

SENATE BILL 921

C5, M3, C8

6lr2002
CF 6lr2003

By: **Senators Pugh, Feldman, Benson, Madaleno, Mathias, and Middleton**

Introduced and read first time: February 5, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Clean Energy Jobs – Renewable Energy Portfolio Standard Revisions**

3 FOR the purpose of establishing the Clean Energy Workforce Account in the Maryland
4 Employment Advancement Right Now Program; providing for the funding of the
5 Account; specifying the purpose for which the Account may be used; specifying the
6 priority for grants awarded from the Account; requiring the Department of Labor,
7 Licensing, and Regulation to include certain information about the Account in a
8 certain annual report; altering the renewable energy portfolio standard percentage
9 derived from solar energy for certain years; altering the renewable energy portfolio
10 standard percentage derived from Tier 1 renewable sources for certain years;
11 altering the minimum required percentage of Tier 1 renewable energy that must be
12 derived from solar energy in the State's renewable energy portfolio standard in
13 certain years; altering the minimum required percentage of energy that must be
14 derived from Tier 1 renewable sources in the State's renewable energy portfolio
15 standard in certain years; requiring an electric company to contract for certain
16 renewable energy credits and electricity generated from certain Tier 1 renewable
17 sources to meet a certain portion of the renewable energy portfolio standard for
18 certain electricity suppliers beginning after a certain date; requiring an electric
19 company to solicit bids for a certain contract from certain renewable energy facilities;
20 requiring an electric company to use a competitive procurement process to award a
21 certain contract; requiring that a term for a certain contract be for a certain
22 minimum and maximum duration; authorizing an electric company to recover
23 certain costs associated with this Act; altering the compliance fee for an electricity
24 supplier that fails to comply with certain renewable energy portfolio standards for
25 certain years; establishing certain compliance fees for an electricity supplier that
26 fails to comply with certain renewable energy portfolio standards for certain years;
27 altering the percentage of total annual electricity sales revenues based on which an
28 electricity supplier may request a delay of certain solar energy requirements in the
29 renewable energy portfolio standard; establishing the Clean Energy Business
30 Development Account in the Small, Minority, and Women-Owned Businesses
31 Account; providing for the funding in the Clean Energy Account; specifying the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 purpose for which the Clean Energy Account may be used; prohibiting funding from
2 the Clean Energy Account from being limited to certain businesses; requiring the
3 Maryland Energy Administration to use the Maryland Strategic Energy Investment
4 Fund in a certain manner; requiring proceeds from a certain Public Service
5 Commission order to be allocated in a certain manner; stating certain findings of the
6 General Assembly; defining certain terms; providing for the application of this Act;
7 making the provisions of this Act severable; and generally relating to clean energy
8 jobs and the renewable energy portfolio standard.

9 BY adding to

10 Article – Labor and Employment
11 Section 11–708.1
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2015 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article – Labor and Employment
16 Section 11–709
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2015 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Public Utilities
21 Section 7–702, 7–703(b)(12), (13), (14), (15), (16), and (17), and 7–705(b) and (e)
22 Annotated Code of Maryland
23 (2010 Replacement Volume and 2015 Supplement)

24 BY adding to

25 Article – Public Utilities
26 Section 7–703.1
27 Annotated Code of Maryland
28 (2010 Replacement Volume and 2015 Supplement)

29 BY repealing and reenacting, with amendments,

30 Article – State Government
31 Section 9–1A–35, 9–20B–01, and 9–20B–05(f) and (i) through (l)
32 Annotated Code of Maryland
33 (2014 Replacement Volume and 2015 Supplement)

34 BY adding to

35 Article – State Government
36 Section 9–20B–05(i)
37 Annotated Code of Maryland
38 (2014 Replacement Volume and 2015 Supplement)

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

40 That the Laws of Maryland read as follows:

Article – Labor and Employment

11-708.1.

(A) THERE IS A CLEAN ENERGY WORKFORCE ACCOUNT.

