

SB0516/147070/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 516
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “used” insert “to provide grants”; in line 14, strike “program” and substitute “programs”; in the same line, after “requirements;” insert “establishing certain requirements and goals for certain supported programs; establishing certain funding requirements for certain apprenticeship programs;”; and in line 25, after “years;” insert “altering and extending the minimum required percentage of energy that must be derived from a Tier 2 renewable source in the State’s renewable energy portfolio standard in certain years; extending the eligibility of a certain Tier 2 renewable source for inclusion in meeting the State’s renewable energy portfolio standard;”.

On page 2, in line 1, after “dollars;” insert “requiring an applicant for a certain offshore wind project to sign a certain memorandum of understanding as a condition of the Commission’s approval of the project;”; in line 8, after “years;” insert “altering the percentage of certain costs an electricity supplier must incur in order to request the Commission to delay certain obligations;”; in line 13, after “before” insert “a”; in the same line, strike “dates” and substitute “date”; in line 15, after “purposes;” insert “providing for certain investments from the Fund for certain jobs training programs from a certain source; providing that certain funding should be directed to certain businesses that support jobs with certain characteristics;”; and strike beginning with “removing” in line 19 down through “date;” in line 20.

On page 3, in line 13, after “(h)” insert “and 7-705(c) and (d)”; in line 18, strike “7-704(a)(2)” and substitute “7-704(a)(4)”; in line 19, after “(b)” insert “and (e)”; in line 29, strike “and (d)”; and in line 34, after “Section” insert “9-20B-01(d) and”.

On page 4, in line 5, after “9-20B-05(f-1)” insert “, (f-2), and (f-3).”.

(Over)

AMENDMENT NO. 2

On page 6, in line 23, after “TO” insert “PROVIDE GRANTS TO”; in the same line, strike “A”; in line 24, strike “PROGRAM” and substitute “PROGRAMS”; in the same line, strike “PROVIDES” and substitute “PROVIDE:

(I);

in line 25, strike “IN ACCORDANCE WITH THIS SUBSECTION” and substitute “;

(II) YOUTH APPRENTICESHIP JOBS TRAINING; AND

(III) REGISTERED APPRENTICESHIP JOBS TRAINING”;

in line 26, strike “THE PROGRAM” and substitute “A PRE-APPRENTICESHIP JOBS TRAINING PROGRAM”; and in line 29, strike the second “AND”.

On page 7, in line 1, after “CURRICULUM” insert “BASED ON NATIONAL BEST PRACTICES”; in the same line, strike “PREPARES” and substitute “PREPARE”; in line 3, after “STATE-REGISTERED” insert “OR U.S. DEPARTMENT OF LABOR-REGISTERED”; in line 7, after “INDIVIDUALS” insert “, INCLUDING:

A. RECRUITMENT STRATEGIES TO BRING THESE INDIVIDUALS INTO THE PRE-APPRENTICESHIP JOBS TRAINING PROGRAM;

B. EDUCATIONAL AND PRE-VOCATIONAL SERVICES TO PREPARE PROGRAM PARTICIPANTS TO MEET THE ENTRY REQUIREMENTS OF ONE OR MORE REGISTERED APPRENTICESHIP PROGRAMS;

C. ACCESS TO APPROPRIATE SUPPORT SERVICES TO ENABLE PROGRAM PARTICIPANTS TO MAINTAIN PARTICIPATION IN THE PROGRAM; AND

D. MECHANISMS TO ASSIST PROGRAM PARTICIPANTS IN IDENTIFYING AND APPLYING TO REGISTERED APPRENTICESHIP PROGRAMS”;

in line 9, after “IMPROVEMENT” insert “;AND”

(III) HAVE A DOCUMENTED PARTNERSHIP WITH AT LEAST ONE REGISTERED APPRENTICESHIP PROGRAM DESCRIBED IN ITEM (II)2 OF THIS PARAGRAPH”;

in line 10, after “JOBS” insert “FOR A PRE-APPRENTICESHIP JOBS TRAINING PROGRAM”; and after line 16, insert:

“(4) (I) THIS PARAGRAPH APPLIES TO YOUTH APPRENTICESHIP JOBS TRAINING PROGRAMS AND REGISTERED APPRENTICESHIP JOBS TRAINING PROGRAMS SUPPORTED BY THE ACCOUNT UNDER THIS SUBSECTION.

