DISPLACED WORKERS; AND

26 2. PROMOTES:

27 A. FAMILY-SUSTAINING WAGES;

28 B. EMPLOYER-PROVIDED HEALTH CARE WITH
29 AFFORDABLE DEDUCTIBLES AND COPAYS;

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1 C. CAREER ADVANCEMENT TRAINING;

2 D. FAIR SCHEDULING;

3 E. EMPLOYER-PAID WORKERS' COMPENSATION AND
4 UNEMPLOYMENT INSURANCE;

5 F. A RETIREMENT PLAN;

6 G. PAID TIME OFF; AND

7 H. THE RIGHT TO BARGAIN COLLECTIVELY FOR WAGES
8 AND BENEFITS; AND

9 (3) FOR UP TO 3 YEARS FOLLOWING THE PERMANENT RETIREMENT
10 OF AN ELECTRIC GENERATING UNIT OR A PERMANENT CHANGE IN THE OPERATION OF AN ELECTRIC GENERATING UNIT
THAT REDUCES THE UNIT'S CARBON DIOXIDE EMISSIONS RATE TO LESS THAN 180 POUNDS PER MILLION BRITISH

THERMAL

UNITS, 20% FOR PAYMENTS TO AN AFFECTED COUNTY

11 TO OFFSET LOSSES IN TAX REVENUE DUE TO THE PERMANENT RETIREMENT OF THE
12 UNIT.

13 (G) AN INDIVIDUAL RESPONSIBLE FOR A PROJECT THAT RECEIVES A GRANT
14 UNDER THIS SECTION SHALL:

15 (1) HIRE SUBCONTRACTORS THAT OPERATE UNDER A COLLECTIVE
16 BARGAINING AGREEMENT WITH THE SUBCONTRACTOR'S EMPLOYEES; OR

17 (2) SIGN THE ORGANIZING NEUTRALITY AGREEMENT DEVELOPED BY
18 THE COUNCIL UNDER § 11-1403(F) OF THIS SUBTITLE.

19 11-1403.

20 (A) THERE IS A FOSSIL FUEL TRANSITION ADVISORY COUNCIL.

21 (B) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

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

23 (2) THE SECRETARY OF THE ENVIRONMENT, OR THE SECRETARY'S
24 DESIGNEE;

25 (3) THE CHAIR OF THE COMMISSION ON ENVIRONMENTAL JUSTICE
26 AND SUSTAINABLE COMMUNITIES, OR THE CHAIR'S DESIGNEE;

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

3 (5) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
4 SPEAKER OF THE HOUSE;

5 (6) TWO MEMBERS OF A LOCAL GOVERNING BODY OF AN AFFECTED
6 COUNTY, DESIGNATED BY THE MARYLAND ASSOCIATION OF COUNTIES; AND

7 (7) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

8 (I) ONE REPRESENTATIVE OF THE INTERNATIONAL
9 BROTHERHOOD OF ELECTRICAL WORKERS;

10 (II) ONE REPRESENTATIVE OF THE AMERICAN FEDERATION OF
11 LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS;

12 (III) ONE REPRESENTATIVE OF THE INTERNATIONAL
13 ASSOCIATION OF SHEET METAL, AIR, RAIL, AND TRANSPORTATION WORKERS;

14 (IV) ONE REPRESENTATIVE OF THE CLEAN ENERGY INDUSTRY;
15 AND

16 (V) ONE REPRESENTATIVE OF THE ENERGY EFFICIENCY
17 INDUSTRY.

18 (C) THE GOVERNOR SHALL APPOINT THE CHAIR OF THE COUNCIL.

19 (D) (1) THE TERM OF A MEMBER IS 3 YEARS.

20 (2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY
21 THE TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON JUNE 1, 2021.

22 (E) (1) THE COUNCIL SHALL MEET AT LEAST TWICE EACH YEAR TO
23 REVIEW THE DEPARTMENT'S PROPOSALS FOR GRANT AWARDS FROM THE FUND AND
24 MAKE RECOMMENDATIONS TO THE DEPARTMENT CONCERNING ANY PROPOSED
25 GRANT AWARD.

26 (2) THE DEPARTMENT SHALL CONSIDER THE COUNCIL'S
27 RECOMMENDATIONS WHEN MAKING DECISIONS ABOUT AWARDING GRANTS FROM
28 THE FUND.

29 (F) THE COUNCIL SHALL DEVELOP A STANDARD STATEWIDE ORGANIZING

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1 NEUTRALITY AGREEMENT THAT CAN BE USED BY EMPLOYERS WHO RECEIVE FUNDS
2 FROM THE FUND AND THE EMPLOYEES WHO WANT TO ENTER INTO A COLLECTIVE
3 BARGAINING AGREEMENT.

4 (G) THE COUNCIL SHALL DEVELOP A STATEWIDE FOSSIL FUEL TRANSITION
5 PLAN IN ACCORDANCE WITH § 11-1405 OF THIS SUBTITLE.

