

SENATE BILL 414

M3, M5

1lr0877
CF HB 583

By: Senators Pinsky, Augustine, Kelley, Hettleman, Ellis, Smith, Zucker, Kagan,
Patterson, Young, Hester, Feldman, Kramer, Lee, Rosapepe, Elfreth,
Guzzone, Waldstreicher, Washington, Beidle, and Lam

Introduced and read first time: January 20, 2021

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

A BILL ENTITLED

1 AN ACT concerning

2 **Climate Solutions Now Act of 2021**

3 FOR the purpose of requiring the State to reduce statewide greenhouse gas emissions by a
4 certain percentage from certain levels by a certain year; requiring the State to
5 achieve net-zero statewide greenhouse gas emissions by a certain year; providing
6 that certain net-zero energy requirements do not apply to certain public school
7 buildings, subject to certain exceptions; requiring certain schools to be constructed
8 to meet certain net-zero energy requirements subject to the availability of certain
9 funding; requiring a certain school system to provide a certain notice to the
10 Interagency Commission on School Construction; requiring certain schools to be
11 solar-ready; requiring the State to make available a certain loan to cover certain
12 costs incurred in constructing a new school to meet certain net-zero energy
13 requirements, subject to the availability of certain funding; requiring the
14 Commission on Environmental Justice and Sustainable Communities to recommend
15 a certain methodology, develop certain recommendations, set certain goals, and
16 make a certain report on or before a certain date; requiring the Commission on
17 Environmental Justice and Sustainable Communities to consider certain factors in
18 evaluating certain methodologies; requiring the Commission on Environmental
19 Justice and Sustainable Communities to hold certain meetings and solicit certain
20 input in carrying out its responsibilities under this Act; authorizing certain meetings
21 to be held using teleconference or Internet-based conferencing technology under
22 certain circumstances; requiring the Department of the Environment to require a
23 certain landfill operator to take certain actions if certain methane emissions data
24 acquired from aircraft observations exceeds certain ground-level emissions data;
25 requiring the Department of the Environment to publicly disclose certain data and
26 discrepancies on the Department of the Environment's website; requiring the
27 Department of the Environment to submit certain plans to the Governor and the
28 General Assembly on or before certain dates; requiring the Department of the
29 Environment to adopt a certain final plan on or before a certain date; requiring the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Department of the Environment to review and, as necessary, revise a certain plan on or before a certain date; establishing certain requirements for a certain final plan; requiring the Department of the Environment, in developing and implementing certain plans, to ensure that certain greenhouse gas emissions reduction measures incorporate certain methane emissions data and use certain best available scientific data; specifying that certain economic benefits should be compared with a no-action scenario and requiring a certain economic benefit analysis to include the social cost of carbon, in accordance with certain requirements; specifying that certain greenhouse gas emissions reduction measures should encourage certain employment opportunities particularly in certain areas of the State; requiring the Maryland Commission on Climate Change to establish a Just Transition and Employment Retraining Working Group; providing for the composition, chair, and staffing of the Working Group; prohibiting a member of the Working Group from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Working Group to study, identify, and advise on certain matters; requiring the Working Group to report its findings to the General Assembly on or before a certain date; requiring certain reports of the Maryland Commission on Climate Change to include a certain analysis in certain years; requiring the Maryland Department of Labor to adopt regulations establishing certain energy conservation requirements for certain buildings on or before a certain date; specifying the energy use reductions that certain regulations must require certain buildings to achieve; establishing certain exceptions to certain energy conservation requirements; requiring the Maryland Department of Labor to adopt regulations requiring certain buildings to be solar-ready on or before a certain date; allowing certain regulations to authorize a local jurisdiction to waive certain solar-ready requirements under certain circumstances; authorizing a local jurisdiction to adopt certain energy conservation and solar energy requirements that are more stringent than certain requirements established by the Maryland Department of Labor; requiring certain buildings to be renovated to achieve certain energy use reductions under certain circumstances; authorizing a local jurisdiction to waive certain renovation requirements under certain circumstances; requiring the Maryland Department of Labor to adopt certain regulations relating to building renovations on or before a certain date; requiring the Maryland Department of Labor to adopt regulations directing local jurisdictions to require certain energy life cycle cost estimates for certain buildings on or before a certain date; establishing a certain exemption from certain life cycle analysis requirements; requiring certain regulations to require certain energy models to evaluate life cycle costs for certain options; requiring the consideration of certain costs when calculating certain life cycle costs; requiring certain life cycle cost estimates to be made available to the Maryland Department of Labor and taken into consideration when the State revises the Maryland Building Performance Standards or the Energy Code; 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; repealing a requirement

1 that the Maryland Green Building Council develop certain guidelines for new public
2 school buildings; requiring the Maryland Green Building Council to ensure that
3 certain buildings, schools, and community colleges meet certain high performance
4 building requirements and to develop guidelines for evaluating the energy balance
5 and achieving a certain energy balance in certain buildings; establishing the intent
6 of the General Assembly that a certain percentage of light-duty vehicles in the State
7 vehicle fleet be zero-emission vehicles by a certain year; requiring the State to
8 ensure that a certain minimum percentage of light-duty vehicles purchased for the
9 State vehicle fleet in certain fiscal years are zero-emission vehicles, subject to the
10 availability of funding; requiring the Chief Procurement Officer to submit a certain
11 report to the General Assembly on or before a certain date each year; requiring
12 certain units to cooperate with the Chief Procurement Officer in the collection and
13 reporting of certain information; establishing the Net-Zero School Loan Fund as a
14 special, nonlapsing fund; specifying the purpose of the Net-Zero School Loan Fund;
15 requiring the Maryland Energy Administration to administer the Net-Zero School
16 Loan Fund; requiring the State Treasurer to hold the Net-Zero School Loan Fund
17 and the Comptroller to account for the Net-Zero School Loan Fund; specifying the
18 contents of the Net-Zero School Loan Fund; specifying the purpose for which the
19 Net-Zero School Loan Fund may be used; providing for the investment of money in
20 and expenditures from the Net-Zero School Loan Fund; requiring interest earnings
21 of the Net-Zero School Loan Fund to be credited to the Net-Zero School Loan Fund;
22 exempting the Net-Zero School Loan Fund from a certain provision of law requiring
23 interest earnings on State money to accrue to the General Fund of the State;
24 requiring a certain amount of certain proceeds received by the Maryland Strategic
25 Energy Investment Fund to be allocated to the Maryland Healthy Soils Program in
26 certain fiscal years; requiring a certain amount of certain proceeds received by the
27 Maryland Strategic Energy Investment Fund to be credited to a climate solutions
28 account to be used for certain purposes in certain fiscal years, under certain
29 circumstances; limiting the amount of money that may be deposited to the climate
30 solutions account; requiring the Maryland Energy Administration to prioritize the
31 allocation of certain funds in a certain order under certain circumstances; prohibiting
32 the Motor Vehicle Administration from entering into a contract to purchase buses
33 for the Administration's State transit bus fleet that are not zero-emission buses
34 beginning in a certain fiscal year; requiring the full cost of certain zero-emission
35 buses to be paid from the Transportation Trust Fund; requiring the Motor Vehicle
36 Administration to make a certain annual report to certain committees of the General
37 Assembly on or before a certain date; specifying the contents of a certain report;
38 exempting certain personal property that is part of a certain community solar energy
39 generating system from county or municipal corporation property tax under certain
40 circumstances; requiring a certain landowner who enrolls in the Conservation
41 Reserve Enhancement Program in certain fiscal years to receive a certain signing
42 bonus; requiring certain signing bonuses to be funded in a certain manner;
43 establishing the policy of the State to support and encourage certain tree-planting
44 efforts, with a goal of planting and helping to maintain in the State a certain number
45 of sustainable trees of species native to the State by the end of a certain year;
46 specifying that this goal is in addition to certain trees projected to be planted under
47 certain programs and includes certain tree plantings accomplished through certain

