

SENATE BILL 926

M3, M5, M1

0lr1434
CF 0lr3365

By: **Senators Pinsky, Carter, Elfreth, Hester, Kagan, Lam, Smith, and Washington**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

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
26 disadvantaged communities for certain purposes; requiring the working groups to
27 study and advise on certain matters; requiring the working groups to make certain
28 reports to the Commission on Climate Change and the General Assembly on or before
29 certain dates; requiring certain annual reports by the Commission on Climate
30 Change to include a certain analysis; requiring a certain State agency to take into
31 consideration the likely climate impact of certain decisions relative to certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



greenhouse gas emissions reduction goals under certain circumstances; requiring the Maryland Department of Labor to adopt a certain requirement and certain minimum standards as part of the Maryland Building Performance Standards on or before a certain date; requiring the Maryland Department of Labor to consult with the Public Service Commission in developing certain requirements; authorizing a local jurisdiction to waive a certain requirement on a certain specific finding; requiring the Maryland Department of Labor to adopt procedures and criteria for reviewing and approving certain waiver applications; requiring the Public Service Commission to require each electric company to procure or provide certain energy efficiency and conservation programs and services to its electricity customers on a certain savings trajectory for the duration of certain program cycles; altering the definition of “high performance building” for purposes of certain provisions of law; applying certain requirements regarding high performance buildings to capital projects for which at least a certain percentage of the project costs are funded with State funds; requiring the Maryland Green Building Council to develop guidelines for evaluating the energy balance and achieving a certain energy balance in certain buildings; stating the intent of the General Assembly that a certain percentage of buses and a certain percentage of light-duty vehicles in the State vehicle fleet be zero-emission vehicles by a certain year; requiring the State to ensure that a certain percentage of buses and a certain percentage of light-duty vehicles purchased for the State vehicle fleet be zero-emission vehicles beginning in certain fiscal years; requiring the Chief Procurement Officer to make a certain report to the General Assembly on or before a certain date each year; requiring certain units to cooperate with the Chief Procurement Officer in the collection and reporting of certain information; providing that it is the policy of the State to encourage the enhancement of forest lands, including by ensuring the planting of a certain number of trees in certain years; defining certain terms; altering certain definitions; providing for the application of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to greenhouse gas emissions reduction goals and strategies.

BY renumbering

Article – Environment

Section 2–1204.2

to be Section 2–1204.3

Annotated Code of Maryland

(2013 Replacement Volume and 2019 Supplement)

BY repealing

Article – Environment

Section 2–1204.1

Annotated Code of Maryland

(2013 Replacement Volume and 2019 Supplement)

BY adding to

Article – Environment

Section 2–1204.1, 2–1204.2, 2–1303.1, and 2–1303.2

Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–1201(4), 2–1205, 2–1206, 2–1210, 2–1303(a), 2–1304, and 2–1305
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–501
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY adding to
Article – Public Safety
Section 12–511
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–211(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1 and 4–809(f)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY adding to
Article – State Finance and Procurement
Section 14–417
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–102(b)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

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

renumbered to be Section(s) 2–1204.3.

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

Article – Environment

[2–1204.1.

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

2–1204.1.

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

2–1204.2.

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

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

Article – Environment

2–1201.

The General Assembly finds that:

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

2–1205.

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) A FINAL PLAN DEVELOPED UNDER THIS SECTION:

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

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

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

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

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

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

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

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

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

18 (ii) Greenhouse gas emissions reductions required of the
19 manufacturing sector as a result of the State's implementation of the Regional Greenhouse
20 Gas Initiative.

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

25 2-1206.

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (iii) Minimize leakage;

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

19 (v) Directly cause no loss of existing jobs in the manufacturing
20 sector;

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

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

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

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

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

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

2–1303.

(a) The Commission shall establish:

(1) A Scientific and Technical Working Group;

(2) A Greenhouse Gas Mitigation Working Group;

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

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

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

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

2–1303.1.

