

HB0368/417075/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 368
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 32, strike "9-20B-10" and substitute "9-20B-12".

On page 3, in line 1, after "2-107(b)" insert "and (c)(4)".

AMENDMENT NO. 2

On page 6, in line 23, after "(C)" insert "**“BOARD” MEANS THE STRATEGIC ENERGY INVESTMENT ADVISORY BOARD ESTABLISHED UNDER § 9-20B-07 OF THIS SUBTITLE.**

(D)”;

in line 25, strike "**(D)**" and substitute "**(E)**".

On page 7, in line 14, strike "**PROJECTS**" and substitute "**PROGRAMS, PROJECTS, ACTIVITIES,**".

On page 8, in line 19, strike "**RESEARCH AND OTHER**"; after line 28, insert:

“(2) TO PROVIDE TARGETED PROGRAMS, PROJECTS, ACTIVITIES, AND INVESTMENTS TO REDUCE ELECTRICITY CONSUMPTION BY CUSTOMERS IN THE LOW-INCOME AND MODERATE-INCOME RESIDENTIAL SECTORS;”;

in line 29, strike "**(2)**" and substitute "**(3)**"; in line 29, after "**PROVIDE**" insert "**SUPPLEMENTAL**".

(Over)

On page 9, in line 3, strike "UTILITIES COMPANY" and substitute "UTILITY COMPANIES"; in the same line, after "ARTICLE" insert "AND OTHER ELECTRIC ASSISTANCE PROGRAMS IN THE DEPARTMENT OF HUMAN RESOURCES"; in lines 4, 6, 9, and 12, strike "(3)", "(4)", "(5)", and "(6)", respectively, and substitute "(4)", "(5)", "(6)", and "(7)", respectively; in line 5, after "CUSTOMERS" insert ", INCLUDING AN OFFSET OF SURCHARGES IMPOSED ON RATEPAYERS UNDER § 7-211 OF THE PUBLIC UTILITY COMPANIES ARTICLE"; in line 9, after "IMPLEMENT" insert "ENERGY-RELATED PUBLIC".

AMENDMENT NO. 3

On pages 9 and 10, strike beginning with line 13 on page 9 through line 21 on page 10, inclusive, and substitute:

"(G) MONEYS RECEIVED EACH YEAR BY THE FUND SHALL BE ALLOCATED EACH YEAR AS FOLLOWS:

(1) 17% SHALL BE TRANSFERRED TO THE DEPARTMENT OF HUMAN RESOURCES TO BE USED FOR THE ELECTRIC UNIVERSAL SERVICE PROGRAM AND OTHER ELECTRICITY ASSISTANCE PROGRAMS IN THE DEPARTMENT OF HUMAN RESOURCES;

(2) 23% 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 UTILITY COMPANIES ARTICLE, ON A PER CUSTOMER BASIS AND IN A MANNER PRESCRIBED BY THE PUBLIC SERVICE COMMISSION;

(3) AT LEAST 46% FOR ENERGY EFFICIENCY AND CONSERVATION PROGRAMS, PROJECTS, OR ACTIVITIES AND DEMAND RESPONSE PROGRAMS, OF WHICH AT LEAST ONE-HALF SHALL BE TARGETED TO:

(I) THE LOW-INCOME RESIDENTIAL SECTOR AT NO COST TO THE PARTICIPANTS OF THE PROGRAMS, PROJECTS, OR ACTIVITIES; AND

(II) THE MODERATE-INCOME RESIDENTIAL SECTOR;

(4) UP TO 10.5% FOR:

(I) SUBJECT TO SUBSECTION (I) OF THIS SECTION, RENEWABLE AND CLEAN ENERGY PROGRAMS AND INITIATIVES;