State programs and private efforts; establishing the intent of the General Assembly that a certain minimum number of trees should be planted in certain underserved areas; making the Department of the Environment responsible for tracking the State's progress toward meeting certain tree-planting goals and requiring the Department of the Environment to serve as the lead agency to receive certain data; establishing a 5 Million Tree Program Coordinator within the Department of the Environment; establishing the responsibilities of the Program Coordinator and requiring the Program Coordinator to consolidate certain data and make a certain report to certain committees of the General Assembly on or before a certain date each year; requiring the Governor to formally pledge the State's commitment to achieving certain tree-planting goals through the U.S. Chapter of the World Economic Forum's One Trillion Trees Initiative; requiring a certain amount from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be used for certain purposes in certain fiscal years; requiring the BayStat Subcabinet agencies to distribute certain funds through grants to the Green Shores Program; establishing an Urban Trees Program administered by the Chesapeake Bay Trust; providing for the purpose of the Urban Trees Program; requiring the Trust to make grants to qualified organizations for certain purposes; specifying certain eligible Program expenses for the Urban Trees Program; providing for the funding of the Urban Trees Program; requiring the Trust to seek certain funds, grants, and donations for the purpose of the Urban Trees Program; requiring a certain grant agreement to specify the allowed uses of certain funds and include provisions for the verification of certain information; requiring the Trust to report certain information concerning certain grant awards to the Department of Natural Resources and the Department of the Environment on or before a certain date each year; requiring the Department of the Environment to make certain transfers from the Bay Restoration Fund for certain purposes in certain fiscal years, after funding certain eligible costs; establishing certain authorizations and restrictions regarding the distribution and use of certain funds transferred to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; providing that certain funds transferred from the Bay Restoration Fund are supplemental to and may not take the place of certain other funding; establishing the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings; providing for the composition, chair, and staffing of the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings; prohibiting a member of the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings to study and make recommendations regarding certain matters; requiring the Commission for the Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Governor to appropriate a certain amount per fiscal year from the climate solutions account of the Strategic Energy Investment Fund to the Net-Zero School Loan Fund in certain fiscal years, subject to the availability of funding in the climate solutions account; defining certain terms; altering certain definitions; providing for the application of certain provisions of this Act; providing for the effective date of certain

provisions of this Act; providing for the termination of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; and generally relating to climate change and measures to combat climate change.

BY renumbering

Article – Environment

Section 2–1204.2

to be Section 2–1204.3

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–312

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 1–701(a) and (h), 2–1201(4), 2–1204.1, 2–1205, 2–1206, 2–1210, 2–1303(a),
and 2–1304

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 1–701(b) and (c)

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY adding to

Article – Environment

Section 1–702, 2–407, 2–1204.2, 2–1212, and 2–1303.1

Annotated Code of Maryland

(2013 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 12–501

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 12–511 through 12–513

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – Public Utilities
3 Section 7–211(g)
4 Annotated Code of Maryland
5 (2020 Replacement Volume and 2020 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – State Finance and Procurement
8 Section 3–602.1, 4–809(f), and 6–226(a)(2)(ii)122. and 123.
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2020 Supplement)
- 11 BY repealing and reenacting, without amendments,
12 Article – State Finance and Procurement
13 Section 6–226(a)(2)(i)
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2020 Supplement)
- 16 BY adding to
17 Article – State Finance and Procurement
18 Section 6–226(a)(2)(ii)124. and 14–417
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2020 Supplement)
- 21 BY adding to
22 Article – State Government
23 Section 9–2010
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2020 Supplement)
- 26 BY repealing and reenacting, without amendments,
27 Article – State Government
28 Section 9–20B–05(a)
29 Annotated Code of Maryland
30 (2014 Replacement Volume and 2020 Supplement)
- 31 BY repealing and reenacting, with amendments,
32 Article – State Government
33 Section 9–20B–05(g)
34 Annotated Code of Maryland
35 (2014 Replacement Volume and 2020 Supplement)
- 36 BY adding to
37 Article – Transportation
38 Section 7–406
39 Annotated Code of Maryland

- 1 (2020 Replacement Volume)
- 2 BY repealing and reenacting, with amendments,
3 Article – Tax – Property
4 Section 7–237
5 Annotated Code of Maryland
6 (2019 Replacement Volume and 2020 Supplement)
- 7 BY adding to
8 Article – Agriculture
9 Section 8–706
10 Annotated Code of Maryland
11 (2016 Replacement Volume and 2020 Supplement)
- 12 BY repealing and reenacting, without amendments,
13 Article – Natural Resources
14 Section 8–2A–02(a), 8–2A–04(a), and 8–1901
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2020 Supplement)
- 17 BY repealing and reenacting, with amendments,
18 Article – Natural Resources
19 Section 8–2A–02(f) and 8–2A–04(c)
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2020 Supplement)
- 22 BY adding to
23 Article – Natural Resources
24 Section 8–1911
25 Annotated Code of Maryland
26 (2012 Replacement Volume and 2020 Supplement)
- 27 BY repealing and reenacting, without amendments,
28 Article – Environment
29 Section 9–1605.2(i)(1)
30 Annotated Code of Maryland
31 (2014 Replacement Volume and 2020 Supplement)
- 32 BY repealing and reenacting, with amendments,
33 Article – Environment
34 Section 9–1605.2(i)(2)(xii) and (xiii)
35 Annotated Code of Maryland
36 (2014 Replacement Volume and 2020 Supplement)
- 37 BY adding to
38 Article – Environment
39 Section 9–1605.2(i)(2)(xiv) and (11)

Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(i)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)
(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(2)(xi) and (xii)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)
(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

BY adding to
Article – Environment
Section 9–1605.2(i)(2)(xiii) and (10)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)
(As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

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%] 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 – Education

5–312.

(a) **(1)** In this section[, “high”] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) “**HIGH** performance building” has the meaning stated in § 3–602.1 of the State Finance and Procurement Article.

(3) “**SOLAR–READY**” HAS THE MEANING STATED IN § 12–511 OF THE **PUBLIC SAFETY ARTICLE.**

(b) This section applies to the construction of new schools that have not initiated a Request For Proposal for the selection of an architectural and engineering consultant on or before July 1, 2009.

(c) **(1)** [Except] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND EXCEPT** as provided in subsection (d) of this section, a new school that receives State public school construction funds shall be constructed to be a high performance building.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) THROUGH (IV) OF THIS PARAGRAPH, THE NET–ZERO ENERGY REQUIREMENTS THAT APPLY FOR A BUILDING TO MEET THE DEFINITION OF A “HIGH PERFORMANCE BUILDING” UNDER § 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE DO NOT APPLY TO PUBLIC SCHOOL BUILDINGS.

(II) SUBJECT TO THE AVAILABILITY OF FUNDING FROM THE NET–ZERO SCHOOL LOAN FUND ESTABLISHED UNDER § 9–2010 OF THE STATE GOVERNMENT ARTICLE, AT LEAST ONE OF THE SCHOOLS CONSTRUCTED IN EACH LOCAL SCHOOL SYSTEM FROM JULY 1, 2022, THROUGH JUNE 30, 2030, INCLUSIVE, SHALL BE CONSTRUCTED TO MEET NET–ZERO ENERGY REQUIREMENTS.

(III) EACH LOCAL SCHOOL SYSTEM SHALL NOTIFY THE INTERAGENCY COMMISSION REGARDING WHICH SCHOOL WILL BE CONSTRUCTED TO MEET NET–ZERO ENERGY REQUIREMENTS.

(IV) ANY SCHOOL CONSTRUCTED ON OR AFTER JULY 1, 2022, THAT IS NOT CONSTRUCTED TO MEET NET–ZERO ENERGY REQUIREMENTS SHALL BE SOLAR–READY.

(d) **(1)** The Interagency Commission shall establish a process to allow a school system to obtain a waiver from complying with subsection (c) of this section.

(2) The waiver process shall:

(i) Include a review by the Interagency Commission to determine if the construction of a high performance building is not practicable; and

(ii) Require the approval of a waiver by the Interagency Commission.