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

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

(C) THE WORKING GROUP SHALL INCLUDE:

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

(2) THE SECRETARY OF HEALTH, OR THE SECRETARY’S DESIGNEE;

(3) THE SECRETARY OF LABOR, OR THE SECRETARY’S DESIGNEE;

(4) THE SECRETARY OF COMMERCE, OR THE SECRETARY’S

1 DESIGNEE; AND

2 (5) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY, OF
3 WHOM AT LEAST THREE SHALL BE REPRESENTATIVES FROM URBAN AREAS AND AT
4 LEAST THREE SHALL BE REPRESENTATIVES FROM RURAL AREAS:

5 (I) REPRESENTATIVES OF LOW-INCOME COMMUNITIES;

6 (II) REPRESENTATIVES OF COMMUNITIES OF COLOR;

7 (III) REPRESENTATIVES OF COMMUNITIES BEARING
8 DISPROPORTIONATE POLLUTION AND CLIMATE CHANGE BURDENS;

9 (IV) REPRESENTATIVES OF COMMUNITY-BASED
10 ORGANIZATIONS WITH EXPERIENCE AND A HISTORY OF ADVOCACY ON
11 ENVIRONMENTAL JUSTICE ISSUES; AND

12 (V) EXPERTS IN THE FIELD OF PUBLIC HEALTH.

13 (D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING
14 GROUP.

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

16 (F) A MEMBER OF THE WORKING GROUP:

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

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

21 (G) (1) THE WORKING GROUP, IN CONSULTATION WITH THE
22 DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, THE MARYLAND
23 DEPARTMENT OF LABOR, AND THE COMMISSION ON ENVIRONMENTAL JUSTICE
24 AND SUSTAINABLE COMMUNITIES ESTABLISHED UNDER TITLE 1, SUBTITLE 7 OF
25 THIS ARTICLE, SHALL ESTABLISH CRITERIA TO IDENTIFY DISADVANTAGED
26 COMMUNITIES FOR THE PURPOSES OF GREENHOUSE GAS EMISSIONS REDUCTIONS,
27 COPOLLUTANT REDUCTIONS, AND THE ANALYSIS OF THE ALLOCATION OF
28 INVESTMENTS RELATED TO THIS SUBTITLE AND SUBTITLE 12 OF THIS TITLE.

29 (2) DISADVANTAGED COMMUNITIES SHALL BE IDENTIFIED BASED ON
30 GEOGRAPHIC, PUBLIC HEALTH, ENVIRONMENTAL HAZARD, AND SOCIOECONOMIC

CRITERIA, INCLUDING:

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

(II) AREAS WITH HIGH CONCENTRATIONS OF:

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

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

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

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

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

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

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

2-1303.2.

(A) IN THIS SECTION, “WORKING GROUP” MEANS THE CLIMATE JOBS WORKING GROUP OF THE COMMISSION.

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

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

3 (2) THE WORKING GROUP SHALL INCLUDE:

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

5 (II) THE SECRETARY OF LABOR, OR THE SECRETARY'S
6 DESIGNEE;

7 (III) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S
8 DESIGNEE;

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

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

13 (VI) THE FOLLOWING MEMBERS, APPOINTED BY THE
14 SECRETARY:

15 1. AT LEAST ONE REPRESENTATIVE OF A LABOR
16 ORGANIZATION;

17 2. AT LEAST ONE REPRESENTATIVE OF AN
18 ENVIRONMENTAL JUSTICE ORGANIZATION;

19 3. AT LEAST ONE REPRESENTATIVE OF A CLEAN ENERGY
20 DEVELOPER; AND

21 4. AT LEAST FIVE REPRESENTATIVES OF DISTINCT
22 ENERGY-INTENSIVE INDUSTRIES.

23 (D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING
24 GROUP.

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

26 (F) A MEMBER OF THE WORKING GROUP:

27 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE

1 **WORKING GROUP; BUT**

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

4 **(G) THE WORKING GROUP SHALL:**

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

12 **(2) IDENTIFY:**

13 **(I) ENERGY-INTENSIVE INDUSTRIES AND RELATED TRADES;**

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

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

18 **(IV) AVENUES TO MAXIMIZE THE SKILLS AND EXPERTISE OF**
19 **MARYLAND WORKERS IN THE NEW ENERGY ECONOMY;**

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

25 **(4) CONDUCT A STUDY OF:**

26 **(I) THE NUMBER OF JOBS CREATED TO COUNTER CLIMATE**
27 **CHANGE, INCLUDING IN THE ENERGY SECTOR, BUILDING SECTOR,**
28 **TRANSPORTATION SECTOR, AND WORKING LANDS SECTOR;**

29 **(II) THE PROJECTED INVENTORY OF JOBS NEEDED AND SKILLS**
30 **AND TRAINING REQUIRED TO MEET FUTURE DEMAND FOR JOBS TO COUNTER**
31 **CLIMATE CHANGE; AND**

1 **(III) WORKFORCE DISRUPTION DUE TO COMMUNITY CHANGES**
2 **CAUSED BY THE TRANSITION TO A LOW-CARBON ECONOMY.**

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

7 2-1304.

