

HOUSE BILL 1425

M3, M5, M1

0lr3365
CF SB 926

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Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Climate Solutions Act of 2020 – Greenhouse Gas Emissions Reduction Act**

3 FOR the purpose of increasing the greenhouse gas emissions reductions that the State must
4 achieve by 2030; requiring the State to achieve net-zero statewide greenhouse gas
5 emissions by a certain year; requiring the Department of the Environment to adopt
6 a final plan that reduces statewide greenhouse gas emissions by a certain amount
7 by 2030 and sets the State on a path toward achieving a certain level of statewide
8 greenhouse gas emissions by 2045, on or before a certain date; repealing certain
9 requirements regarding a certain proposed plan; prohibiting a certain final plan from
10 including certain greenhouse gas emissions reduction measures; requiring a certain
11 final plan to use a certain metric in estimating the State's greenhouse gas emissions
12 reductions and to include certain estimates; requiring the Department of the
13 Environment to ensure that certain greenhouse gas emissions reduction measures
14 produce a certain economic benefit and increase in jobs as compared with a no-action
15 scenario; requiring the Department of the Environment to use the best available
16 scientific information as included in certain assessments and reports in developing
17 and implementing certain plans; authorizing the General Assembly to act to
18 maintain, revise, or eliminate the greenhouse gas emissions reduction required
19 under certain provisions of law; requiring the Commission on Climate Change to
20 establish a Climate Justice Working Group and a Climate Jobs Working Group in
21 accordance with certain provisions of law; providing for the composition, chair, and
22 staffing of the working groups; prohibiting a member of the working groups from
23 receiving certain compensation, but authorizing the reimbursement of certain
24 expenses; requiring the Climate Justice Working Group, in consultation with certain
25 agencies and commissions, to establish criteria for the identification of certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 disadvantaged communities for certain purposes; requiring the working groups to
2 study and advise on certain matters; requiring the working groups to make certain
3 reports to the Commission on Climate Change and the General Assembly on or before
4 certain dates; requiring certain annual reports by the Commission on Climate
5 Change to include a certain analysis; requiring a certain State agency to take into
6 consideration the likely climate impact of certain decisions relative to certain
7 greenhouse gas emissions reduction goals under certain circumstances; requiring the
8 Maryland Department of Labor to adopt a certain requirement and certain minimum
9 standards as part of the Maryland Building Performance Standards on or before a
10 certain date; requiring the Maryland Department of Labor to consult with the Public
11 Service Commission in developing certain requirements; authorizing a local
12 jurisdiction to waive a certain requirement on a certain specific finding; requiring
13 the Maryland Department of Labor to adopt procedures and criteria for reviewing
14 and approving certain waiver applications; requiring the Public Service Commission
15 to require each electric company to procure or provide certain energy efficiency and
16 conservation programs and services to its electricity customers on a certain savings
17 trajectory for the duration of certain program cycles; altering the definition of “high
18 performance building” for purposes of certain provisions of law; applying certain
19 requirements regarding high performance buildings to capital projects for which at
20 least a certain percentage of the project costs are funded with State funds; requiring
21 the Maryland Green Building Council to develop guidelines for evaluating the energy
22 balance and achieving a certain energy balance in certain buildings; stating the
23 intent of the General Assembly that a certain percentage of buses and a certain
24 percentage of light-duty vehicles in the State vehicle fleet be zero-emission vehicles
25 by a certain year; requiring the State to ensure that a certain percentage of buses
26 and a certain percentage of light-duty vehicles purchased for the State vehicle fleet
27 be zero-emission vehicles beginning in certain fiscal years; requiring the Chief
28 Procurement Officer to make a certain report to the General Assembly on or before
29 a certain date each year; requiring certain units to cooperate with the Chief
30 Procurement Officer in the collection and reporting of certain information; providing
31 that it is the policy of the State to encourage the enhancement of forest lands,
32 including by ensuring the planting of a certain number of trees in certain years;
33 defining certain terms; altering certain definitions; providing for the application of
34 certain provisions of this Act; providing for the termination of certain provisions of
35 this Act; and generally relating to greenhouse gas emissions reduction goals and
36 strategies.

37 BY renumbering

38 Article – Environment

39 Section 2–1204.2

40 to be Section 2–1204.3

41 Annotated Code of Maryland

42 (2013 Replacement Volume and 2019 Supplement)

43 BY repealing

44 Article – Environment

45 Section 2–1204.1

- 1 Annotated Code of Maryland
2 (2013 Replacement Volume and 2019 Supplement)
- 3 BY adding to
4 Article – Environment
5 Section 2–1204.1, 2–1204.2, 2–1303.1, and 2–1303.2
6 Annotated Code of Maryland
7 (2013 Replacement Volume and 2019 Supplement)
- 8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 2–1201(4), 2–1205, 2–1206, 2–1210, 2–1303(a), 2–1304, and 2–1305
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2019 Supplement)
- 13 BY repealing and reenacting, without amendments,
14 Article – Public Safety
15 Section 12–501
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2019 Supplement)
- 18 BY adding to
19 Article – Public Safety
20 Section 12–511
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2019 Supplement)
- 23 BY repealing and reenacting, with amendments,
24 Article – Public Utilities
25 Section 7–211(g)
26 Annotated Code of Maryland
27 (2010 Replacement Volume and 2019 Supplement)
- 28 BY repealing and reenacting, with amendments,
29 Article – State Finance and Procurement
30 Section 3–602.1 and 4–809(f)
31 Annotated Code of Maryland
32 (2015 Replacement Volume and 2019 Supplement)
- 33 BY adding to
34 Article – State Finance and Procurement
35 Section 14–417
36 Annotated Code of Maryland
37 (2015 Replacement Volume and 2019 Supplement)
- 38 BY repealing and reenacting, with amendments,
39 Article – Natural Resources

