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By: **Delegate Franchot**

Introduced and read first time: February 21, 2002

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Energy Administration - Clean Energy Fund**

3 FOR the purpose of creating a Clean Energy Fund in the Maryland Energy  
4 Administration to be used to promote energy efficiency and the use of clean and  
5 renewable products; requiring that certain money be deposited in the Fund;  
6 specifying certain conditions of the Fund; requiring a certain report; requiring  
7 the Administration to adopt certain regulations; and generally relating to  
8 creating a Clean Energy Fund in the Maryland Energy Administration.

9 BY repealing and reenacting, with amendments,  
10 Article - Environment  
11 Section 1-404(i)  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 2001 Supplement)

14 BY adding to  
15 Article - State Government  
16 Section 9-2006  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2001 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Environment**

22 1-404.

23 (i) Except as otherwise provided by law, the Secretary shall pay all money  
24 collected by the Department under this article into the [General Fund of this State]  
25 CLEAN ENERGY FUND AS PROVIDED IN § 9-2006 OF THE STATE GOVERNMENT  
26 ARTICLE.

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**Article - State Government**

2 9-2006.

3 (A) THERE IS A CLEAN ENERGY FUND IN THE MARYLAND ENERGY  
4 ADMINISTRATION.

5 (B) THE FOLLOWING MONEY SHALL BE DEPOSITED IN THE FUND:

6 (1) ALL MONEY COLLECTED BY THE DEPARTMENT OF THE  
7 ENVIRONMENT THAT IS NOT DEDICATED TO ANY OTHER SOURCE IN ACCORDANCE  
8 WITH § 1-404 OF THE ENVIRONMENT ARTICLE; AND

9 (2) MONEYS RECEIVED BY GRANT, DONATION, APPROPRIATION, OR  
10 FROM ANY OTHER SOURCE.

11 (C) THE FUND SHALL BE USED TO PROMOTE ENERGY EFFICIENCY AND THE  
12 USE OF CLEAN AND RENEWABLE PRODUCTS.

13 (D) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT  
14 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

15 (E) FUNDS CREDITED AND ANY INTEREST ACCRUED TO THE FUND:

16 (1) SHALL REMAIN AVAILABLE UNTIL EXPENDED; AND

17 (2) MAY NOT BE REVERTED TO THE GENERAL FUND UNDER ANY OTHER  
18 PROVISION OF LAW.

19 (F) THE ADMINISTRATION SHALL ANNUALLY REPORT TO THE GENERAL  
20 ASSEMBLY, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE  
21 STATUS OF THE FUND AND ON THE REVENUES TO AND EXPENDITURES FROM THE  
22 FUND.

23 (G) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
24 SECTION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2002.