(II) AN APPRENTICESHIP SPONSOR SHALL RECEIVE AS A GRANT FROM THE ACCOUNT:

1. UP TO \$150,000 FOR A PROGRAM PROPOSAL AND PLANNING EXPENSES; AND

2. \$3,000 FOR EACH SUCCESSFULLY COMPLETED APPRENTICESHIP.

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(III) THE YOUTH APPRENTICESHIP JOBS TRAINING PROGRAMS AND THE REGISTERED APPRENTICESHIP JOBS TRAINING PROGRAMS MUST PREPARE WORKERS FOR CAREERS IN THE SOLAR AND WIND SECTORS OF THE CLEAN ENERGY INDUSTRY.

(D) A GRANT FROM THE ACCOUNT MAY BE MADE ONLY TO A PROGRAM THAT AGREES TO INITIATE A PROJECT LABOR AGREEMENT.

(E) A PROGRAM THAT RECEIVES A GRANT FROM THE ACCOUNT SHALL MEET THE REQUIREMENTS OF THE STATE PREVAILING WAGE LAW UNDER TITLE 17, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.”.

On page 10, after line 1, insert:

“(r) “Tier 1 renewable source” means one or more of the following types of energy sources:

(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;

(2) wind;

(3) qualifying biomass;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal, including energy generated through geothermal exchange from or thermal energy avoided by, groundwater or a shallow ground source;

(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than [30] **60** megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;

(9) poultry litter-to-energy;

(10) waste-to-energy;

(11) refuse-derived fuel; and

(12) thermal energy from a thermal biomass system.”.

On page 12, in line 20, strike the first comma and substitute “:

(I)”;

in lines 21 and 22, strike “(i)” and “(ii)”, respectively, and substitute “**1.**” and “**2.**”, respectively; in line 23, in each instance, strike the bracket; after line 23, insert:

“(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;”;

in line 24, strike the first comma and substitute “:

(I)”;

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and in lines 26 and 27, strike “(i)” and “(ii)”, respectively, and substitute “1.” and “2.”, respectively.

On page 13, in line 1, after the semicolon insert “AND”

(II) 2.5% FROM TIER 2 RENEWABLE SOURCES;”.

On page 14, after line 30, insert:

“7-704.

(a) (4) Energy from a Tier 2 renewable source under § 7-701(s) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard through [2018] 2020 if it is generated at a system or facility that existed and was operational as of January 1, 2004, even if the facility or system was not capable of generating electricity on that date.”.

On page 19, after line 24, insert:

“(5) AS A CONDITION OF THE COMMISSION’S APPROVAL OF THE OFFSHORE WIND PROJECT, THE APPLICANT SHALL SIGN A MEMORANDUM OF UNDERSTANDING WITH THE COMMISSION AND SKILLED LABOR ORGANIZATIONS THAT REQUIRES THE APPLICANT TO FOLLOW THE PORTIONS OF THE APPLICANT’S PLAN THAT RELATE TO THE CRITERIA SET FORTH IN PARAGRAPH (1)(VIII) AND (IX) OF THIS SUBSECTION.”;

in line 25, after “(I)” insert “IN THIS PARAGRAPH, “COMMUNITY BENEFIT AGREEMENT” MEANS AN AGREEMENT APPLICABLE TO THE DEVELOPMENT OF ANY QUALIFIED OFFSHORE WIND PROJECT THAT:

1. PROMOTES INCREASED OPPORTUNITIES FOR LOCAL BUSINESSES AND SMALL, MINORITY, WOMEN-OWNED, AND VETERAN-OWNED BUSINESSES IN THE CLEAN ENERGY INDUSTRY;

2. ENSURES THE TIMELY, SAFE, AND EFFICIENT COMPLETION OF THE PROJECT BY FACILITATING A STEADY SUPPLY OF HIGHLY SKILLED CRAFT WORKERS WHO SHALL BE PAID NOT LESS THAN THE PREVAILING WAGE RATE DETERMINED BY THE COMMISSIONER OF LABOR AND INDUSTRY UNDER TITLE 17, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

3. PROMOTES SAFE COMPLETION OF THE PROJECT BY ENSURING THAT AT LEAST 80% OF THE CRAFT WORKERS ON THE PROJECT HAVE COMPLETED AN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION 10-HOUR OR 30-HOUR COURSE;

4. PROMOTES CAREER TRAINING OPPORTUNITIES IN THE CONSTRUCTION INDUSTRY FOR LOCAL RESIDENTS, VETERANS, WOMEN, AND MINORITIES; AND

5. REFLECTS A 21ST-CENTURY LABOR-MANAGEMENT APPROACH BASED ON COOPERATION, HARMONY, AND PARTNERSHIP.

(II)”;

and in line 34, strike “(ii)” and substitute “(III)”.