1 Section 5–102(b)
2 Annotated Code of Maryland
3 (2018 Replacement Volume and 2019 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
5 That Section(s) 2–1204.2 of Article – Environment of the Annotated Code of Maryland be
6 renumbered to be Section(s) 2–1204.3.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
8 as follows:

9 **Article – Environment**

10 **[2–1204.1.**

11 The State shall reduce statewide greenhouse gas emissions by 40% from 2006 levels
12 by 2030.]

13 **2–1204.1.**

14 **THE STATE SHALL REDUCE STATEWIDE GREENHOUSE GAS EMISSIONS BY 60%**
15 **FROM 2006 LEVELS BY 2030.**

16 **2–1204.2.**

17 **THE STATE SHALL ACHIEVE NET-ZERO STATEWIDE GREENHOUSE GAS**
18 **EMISSIONS BY 2045.**

19 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
20 as follows:

21 **Article – Environment**

22 **2–1201.**

23 The General Assembly finds that:

24 (4) The State has the ingenuity to reduce the threat of global warming and
25 make greenhouse gas reductions a part of the State’s future by achieving a 25% reduction
26 in greenhouse gas emissions from 2006 levels by 2020 and by preparing a plan to meet a
27 longer-term goal of [reducing greenhouse gas emissions by up to 90% from 2006 levels by
28 2050] **ACHIEVING NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045** in a
29 manner that promotes new “green” jobs, and protects existing jobs and the State’s economic
30 well-being;

31 **2–1205.**

1 (a) The State shall develop plans, adopt regulations, and implement programs
2 that reduce statewide greenhouse gas emissions in accordance with this subtitle.

3 (b) [On or before December 31, 2018, the Department shall:

4 (1) Submit a proposed plan that reduces statewide greenhouse gas
5 emissions by 40% from 2006 levels by 2030 to the Governor and General Assembly;

6 (2) Make the proposed plan available to the public; and

7 (3) Convene a series of public workshops to provide interested parties with
8 an opportunity to comment on the proposed plan.

9 (c) (1) The Department shall, on or before December 31, 2012, adopt a final
10 plan that reduces statewide greenhouse gas emissions by 25% from 2006 levels by 2020.

11 (2) The Department shall, on or before December 31, [2019] **2020**, adopt a
12 final plan that [reduces]:

13 (i) **REDUCES** statewide greenhouse gas emissions by [40%] **60%**
14 from 2006 levels by 2030; AND

15 (ii) **SETS THE STATE ON A PATH TOWARD ACHIEVING NET-ZERO**
16 **STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045.**

17 (3) [The plans shall be developed in recognition of the finding by the
18 Intergovernmental Panel on Climate Change that developed countries will need to reduce
19 greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050] **THE**
20 **DEPARTMENT SHALL, ON OR BEFORE DECEMBER 31, 2030, ADOPT A FINAL PLAN**
21 **THAT ACHIEVES NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045.**

22 [(d)] (C) The final plans required under subsection [(c)] (B) of this section shall
23 include:

24 (1) Adopted regulations that implement all plan measures for which State
25 agencies have existing statutory authority; and

26 (2) A summary of any new legislative authority needed to fully implement
27 the plans and a timeline for seeking legislative authority.

28 (D) **A FINAL PLAN DEVELOPED UNDER THIS SECTION:**

29 (1) **MAY NOT INCLUDE HIGHWAY WIDENING OR TRAFFIC**
30 **CONGESTION RELIEF AS A GREENHOUSE GAS EMISSIONS REDUCTION MEASURE;**

1 **(2) SHALL USE THE GLOBAL WARMING POTENTIAL FOR METHANE**
2 **OVER A 20-YEAR TIME HORIZON, AS ACCEPTED IN THE MOST RECENT ASSESSMENT**
3 **OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, IN ESTIMATING THE**
4 **STATE'S GREENHOUSE GAS EMISSIONS REDUCTIONS; AND**

5 **(3) SHALL INCLUDE SPECIFIC ESTIMATES OF THE REDUCTIONS**
6 **EXPECTED FROM EACH GREENHOUSE GAS EMISSIONS REDUCTION MEASURE**
7 **INCLUDED IN THE PLAN.**

8 (e) In developing and adopting a final plan to reduce statewide greenhouse gas
9 emissions, the Department shall consult with State and local agencies as appropriate.

10 (f) (1) Unless required by federal law or regulations or existing State law,
11 regulations adopted by State agencies to implement a final plan may not:

12 (i) Require greenhouse gas emissions reductions from the State's
13 manufacturing sector; or

14 (ii) Cause a significant increase in costs to the State's manufacturing
15 sector.

16 (2) Paragraph (1) of this subsection may not be construed to exempt
17 greenhouse gas emissions sources in the State's manufacturing sector from the obligation
18 to comply with:

19 (i) Greenhouse gas emissions monitoring, recordkeeping, and
20 reporting requirements for which the Department had existing authority under § 2-301(a)
21 of this title on or before October 1, 2009; or

22 (ii) Greenhouse gas emissions reductions required of the
23 manufacturing sector as a result of the State's implementation of the Regional Greenhouse
24 Gas Initiative.