(II) ENERGY-RELATED PUBLIC EDUCATION AND OUTREACH;
AND

(III) CLIMATE CHANGE PROGRAMS; AND

(5) UP TO 3.5%, BUT NOT MORE THAN \$4,000,000, FOR COSTS RELATED TO THE ADMINISTRATION OF THE FUND, INCLUDING THE REVIEW OF ELECTRIC COMPANY PLANS FOR ACHIEVING ELECTRICITY SAVINGS AND DEMAND REDUCTIONS THAT THE ELECTRIC COMPANIES ARE REQUIRED UNDER LAW TO SUBMIT TO THE ADMINISTRATION.”;

in line 22, strike “**ENERGY**”; in line 23, strike “**(G)(2)(I)**” and substitute “**(G)(3)**”; in line 30, strike “**AND**” and substitute:

“(VI) LOAN PROGRAMS AND ALTERNATIVE FINANCING MECHANISMS; AND”.

On page 11, in line 1, strike “**(VI)**” and substitute “**(VII)**”; in line 4, strike “**ENERGY**” and substitute “**ENERGY-RELATED PUBLIC**”; in the same line, after

(Over)

“EDUCATION” insert “AND OUTREACH”; in the same line, after “RENEWABLE” insert “AND CLEAN”; in line 5, strike “DEVELOPMENT” and substitute “PROGRAMS AND INITIATIVES”; in the same line, strike “(G)(2)(II)” and substitute “(G)(4)(I) AND (II)”; in line 12, after “PROGRAMS” insert “THAT ARE DESIGNED TO REACH LOW-INCOME COMMUNITIES”.

AMENDMENT NO. 4

On page 12, strike in their entirety lines 13 through 24, inclusive, and substitute:

“9-20B-06.

(A) ON OR BEFORE DECEMBER 15, 2008, THE ADMINISTRATION SHALL DEVELOP A PLAN FOR EXPENDITURES FROM THE FUND FOR FISCAL YEAR 2009 AND FISCAL YEAR 2010.

(B) ON OR BEFORE SEPTEMBER 1, 2009, AND EVERY 3 YEARS THEREAFTER, THE ADMINISTRATION SHALL DEVELOP A PLAN FOR EXPENDITURES COVERING THE NEXT 3 FISCAL YEARS.

(C) (1) THE ADMINISTRATION SHALL HOLD ONE OR MORE PUBLIC MEETINGS IN CONJUNCTION WITH THE DEVELOPMENT OF A PLAN.

(2) THE ADMINISTRATION:

(I) SHALL HOLD AT LEAST FOUR PUBLIC MEETINGS ACROSS THE STATE DURING THE DEVELOPMENT OF THE INITIAL PLAN UNDER SUBSECTION (A) OF THIS SECTION, IN THE EASTERN, SOUTHERN, CENTRAL, AND WESTERN PARTS OF THE STATE, RESPECTIVELY; AND

(II) IS ENCOURAGED TO SOLICIT INPUT FROM ALL REGIONS OF THE STATE IN DEVELOPING SUBSEQUENT PLANS UNDER THIS SECTION.

(3) THE ADMINISTRATION SHALL SUBMIT A PLAN TO THE BOARD FOR REVIEW.”;

in line 25, strike “**9-20B-06.**” and substitute “**9-20B-07.**”.

On page 14, in line 12, strike “**TWO**” and substitute “**2**”; after line 20, insert:

“(F) THE ADMINISTRATION SHALL PROVIDE STAFF SUPPORT FOR THE BOARD.

9-20B-08.

(A) THE ADMINISTRATION REGULARLY SHALL DISCLOSE SUMMARY INFORMATION REGARDING ANY CONTRACT ENTERED INTO BY THE ADMINISTRATION THAT ENCUMBERS \$100,000 OR MORE FROM THE FUND.