(e) **(1)** For fiscal years 2010 through 2014 only, the State shall pay 50% of the local share of the extra costs, identified and approved by the Interagency Commission, that are incurred in constructing a new school to meet the high performance building requirements of this section.

(2) SUBJECT TO THE AVAILABILITY OF FUNDING IN THE NET-ZERO SCHOOL LOAN FUND ESTABLISHED UNDER § 9-2010 OF THE STATE GOVERNMENT ARTICLE, THE STATE SHALL MAKE AVAILABLE A NO-INTEREST LOAN TO COVER THE LOCAL SHARE OF THE EXTRA COSTS, IDENTIFIED AND APPROVED BY THE INTERAGENCY COMMISSION, THAT ARE INCURRED IN CONSTRUCTING A NEW SCHOOL TO MEET NET-ZERO ENERGY REQUIREMENTS.

(f) The Interagency Commission shall adopt regulations to implement the requirements of this section.

Article – Environment

1-701.

(a) **(1)** In this [section, “environmental] **SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) “COMMISSION” MEANS THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES.

(3) “ENVIRONMENTAL justice” means equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.

(b) There is a Commission on Environmental Justice and Sustainable Communities.

(c) (1) The Commission consists of the following 20 members:

(i) One member of the Senate of Maryland, appointed by the President of the Senate;

(ii) One member of the House of Delegates, appointed by the Speaker of the House;

- 1 (iii) The Secretary, or the Secretary's designee;
- 2 (iv) The Secretary of Health, or the Secretary's designee;
- 3 (v) The Secretary of Planning, or the Secretary's designee;
- 4 (vi) The Secretary of Commerce, or the Secretary's designee;
- 5 (vii) The Secretary of Housing and Community Development, or the
6 Secretary's designee;
- 7 (viii) The Secretary of Transportation, or the Secretary's designee; and
- 8 (ix) Twelve members appointed by the Governor who represent the
9 following interests:

- 10 1. Affected communities concerned with environmental
11 justice;
- 12 2. Business organizations;
- 13 3. Environmental organizations;
- 14 4. Health experts on environmental justice;
- 15 5. Local government; and
- 16 6. The general public with interest or expertise in
17 environmental justice.

18 (2) Of the twelve members appointed by the Governor under paragraph
19 (1)(ix) of this subsection, at least two members shall represent affected communities
20 concerned with environmental justice.

21 (h) The Commission shall:

- 22 (1) Advise State government agencies on environmental justice and related
23 community issues;
- 24 (2) Review and analyze the impact of current State laws and policies on the
25 issue of environmental justice and sustainable communities;
- 26 (3) Assess the adequacy of State and local government laws to address the
27 issue of environmental justice and sustainable communities;
- 28 (4) Coordinate with the Children's Environmental Health and Protection
29 Advisory Council on recommendations related to environmental justice and sustainable

1 communities;

2 (5) Develop criteria to assess whether communities in the State may be
3 experiencing environmental justice issues; [and]

4 (6) **IN ACCORDANCE WITH § 1-702 OF THIS SUBTITLE:**

5 (I) **RECOMMEND A METHODOLOGY FOR IDENTIFYING**
6 **COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

7 (II) **DEVELOP SPECIFIC RECOMMENDATIONS TO ADDRESS**
8 **ENVIRONMENTAL JUSTICE CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES**
9 **AND CO-POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN**
10 **DISPROPORTIONATELY AFFECTED COMMUNITIES; AND**

11 (III) **SET GOALS FOR THE PERCENTAGE OF STATE FUNDING FOR**
12 **GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD BE USED FOR**
13 **THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES; AND**

14 (7) Recommend options to the Governor for addressing issues, concerns, or
15 problems related to environmental justice that surface after reviewing State laws and
16 policies, including prioritizing areas of the State that need immediate attention.

17 **1-702.**

18 (A) **ON OR BEFORE DECEMBER 31, 2022, THE COMMISSION SHALL:**

19 (1) **SUBJECT TO SUBSECTION (B) OF THIS SECTION, AND IN**
20 **CONSULTATION WITH THE DEPARTMENT, THE MARYLAND DEPARTMENT OF**
21 **HEALTH, THE MARYLAND DEPARTMENT OF LABOR, AND THE DEPARTMENT OF**
22 **PLANNING, RECOMMEND A METHODOLOGY FOR IDENTIFYING COMMUNITIES**
23 **DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

24 (2) **DEVELOP SPECIFIC RECOMMENDATIONS TO ADDRESS**
25 **ENVIRONMENTAL JUSTICE CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES**
26 **AND CO-POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN**
27 **COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

28 (3) **SET APPROPRIATE GOALS FOR THE PERCENTAGE OF STATE**
29 **FUNDING FOR GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD**
30 **BE USED FOR THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES;**
31 **AND**

32 (4) **REPORT TO THE MARYLAND COMMISSION ON CLIMATE CHANGE**

1 AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE
2 GENERAL ASSEMBLY ON THE CRITERIA AND RECOMMENDATIONS DEVELOPED
3 UNDER THIS SUBSECTION.

4 (B) IN EVALUATING METHODOLOGIES UNDER SUBSECTION (A)(1) OF THIS
5 SECTION, THE COMMISSION SHALL CONSIDER GEOGRAPHIC, PUBLIC HEALTH,
6 ENVIRONMENTAL HAZARD, AND SOCIOECONOMIC CRITERIA, INCLUDING:

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

9 (2) AREAS WITH HIGH CONCENTRATIONS OF:

10 (I) PEOPLE EXPERIENCING POVERTY, HIGH UNEMPLOYMENT
11 RATES, HIGH RENT BURDENS, LOW LEVELS OF HOME OWNERSHIP, OR LOW LEVELS
12 OF EDUCATIONAL ATTAINMENT; OR

13 (II) POPULATIONS THAT HAVE HISTORICALLY EXPERIENCED
14 DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY; AND

15 (3) AREAS THAT ARE VULNERABLE TO THE IMPACTS OF CLIMATE
16 CHANGE, SUCH AS FLOODING, STORM SURGES, OR URBAN HEAT ISLAND EFFECTS,
17 DUE TO LOW LEVELS OF TREE COVERAGE, HIGH LEVELS OF IMPERVIOUS SURFACES,
18 OR OTHER FACTORS.

19 (C) (1) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS
20 SUBSECTION, THE COMMISSION SHALL:

21 (I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, HOLD
22 AT LEAST SIX PUBLIC HEARINGS AT LOCATIONS THROUGHOUT THE STATE,
23 INCLUDING THREE IN URBAN AREAS AND THREE IN RURAL AREAS; AND

24 (II) SOLICIT INPUT FROM ALL SEGMENTS OF THE POPULATION
25 THAT WILL BE IMPACTED BY THE CRITERIA DEVELOPED UNDER SUBSECTION (A) OF
26 THIS SECTION, INCLUDING INDIVIDUALS LIVING IN AREAS THAT MAY BE IDENTIFIED
27 AS DISPROPORTIONATELY AFFECTED COMMUNITIES UNDER THE PROPOSED
28 CRITERIA.

29 (2) TO PROTECT PUBLIC HEALTH AND SAFETY, THE COMMISSION
30 MAY HOLD A PUBLIC MEETING REQUIRED UNDER THIS SUBSECTION USING
31 TELECONFERENCE OR INTERNET-BASED CONFERENCING TECHNOLOGY IF AN
32 EMERGENCY DECLARATION IS ISSUED BY AN EXECUTIVE AUTHORITY OF:

1 (I) THE FEDERAL OR STATE GOVERNMENT; OR

2 (II) THE LOCAL GOVERNMENT WITH JURISDICTION OVER A
3 COUNTY OR MUNICIPALITY WHERE THE PUBLIC MEETING WOULD OTHERWISE BE
4 HELD.

5 2-407.