(B) THE ACCOUNT SHALL BE FUNDED IN ACCORDANCE WITH § 9-20B-05(I) OF THE STATE GOVERNMENT ARTICLE.

(C) (1) MONEY IN THE ACCOUNT SHALL BE USED TO PROVIDE GRANTS ON A COMPETITIVE BASIS FOR STRATEGIC INDUSTRY PARTNERSHIPS THAT:

(I) 1. PROVIDE PRE-APPRENTICESHIP JOB TRAINING FOR CAREERS IN THE CLEAN ENERGY INDUSTRY; OR

2. PROVIDE CAREER PATHS FOR WORKERS FROM WITHIN THE CLEAN ENERGY INDUSTRY OR ASSOCIATED INDUSTRIES TO ADVANCE THEIR CAREERS WITHIN THE CLEAN ENERGY INDUSTRY; AND

(II) COMPLY WITH THIS SUBTITLE.

(2) MONEY IN THE ACCOUNT SHALL BE SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF THE ANNUAL APPROPRIATIONS TO THE MARYLAND EARN PROGRAM.

(D) GRANTS SHALL BE AWARDED FROM THE ACCOUNT WITH PRIORITY GIVEN TO STRATEGIC INDUSTRY PARTNERSHIPS THAT:

(1) SEEK TO ADVANCE EMPLOYMENT OPPORTUNITIES AND PROVIDE JOB READINESS TRAINING FOR INDIVIDUALS FROM ECONOMICALLY DISTRESSED AREAS WITH HIGH RATES OF UNEMPLOYMENT OR HIGH PERCENTAGES OF HOUSEHOLDS THAT EARN LESS THAN 80% OF THE AREA MEDIAN INCOME;

(2) SEEK TO ADVANCE EMPLOYMENT OPPORTUNITIES AND PROVIDE JOB READINESS TRAINING FOR DISADVANTAGED WORKERS THAT HAVE BARRIERS TO ENTRY INTO THE LABOR FORCE, INCLUDING:

(I) HOMELESSNESS;

(II) PRIOR CRIMINAL RECORDS;

(III) RECEIPT OF PUBLIC ASSISTANCE;

1 (IV) UNEMPLOYMENT WITH NO HIGH SCHOOL EDUCATION;

2 (V) VETERANS OF THE ARMED FORCES OF THE UNITED STATES;

3 AND

4 (VI) FORMER FOSTER CARE YOUTH; OR

5 (3) SEEK TO BUILD LOCAL WORKFORCE CAPACITY THROUGH
6 COOPERATION WITH COMMUNITY COLLEGES OR OTHER LOCAL GOVERNMENT
7 ORGANIZATIONS.

8 11-709.

9 (a) On or before December 31 of each year, the Department shall report to the
10 Governor and, in accordance with § 2-1246 of the State Government Article, to the Senate
11 Finance Committee and the House Economic Matters Committee on the Maryland EARN
12 Program.

13 (b) The report required under subsection (a) of this section shall include:

14 (1) an identification of training needs statewide, including industries in
15 urgent need of qualified workers;

16 (2) information on measures being used to track the success and
17 accountability of the Maryland EARN Program, including use of the StateStat
18 accountability process under § 3-1003(b) of the State Finance and Procurement Article;

19 (3) (i) a description of each strategic industry partnership receiving
20 grant funding and the status of the partnership; and

21 (ii) the jurisdiction of the State in which each strategic industry
22 partnership is located;

23 (4) the number of individuals:

24 (i) by sex, race, national origin, income, county of residence, and
25 educational attainment, participating in each component of the Maryland EARN Program;
26 and

27 (ii) participating in the Maryland EARN Program who, as a result of
28 the Program, have obtained:

29 1. a credential or an identifiable skill;

30 2. a new employment position;

1 **OF GROWTH, PUT THE STATE ON A TRAJECTORY TOWARDS CONSUMING AT LEAST**
2 **40% OF ITS ELECTRICITY FROM RENEWABLE ENERGY SOURCES BY 2025, KEEPING**
3 **THE STATE'S EFFORTS CONSISTENT WITH INTERNATIONAL EFFORTS TO REACH**
4 **CARBON REDUCTIONS IN ACCORDANCE WITH SCIENTIFIC DATA.**

5 7-703.