On page 20, in line 21, strike “AND”; in line 27, after “SCHEDULE” insert “; AND

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C. THE PROJECT IS SUBJECT TO A COMMUNITY BENEFIT AGREEMENT;

in line 29, strike “(1)(i)” and substitute “**(1)(II)**”; in lines 32 and 33, strike “**(1)(II)1A AND B**” and substitute “**(1)(III)1A AND B**”; and in line 34, strike “**(1)(II)2A AND B**” and substitute “**(1)(III)2A AND B**”.

On page 24, after line 19, insert:

“(c) The Commission may allow an electricity supplier to submit the report required under § 7–505(b)(4) of this title to demonstrate compliance with the renewable energy portfolio standard.

“(d) An aggregator or broker who assists an electricity customer in purchasing electricity but who does not supply the electricity or take title to or ownership of the electricity may require the electricity supplier who supplies the electricity to demonstrate compliance with this subtitle.

“(e) (1) Notwithstanding the requirements of § 7–703(b) of this subtitle, if the actual or projected dollar–for–dollar cost incurred or to be incurred by an electricity supplier solely for the purchase of Tier 1 renewable energy credits derived from solar energy in any 1 year is greater than or equal to, or is anticipated to be greater than or equal to, [2.5%] **6.0%** of the electricity supplier’s total annual electricity sales revenues in Maryland, the electricity supplier may request that the Commission:

(i) delay by 1 year each of the scheduled percentages for solar energy under § 7–703(b) of this subtitle that would apply to the electricity supplier; and

(ii) allow the renewable energy portfolio standard for solar energy for that year to continue to apply to the electricity supplier for the following year.

(2) In making its determination under paragraph (1) of this subsection, the Commission shall consider the actual or projected dollar-for-dollar compliance costs of other electricity suppliers.

(3) If an electricity supplier makes a request under paragraph (1) of this subsection based on projected costs, the electricity supplier shall provide verifiable evidence of the projections to the Commission at the time of the request.

(4) If the Commission allows a delay under paragraph (1) of this subsection:

(i) the renewable energy portfolio standard for solar energy applicable to the electricity supplier under the delay continues for each subsequent consecutive year that the actual or projected dollar-for-dollar costs incurred, or to be incurred, by the electricity supplier solely for the purchase of solar renewable energy credits is greater than or equal to, or is anticipated to be greater than or equal to, [2.5%] 6.0% of the electricity supplier's total annual retail electricity sales revenues in Maryland; and

(ii) the renewable energy portfolio standard for solar energy applicable to the electricity supplier under the delay is increased to the next scheduled percentage increase under § 7-703(b) of this subtitle for each year in which the actual or projected dollar-for-dollar costs incurred, or to be incurred, by the electricity supplier solely for the purchase of solar renewable energy credits is less than, or is anticipated to be less than, [2.5%] 6.0% of the electricity supplier's total annual retail electricity sales revenues in Maryland.”.

On page 26, in line 26, after “section” insert “;

(12) AN ASSESSMENT OF THE COSTS, BENEFITS, AND ANY LEGAL OR OTHER IMPLICATIONS OF ALLOWING THE LOCATION ANYWHERE IN OR OFF THE

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COAST OF THE CONTIGUOUS UNITED STATES OF TIER 1 RENEWABLE SOURCES THAT ARE CURRENTLY REQUIRED TO BE LOCATED IN THE PJM REGION OR IN A CONTROL AREA THAT IS ADJACENT TO THE PJM REGION, IF THE ELECTRICITY IS DELIVERED INTO THE PJM REGION”;

and in line 27, strike “(12)” and substitute “**(13)**”.