25 (g) A regulation adopted by a State agency for the purpose of reducing greenhouse
26 gas emissions in accordance with this section may not be construed to result in a significant
27 increase in costs to the State's manufacturing sector unless the source would not incur the
28 cost increase but for the new regulation.

29 2-1206.

30 In developing and implementing the plans required by § 2-1205 of this subtitle, the
31 Department shall:

32 (1) Analyze the feasibility of measures to comply with the greenhouse gas
33 emissions reductions required by this subtitle;

1 (2) Consider the impact on rural communities of any transportation related
2 measures proposed in the plans;

3 (3) Provide that a greenhouse gas emissions source that voluntarily
4 reduces its greenhouse gas emissions before the implementation of this subtitle shall
5 receive appropriate credit for its early voluntary actions;

6 (4) Provide for the use of offset credits generated by alternative compliance
7 mechanisms executed within the State, including carbon sequestration projects, to achieve
8 compliance with greenhouse gas emissions reductions required by this subtitle;

9 (5) Ensure that the plans do not decrease the likelihood of reliable and
10 affordable electrical service and statewide fuel supplies;

11 (6) Consider whether the measures would result in an increase in
12 electricity costs to consumers in the State;

13 (7) Consider the impact of the plans on the ability of the State to:

14 (i) Attract, expand, and retain commercial aviation services; and

15 (ii) Conserve, protect, and retain agriculture; [and]

16 (8) Ensure that the greenhouse gas emissions reduction measures
17 implemented in accordance with the plans:

18 (i) Are implemented in an efficient and cost-effective manner;

19 (ii) Do not disproportionately impact rural or low-income, low- to
20 moderate-income, or minority communities or any other particular class of electricity
21 ratepayers;

22 (iii) Minimize leakage;

23 (iv) Are quantifiable, verifiable, and enforceable;

24 (v) Directly cause no loss of existing jobs in the manufacturing
25 sector;

26 (vi) Produce a net economic benefit to the State's economy and a net
27 increase in jobs in the State, **AS COMPARED WITH A NO-ACTION SCENARIO**; and

28 (vii) Encourage new employment opportunities in the State related to
29 energy conservation, alternative energy supply, and greenhouse gas emissions reduction
30 technologies; **AND**

1 **(9) USE THE BEST AVAILABLE SCIENTIFIC INFORMATION, AS**
2 **INCLUDED IN THE MOST RECENT ASSESSMENTS AND REPORTS OF THE**
3 **INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE.**

4 2–1210.

5 On review of the study required under § 2–1207 of this subtitle, and the reports
6 required under § 2–1211 of this subtitle, the General Assembly:

7 (1) May act to maintain, revise, or eliminate the [40%] greenhouse gas
8 emissions [reduction] **REDUCTIONS** required under [§ 2–1204.1] **§§ 2–1204.1 AND**
9 **2–1204.2** of this subtitle; and

10 (2) Shall consider whether to continue the special manufacturing
11 provisions in § 2–1205(f)(1) of this subtitle.

12 2–1303.

13 (a) The Commission shall establish:

14 (1) A Scientific and Technical Working Group;

15 (2) A Greenhouse Gas Mitigation Working Group;

16 (3) An Adaptation and Response Working Group; [and]

17 (4) An Education, Communication, and Outreach Working Group;

18 **(5) SUBJECT TO § 2–1303.1 OF THIS SUBTITLE, A CLIMATE JUSTICE**
19 **WORKING GROUP; AND**

20 **(6) SUBJECT TO § 2–1303.2 OF THIS SUBTITLE, A CLIMATE JOBS**
21 **WORKING GROUP.**

22 **2–1303.1.**

23 **(A) IN THIS SECTION, “WORKING GROUP” MEANS THE CLIMATE JUSTICE**
24 **WORKING GROUP OF THE COMMISSION.**

25 **(B) THE COMMISSION SHALL ESTABLISH A CLIMATE JUSTICE WORKING**
26 **GROUP.**

27 **(C) THE WORKING GROUP SHALL INCLUDE:**

28 **(1) THE SECRETARY, OR THE SECRETARY’S DESIGNEE;**

- 1 **(2) THE SECRETARY OF HEALTH, OR THE SECRETARY’S DESIGNEE;**
- 2 **(3) THE SECRETARY OF LABOR, OR THE SECRETARY’S DESIGNEE;**
- 3 **(4) THE SECRETARY OF COMMERCE, OR THE SECRETARY’S**
4 **DESIGNEE; AND**
- 5 **(5) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY, OF**
6 **WHOM AT LEAST THREE SHALL BE REPRESENTATIVES FROM URBAN AREAS AND AT**
7 **LEAST THREE SHALL BE REPRESENTATIVES FROM RURAL AREAS:**
- 8 **(I) REPRESENTATIVES OF LOW-INCOME COMMUNITIES;**
- 9 **(II) REPRESENTATIVES OF COMMUNITIES OF COLOR;**
- 10 **(III) REPRESENTATIVES OF COMMUNITIES BEARING**
11 **DISPROPORTIONATE POLLUTION AND CLIMATE CHANGE BURDENS;**
- 12 **(IV) REPRESENTATIVES OF COMMUNITY-BASED**
13 **ORGANIZATIONS WITH EXPERIENCE AND A HISTORY OF ADVOCACY ON**
14 **ENVIRONMENTAL JUSTICE ISSUES; AND**
- 15 **(V) EXPERTS IN THE FIELD OF PUBLIC HEALTH.**
- 16 **(D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING**
17 **GROUP.**
- 18 **(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.**
- 19 **(F) A MEMBER OF THE WORKING GROUP:**
- 20 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
21 **WORKING GROUP; BUT**
- 22 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
23 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**
- 24 **(G) (1) THE WORKING GROUP, IN CONSULTATION WITH THE**
25 **DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, THE MARYLAND**
26 **DEPARTMENT OF LABOR, AND THE COMMISSION ON ENVIRONMENTAL JUSTICE**
27 **AND SUSTAINABLE COMMUNITIES ESTABLISHED UNDER TITLE 1, SUBTITLE 7 OF**
28 **THIS ARTICLE, SHALL ESTABLISH CRITERIA TO IDENTIFY DISADVANTAGED**