(B) FOR EACH OF THE CONTRACTS SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION, THE FOLLOWING INFORMATION SHALL BE POSTED ON THE ADMINISTRATION’S WEBSITE ON A QUARTERLY BASIS:

(1) THE NAME AND BUSINESS ADDRESS OF THE PARTIES OF THE CONTRACT;

(2) A SUMMARY OF THE GOODS AND SERVICES TO BE PROVIDED UNDER THE CONTRACT; AND

(Over)

(3) THE MAXIMUM AMOUNT OF MONEYS FROM THE FUND THAT MAY BE OBLIGATED BY THE CONTRACT.

9-20B-09.

(A) THE ADMINISTRATION SHALL MONITOR AND ANALYZE THE IMPACT OF EACH PROGRAM, PROJECT, ACTIVITY, AND INVESTMENT TO ENSURE THAT THE OUTCOME OF EACH PROGRAM, PROJECT, ACTIVITY, OR INVESTMENT ACHIEVES THE PURPOSES OF THE PROGRAM.

(B) IN MONITORING AND ANALYZING THE IMPACT OF A PROGRAM, PROJECT, ACTIVITY, OR INVESTMENT UNDER SUBSECTION (A) OF THIS SECTION, IF THE ADMINISTRATION FINDS THAT THE OUTCOME OF THE PROGRAM, PROJECT, ACTIVITY, OR INVESTMENT IS NOT ACHIEVING THE PURPOSES OF THE PROGRAM, THE ADMINISTRATION SHALL TAKE SPECIFIC MEASURES TO ADDRESS THE FINDINGS.”;

in line 21, strike “**9-20B-07.**” and substitute “**9-20B-10.**”; in line 23, after “DEVELOPMENT” insert “**AND IMPLEMENTATION**”; in line 28, strike “**9-20B-08.**” and substitute “**9-20B-11.**”.

On page 15, strike in their entirety lines 12 through 27, inclusive; in line 28, strike “**9-20B-10.**” and substitute “**9-20B-12.**”; in line 29, strike “**NOVEMBER**” and substitute “**JANUARY**”; in line 30, after “**REPORT**” insert “**TO THE GOVERNOR AND**”; in line 31, after the second “**THE**” insert “**USES AND**”.

On page 16, in line 5, after “**(3)**” insert “**PROGRAMS, PROJECTS, AND ACTIVITIES INCLUDED IN EACH CATEGORY UNDER § 9-20B-05(G) OF THIS SUBTITLE;**

(4)”;

in the same line, strike “PROGRAMS IMPLEMENTED WITH THE FUND” and substitute “THE STATUS OF PROGRAMS, PROJECTS, ACTIVITIES, AND INVESTMENTS IMPLEMENTED WITH FUNDS FROM THE FUND, INCLUDING AN EVALUATION OF THE IMPACT OF THE PROGRAMS, PROJECTS, ACTIVITIES, AND INVESTMENTS THAT ARE DIRECTED TO LOW-INCOME OR MODERATE-INCOME RESIDENTIAL SECTORS OR TO OTHER PARTICULAR CLASSES OF RATEPAYERS”; in lines 6, 8, 9, and 10, strike “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(5)”, “(6)”, “(7)”, and “(8)”, respectively; in line 7, after “PROGRAMS” insert “PROJECTS, ACTIVITIES, AND INVESTMENTS”; in line 9, strike “AND”; in line 10, after “AUCTIONS” insert “; AND”

(9) RECOMMENDATIONS FOR CHANGES TO THE ALLOCATION OF FUNDS UNDER § 9-20B-05(G) OF THIS SUBTITLE”.

AMENDMENT NO. 5

On page 16, in line 16, strike “or” and substitute a comma; in the same line, after “article,” insert “OR RECEIVED FROM THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND UNDER § 9-20B-05(G)(4)(III) OF THE STATE GOVERNMENT ARTICLE,”; after line 18, insert:

“(c) (4) When the Fund equals or exceeds a maximum limit of [\$750,000] \$2,000,000, additional moneys received for the Fund by the Department shall be deposited to the General Fund.”;

and in line 20, strike “SHORT”.