

HB1106/507779/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1106
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Energy” insert “Jobs”.

On page 2, in line 8, before “stating” insert “authorizing the Small, Minority, and Women-Owned Businesses Account to receive money from the Strategic Energy Investment Fund; requiring any money that the Account receives from the Fund to be used for a certain purpose; authorizing the Maryland Energy Administration to use the Strategic Energy Investment Fund for a certain purpose; requiring the Department of Labor, Licensing, and Regulation to study the workforce development training needs for the clean energy industry in the State; requiring the Department to seek input from certain agencies and stakeholders and identify certain information; requiring the Department to report to the General Assembly on or before a certain date on certain findings and recommendations;”; in the same line, strike “stating certain findings of the General Assembly”; in line 9, before “providing” insert “defining a certain term;”; in line 10, after “energy” insert “jobs”; after line 21, insert:

“BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7-702
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement);

in line 24, strike “7-702,”; in the same line, strike the first comma and substitute “and”;
after line 37, insert:

“BY repealing and reenacting, with amendments,
Article – State Government
Section 9-1A-35 and 9-20B-01

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Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9-20B-05(f)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – State Government

Section 9-20B-05(f-1)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 5, in line 21, strike the brackets; and strike beginning with “; **AND**” in line 23 down through “**ARTICLE**” in line 27.

On page 15, after line 16, insert:

“Article – State Government

9–1A–35.

(a) There is a Small, Minority, and Women–Owned Businesses Account under the authority of the Board of Public Works.

(b) (1) **(I)** The Account shall receive money as required under § 9–1A–27 of this subtitle.

(II) THE ACCOUNT MAY RECEIVE MONEY FROM THE STRATEGIC ENERGY INVESTMENT FUND UNDER § 9-20B-05 OF THIS TITLE.

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

(3) The Comptroller shall:

(i) account for the Account; and

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

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

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

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

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

(3) The Board of Public Works shall ensure that eligible fund managers allocate at least 50% of the funds from this Account to small, minority, and women-

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owned businesses in the jurisdictions and communities surrounding a video lottery facility.

(D) ANY MONEY RECEIVED FROM THE STRATEGIC ENERGY INVESTMENT FUND SHALL BE USED TO BENEFIT SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES IN THE CLEAN ENERGY INDUSTRY IN THE STATE.

[(d)](E) Fund managers receiving grants under this section shall:

(1) keep proper records of funds and accounts;

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

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

[(e)] (F) (1) Subject to paragraph (2) of this subsection, an eligible fund manager may use money from grants received under this section to pay expenses for administrative, actuarial, legal, and technical services.

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

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

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

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

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

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

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

(I) ELECTRICIANS;

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

(III) PLUMBERS; AND

(IV) ENERGY AUDITORS; AND

(2) RENEWABLE AND CLEAN ENERGY RESOURCES.

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

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

9-20B-05.

(f) The Administration shall use the Fund:

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

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

(ii) renewable and clean energy resources;

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

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

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

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

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

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

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

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

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

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

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

(9) to pay the expenses of the Program.

(F-1) THE ADMINISTRATION MAY USE THE FUND, INCLUDING MONEY THAT THE FUND RECEIVES UNDER PUBLIC SERVICE COMMISSION ORDER NUMBER 86372, TO PROVIDE FUNDING FOR ACCESS TO CAPITAL FOR SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES IN THE CLEAN ENERGY INDUSTRY UNDER § 9-1A-35 OF THIS TITLE.”

AMENDMENT NO. 3

On page 15, before line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Labor, Licensing, and Regulation shall:

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(1) study the workforce development training needs for the clean energy industry in the State;

(2) in conducting the study required under item (1) of this section, seek input from:

(i) State agencies, including the Department of Budget and Management, the Department of Commerce, the Governor's Office of Minority Affairs, the Maryland Energy Administration, and the Maryland Clean Energy Center;

(ii) clean energy industry stakeholders; and

(iii) any other persons that the Department determines appropriate;

(3) identify:

(i) existing programs that could help address the clean energy industry workforce needs;

(ii) any new program that could be developed to provide workforce development training for the clean energy workforce;

(iii) ways to advance clean energy job training and employment opportunities for:

1. individuals from economically distressed areas; and

2. disadvantaged workers who have barriers to entry into the labor force, including homelessness, prior criminal records, receipt of public assistance, unemployment with no high school education, veterans of the armed forces of the United States, and former foster care youth;

(iv) barriers to entry for small, minority, and women-owned businesses in the clean energy industry;

(v) funding ways that may be used to provide incentives for the development of clean energy workforce development training programs, including through tax credits, grants, or other forms; and

(vi) options for funding sources, including the Strategic Energy Investment Fund, money directed by Public Service Commission orders, and other sources; and

(4) on or before July 1, 2017, report, in accordance with § 2-1246 of the State Government Article, to the General Assembly its findings and any recommendations.”;

and in lines 17, 20, and 25, strike “2.”, “3.”, and “4.”, respectively, and substitute “3.”, “4.”, and “5.”, respectively.