1 COMMUNITIES FOR THE PURPOSES OF GREENHOUSE GAS EMISSIONS REDUCTIONS,
2 COPOLLUTANT REDUCTIONS, AND THE ANALYSIS OF THE ALLOCATION OF
3 INVESTMENTS RELATED TO THIS SUBTITLE AND SUBTITLE 12 OF THIS TITLE.

4 (2) DISADVANTAGED COMMUNITIES SHALL BE IDENTIFIED BASED ON
5 GEOGRAPHIC, PUBLIC HEALTH, ENVIRONMENTAL HAZARD, AND SOCIOECONOMIC
6 CRITERIA, INCLUDING:

7 (I) AREAS BURDENED BY CUMULATIVE ENVIRONMENTAL
8 POLLUTION AND OTHER HAZARDS THAT CAN LEAD TO NEGATIVE PUBLIC HEALTH
9 EFFECTS;

10 (II) AREAS WITH HIGH CONCENTRATIONS OF:

11 1. PEOPLE WHO ARE OF LOW INCOME, HIGH
12 UNEMPLOYMENT, HIGH RENT BURDEN, LOW LEVELS OF HOME OWNERSHIP, OR LOW
13 LEVELS OF EDUCATIONAL ATTAINMENT; OR

14 2. GROUPS THAT HAVE HISTORICALLY EXPERIENCED
15 DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY; AND

16 (III) AREAS THAT ARE VULNERABLE TO THE IMPACTS OF
17 CLIMATE CHANGE, SUCH AS FLOODING, STORM SURGES, OR URBAN HEAT ISLAND
18 EFFECTS.

19 (3) IN DEVELOPING CRITERIA AND IDENTIFYING DISADVANTAGED
20 COMMUNITIES UNDER THIS SUBSECTION, THE WORKING GROUP SHALL:

21 (I) HOLD AT LEAST SIX PUBLIC HEARINGS AT LOCATIONS
22 THROUGHOUT THE STATE, INCLUDING THREE IN URBAN AREAS AND THREE IN
23 RURAL AREAS; AND

24 (II) SOLICIT INPUT FROM ALL SEGMENTS OF THE POPULATION
25 THAT WILL BE IMPACTED BY THE CRITERIA, INCLUDING INDIVIDUALS LIVING IN
26 AREAS THAT MAY BE IDENTIFIED AS DISADVANTAGED COMMUNITIES UNDER THE
27 PROPOSED CRITERIA.

28 (H) ON OR BEFORE DECEMBER 31, 2020, THE WORKING GROUP SHALL
29 REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE
30 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE CRITERIA DEVELOPED
31 UNDER SUBSECTION (G) OF THIS SECTION.

32 2-1303.2.

1 (A) IN THIS SECTION, "WORKING GROUP" MEANS THE CLIMATE JOBS
2 WORKING GROUP OF THE COMMISSION.

3 (B) THE COMMISSION SHALL ESTABLISH A CLIMATE JOBS WORKING
4 GROUP.

5 (C) (1) THE WORKING GROUP SHALL CONSIST OF AT LEAST 14 AND NOT
6 MORE THAN 17 MEMBERS.

7 (2) THE WORKING GROUP SHALL INCLUDE:

8 (I) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

9 (II) THE SECRETARY OF LABOR, OR THE SECRETARY'S
10 DESIGNEE;

11 (III) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S
12 DESIGNEE;

13 (IV) THE SECRETARY OF HOUSING AND COMMUNITY
14 DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

15 (V) THE CHAIR OF THE PUBLIC SERVICE COMMISSION, OR THE
16 CHAIR'S DESIGNEE; AND

17 (VI) THE FOLLOWING MEMBERS, APPOINTED BY THE
18 SECRETARY:

19 1. AT LEAST ONE REPRESENTATIVE OF A LABOR
20 ORGANIZATION;

21 2. AT LEAST ONE REPRESENTATIVE OF AN
22 ENVIRONMENTAL JUSTICE ORGANIZATION;

23 3. AT LEAST ONE REPRESENTATIVE OF A CLEAN ENERGY
24 DEVELOPER; AND

25 4. AT LEAST FIVE REPRESENTATIVES OF DISTINCT
26 ENERGY-INTENSIVE INDUSTRIES.

27 (D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING
28 GROUP.

1 (E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.