6 (b) The renewable energy portfolio standard shall be as follows:

7 (12) in 2017:

8 (i) 13.1% from Tier 1 renewable sources, including:

9 1. at least [0.95%] **1.15%** derived from solar energy; and

10 2. an amount set by the Commission under § 7-704.2(a) of
11 this subtitle, not to exceed 2.5%, derived from offshore wind energy; and

12 (ii) 2.5% from Tier 2 renewable sources;

13 (13) in 2018:

14 (i) 15.8% from Tier 1 renewable sources, including:

15 1. at least [1.4%] **1.5%** derived from solar energy; and

16 2. an amount set by the Commission under § 7-704.2(a) of
17 this subtitle, not to exceed 2.5%, derived from offshore wind energy; and

18 (ii) 2.5% from Tier 2 renewable sources;

19 (14) in 2019, [17.4%] **20.4%** from Tier 1 renewable sources, including:

20 (i) at least [1.75%] **1.95%** derived from solar energy; and

21 (ii) an amount set by the Commission under § 7-704.2(a) of this
22 subtitle, not to exceed 2.5%, derived from offshore wind energy; **AND**

23 (15) in 2020 **AND LATER**, [18%] **25%** from Tier 1 renewable sources,
24 including:

25 (i) at least [2.0%] **2.5%** derived from solar energy; and

26 (ii) an amount set by the Commission under § 7-704.2(a) of this
27 subtitle, not to exceed 2.5%, derived from offshore wind energy[;

1 (16) in 2021, 18.7% from Tier 1 renewable sources, including:

2 (i) at least 2.0% derived from solar energy; and

3 (ii) an amount set by the Commission under § 7–704.2(a) of this
4 subtitle, not to exceed 2.5%, derived from offshore wind energy; and

5 (17) in 2022 and later, 20% from Tier 1 renewable sources, including:

6 (i) at least 2% derived from solar energy; and

7 (ii) an amount set by the Commission under § 7–704.2(a) of this
8 subtitle, not to exceed 2.5%, derived from offshore wind energy].

9 **7–703.1.**

10 (A) NOTWITHSTANDING § 7–510 OF THIS ARTICLE OR ANY REGULATION OR
11 ORDER UNDER THIS TITLE, BEGINNING IN 2017, AN ELECTRIC COMPANY SHALL
12 CONTRACT FOR RENEWABLE ENERGY CREDITS AND ELECTRICITY GENERATED
13 FROM EMISSIONS–FREE NONSOLAR TIER 1 RENEWABLE SOURCES TO MEET A
14 PORTION OF AN ELECTRICITY SUPPLIER’S RENEWABLE ENERGY PORTFOLIO
15 STANDARD IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.

16 (B) (1) AN ELECTRIC COMPANY SHALL:

17 (I) SOLICIT BIDS FOR A CONTRACT UNDER SUBSECTION (A) OF
18 THIS SECTION FROM RENEWABLE ENERGY FACILITIES THAT WILL BE PLACED INTO
19 SERVICE WITHIN 3 YEARS AFTER THE DATE OF THE SOLICITATION; AND

20 (II) USE A COMPETITIVE PROCUREMENT PROCESS TO AWARD
21 THE CONTRACT.

22 (2) THE TERM OF A CONTRACT UNDER SUBSECTION (A) OF THIS
23 SECTION SHALL BE FOR AT LEAST 10 YEARS AND NOT MORE THAN 20 YEARS.