6 (A) THIS SECTION APPLIES ONLY TO A MUNICIPAL SOLID WASTE LANDFILL
7 THAT IS REQUIRED TO MONITOR AND REPORT METHANE EMISSIONS TO THE
8 DEPARTMENT.

9 (B) IF METHANE EMISSIONS DATA ACQUIRED FROM AIRCRAFT
10 OBSERVATIONS, WHERE AVAILABLE, EXCEEDS THE GROUND-LEVEL EMISSIONS
11 DATA REPORTED BY A MUNICIPAL SOLID WASTE LANDFILL BY MORE THAN 25%, THE
12 DEPARTMENT SHALL REQUIRE THE LANDFILL OPERATOR TO:

13 (1) INVESTIGATE THE DIFFERENCE BETWEEN THE DATA; AND

14 (2) REASSESS THE METHODOLOGY AND EQUIPMENT USED TO OBTAIN
15 THE GROUND-LEVEL DATA.

16 (C) THE DEPARTMENT SHALL PUBLICLY DISCLOSE ON THE DEPARTMENT'S
17 WEBSITE:

18 (1) ALL METHANE EMISSIONS DATA OBTAINED THROUGH AIRPLANE
19 OBSERVATIONS; AND

20 (2) ANY DISCREPANCIES BETWEEN METHANE EMISSIONS DATA
21 OBTAINED THROUGH AIRCRAFT OBSERVATIONS AND GROUND-LEVEL METHANE
22 EMISSIONS DATA REPORTED BY MUNICIPAL SOLID WASTE LANDFILLS.

23 2-1201.

24 The General Assembly finds that:

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

1 2–1205.

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

4 (b) On or before [December 31, 2018] **JUNE 30, 2022**, the Department shall:

5 (1) Submit a proposed plan that reduces statewide greenhouse gas
6 emissions by [40%] **60%** from 2006 levels by 2030 to the Governor and General Assembly;

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

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

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

12 (2) The Department shall, on or before December 31, [2019] **2022**, adopt a
13 final plan that [reduces]:

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

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

18 (3) [The plans shall be developed in recognition of the finding by the
19 Intergovernmental Panel on Climate Change that developed countries will need to reduce
20 greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050] **THE**
21 **DEPARTMENT SHALL:**

22 (I) **ON OR BEFORE DECEMBER 31, 2030, ADOPT A FINAL PLAN**
23 **THAT ACHIEVES NET–ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045; AND**

24 (II) **ON OR BEFORE DECEMBER 31, 2035, REVIEW AND, AS**
25 **NECESSARY, REVISE THE FINAL PLAN TO ACHIEVE NET–ZERO STATEWIDE GAS**
26 **EMISSIONS BY 2045.**

27 (d) The final plans required under subsection (c) of this section shall include:

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

30 (2) A summary of any new legislative authority needed to fully implement

the plans and a timeline for seeking legislative authority.

(E) A FINAL PLAN DEVELOPED UNDER THIS SECTION:

(1) MAY NOT INCLUDE AS A GREENHOUSE GAS EMISSION REDUCTION MEASURE:

(I) HIGHWAY WIDENING OR ADDITIONAL ROAD CONSTRUCTION; OR

(II) THE USE OF CARBON CAPTURE AND STORAGE TECHNOLOGY;

(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

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

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

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

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

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

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

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

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

1 **[(g)] (H)** A regulation adopted by a State agency for the purpose of reducing
2 greenhouse gas emissions in accordance with this section may not be construed to result in
3 a significant increase in costs to the State's manufacturing sector unless the source would
4 not incur the cost increase but for the new regulation.

5 2–1206.

6 **(A)** In developing and implementing the plans required by § 2–1205 of this
7 subtitle, the Department shall:

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

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

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

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

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

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

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

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

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

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

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

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

31 (iii) Minimize leakage;

(iv) Are quantifiable, verifiable, and enforceable;

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

(vi) **[Produce] SUBJECT TO SUBSECTION (B) OF THIS SECTION, PRODUCE** a net economic benefit to the State's economy and a net increase in jobs in the State, **AS COMPARED WITH A NO-ACTION SCENARIO;** and

(vii) Encourage new employment opportunities in the State related to energy conservation, alternative energy supply, and greenhouse gas emissions reduction technologies, **PARTICULARLY IN AREAS OF THE STATE EXPERIENCING LOW RATES OF EMPLOYMENT OR HIGH CONCENTRATIONS OF POVERTY;**

(9) INCORPORATE TOP-DOWN METHANE EMISSIONS DATA ACQUIRED THROUGH AIRCRAFT OBSERVATIONS; AND

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

(B) (1) THE ECONOMIC BENEFIT ANALYSIS UNDER SUBSECTION (A)(8)(VI) OF THIS SECTION SHALL INCLUDE THE SOCIAL COST OF CARBON.

(2) THE SOCIAL COST OF CARBON SHALL:

(I) BE DETERMINED BY THE DEPARTMENT;

(II) REFLECT THE HEALTH, ECONOMIC, AND ENVIRONMENTAL COSTS OF CARBON; AND

(III) BE AT LEAST \$50 PER TON OF CARBON DIOXIDE EQUIVALENT.

2-1210.

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; AND

**(5) SUBJECT TO § 2–1303.1 OF THIS SUBTITLE, A JUST TRANSITION
EMPLOYMENT AND RETRAINING WORKING GROUP.**

2–1303.1.

**(A) IN THIS SECTION, “WORKING GROUP” MEANS THE JUST TRANSITION
EMPLOYMENT AND RETRAINING WORKING GROUP OF THE COMMISSION.**

**(B) THE COMMISSION SHALL ESTABLISH A JUST TRANSITION
EMPLOYMENT AND RETRAINING WORKING GROUP.**

(C) THE WORKING GROUP SHALL INCLUDE:

**(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
PRESIDENT OF THE SENATE;**

**(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
SPEAKER OF THE HOUSE;**

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

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

**(5) ONE ELECTRICAL WORKER, SELECTED BY THE INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS;**

**(6) ONE CONSTRUCTION LABORER, SELECTED BY THE BALTIMORE
WASHINGTON LABORERS’ DISTRICT COUNCIL;**

(7) TWO REPRESENTATIVES OF THE BUILDING AND CONSTRUCTION

1 TRADE INDUSTRY, SELECTED BY THE BALTIMORE–DC METRO BUILDING AND
2 CONSTRUCTION TRADES COUNCIL;

3 (8) FOUR LABOR REPRESENTATIVES, SELECTED BY THE MARYLAND
4 STATE AFL–CIO;

5 (9) ONE REPRESENTATIVE OF THE CHESAPEAKE CLIMATE ACTION
6 NETWORK, SELECTED BY THE CHESAPEAKE CLIMATE ACTION NETWORK;

7 (10) ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE
8 SIERRA CLUB, SELECTED BY THE MARYLAND CHAPTER OF THE SIERRA CLUB;

9 (11) ONE REPRESENTATIVE OF THE SOLAR ENERGY INDUSTRY,
10 SELECTED BY THE MARYLAND–DC–DELAWARE–VIRGINIA SOLAR ENERGY
11 INDUSTRIES ASSOCIATION;

12 (12) ONE REPRESENTATIVE OF THE WIND ENERGY INDUSTRY,
13 SELECTED BY THE AMERICAN WIND ENERGY ASSOCIATION;

14 (13) TWO REPRESENTATIVES OF REGISTERED APPRENTICESHIP
15 SPONSORS; AND

16 (14) ONE COMMUNITY COLLEGE REPRESENTATIVE, SELECTED BY THE
17 MARYLAND ASSOCIATION OF COMMUNITY COLLEGES.

18 (D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING
19 GROUP.