2 (F) A MEMBER OF THE WORKING GROUP:

3 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
4 WORKING GROUP; BUT

5 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
6 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

7 (G) THE WORKING GROUP SHALL:

8 (1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES FOR
9 WORKFORCE DEVELOPMENT AND TRAINING RELATED TO ENERGY EFFICIENCY
10 MEASURES, RENEWABLE ENERGY, AND OTHER CLEAN ENERGY TECHNOLOGIES,
11 WITH SPECIFIC FOCUS ON TRAINING AND WORKFORCE OPPORTUNITIES FOR
12 SEGMENTS OF THE POPULATION THAT MAY BE UNDERREPRESENTED IN THE CLEAN
13 ENERGY WORKFORCE, SUCH AS VETERANS, WOMEN, AND FORMERLY
14 INCARCERATED INDIVIDUALS;

15 (2) IDENTIFY:

16 (I) ENERGY-INTENSIVE INDUSTRIES AND RELATED TRADES;

17 (II) SITES OF ELECTRIC GENERATING FACILITIES THAT MAY BE
18 CLOSED AS A RESULT OF A TRANSITION TO RENEWABLE ENERGY SOURCES;

19 (III) SECTOR-SPECIFIC IMPACTS OF THE STATE'S GREENHOUSE
20 GAS EMISSIONS REDUCTION PLAN ON THE STATE'S CURRENT WORKFORCE; AND

21 (IV) AVENUES TO MAXIMIZE THE SKILLS AND EXPERTISE OF
22 MARYLAND WORKERS IN THE NEW ENERGY ECONOMY;

23 (3) ADVISE THE COMMISSION ON THE POTENTIAL IMPACTS OF
24 CARBON LEAKAGE RISKS ON MARYLAND INDUSTRIES AND LOCAL HOST
25 COMMUNITIES, INCLUDING THE IMPACT OF ANY POTENTIAL GREENHOUSE GAS
26 EMISSIONS REDUCTION MEASURES ON THE COMPETITIVENESS OF MARYLAND
27 BUSINESSES AND INDUSTRY; AND

28 (4) CONDUCT A STUDY OF:

29 (I) THE NUMBER OF JOBS CREATED TO COUNTER CLIMATE

1 CHANGE, INCLUDING IN THE ENERGY SECTOR, BUILDING SECTOR,
2 TRANSPORTATION SECTOR, AND WORKING LANDS SECTOR;

3 (II) THE PROJECTED INVENTORY OF JOBS NEEDED AND SKILLS
4 AND TRAINING REQUIRED TO MEET FUTURE DEMAND FOR JOBS TO COUNTER
5 CLIMATE CHANGE; AND

6 (III) WORKFORCE DISRUPTION DUE TO COMMUNITY CHANGES
7 CAUSED BY THE TRANSITION TO A LOW-CARBON ECONOMY.

8 (H) ON OR BEFORE DECEMBER 31, 2020, THE WORKING GROUP SHALL
9 REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE
10 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY
11 REQUIRED UNDER SUBSECTION (G)(4) OF THIS SECTION.

12 2-1304.

13 (A) On or before November 15 of each year, the Commission shall report to the
14 Governor and General Assembly, in accordance with § 2-1257 of the State Government
15 Article, on the status of the State's efforts to mitigate the causes of, prepare for, and adapt
16 to the consequences of climate change, including future plans and recommendations for
17 legislation, if any, to be considered by the General Assembly.

18 (B) THE REPORT DUE ON OR BEFORE NOVEMBER 15, 2021, AND EACH
19 SUBSEQUENT REPORT SHALL INCLUDE AN ANALYSIS, PREPARED BY THE
20 DEPARTMENT, OF:

21 (1) THE TOTAL AMOUNT OF STATE MONEY SPENT ON GREENHOUSE
22 GAS EMISSIONS REDUCTION MEASURES DURING THE IMMEDIATELY PRECEDING
23 FISCAL YEAR; AND

24 (2) THE PERCENTAGE OF THAT FUNDING THAT BENEFITTED
25 DISADVANTAGED COMMUNITIES IDENTIFIED ACCORDING TO THE CRITERIA
26 DEVELOPED BY THE CLIMATE JUSTICE WORKING GROUP UNDER § 2-1303.1 OF
27 THIS SUBTITLE.

28 2-1305.

29 (a) (1) Each State agency shall review its planning, regulatory, and fiscal
30 programs to identify and recommend actions to more fully integrate the consideration of
31 Maryland's greenhouse gas reduction goal and the impacts of climate change.

32 (2) The review shall include the consideration of:

33 (i) Sea level rise;

- 1 (ii) Storm surges and flooding;
- 2 (iii) Increased precipitation and temperature; and
- 3 (iv) Extreme weather events.

4 (b) Each State agency shall identify and recommend specific policy, planning,
5 regulatory, and fiscal changes to existing programs that do not currently support the State's
6 greenhouse gas reduction efforts or address climate change.

7 (c) (1) The following State agencies shall report annually on the status of
8 programs that support the State's greenhouse gas reduction efforts or address climate
9 change, in accordance with § 2-1257 of the State Government Article, to the Commission
10 and the Governor:

- 11 (i) The Department;
- 12 (ii) The Department of Agriculture;
- 13 (iii) The Department of General Services;
- 14 (iv) The Department of Housing and Community Development;
- 15 (v) The Department of Natural Resources;
- 16 (vi) The Department of Planning;
- 17 (vii) The Department of Transportation;
- 18 (viii) The Maryland Energy Administration;
- 19 (ix) The Maryland Insurance Administration;
- 20 (x) The Public Service Commission; and
- 21 (xi) The University of Maryland Center for Environmental Science.