24 (C) BEGINNING IN 2017, THE RENEWABLE ENERGY CREDITS AND
25 ELECTRICITY CONTRACTED FOR UNDER SUBSECTION (A) OF THIS SECTION SHALL
26 BE USED TO MEET AT LEAST 20% OF THAT YEAR’S RENEWABLE PORTFOLIO
27 STANDARD FOR ALL ELECTRICITY SUPPLIERS THAT SELL ELECTRIC SUPPLY
28 SERVICE TO THE ELECTRIC COMPANY’S DISTRIBUTION SERVICE CUSTOMERS THAT
29 THE RENEWABLE PORTFOLIO STANDARD APPLIES TO, INCLUDING CUSTOMERS OF
30 THE ELECTRIC COMPANY’S STANDARD OFFER SERVICE.

1 **J. 6 CENTS IN 2023;**

2 **K. 5 CENTS IN 2024 AND LATER; AND**

3 3. 1.5 cents for each kilowatt–hour of shortfall from required
4 Tier 2 renewable sources; or

5 (ii) for industrial process load:

6 1. for each kilowatt–hour of shortfall from required Tier 1
7 renewable sources, a compliance fee of:

8 A. 0.8 cents in 2006, 2007, and 2008;

9 B. 0.5 cents in 2009 and 2010;

10 C. 0.4 cents in 2011 and 2012;

11 D. 0.3 cents in 2013 and 2014;

12 E. 0.25 cents in 2015 and 2016; and

13 F. except as provided in paragraph (3) of this subsection, 0.2
14 cents in 2017 and later; and

15 2. nothing for any shortfall from required Tier 2 renewable
16 sources.

17 (3) For industrial process load, the compliance fee for each kilowatt–hour
18 of shortfall from required Tier 1 renewable sources is:

19 (i) 0.1 cents in any year during which suppliers are required to
20 purchase ORECs under § 7–704.2 of this subtitle; and

21 (ii) nothing for the year following any year during which, after final
22 calculations, the net rate impact per megawatt–hour from qualified offshore wind projects
23 exceeded \$1.65 in 2012 dollars.

24 (e) (1) Notwithstanding the requirements of § 7–703(b) of this subtitle, if the
25 actual or projected dollar–for–dollar cost incurred or to be incurred by an electricity
26 supplier solely for the purchase of Tier 1 renewable energy credits derived from solar energy
27 in any 1 year is greater than or equal to, or is anticipated to be greater than or equal to,
28 **[1%] 2.5%** of the electricity supplier’s total annual electricity sales revenues in Maryland,
29 the electricity supplier may request that the Commission:

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

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

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

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

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

13 (i) the renewable energy portfolio standard for solar energy
14 applicable to the electricity supplier under the delay continues for each subsequent
15 consecutive year that the actual or projected dollar-for-dollar costs incurred, or to be
16 incurred, by the electricity supplier solely for the purchase of solar renewable energy credits
17 is greater than or equal to, or is anticipated to be greater than or equal to, [1%] **2.5%** of the
18 electricity supplier's total annual retail electricity sales revenues in Maryland; and

19 (ii) the renewable energy portfolio standard for solar energy
20 applicable to the electricity supplier under the delay is increased to the next scheduled
21 percentage increase under § 7–703(b) of this subtitle for each year in which the actual or
22 projected dollar-for-dollar costs incurred, or to be incurred, by the electricity supplier
23 solely for the purchase of solar renewable energy credits is less than, or is anticipated to be
24 less than, [1%] **2.5%** of the electricity supplier's total annual retail electricity sales
25 revenues in Maryland.

26 Article – State Government

27 9–1A–35.

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

30 (2) “ACCOUNT” MEANS THE SMALL, MINORITY, AND
31 WOMEN-OWNED BUSINESSES ACCOUNT ESTABLISHED UNDER THIS SECTION.

32 (3) “CLEAN ENERGY ACCOUNT” MEANS THE CLEAN ENERGY
33 BUSINESS DEVELOPMENT ACCOUNT ESTABLISHED UNDER SUBSECTION (E) OF THIS
34 SECTION.