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

21 (F) A MEMBER OF THE WORKING GROUP:

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

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

26 (G) THE WORKING GROUP SHALL:

27 (1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES FOR
28 WORKFORCE DEVELOPMENT AND TRAINING RELATED TO ENERGY EFFICIENCY
29 MEASURES, RENEWABLE ENERGY, AND OTHER CLEAN ENERGY TECHNOLOGIES,

1 WITH SPECIFIC FOCUS ON TRAINING AND WORKFORCE OPPORTUNITIES FOR:

2 (I) SEGMENTS OF THE POPULATION THAT MAY BE
3 UNDERREPRESENTED IN THE CLEAN ENERGY WORKFORCE, SUCH AS VETERANS,
4 WOMEN, AND FORMERLY INCARCERATED INDIVIDUALS; AND

5 (II) DISLOCATED WORKERS AFFECTED BY THE DOWNSIZING OF
6 FOSSIL FUEL INDUSTRIES;

7 (2) IDENTIFY:

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

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

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

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

15 (3) ADVISE THE COMMISSION ON THE POTENTIAL IMPACTS OF
16 CARBON LEAKAGE RISKS ON MARYLAND INDUSTRIES AND LOCAL HOST
17 COMMUNITIES, INCLUDING THE IMPACT OF ANY POTENTIAL GREENHOUSE GAS
18 EMISSIONS REDUCTION MEASURES ON THE COMPETITIVENESS OF MARYLAND
19 BUSINESSES AND INDUSTRY; AND

20 (4) CONDUCT A STUDY OF:

21 (I) THE NUMBER OF JOBS CREATED TO COUNTER CLIMATE
22 CHANGE, INCLUDING IN THE ENERGY SECTOR, BUILDING SECTOR,
23 TRANSPORTATION SECTOR, AND WORKING LANDS SECTOR;

24 (II) THE PROJECTED INVENTORY OF JOBS NEEDED AND SKILLS
25 AND TRAINING REQUIRED TO MEET FUTURE DEMAND FOR JOBS TO COUNTER
26 CLIMATE CHANGE;

27 (III) WORKFORCE DISRUPTION DUE TO COMMUNITY CHANGES
28 CAUSED BY THE TRANSITION TO A LOW-CARBON ECONOMY; AND

29 (IV) STRATEGIES FOR TARGETING WORKFORCE DEVELOPMENT
30 AND JOB CREATION IN FENCELINE COMMUNITIES THAT HAVE HISTORICALLY BORNE

1 **THE BRUNT OF HOSTING CARBON POLLUTERS.**

2 **(H) ON OR BEFORE DECEMBER 31, 2022, THE WORKING GROUP SHALL**
3 **REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE**
4 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY**
5 **REQUIRED UNDER SUBSECTION (G)(4) OF THIS SECTION.**

6 2-1304.

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

12 **(B) THE REPORT DUE ON OR BEFORE NOVEMBER 15, 2022, AND EACH**
13 **SUBSEQUENT REPORT SHALL INCLUDE AN ANALYSIS, PREPARED BY THE**
14 **DEPARTMENT, OF:**

15 **(1) THE TOTAL AMOUNT OF STATE MONEY SPENT ON MEASURES TO**
16 **REDUCE GREENHOUSE GASES AND, TO THE EXTENT PRACTICABLE,**
17 **CO-POLLUTANTS, DURING THE IMMEDIATELY PRECEDING FISCAL YEAR; AND**

18 **(2) THE PERCENTAGE OF THAT FUNDING THAT BENEFITTED**
19 **DISPROPORTIONATELY AFFECTED COMMUNITIES IDENTIFIED ACCORDING TO THE**
20 **CRITERIA DEVELOPED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND**
21 **SUSTAINABLE COMMUNITIES UNDER § 1-702 OF THIS ARTICLE.**

22 **Article – Public Safety**

23 12-501.

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

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

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

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

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

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

(2) “COMMERCIAL BUILDING” MEANS A BUILDING THAT:

(I) IS USED PRIMARILY TO CARRY ON A FOR-PROFIT OR NONPROFIT BUSINESS;

(II) IS NOT RESIDENTIAL; AND

(III) IS NOT USED PRIMARILY TO MANUFACTURE OR PRODUCE RAW MATERIALS, PRODUCTS, OR AGRICULTURAL COMMODITIES.

(3) “COVERED BUILDING” MEANS A COMMERCIAL OR RESIDENTIAL BUILDING WITH A GROSS FLOOR AREA OF 25,000 SQUARE FEET OR MORE, EXCLUDING THE PARKING GARAGE AREA.

(4) “SOLAR-READY” MEANS DESIGNED, ENGINEERED, AND CONSTRUCTED SO THAT AT LEAST 40% OF THE ROOF AREA IS:

(I) FREE FROM OBSTRUCTIONS; AND

(II) CAPABLE OF ACCEPTING THE INSTALLATION OF SOLAR PANELS.

(B) (1) THIS SECTION APPLIES ONLY TO NEW CONSTRUCTION.

(2) THIS SECTION DOES NOT APPLY TO A PUBLIC PURPOSE PROJECT, AS DEFINED IN § 4-201 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(C) (1) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING ENERGY CONSERVATION REQUIREMENTS FOR COVERED BUILDINGS IN ACCORDANCE WITH THIS SUBSECTION.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE REGULATIONS SHALL REQUIRE NEW COVERED BUILDINGS TO ACHIEVE:

(I) ENERGY USE REDUCTIONS THAT EXCEED THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE BY AT LEAST:

1. 30% FOR BUILDING PERMIT APPLICATIONS RECEIVED FROM JANUARY 1, 2024, THROUGH DECEMBER 31, 2026, INCLUSIVE;

2. 40% FOR BUILDING PERMIT APPLICATIONS RECEIVED FROM JANUARY 1, 2027, THROUGH DECEMBER 31, 2029, INCLUSIVE; AND

3. 60% FOR BUILDING PERMIT APPLICATIONS RECEIVED FROM JANUARY 1, 2030, THROUGH DECEMBER 31, 2032, INCLUSIVE; AND

(II) A NET-ZERO ENERGY BALANCE FOR BUILDING PERMIT APPLICATIONS RECEIVED ON OR AFTER JANUARY 1, 2033.

(3) (I) IF THE VERSION OF THE STANDARDS IN EFFECT AT THE TIME A BUILDING PERMIT APPLICATION IS RECEIVED WOULD REQUIRE THE BUILDING TO MEET ENERGY CONSERVATION REQUIREMENTS THAT ARE MORE STRINGENT THAN THE REQUIREMENTS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE BUILDING SHALL BE REQUIRED TO MEET THE MORE STRINGENT REQUIREMENTS.

(II) IF THE LOCAL JURISDICTION WHERE A COVERED BUILDING WILL BE LOCATED HAS ADOPTED ENERGY CONSERVATION REQUIREMENTS MORE STRINGENT THAN THE REQUIREMENTS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE BUILDING SHALL BE REQUIRED TO MEET THE MORE

1 **STRINGENT REQUIREMENTS.**

2 **(D) (1) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT**
3 **REGULATIONS REQUIRING NEW COVERED BUILDINGS TO BE SOLAR-READY IF THE**
4 **BUILDING:**

5 **(I) WILL HAVE 20,000 SQUARE FEET OR MORE OF CONTINUOUS**
6 **ROOF SPACE, EXCLUDING THE PARKING AREA; AND**

7 **(II) WILL BE 20 STORIES OR LESS IN HEIGHT, ABOVE GRADE**
8 **PLANE.**

9 **(2) REGULATIONS ADOPTED UNDER THIS SUBSECTION MAY**
10 **AUTHORIZE A LOCAL JURISDICTION TO WAIVE THE SOLAR-READY REQUIREMENT**
11 **FOR A BUILDING ON A SPECIFIC FINDING THAT:**

12 **(I) INCIDENT SOLAR RADIATION AT THE BUILDING SITE IS LESS**
13 **THAN 75% OF INCIDENT SOLAR RADIATION AT AN OPEN SITE; OR**

14 **(II) SHADOW STUDIES INDICATE THAT 25% OF A BUILDING'S**
15 **ROOF AREA WILL BE IN SHADOW.**

16 **(3) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL APPLY**
17 **TO EACH COVERED BUILDING IN THE STATE FOR WHICH A BUILDING PERMIT**
18 **APPLICATION IS RECEIVED ON OR AFTER JANUARY 1, 2023.**