22 (2) The report required in paragraph (1) of this subsection shall include:

- 23 (i) Program descriptions and objectives;
- 24 (ii) Implementation milestones, whether or not they have been met;
- 25 (iii) Enhancement opportunities;
- 26 (iv) Funding;

1 (v) Challenges;

2 (vi) Estimated greenhouse gas emissions reductions, by program, for
3 the prior calendar year; and

4 (vii) Any other information that the agency considers relevant.

5 **(D) EACH STATE AGENCY, WHEN CONDUCTING LONG-TERM PLANNING,**
6 **DEVELOPING POLICY, AND DRAFTING REGULATIONS, SHALL TAKE INTO**
7 **CONSIDERATION THE LIKELY CLIMATE IMPACT OF THE AGENCY'S DECISIONS**
8 **RELATIVE TO MARYLAND'S GREENHOUSE GAS EMISSIONS REDUCTION GOALS.**

9 **Article – Public Safety**

10 12–501.

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

12 (b) “Building” has the meaning stated in the International Building Code.

13 (c) “Department” means the Maryland Department of Labor.

14 (d) (1) “International Building Code” means the first printing of the most
15 recent edition of the International Building Code issued by the International Code Council.

16 (2) “International Building Code” does not include interim amendments or
17 subsequent printings of the most recent edition of the International Building Code.

18 (e) (1) “International Energy Conservation Code” means the first printing of
19 the most recent edition of the International Energy Conservation Code issued by the
20 International Code Council.

21 (2) “International Energy Conservation Code” does not include interim
22 amendments or subsequent printings of the most recent edition of the International Energy
23 Conservation Code.

24 (f) (1) “International Green Construction Code” means the first printing of the
25 most recent edition of the International Green Construction Code issued by the
26 International Code Council.

27 (2) “International Green Construction Code” does not include interim
28 amendments or subsequent printings of the most recent edition of the International Green
29 Construction Code.

30 (g) “Local jurisdiction” means the county or municipal corporation that is
31 responsible for implementation and enforcement of the Standards under this subtitle.

1 (h) “Standards” means the Maryland Building Performance Standards.

2 (i) “Structure” has the meaning stated in the International Building Code.

3 **12-511.**

4 (A) IN THIS SECTION, “SOLAR ENERGY SYSTEM” MEANS A SYSTEM THAT
5 USES SOLAR ENERGY TO PROVIDE ALL OR A PORTION OF THE ELECTRICAL NEEDS
6 OF A BUILDING.

7 (B) THIS SECTION APPLIES ONLY TO NEW CONSTRUCTION.

8 (C) (1) ON OR BEFORE JULY 1, 2021, THE DEPARTMENT SHALL ADOPT,
9 AS PART OF THE MARYLAND BUILDING PERFORMANCE STANDARDS:

10 (I) A REQUIREMENT THAT ANY NEW BUILDING WITH 20,000
11 SQUARE FEET OR MORE OF CONTINUOUS ROOF SPACE BE EQUIPPED WITH A SOLAR
12 ENERGY SYSTEM; AND

13 (II) MINIMUM STANDARDS FOR THE CAPACITY OF A SOLAR
14 ENERGY SYSTEM REQUIRED UNDER THIS SUBSECTION.

15 (2) IN DEVELOPING SOLAR ENERGY SYSTEM REQUIREMENTS UNDER
16 THIS SUBSECTION, THE DEPARTMENT SHALL CONSULT WITH THE PUBLIC SERVICE
17 COMMISSION.

18 (D) (1) A LOCAL JURISDICTION MAY WAIVE A REQUIREMENT ADOPTED
19 UNDER SUBSECTION (C) OF THIS SECTION ON A SPECIFIC FINDING THAT STRICT
20 COMPLIANCE WITH THE REQUIREMENT:

21 (I) WOULD NOT ACHIEVE THE INTENDED PURPOSE OF THIS
22 SECTION, INCLUDING BECAUSE OF POOR SUN EXPOSURE AT THE BUILDING SITE; OR

23 (II) WOULD BE PHYSICALLY OR LEGALLY IMPOSSIBLE.

24 (2) THE DEPARTMENT SHALL ADOPT PROCEDURES AND CRITERIA
25 FOR REVIEWING AND APPROVING WAIVER APPLICATIONS.

26 **Article – Public Utilities**

27 **7-211.**

28 (g) (1) Except as provided in subsection (e) of this section, on or before

1 December 31, 2008, by regulation or order, the Commission shall:

2 (i) to the extent that the Commission determines that cost-effective
3 energy efficiency and conservation programs and services are available, for each affected
4 class, require each electric company to procure or provide for its electricity customers
5 cost-effective energy efficiency and conservation programs and services with projected and
6 verifiable electricity savings that are designed to achieve a targeted reduction of at least
7 5% by the end of 2011 and 10% by the end of 2015 of per capita electricity consumed in the
8 electric company's service territory during 2007; and

9 (ii) require each electric company to implement a cost-effective
10 demand response program in the electric company's service territory that is designed to
11 achieve a targeted reduction of at least 5% by the end of 2011, 10% by the end of 2013, and
12 15% by the end of 2015, in per capita peak demand of electricity consumed in the electric
13 company's service territory during 2007.

14 (2) (i) Except as provided in subsection (e) of this section, for the
15 duration of the ~~[2018–2020 and]~~ 2021–2023 **AND 2024–2026** program cycles, by regulation
16 or order, the Commission shall, to the extent that the Commission determines that
17 cost-effective energy efficiency and conservation programs and services are available, for
18 each affected class, require each electric company to procure or provide for its electricity
19 customers cost-effective energy efficiency and conservation programs and services with
20 projected and verifiable electricity savings that are designed on a trajectory to achieve a
21 targeted annual incremental gross energy savings of at least ~~[2.0%]~~ **3.0%** per year,
22 calculated as a percentage of the electric company's 2016 weather-normalized gross retail
23 sales and electricity losses.