6 (H) A MEMBER OF THE COUNCIL:

7 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
8 COUNCIL; BUT

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

11 (I) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE COUNCIL.

12 11-1404.

13 (A) ON OR BEFORE JANUARY 1 EACH YEAR, THE DEPARTMENT SHALL
14 REPORT TO THE GOVERNOR, THE COUNCIL, AND, IN ACCORDANCE WITH § 2-1257
15 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE GRANTS
16 AWARDED FROM THE FUND DURING THE IMMEDIATELY PRECEDING FISCAL YEAR,
17 INCLUDING:

18 (1) THE NUMBER OF GRANTS AWARDED;

19 (2) THE AMOUNT OF EACH GRANT AWARDED;

20 (3) THE NAMES OF THE RECIPIENTS OF THE GRANTS; AND

21 (4) THE SPECIFIC PURPOSE OF EACH GRANT AWARDED.

22 (B) ~~ON (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON OR~~
23 ~~BEFORE DECEMBER 1 EACH YEAR, AN OWNER OF AN AFFECTED~~
24 ~~ELECTRIC GENERATING UNIT OR AN ELECTRIC GENERATING UNIT PERMANENTLY RETIRED ON OR AFTER MAY 15,~~
~~2020, SHALL REPORT TO THE COUNCIL ON THE TOTAL~~
~~NUMBER OF EMPLOYEE LAYOFFS AND THE TITLES OF THE POSITIONS LAID OFF.~~

(2) AN ELECTRIC GENERATING UNIT PERMANENTLY RETIRED ON OR
AFTER MAY 15, 2020, SHALL ANNUALLY REPORT TO THE COUNCIL UNDER PARAGRAPH (1) OF
THIS SUBSECTION UNTIL NO EMPLOYEES ARE ASSIGNED TO WORK AT THE UNIT.

25 11-1405.

26 (A) THE COUNCIL SHALL DEVELOP A STATEWIDE FOSSIL FUEL TRANSITION
27 PLAN IN ACCORDANCE WITH THIS SECTION.

28 (B) THE COUNCIL SHALL:

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1 (1) CONDUCT AT LEAST 10 PUBLIC INFORMATIONAL MEETINGS ON
2 THE PLAN; AND

3 (2) HOLD THE MEETINGS IN COMMUNITIES THAT HAVE BEEN:

4 (I) TRADITIONALLY ECONOMICALLY RELIANT ON FOSSIL
5 FUELS; AND

6 (II) HISTORICALLY OVERBURDENED BY POLLUTION FROM
7 FOSSIL FUELS.

8 (C) AT A MINIMUM, THE PLAN SHALL:

9 (1) (i) 1. IDENTIFY OR ESTIMATE, TO THE EXTENT
10 PRACTICABLE, THE TIMING AND LOCATION OF FACILITY CLOSURES OR PERMANENT CHANGES IN OPERATIONS AT
11 UNITS RESULTING IN CARBON DIOXIDE EMISSIONS EQUAL TO OR BELOW 180 POUNDS PER MILLION BRITISH THERMAL
12 UNITS AND JOB

13 LAYOFFS IN FOSSIL FUEL INDUSTRIES AFFECTING AT LEAST 50 WORKERS AT A
14 SINGLE SITE OF EMPLOYMENT; AND

15 2. THE IMPACT OF THE CLOSURES AND LAYOFFS ON
16 AFFECTED WORKERS AND BUSINESSES; AND

17 (ii) ADDRESS HOW THE STATE CAN MOST EFFECTIVELY
18 RESPOND TO THE ECONOMIC DISLOCATIONS IDENTIFIED UNDER ITEM (I) OF THIS
19 PARAGRAPH;

20 (2) IDENTIFY FUNDING OPPORTUNITIES TO FULFILL THE GOALS OF
21 THE PLAN, INCLUDING THE ALIGNMENT OF FEDERAL, STATE, AND LOCAL
22 RESOURCES;

23 (3) IDENTIFY BENEFITS, GRANTS, AND OTHER COMPONENTS THAT:

24 (i) THE COUNCIL AND THE DEPARTMENT MAY IMPLEMENT
25 UNDER EXISTING AUTHORITY; AND

26 (ii) REQUIRE ADDITIONAL LEGISLATIVE AUTHORITY TO
27 IMPLEMENT;

28 (4) IDENTIFY SOURCES OF FUNDING THAT MAY BE ACCESSED FROM
29 FEDERAL, STATE, LOCAL, AND OTHER SOURCES:

(i) WITHOUT ADDITIONAL LEGISLATIVE AUTHORITY; AND

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1 **(II) THAT REQUIRE ADDITIONAL LEGISLATIVE AUTHORITY OR**
2 **VOTER APPROVAL; AND**

3 **(5) IDENTIFY PROGRAMS AND PROJECTS THAT WILL ADVANCE**
4 **ECONOMIC DEVELOPMENT OPPORTUNITIES IN COMMUNITIES HISTORICALLY**
5 **OVERBURDENED BY POLLUTION FROM FOSSIL FUELS.**

6 **(D) (1) ON OR BEFORE DECEMBER 31, 2021, THE COUNCIL SHALL**
7 **SUBMIT A DRAFT PLAN TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §**
8 **2-1257 OF THE STATE GOVERNMENT ARTICLE.**

9 **(2) ON OR BEFORE DECEMBER 31, 2022, THE COUNCIL SHALL**
10 **SUBMIT A FINAL PLAN TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257**
11 **OF THE STATE GOVERNMENT ARTICLE.**

12 **Article - State Government**

13 9-20B-01.