On page 27, in line 26, strike “CERTAIN” and substitute “ANY”; in line 27, after “DISPLACED” insert “OR NEGATIVELY ECONOMICALLY IMPACTED”; in line 28, strike “JUST” and substitute “COMPARABLE”; in line 29, after “WORKERS” insert “, INCLUDING WAGE AND BENEFIT PACKAGES,”; in line 30, after “DISPLACEMENT” insert “OR BE NEGATIVELY ECONOMICALLY IMPACTED”; and strike beginning with “A” in line 32 down through “ACHIEVE” in line 34 and substitute “RECOMMENDATIONS REGARDING THE FEASIBILITY OF IMPLEMENTING”.

On pages 27 and 28, strike in their entirety the lines beginning with line 35 on page 27 through line 5 on page 28, inclusive, and substitute:

“(4) ON OR BEFORE JANUARY 1, 2024, THE PROGRAM SHALL SUBMIT THE SUPPLEMENTAL STUDY TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”

On page 28, in line 9, after “employers” insert “AND BUILDING AND TRADE ASSOCIATIONS”.

On page 29, in line 24, strike “SUBSECTION” and substitute “SUBSECTIONS”; and in the same line, after “(F-1)” insert “AND (F-3)”.

On page 30, in line 3, after “**(10)**” insert “**SUBJECT TO SUBSECTIONS (F-2) AND (F-3) OF THIS SECTION,**”; in the same line, after “**PRE-APPRENTICESHIP,**” insert “**YOUTH**”; in line 4, strike “**OTHER WORKFORCE DEVELOPMENT**” and substitute “**REGISTERED APPRENTICESHIP**”; strike beginning with “**UP**” in line 7 down through “**2022**” in line 16 and substitute “**\$1,500,000 FOR GRANTS TO PRE-APPRENTICESHIP JOBS TRAINING PROGRAMS UNDER § 11-708.1(C)(2) OF THE LABOR AND EMPLOYMENT ARTICLE STARTING IN FISCAL YEAR 2021 UNTIL ALL AMOUNTS ARE SPENT; AND**”

(II) \$6,500,000 FOR GRANTS TO YOUTH APPRENTICESHIP JOBS TRAINING PROGRAMS AND REGISTERED APPRENTICESHIP JOBS TRAINING PROGRAMS UNDER § 11-708.1(C)(4) OF THE LABOR AND EMPLOYMENT ARTICLE STARTING IN FISCAL YEAR 2021 UNTIL ALL AMOUNTS ARE SPENT”;

and in line 17, strike “**(12)**” and substitute “**(11)**”.

On page 31, after line 3, insert:

(F-2) AN \$8,000,000 PAYMENT FOR WORKFORCE DEVELOPMENT PROGRAMS UNDER SUBSECTION (F)(10) OF THIS SECTION STARTING IN FISCAL YEAR 2021 SHALL BE DERIVED FROM THE RENEWABLE ENERGY, CLIMATE CHANGE ACCOUNT OF THE FUND.

(F-3) FUNDING UNDER SUBSECTION (F)(9) AND (10) OF THIS SECTION FOR ACCESS TO CAPITAL, INVESTMENT, PROMOTION, OR IMPLEMENTATION SHOULD BE DIRECTED ONLY TO BUSINESSES THAT AGREE TO CREATE AND MAINTAIN JOBS THAT PROMOTE FAMILY-SUSTAINING WAGES, EMPLOYER-PROVIDED HEALTH CARE WITH AFFORDABLE DEDUCTIBLES AND CO-PAYS, CAREER ADVANCEMENT TRAINING, FAIR SCHEDULING, EMPLOYER-PAID WORKERS’ COMPENSATION AND

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UNEMPLOYMENT INSURANCE, A RETIREMENT PLAN, PAID TIME OFF, AND THE RIGHT TO BARGAIN COLLECTIVELY FOR WAGES AND BENEFITS.”;

and strike in their entirety lines 29 through 33, inclusive.

On page 32, strike in their entirety lines 1 through 28, inclusive; and in line 29, strike “3.” and substitute “2.”.

On page 33, in line 1, strike “4.” and substitute “3.”; strike in their entirety lines 6 and 7, inclusive; in line 8, strike “6.” and substitute “4.”; and in lines 8 and 9, strike “, except as provided in Section 5 of this Act,”.