24 (ii) The savings trajectory shall use the approved 2016 plans
25 submitted under subsection (h)(2) of this section as a baseline for an incremental increase
26 of a rate of .20% per year until the minimum ~~[2.0%]~~ **3.0%** per year savings rate is achieved.

27 (iii) The gross retail sales against which the savings are measured
28 shall:

29 1. reflect sales associated with customer classes served by
30 utility-administered programs only; and

31 2. be updated by the Commission for each plan submitted
32 under subsection (h)(2) of this section.

33 (iv) The targeted annual incremental gross energy savings shall be
34 achieved based on the 3-year average of an electric company's plan submitted under
35 subsection (h)(2) of this section.

36 Article – State Finance and Procurement

37 3–602.1.

1 (a) (1) In this section the following words have the meanings indicated.

2 (2) “High performance building” means a building that:

3 (i) 1. meets or exceeds the current version of the U.S. Green
4 Building Council’s LEED (Leadership in Energy and Environmental Design) Green
5 Building Rating System Silver rating;

6 [(ii)] 2. achieves at least a comparable numeric rating according
7 to a nationally recognized, accepted, and appropriate numeric sustainable development
8 rating system, guideline, or standard approved by the Secretaries of Budget and
9 Management and General Services; or

10 [(iii)] 3. complies with a nationally recognized and accepted green
11 building code, guideline, or standard reviewed and recommended by the Maryland Green
12 Building Council and approved by the Secretaries of Budget and Management and General
13 Services; AND

14 (II) 1. **MEETS OR EXCEEDS THE CURRENT REQUIREMENTS**
15 **FOR CERTIFICATION UNDER THE U.S. GREEN BUILDING COUNCIL’S LEED**
16 **(LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) ZERO ENERGY**
17 **PROGRAM; OR**

18 2. **ACHIEVES A NET-ZERO ENERGY BALANCE IN**
19 **ACCORDANCE WITH STANDARDS OR GUIDELINES RECOMMENDED BY THE**
20 **MARYLAND GREEN BUILDING COUNCIL AND APPROVED BY THE SECRETARIES OF**
21 **BUDGET AND MANAGEMENT AND GENERAL SERVICES.**

22 (3) “Major renovation” means the renovation of a building where:

23 (i) the building shell is to be reused for the new construction;

24 (ii) the heating, ventilating, and air conditioning (HVAC), electrical,
25 and plumbing systems are to be replaced; and

26 (iii) the scope of the renovation is 7,500 square feet or greater.

27 (b) It is the intent of the General Assembly that, to the extent practicable:

28 (1) the State shall employ green building technologies when constructing
29 or renovating a State building not subject to this section; and

30 (2) high performance buildings shall meet the criteria and standards
31 established under the “High Performance Green Building Program” adopted by the
32 Maryland Green Building Council.

1 (c) (1) This subsection applies to:

2 (i) capital projects [that are funded solely] **FOR WHICH AT LEAST**
3 **25% OF THE PROJECT COSTS ARE FUNDED** with State funds; and

4 (ii) community college capital projects that receive State funds.

5 (2) Except as provided in subsections (d) and (e) of this section, if a capital
6 project includes the construction or major renovation of a building that is 7,500 square feet
7 or greater, the building shall be constructed or renovated to be a high performance building.

8 (d) The following types of unoccupied buildings are not required to be constructed
9 or renovated to be high performance buildings:

10 (1) warehouse and storage facilities;

11 (2) garages;

12 (3) maintenance facilities;

13 (4) transmitter buildings;

14 (5) pumping stations; and

15 (6) other similar types of buildings, as determined by the Department.

16 (e) (1) The Department of Budget and Management and the Department of
17 General Services shall jointly establish a process to allow a unit of State government or a
18 community college to obtain a waiver from complying with subsection (c) of this section.

19 (2) The waiver process shall:

20 (i) include a review by the Maryland Green Building Council
21 established under § 4–809 of this article, to determine if the use of a high performance
22 building in a proposed capital project is not practicable; and

23 (ii) require the approval of a waiver by the Secretaries of Budget and
24 Management, General Services, and Transportation.

25 4–809.

26 (f) The Maryland Green Building Council shall:

27 (1) evaluate current high performance building technologies;

28 (2) provide recommendations concerning the most cost-effective green

1 building technologies that the State might consider requiring in the construction of State
2 facilities, including consideration of the additional cost associated with the various
3 technologies;

4 (3) provide recommendations concerning how to expand green building in
5 the State;

6 (4) develop a list of building types for which green building technologies
7 should not be applied, taking into consideration the operational aspects of facilities
8 evaluated, and the utility of a waiver process where appropriate;

9 (5) establish a process for receiving public input; [and]

10 (6) develop guidelines for new public school buildings to achieve the
11 equivalent of the current version of the U.S. Green Building Council's LEED (Leadership
12 in Energy and Environmental Design) Green Building Rating System Silver rating or a
13 comparable rating system or building code as authorized in § 3-602.1 of this article without
14 requiring an independent certification that the buildings have achieved the required
15 standards; AND