19 **(E) A LOCAL JURISDICTION MAY ADOPT ENERGY CONSERVATION AND**
20 **SOLAR ENERGY REQUIREMENTS FOR BUILDINGS THAT ARE MORE STRINGENT THAN**
21 **THE REQUIREMENTS ESTABLISHED BY THE DEPARTMENT UNDER THIS SECTION.**

22 **12-512.**

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

25 **(2) "COMMERCIAL BUILDING" MEANS A BUILDING THAT:**

26 **(I) IS USED PRIMARILY TO CARRY ON A FOR-PROFIT OR**
27 **NONPROFIT BUSINESS;**

28 **(II) IS NOT RESIDENTIAL; AND**

29 **(III) IS NOT USED PRIMARILY TO MANUFACTURE OR PRODUCE**

1 RAW MATERIALS, PRODUCTS, OR AGRICULTURAL COMMODITIES.

2 (3) "COVERED BUILDING" MEANS A COMMERCIAL OR RESIDENTIAL
3 BUILDING WITH A GROSS FLOOR AREA OF 25,000 SQUARE FEET OR MORE,
4 EXCLUDING THE PARKING GARAGE AREA.

5 (4) "MAJOR RENOVATION" MEANS A RENOVATION PROJECT:

6 (I) FOR WHICH THE TOTAL PROJECTED COST EXCEEDS 50% OF
7 THE ASSESSED VALUE OF THE EXISTING BUILDING; OR

8 (II) INVOLVING A CHANGE OF USE, IF THE CHANGE INVOLVES
9 THE APPLICATION OF DIFFERENT REQUIREMENTS OF THE STANDARDS.

10 (B) THIS SECTION DOES NOT APPLY TO:

11 (1) A PUBLIC PURPOSE PROJECT, AS DEFINED IN § 4-201 OF THE
12 HOUSING AND COMMUNITY DEVELOPMENT ARTICLE; OR

13 (2) A BUILDING DESIGNATED AS A HISTORIC PROPERTY UNDER
14 FEDERAL, STATE, OR LOCAL LAW.

15 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IF A
16 COVERED BUILDING IS UNDERGOING A MAJOR RENOVATION, THE BUILDING SHALL
17 BE RENOVATED TO ACHIEVE:

18 (1) A 40% REDUCTION IN THE BUILDING'S AVERAGE ANNUAL ENERGY
19 USE; OR

20 (2) A LEVEL OF ENERGY EFFICIENCY THAT IS AT LEAST 20% HIGHER
21 THAN WHAT WOULD BE REQUIRED FOR A NEW BUILDING UNDER § 12-511 OF THIS
22 SUBTITLE.

23 (D) A LOCAL JURISDICTION MAY WAIVE THE REQUIREMENTS UNDER
24 SUBSECTION (C) OF THIS SECTION IF THE BUILDING OWNER DEMONSTRATES THAT
25 THE COST OF THE IMPROVEMENTS NECESSARY TO ACHIEVE THE REQUIRED ENERGY
26 REDUCTIONS WOULD EXCEED PROJECTED OPERATIONAL AND ENERGY SAVINGS
27 FROM THE IMPROVEMENTS OVER A 15-YEAR PERIOD.

28 (E) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT
29 REGULATIONS TO IMPLEMENT THIS SECTION.

30 12-513.

(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT REGULATIONS DIRECTING LOCAL JURISDICTIONS TO REQUIRE ENERGY LIFE CYCLE COST ESTIMATES FOR NEW BUILDINGS.

(2) A BUILDING SHALL BE EXEMPT FROM LIFE CYCLE ANALYSIS REQUIREMENTS ADOPTED UNDER THIS SECTION IF IT IS DESIGNED TO BE ALL-ELECTRIC.

(B) (1) THE REGULATIONS SHALL REQUIRE ENERGY MODELS FOR NEW BUILDINGS TO EVALUATE LIFE CYCLE COSTS FOR:

(I) AN ALL-ELECTRIC OPTION, INCLUDING NO COMBUSTION-POWERED EQUIPMENT; AND

(II) A MIXED-FUEL OPTION, INCLUDING A COMBINATION OF COMBUSTION- AND ELECTRIC-POWERED EQUIPMENT.

(2) THE REGULATIONS SHALL REQUIRE ALL REASONABLY FORESEEABLE FUTURE COSTS OF COMBUSTION, INCLUDING COSTS RESULTING FROM STRANDED FOSSIL FUEL ASSETS AND CARBON PRICING, TO BE CONSIDERED WHEN CALCULATING LIFE CYCLE COSTS.

(C) LIFE CYCLE COST ESTIMATES PRODUCED IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER THIS SECTION SHALL BE:

(1) MADE AVAILABLE TO THE DEPARTMENT; AND

(2) TAKEN INTO CONSIDERATION WHEN THE STATE REVISES THE STANDARDS OR THE ENERGY CODE DEFINED UNDER THE ENERGY CONSERVATION BUILDING STANDARDS ESTABLISHED IN TITLE 7, SUBTITLE 4 OF THE PUBLIC UTILITIES ARTICLE.

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 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] **ENSURE THAT STATE BUILDINGS, PUBLIC SCHOOLS, AND COMMUNITY COLLEGES THAT ARE REQUIRED TO MEET THE HIGH PERFORMANCE BUILDING REQUIREMENTS UNDER § 3-602.1 OF THIS ARTICLE OR § 5-312 OF THE EDUCATION ARTICLE MEET THOSE REQUIREMENTS; 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.

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

122. the Racing and Community Development Financing Fund;

[and]

123. the Racing and Community Development Facilities Fund;

AND

124. THE NET-ZERO SCHOOL LOAN FUND.

14-417.

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

1 **(2) “LIGHT-DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS**
2 **WEIGHT OF 8,500 POUNDS OR LESS.**

3 **(3) “ZERO-EMISSION VEHICLE” HAS THE MEANING STATED IN §**
4 **23-206.4 OF THE TRANSPORTATION ARTICLE.**

5 **(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT 100% OF**
6 **LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO-EMISSION**
7 **VEHICLES BY 2030.**

8 **(C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES THAT**
9 **HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY FOR THE PROTECTION**
10 **AND WELFARE OF THE PUBLIC.**

11 **(D) SUBJECT TO THE AVAILABILITY OF FUNDING, THE STATE SHALL**
12 **ENSURE THAT:**

13 **(1) IN EACH FISCAL YEAR FROM FISCAL YEAR 2022 THROUGH FISCAL**
14 **YEAR 2024, INCLUSIVE, AT LEAST 50% OF LIGHT-DUTY VEHICLES PURCHASED FOR**
15 **THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES; AND**

16 **(2) BEGINNING IN FISCAL YEAR 2025, 100% OF LIGHT-DUTY**
17 **VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION**
18 **VEHICLES.**

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

23 **(I) THE TOTAL NUMBER OF LIGHT-DUTY VEHICLES**
24 **PURCHASED BY EACH UNIT;**

25 **(II) THE NUMBER OF ZERO-EMISSION LIGHT-DUTY VEHICLES**
26 **PURCHASED BY EACH UNIT;**

27 **(III) THE CURRENT PERCENTAGE OF LIGHT-DUTY VEHICLES IN**
28 **THE STATE VEHICLE FLEET THAT ARE ZERO-EMISSION VEHICLES; AND**

29 **(IV) ANY OPERATIONAL SAVINGS ASSOCIATED WITH THE**
30 **PURCHASE AND OPERATION OF ZERO-EMISSION VEHICLES.**

1 **(2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT**
2 **OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED**
3 **UNDER THIS SUBSECTION.**