1 **(4) “CLEAN ENERGY INDUSTRY” HAS THE MEANING STATED IN §**
2 **9–20B–01 OF THIS TITLE.**

3 **(5) “ELIGIBLE FUND MANAGER” MEANS AN ENTITY THAT HAS**
4 **SIGNIFICANT FINANCIAL OR INVESTMENT EXPERIENCE UNDER CRITERIA THAT THE**
5 **BOARD OF PUBLIC WORKS DEVELOPS.**

6 **[(a)] (B)** There is a Small, Minority, and Women–Owned Businesses Account
7 under the authority of the Board of Public Works.

8 **[(b)] (C)** (1) The Account shall receive money:

9 **(I)** as required under § 9–1A–27 of this subtitle; AND

10 **(II) FROM THE CLEAN ENERGY ACCOUNT ESTABLISHED UNDER**
11 **SUBSECTION (E) OF THIS SECTION.**

12 (2) Money in the Account shall be invested and reinvested by the Treasurer
13 and interest and earnings shall accrue to the Account.

14 (3) The Comptroller shall:

15 (i) account for the Account; and

16 (ii) on a properly approved transmittal prepared by the Board of
17 Public Works, issue a warrant to pay out money from the Account in the manner provided
18 under this section.

19 (4) The Account is a special, nonlapsing fund that is not subject to § 7–302
20 of the State Finance and Procurement Article.

21 (5) Expenditures from the Account shall only be made on a properly
22 approved transmittal prepared by the Board of Public Works as provided under subsection
23 **[(c)] (D)** of this section.

24 **[(c)] (D)** (1) **[In this subsection, “eligible fund manager” means an entity that**
25 **has significant financial or investment experience, under criteria developed by the Board**
26 **of Public Works.**

27 (2)] Subject to **[the provisions of]** paragraph **[(3)] (2)** of this subsection, the
28 Board of Public Works shall make grants to eligible fund managers to provide investment
29 capital and loans to small, minority, and women–owned businesses in the State.

30 **[(3)] (2)** The Board of Public Works shall ensure that eligible fund
31 managers allocate at least 50% of the funds from this Account to small, minority, and

1 women-owned businesses in the jurisdictions and communities surrounding a video lottery
2 facility.

3 **(E) (1) THERE IS A CLEAN ENERGY BUSINESS DEVELOPMENT ACCOUNT**
4 **AS A SUBACCOUNT IN THE ACCOUNT.**

5 **(2) THE CLEAN ENERGY ACCOUNT SHALL RECEIVE MONEY IN**
6 **ACCORDANCE WITH § 9-20B-05(I) OF THE STATE GOVERNMENT ARTICLE.**

7 **(3) MONEY IN THE CLEAN ENERGY ACCOUNT SHALL BE AVAILABLE**
8 **TO:**

9 **(I) MAKE GRANTS TO ELIGIBLE FUND MANAGERS TO PROVIDE**
10 **INVESTMENT CAPITAL AND LOANS TO SMALL, MINORITY, AND WOMEN-OWNED**
11 **BUSINESSES IN THE CLEAN ENERGY INDUSTRY IN THE STATE; AND**

12 **(II) PROVIDE A MANAGEMENT FEE TO COMPENSATE A FUND**
13 **MANAGER FOR ADMINISTRATIVE EXPENSES.**

14 **(4) FUNDING FROM THE CLEAN ENERGY ACCOUNT MAY NOT BE**
15 **LIMITED TO SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES IN THE CLEAN**
16 **ENERGY INDUSTRY IN THE JURISDICTIONS AND COMMUNITIES SURROUNDING A**
17 **VIDEO LOTTERY FACILITY.**

18 **(5) A FUND MANAGER THAT PROVIDES INVESTMENT CAPITAL AND**
19 **LOANS UNDER THIS SUBSECTION SHALL BE COMPENSATED FOR MARKETING AND**
20 **OPERATION ON A MANAGEMENT FEE BASIS.**

21 **[(d)] (F) Fund managers receiving grants under this section shall:**

22 (1) keep proper records of funds and accounts;

23 (2) provide an annual report to the Governor and, in accordance with §
24 2-1246 of this article, the General Assembly on investment capital and loans made
25 pursuant to subsection **[(c)] (D)** of this section; and

26 (3) be subject to audit by the Office of Legislative Audits of the Department
27 of Legislative Services.