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

15 (b) "Administration" means the Maryland Energy Administration.

16 (c) "Fund" means the Maryland Strategic Energy Investment Fund.

17 (d) "Program" means the Maryland Strategic Energy Investment Program.

18 9-20B-05.

19 (f) The Administration shall use the Fund:

20 (1) to invest in the promotion, development, and implementation of:

21 (i) cost-effective energy efficiency and conservation programs,
22 projects, or activities, including measurement and verification of energy savings;

23 (ii) renewable and clean energy resources;

24 (iii) climate change programs directly related to reducing or
25 mitigating the effects of climate change; and

26 (iv) demand response programs that are designed to promote
27 changes in electric usage by customers in response to:

28 1. changes in the price of electricity over time; or

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1 2. incentives designed to induce lower electricity use at times
2 of high wholesale market prices or when system reliability is jeopardized;

3 (2) to provide targeted programs, projects, activities, and investments to
4 reduce electricity consumption by customers in the low-income and moderate-income
5 residential sectors;

6 (3) to provide supplemental funds for low-income energy assistance
7 through the Electric Universal Service Program established under § 7-512.1 of the Public
8 Utilities Article and other electric assistance programs in the Department of Human
9 Services;

10 (4) to provide rate relief by offsetting electricity rates of residential
11 customers, including an offset of surcharges imposed on ratepayers under § 7-211 of the
12 Public Utilities Article;

13 (5) to provide grants, loans, and other assistance and investment as
14 necessary and appropriate to implement the purposes of the Program as set forth in §
15 9-20B-03 of this subtitle;

16 (6) to implement energy-related public education and outreach initiatives
17 regarding reducing energy consumption and greenhouse gas emissions;

18 (7) to provide rebates under the Electric Vehicle Recharging Equipment
19 Rebate Program established under § 9-2009 of this title;

20 (8) to provide grants to encourage combined heat and power projects at
21 industrial facilities;

22 (9) subject to subsections (f-1) and (f-3) of this section, to provide
23 \$7,000,000 in funding for access to capital for small, minority, women-owned, and
24 veteran-owned businesses in the clean energy industry under § 5-1501 of the Economic
25 Development Article, allocated in annual increments as follows:

26 (i) \$200,000 in fiscal year 2021;

27 (ii) \$500,000 in fiscal year 2022;

28 (iii) \$500,000 in fiscal year 2023;

29 (iv) \$1,000,000 in fiscal year 2024; and

30 (v) \$1,200,000 in each fiscal year from 2025 through 2028;

31 (10) subject to subsections (f-2) and (f-3) of this section, to invest in
32 pre-apprenticeship, youth apprenticeship, and registered apprenticeship programs to
33 establish career paths in the clean energy industry under § 11-708.1 of the Labor and

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1 Employment Article, as follows:

2 (i) \$1,250,000 for grants to pre-apprenticeship jobs training
3 programs under § 11-708.1(c)(3) of the Labor and Employment Article starting in fiscal
4 year 2021 until all amounts are spent;

5 (ii) \$6,000,000 for grants to youth apprenticeship jobs training
6 programs and registered apprenticeship jobs training programs under § 11-708.1(c)(5) of
7 the Labor and Employment Article starting in fiscal year 2021 until all amounts are spent;
8 and

9 (iii) \$750,000 for the recruitment of individuals, including veterans
10 and formerly incarcerated individuals, to the pre-apprenticeship jobs training programs
11 and the registered apprenticeship jobs training programs under § 11-708.1 of the Labor
12 and Employment Article starting in fiscal year 2021 until all amounts are spent; [and]

13 **(11) TO PROVIDE \$13,300,000 IN FUNDING FOR EACH OF FISCAL YEARS**
14 **2022 THROUGH 2024 FOR THE FOSSIL FUEL COMMUNITY TRANSITION FUND**
15 **ESTABLISHED UNDER § 11-1402 OF THE LABOR AND EMPLOYMENT ARTICLE; AND**

16 **[(11)] (12)** to pay the expenses of the Program.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
18 appointed members of the Fossil Fuel Transition Advisory Council shall expire as follows:

19 (1) three members in 2023;

20 (2) three members in 2024; and

21 (3) three members in 2025.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
23 1, 2021.