4 **Article – State Government**

5 **9–2010.**

6 **(A) IN THIS SECTION, “FUND” MEANS THE NET–ZERO SCHOOL LOAN FUND.**

7 **(B) THERE IS A NET–ZERO SCHOOL LOAN FUND.**

8 **(C) THE PURPOSE OF THE FUND IS TO ASSIST LOCAL SCHOOL SYSTEMS TO**
9 **COVER THE COST DIFFERENCE BETWEEN MEETING THE BASIC HIGH PERFORMANCE**
10 **BUILDING REQUIREMENTS AND THE NET–ZERO ENERGY REQUIREMENTS UNDER §**
11 **3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

12 **(D) THE ADMINISTRATION SHALL ADMINISTER THE FUND.**

13 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
14 **SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

15 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
16 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

17 **(F) THE FUND CONSISTS OF:**

18 **(1) MONEY ALLOCATED TO THE FUND FROM THE STRATEGIC ENERGY**
19 **INVESTMENT FUND UNDER § 9–20B–05(G)(3) OF THIS TITLE;**

20 **(2) MONEY PROVIDED TO THE FUND BY A SCHOOL SYSTEM UNDER**
21 **SUBSECTION (G) OF THIS SECTION;**

22 **(3) INTEREST EARNINGS; AND**

23 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
24 **THE BENEFIT OF THE FUND.**

25 **(G) (1) THE FUND MAY BE USED ONLY FOR PROVIDING LOCAL SCHOOL**
26 **SYSTEMS WITH NO–INTEREST LOANS TO COVER THE COST DIFFERENCE BETWEEN**
27 **MEETING THE HIGH PERFORMANCE BUILDING REQUIREMENTS AND THE NET–ZERO**
28 **ENERGY REQUIREMENTS UNDER § 3–602.1 OF THE STATE FINANCE AND**
29 **PROCUREMENT ARTICLE.**

(2) THE ADMINISTRATION SHALL DEVELOP GUIDELINES AND REPORTING REQUIREMENTS FOR LOCAL SCHOOL SYSTEMS TO RECEIVE NO-INTEREST LOANS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) EACH LOCAL SCHOOL SYSTEM THAT RECEIVES A NO-INTEREST LOAN UNDER THIS SECTION SHALL TRANSFER TO THE ADMINISTRATION EACH YEAR AN AMOUNT EQUAL TO THE ENERGY SAVINGS ASSOCIATED WITH THE OPERATION OF A NET-ZERO ENERGY SCHOOL UNTIL THE LOCAL SCHOOL SYSTEM HAS REPAID THE LOAN.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED TO ASSIST LOCAL SCHOOL SYSTEMS WITH SCHOOL CONSTRUCTION COSTS.

9-20B-05.

(a) There is a Maryland Strategic Energy Investment Fund.

(g) (1) [Proceeds] EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, PROCEEDS received by the Fund from the sale of allowances under § 2-1002(g) of the Environment Article shall be allocated as follows:

[(1)] (I) at least 50% shall be credited to an energy assistance account to be used for the Electric Universal Service Program and other electricity assistance programs in the Department of Human Services;

[(2)] (II) at least 20% shall be credited to a low and moderate income efficiency and conservation programs account and to a general efficiency and conservation programs account for energy efficiency and conservation programs, projects, or activities and demand response programs, of which at least one-half shall be targeted to the low and moderate income efficiency and conservation programs account for:

[(i)] 1. the low-income residential sector at no cost to the participants of the programs, projects, or activities; and

1 [(ii)] 2. the moderate-income residential sector;

2 [(3)] (III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, at least
3 20% shall be credited to a renewable and clean energy programs account for:

4 [(i)] 1. renewable and clean energy programs and initiatives;

5 [(ii)] 2. energy-related public education and outreach; and

6 [(iii)] 3. climate change and resiliency programs, INCLUDING THE
7 MARYLAND HEALTHY SOILS PROGRAM ESTABLISHED UNDER § 2-1901 OF THE
8 AGRICULTURE ARTICLE; and

9 [(4)] (IV) up to 10%, but not more than \$5,000,000, shall be credited to an
10 administrative expense account for costs related to the administration of the Fund,
11 including the review of electric company plans for achieving electricity savings and demand
12 reductions that the electric companies are required under law to submit to the
13 Administration.

14 (2) IN FISCAL YEARS 2022 THROUGH 2027, INCLUSIVE, OF THE 20%
15 CREDITED TO THE RENEWABLE AND CLEAN ENERGY PROGRAMS ACCOUNT UNDER
16 PARAGRAPH (1)(III) OF THIS SUBSECTION, THE GREATER OF 5% OR \$500,000 SHALL
17 BE ALLOCATED TO THE MARYLAND HEALTHY SOILS PROGRAM.

18 (3) (I) SUBJECT TO THE REQUIREMENTS OF THIS PARAGRAPH, IN
19 ANY FISCAL YEAR THAT THE PROCEEDS RECEIVED BY THE FUND EXCEED
20 \$50,000,000, THE ADMINISTRATION SHALL CREDIT PROCEEDS IN EXCESS OF THE
21 FIRST \$50,000,000 TO A CLIMATE SOLUTIONS ACCOUNT TO BE USED FOR:

22 1. COVERING THE COST DIFFERENCE BETWEEN
23 ZERO-EMISSION LIGHT-DUTY VEHICLES, PURCHASED IN ACCORDANCE WITH §
24 14-417 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AND STANDARD
25 LIGHT-DUTY VEHICLES;

26 2. ALLOCATIONS TO THE NET-ZERO SCHOOL LOAN
27 FUND UNDER § 9-2010 OF THIS TITLE;

28 3. ADMINISTRATIVE COSTS OF THE DEPARTMENT OF
29 THE ENVIRONMENT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION
30 PLANNING; AND

31 4. ADMINISTRATIVE COSTS OF THE MARYLAND
32 DEPARTMENT OF LABOR RELATING TO THE DEVELOPMENT AND IMPLEMENTATION

1 OF ENERGY CONSERVATION AND ENERGY MODELING REQUIREMENTS UNDER §§
2 12-511 THROUGH 12-513 OF THE PUBLIC SAFETY ARTICLE.

3 (II) NOT MORE THAN \$20,000,000 MAY BE DEPOSITED TO THE
4 CLIMATE SOLUTIONS ACCOUNT IN A FISCAL YEAR.

5 (III) IN ANY FISCAL YEAR THAT THERE ARE NOT SUFFICIENT
6 FUNDS IN THE CLIMATE SOLUTIONS ACCOUNT TO FULLY FUND THE PROGRAMS AND
7 PURPOSES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE
8 ADMINISTRATION SHALL PRIORITIZE THE ALLOCATION OF FUNDS IN THE
9 FOLLOWING ORDER:

10 1. THE INCREMENTAL COSTS OF PURCHASING
11 ZERO-EMISSION LIGHT-DUTY VEHICLES;

12 2. THE NET-ZERO SCHOOL LOAN FUND ALLOCATIONS;

13 3. ADMINISTRATIVE COSTS OF THE DEPARTMENT OF
14 THE ENVIRONMENT RELATING TO GREENHOUSE GAS REDUCTION PLANNING; AND

15 4. ADMINISTRATIVE COSTS OF THE MARYLAND
16 DEPARTMENT OF LABOR RELATING TO THE DEVELOPMENT AND IMPLEMENTATION
17 OF ROOFTOP SOLAR, BUILDING RENOVATION, AND ENERGY MODELING
18 REQUIREMENTS UNDER §§ 12-511 THROUGH 12-513 OF THE PUBLIC SAFETY
19 ARTICLE.

20 Article – Transportation

21 7-406.

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

24 (2) “BUS” HAS THE MEANING STATED IN § 11-105 OF THIS ARTICLE.

25 (3) “ZERO-EMISSION BUS” MEANS A MOTOR VEHICLE THAT IS:

26 (I) 1. DESIGNED TO CARRY MORE THAN 10 PASSENGERS
27 AND IS USED TO CARRY PASSENGERS; OR

28 2. DESIGNED AND USED TO CARRY PASSENGERS FOR
29 COMPENSATION;

30 (II) A ZERO-EMISSION VEHICLE; AND

1 (III) NOT A TAXICAB.