28 **[(e)] (G) (1) Subject to paragraph (2) of this subsection, EXCEPT FOR AN**
29 **ELIGIBLE FUND MANAGER MANAGING A GRANT UNDER SUBSECTION (E) OF THIS**
30 **SECTION, an eligible fund manager may use money from grants received under this section**
31 **to pay expenses for administrative, actuarial, legal, and technical services.**

1 (2) The Board of Public Works shall set the maximum amount of grant
2 money that each eligible fund manager may use under paragraph (1) of this subsection.

3 [(f)] (H) Each fiscal year the Legislative Auditor shall audit and evaluate the
4 utilization of the funds that are allocated to small, minority, and women-owned businesses
5 by eligible fund managers under subsection [(c)(3)] (D)(2) of this section.

6 9–20B–01.

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

8 (b) “Administration” means the Maryland Energy Administration.

9 (c) “Board” means the Strategic Energy Investment Advisory Board established
10 under § 9–20B–07 of this subtitle.

11 (D) “CLEAN ENERGY INDUSTRY” MEANS A GROUP OF EMPLOYERS THAT ARE
12 ASSOCIATED BY THEIR PROMOTION OF:

13 (1) PRODUCTS AND SERVICES THAT IMPROVE ENERGY EFFICIENCY
14 AND CONSERVATION, INCLUDING PRODUCTS AND SERVICES PROVIDED BY:

15 (I) ELECTRICIANS;

16 (II) HEATING, VENTILATION, AND AIR-CONDITIONING
17 INSTALLERS;

18 (III) PLUMBERS; AND

19 (IV) ENERGY AUDITORS;

20 (2) RENEWABLE AND CLEAN ENERGY RESOURCES THAT REDUCE
21 GREENHOUSE GAS EMISSIONS; AND

22 (3) TECHNOLOGY THAT ADVANCES EMISSIONS-FREE ENERGY
23 SYSTEMS.

24 [(d)] (E) “Fund” means the Maryland Strategic Energy Investment Fund.

25 [(e)] (F) “Program” means the Maryland Strategic Energy Investment Program.

26 9–20B–05.

27 (f) The Administration shall use the Fund:

- 1 (1) to invest in the promotion, development, and implementation of:
- 2 (i) cost-effective energy efficiency and conservation programs,
3 projects, or activities, including measurement and verification of energy savings;
- 4 (ii) renewable and clean energy resources;
- 5 (iii) climate change programs directly related to reducing or
6 mitigating the effects of climate change; and
- 7 (iv) demand response programs that are designed to promote
8 changes in electric usage by customers in response to:
- 9 1. changes in the price of electricity over time; or
- 10 2. incentives designed to induce lower electricity use at times
11 of high wholesale market prices or when system reliability is jeopardized;
- 12 (2) to provide targeted programs, projects, activities, and investments to
13 reduce electricity consumption by customers in the low-income and moderate-income
14 residential sectors;
- 15 (3) to provide supplemental funds for low-income energy assistance
16 through the Electric Universal Service Program established under § 7-512.1 of the Public
17 Utilities Article and other electric assistance programs in the Department of Human
18 Resources;
- 19 (4) to provide rate relief by offsetting electricity rates of residential
20 customers, including an offset of surcharges imposed on ratepayers under § 7-211 of the
21 Public Utilities Article;
- 22 (5) to provide grants, loans, and other assistance and investment as
23 necessary and appropriate to implement the purposes of the Program as set forth in §
24 9-20B-03 of this subtitle;
- 25 (6) to implement energy-related public education and outreach initiatives
26 regarding reducing energy consumption and greenhouse gas emissions;
- 27 (7) to provide rebates under the Electric Vehicle Recharging Equipment
28 Rebate Program established under § 9-2009 of this title;
- 29 (8) to provide grants to encourage combined heat and power projects at
30 industrial facilities; [and]
- 31 **(9) TO INVEST IN PRE-APPRENTICESHIP, APPRENTICESHIP, AND**
32 **OTHER WORKFORCE DEVELOPMENT PROGRAMS TO ESTABLISH CAREER PATHS IN**