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

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

16 **(1) THE TOTAL AMOUNT OF STATE MONEY SPENT ON GREENHOUSE**
17 **GAS EMISSIONS REDUCTION MEASURES DURING THE IMMEDIATELY PRECEDING**
18 **FISCAL YEAR; AND**

19 **(2) THE PERCENTAGE OF THAT FUNDING THAT BENEFITTED**
20 **DISADVANTAGED COMMUNITIES IDENTIFIED ACCORDING TO THE CRITERIA**
21 **DEVELOPED BY THE CLIMATE JUSTICE WORKING GROUP UNDER § 2-1303.1 OF**
22 **THIS SUBTITLE.**

23 2-1305.

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

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

28 (i) Sea level rise;

29 (ii) Storm surges and flooding;

30 (iii) Increased precipitation and temperature; and

31 (iv) Extreme weather events.

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

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

- (i) The Department;
- (ii) The Department of Agriculture;
- (iii) The Department of General Services;
- (iv) The Department of Housing and Community Development;
- (v) The Department of Natural Resources;
- (vi) The Department of Planning;
- (vii) The Department of Transportation;
- (viii) The Maryland Energy Administration;
- (ix) The Maryland Insurance Administration;
- (x) The Public Service Commission; and
- (xi) The University of Maryland Center for Environmental Science.

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

- (i) Program descriptions and objectives;
- (ii) Implementation milestones, whether or not they have been met;
- (iii) Enhancement opportunities;
- (iv) Funding;
- (v) Challenges;
- (vi) Estimated greenhouse gas emissions reductions, by program, for the prior calendar year; and

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

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

Article – Public Safety

12–501.

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

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

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

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

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

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

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

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

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

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

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

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

12-511.

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

(B) THIS SECTION APPLIES ONLY TO NEW CONSTRUCTION.

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

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

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

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

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

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

(II) WOULD BE PHYSICALLY OR LEGALLY IMPOSSIBLE.

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

Article – Public Utilities

7-211.

(g) (1) Except as provided in subsection (e) of this section, on or before December 31, 2008, by regulation or order, the Commission shall:

(i) to the extent that the Commission determines that cost-effective energy efficiency and conservation programs and services are available, for each affected class, require each electric company to procure or provide for its electricity customers

cost-effective energy efficiency and conservation programs and services with projected and verifiable electricity savings that are designed to achieve a targeted reduction of at least 5% by the end of 2011 and 10% by the end of 2015 of per capita electricity consumed in the electric company's service territory during 2007; and

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

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

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

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

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

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

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

Article – State Finance and Procurement

3–602.1.

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

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

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

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

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

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

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

(3) "Major renovation" means the renovation of a building where:

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

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

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

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

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

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

(c) (1) This subsection applies to:

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

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

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

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

(1) warehouse and storage facilities;

(2) garages;

(3) maintenance facilities;

(4) transmitter buildings;

(5) pumping stations; and

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

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

(2) The waiver process shall:

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

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

4–809.

(f) The Maryland Green Building Council shall:

(1) evaluate current high performance building technologies;

(2) provide recommendations concerning the most cost-effective green building technologies that the State might consider requiring in the construction of State facilities, including consideration of the additional cost associated with the various technologies;

(3) provide recommendations concerning how to expand green building in

the State;

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

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

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

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

14-417.

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

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

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

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

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

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

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT 50% OF BUSES AND 100% OF LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO-EMISSION VEHICLES BY 2030.

(C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES THAT HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY FOR THE PROTECTION

1 AND WELFARE OF THE PUBLIC.

2 (D) THE STATE SHALL ENSURE THAT:

3 (1) BEGINNING IN FISCAL YEAR 2021, AT LEAST 25% OF BUSES AND
4 50% OF LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE
5 ZERO-EMISSION VEHICLES; AND

6 (2) BEGINNING IN FISCAL YEAR 2025, AT LEAST 50% OF BUSES AND
7 100% OF LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE
8 ZERO-EMISSION VEHICLES.

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

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

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

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

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

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

22 (2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT
23 OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED
24 UNDER THIS SUBSECTION.

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

27 Article – Natural Resources

28 5-102.

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

(1) Achieving no net loss of forest;

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

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

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

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

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

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

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

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

(ii) Continued development of fiber products; and

(iii) Maryland's green infrastructure; and

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

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

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

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