16 **(7) DEVELOP GUIDELINES FOR EVALUATING THE ENERGY BALANCE**
17 **AND ACHIEVING A NET-ZERO ENERGY BALANCE IN BUILDINGS SUBJECT TO §**
18 **3-602.1 OF THIS ARTICLE.**

19 **14-417.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 **(2) (I) "BUS" HAS THE MEANING STATED IN § 11-105 OF THE**
23 **TRANSPORTATION ARTICLE.**

24 **(II) "BUS" DOES NOT INCLUDE A LIGHT-DUTY VEHICLE.**

25 **(3) "CHIEF PROCUREMENT OFFICER" HAS THE MEANING STATED IN**
26 **§ 11-101 OF THIS ARTICLE.**

27 **(4) "LIGHT-DUTY VEHICLE" MEANS A VEHICLE WITH A GROSS**
28 **WEIGHT OF 8,500 POUNDS OR LESS.**

29 **(5) "ZERO-EMISSION VEHICLE" HAS THE MEANING STATED IN §**
30 **23-206.4 OF THE TRANSPORTATION ARTICLE.**

31 **(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT 50% OF BUSES AND**
32 **100% OF LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO-EMISSION**

1 VEHICLES BY 2030.

2 (C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES THAT
3 HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY FOR THE PROTECTION
4 AND WELFARE OF THE PUBLIC.

5 (D) THE STATE SHALL ENSURE THAT:

6 (1) BEGINNING IN FISCAL YEAR 2021, AT LEAST 25% OF BUSES AND
7 50% OF LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE
8 ZERO-EMISSION VEHICLES; AND

9 (2) BEGINNING IN FISCAL YEAR 2025, AT LEAST 50% OF BUSES AND
10 100% OF LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE
11 ZERO-EMISSION VEHICLES.

12 (E) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE CHIEF
13 PROCUREMENT OFFICER SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN
14 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL
15 REPORT THAT INCLUDES, FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:

16 (I) THE TOTAL NUMBER OF LIGHT-DUTY VEHICLES
17 PURCHASED BY EACH UNIT;

18 (II) THE NUMBER OF ZERO-EMISSION LIGHT-DUTY VEHICLES
19 PURCHASED BY EACH UNIT;

20 (III) THE TOTAL NUMBER OF BUSES PURCHASED BY EACH UNIT;

21 (IV) THE NUMBER OF ZERO-EMISSION BUSES PURCHASED BY
22 EACH UNIT; AND

23 (V) THE CURRENT PERCENTAGE OF LIGHT-DUTY VEHICLES
24 AND BUSES IN THE STATE VEHICLE FLEET THAT ARE ZERO-EMISSION VEHICLES.

25 (2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT
26 OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED
27 UNDER THIS SUBSECTION.

28 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
29 as follows:

30 Article – Natural Resources

1 5–102.

2 (b) It is the policy of the State to encourage the retention, **ENHANCEMENT**, and
3 sustainable management of forest lands by:

4 (1) Achieving no net loss of forest;

5 (2) **IN 2021 AND EACH YEAR THEREAFTER, ENSURING THE PLANTING**
6 **OF 1,000,000 ADDITIONAL TREES OVER THE PREVIOUS YEAR’S BASELINE, AS**
7 **INITIALLY DETERMINED IN THE TECHNICAL STUDY COMPLETED BY THE HARRY R.**
8 **HUGHES CENTER FOR AGRO-ÉCOLOGY IN ACCORDANCE WITH CHAPTER 405 OF**
9 **THE ACTS OF THE GENERAL ASSEMBLY OF 2019;**

10 (3) Affording due consideration to the protection and retention of forests in
11 the State through existing land conservation programs where they have the highest value
12 in terms of promoting the State’s compliance with its clean water goals under the 2014
13 Chesapeake Bay Watershed Agreement and the 2007 Forestry Conservation Initiative;

14 [(3)] (4) Enhancing the retention of privately owned forest lands through
15 research-based educational outreach efforts to landowners by the State’s forest
16 conservancy district boards;

17 [(4)] (5) Developing financial incentives to encourage landowners to
18 retain and manage their forests sustainably and in a manner that is consistent with a forest
19 stewardship plan;

20 [(5)] (6) Promoting renewable energy policies and markets with increased
21 emphasis on the use of in-State produced woody biomass;

22 [(6)] (7) Ensuring dual certification of the State’s forests by the Forest
23 Stewardship Council and the Sustainable Forestry Initiative;

24 [(7)] (8) Recognizing the importance of:

25 (i) A viable forest products industry to the economies of rural
26 Maryland;

27 (ii) Continued development of fiber products; and

28 (iii) Maryland’s green infrastructure; and

29 [(8)] (9) Developing and enhancing programs with a sustainable forestry
30 component, including a forest mitigation banking system, a carbon credit or carbon
31 sequestration program, a clean water credit trading system, an environmental services
32 credit trading program, and a renewable energy credit trading system.

1 SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
2 effect June 1, 2020. It shall remain effective for a period of 5 years and 1 month and, at the
3 end of June 30, 2025, Section 2 of this Act, with no further action required by the General
4 Assembly, shall be abrogated and of no further force and effect.

5 SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take
6 effect June 1, 2020. It shall remain effective for a period of 10 years and 1 month and, at
7 the end of June 30, 2030, Section 4 of this Act, with no further action required by the
8 General Assembly, shall be abrogated and of no further force and effect.

9 SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in
10 Sections 5 and 6 of this Act, this Act shall take effect June 1, 2020.