1 THE CLEAN ENERGY INDUSTRY UNDER § 11-708.1 OF THE LABOR AND
2 EMPLOYMENT ARTICLE;

3 (10) TO PROVIDE ACCESS TO CAPITAL FOR SMALL, MINORITY, AND
4 WOMEN-OWNED BUSINESSES IN THE CLEAN ENERGY INDUSTRY UNDER § 9-1A-35
5 OF THIS TITLE; AND

6 [(9)] (11) to pay the expenses of the Program.

7 (I) MONEY THAT THE FUND RECEIVES UNDER PUBLIC SERVICE
8 COMMISSION ORDER NUMBER 86372 SHALL BE ALLOCATED AS FOLLOWS:

9 (1) \$10,000,000 TO A CLEAN ENERGY WORKFORCE ACCOUNT
10 ESTABLISHED IN THE MARYLAND EMPLOYMENT ADVANCEMENT RIGHT NOW
11 PROGRAM UNDER § 11-708.1 OF THE LABOR AND EMPLOYMENT ARTICLE; AND

12 (2) \$30,000,000 TO A CLEAN ENERGY BUSINESS DEVELOPMENT
13 ACCOUNT ESTABLISHED IN THE SMALL, MINORITY, AND WOMEN-OWNED
14 BUSINESSES ACCOUNT UNDER § 9-1A-35 OF THIS TITLE.

15 [(i)] (J) (1) Except as provided in paragraph (2) of this subsection,
16 compliance fees paid under § 7-705(b) of the Public Utilities Article may be used only to
17 make loans and grants to support the creation of new Tier 1 renewable energy sources in
18 the State.

19 (2) Compliance fees paid under § 7-705(b)(2)(i)2 of the Public Utilities
20 Article shall be accounted for separately within the Fund and may be used only to make
21 loans and grants to support the creation of new solar energy sources in the State.

22 [(j)] (K) (1) The Treasurer shall invest the money of the Fund in the same
23 manner as other State money may be invested.

24 (2) Any investment earnings of the Fund shall be paid into an
25 administrative expense account within the Fund.

26 (3) Any repayment of principal and interest on loans made from the Fund
27 shall be paid into the Fund.

28 (4) Balances in the Fund shall be held for the benefit of the Program, shall
29 be expended solely for the purposes of the Program, and may not be used for the general
30 obligations of government.

31 [(k)] (L) Expenditures from the Fund shall be made by:

32 (1) an appropriation in the annual State budget; or

1 (2) a budget amendment in accordance with § 7–209 of the State Finance
2 and Procurement Article.

3 **[(l)] (M)** An expenditure by budget amendment may be made under subsection
4 **[(k)] (L)** of this section only after:

5 (1) the Administration has submitted the proposed budget amendment and
6 supporting documentation to the Senate Budget and Taxation Committee, Senate Finance
7 Committee, House Appropriations Committee, and House Economic Matters Committee;
8 and

9 (2) the committees have had 45 days for review and comment.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
11 apply only prospectively and may not be applied or interpreted to have any effect on or
12 application to any contract existing before the effective date of this Act.

13 SECTION 3. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
14 the application thereof to any person or circumstance is held invalid for any reason in a
15 court of competent jurisdiction, the invalidity does not affect other provisions or any other
16 application of this Act that can be given effect without the invalid provision or application,
17 and for this purpose the provisions of this Act are declared severable.

18 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2016.