2 (4) "ZERO-EMISSION VEHICLE" MEANS:

3 (I) A FUEL CELL ELECTRIC VEHICLE THAT:

4 1. IS A MOTOR VEHICLE;

5 2. IS MADE BY A MANUFACTURER;

6 3. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC
7 STREETS, ROADS, AND HIGHWAYS;

8 4. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55
9 MILES PER HOUR;

10 5. IS POWERED ENTIRELY BY ELECTRICITY, PRODUCED
11 BY COMBINING HYDROGEN AND OXYGEN, THAT RUNS THE MOTOR;

12 6. HAS AN OPERATING RANGE OF AT LEAST 100 MILES;
13 AND

14 7. PRODUCES ONLY WATER VAPOR AND HEAT AS
15 BY-PRODUCTS; OR

16 (II) A PLUG-IN ELECTRIC DRIVE VEHICLE THAT:

17 1. IS A MOTOR VEHICLE;

18 2. IS MADE BY A MANUFACTURER;

19 3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55
20 MILES PER HOUR; AND

21 4. IS PROPELLED TO A SIGNIFICANT EXTENT BY AN
22 ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

23 A. HAS A CAPACITY OF NOT LESS THAN 4
24 KILOWATT-HOURS; AND

25 B. IS CAPABLE OF BEING RECHARGED FROM AN
26 EXTERNAL SOURCE OF ELECTRICITY.

27 (B) (1) THIS SECTION APPLIES TO THE ADMINISTRATION'S STATE

1 TRANSIT BUS FLEET.

2 (2) THIS SECTION DOES NOT APPLY TO A BUS THAT IS PART OF A
3 LOCALLY OPERATED TRANSIT SYSTEM.

4 (C) (1) BEGINNING IN FISCAL YEAR 2023, THE ADMINISTRATION MAY
5 NOT ENTER INTO A CONTRACT TO PURCHASE BUSES FOR THE ADMINISTRATION'S
6 STATE TRANSIT BUS FLEET THAT ARE NOT ZERO-EMISSION BUSES.

7 (2) THE FULL COST OF ZERO-EMISSION BUSES PURCHASED UNDER
8 THIS SUBSECTION SHALL BE PAID FROM THE TRANSPORTATION TRUST FUND.

9 (D) (1) ON OR BEFORE JANUARY 1, 2022, AND EACH JANUARY 1
10 THEREAFTER, THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-1257 OF
11 THE STATE GOVERNMENT ARTICLE, SUBMIT A REPORT TO THE SENATE BUDGET
12 AND TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND
13 ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS
14 COMMITTEE, AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE
15 ON THE IMPLEMENTATION OF THIS SECTION.

16 (2) THE ANNUAL REPORT SHALL INCLUDE:

17 (I) A SCHEDULE FOR CONVERTING THE ADMINISTRATION'S
18 STATE TRANSIT BUS FLEET TO ZERO-EMISSION BUSES EXCLUSIVELY;

19 (II) AN EVALUATION OF THE CHARGING INFRASTRUCTURE
20 NEEDED FOR THE ADMINISTRATION TO CREATE AND MAINTAIN A STATE TRANSIT
21 BUS FLEET OF ZERO-EMISSION BUSES EXCLUSIVELY;

22 (III) A PLAN FOR TRANSITIONING ANY STATE EMPLOYEES
23 ADVERSELY AFFECTED BY THE CONVERSION FROM A DIESEL-POWERED STATE
24 TRANSIT BUS FLEET TO A ZERO-EMISSION STATE TRANSIT BUS FLEET TO SIMILAR
25 OR OTHER EMPLOYMENT WITHIN THE ADMINISTRATION OR THE DEPARTMENT
26 THAT HAS COMMENSURATE SENIORITY, PAY, AND BENEFITS;

27 (IV) IN COORDINATION WITH OTHER APPROPRIATE STATE
28 AGENCIES, AN ESTIMATE OF THE REDUCTION IN THE AMOUNT OF CARBON DIOXIDE
29 EMISSIONS, MEASURED IN POUNDS, THAT WILL BE OBTAINED THROUGH THE USE OF
30 ZERO-EMISSION BUSES EACH YEAR UNTIL THE STATE TRANSIT BUS FLEET IS
31 CONVERTED TO ZERO-EMISSION BUSES EXCLUSIVELY; AND

32 (V) A FINANCIAL ANALYSIS:

33 1. OF THE PROJECTED COST OF PURCHASING,

1 MAINTAINING, AND PROVIDING CHARGING INFRASTRUCTURE FOR THE
2 ZERO-EMISSION STATE TRANSIT BUS FLEET EACH YEAR UNTIL THE FLEET IS
3 CONVERTED TO ZERO-EMISSION BUSES EXCLUSIVELY; AND

4 **2. COMPARING THE PROJECTED COST UNDER ITEM 1 OF**
5 **THIS ITEM TO THE PROJECTED COST OF CONTINUING TO OPERATE A**
6 **DIESEL-POWERED STATE TRANSIT BUS FLEET.**

7 **Article – Tax – Property**

8 7-237.

9 (a) Except as provided in subsection (b) of this section, personal property is
10 exempt from property tax if the property is machinery or equipment used to generate:

11 (1) electricity or steam for sale; or

12 (2) hot or chilled water for sale that is used to heat or cool a building.

13 (b) Subject to § 7-514 of this title, **AND EXCEPT AS PROVIDED IN SUBSECTION**
14 **(C) OF THIS SECTION**, personal property that is machinery or equipment described in
15 subsection (a) of this section is subject to county or municipal corporation property tax on:

16 (1) 75% of its value for the taxable year beginning July 1, 2000; and

17 (2) 50% of its value for the taxable year beginning July 1, 2001 and each
18 subsequent taxable year.

19 **(C) PERSONAL PROPERTY IS EXEMPT FROM COUNTY OR MUNICIPAL**
20 **CORPORATION PROPERTY TAX IF THE PROPERTY IS MACHINERY OR EQUIPMENT**
21 **THAT:**

22 **(1) IS INSTALLED ON ROOFTOPS, PARKING LOTS, ROADWAYS, OR**
23 **BROWNFIELDS SITES; AND**

24 **(2) IS PART OF A COMMUNITY SOLAR ENERGY GENERATING SYSTEM,**
25 **AS DEFINED IN § 7-306.2 OF THE PUBLIC UTILITIES ARTICLE, THAT SERVES MORE**
26 **THAN 51% OF KILOWATT-HOUR OUTPUT TO LOW- OR MODERATE-INCOME**
27 **CUSTOMERS, AS DEFINED IN REGULATIONS OF THE PUBLIC SERVICE COMMISSION.**

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

30 **Article – Agriculture**

8-706.

(A) TO MAXIMIZE PARTICIPATION IN THE CONSERVATION RESERVE ENHANCEMENT PROGRAM, IN FISCAL YEARS 2022 THROUGH 2030, INCLUSIVE, A LANDOWNER WHO ENROLLS LAND PLANTED WITH A FORESTED STREAMSIDE BUFFER SHALL RECEIVE A ONE-TIME SIGNING BONUS OF UP TO \$1,000 PER ACRE OF LAND ENROLLED.

(B) SIGNING BONUSES PROVIDED UNDER THIS SECTION SHALL BE FUNDED WITH THE AMOUNT SPECIFIED IN § 9-1605.2(i)(11)(i) OF THE ENVIRONMENT ARTICLE.

Article – Environment

2-1212.

(A) (1) IT IS THE POLICY OF THE STATE TO SUPPORT AND ENCOURAGE PUBLIC AND PRIVATE TREE-PLANTING EFFORTS, WITH A GOAL OF PLANTING AND HELPING TO MAINTAIN IN THE STATE 5,000,000 SUSTAINABLE TREES OF SPECIES NATIVE TO THE STATE BY THE END OF CALENDAR YEAR 2030.

(2) THIS GOAL:

(i) IS IN ADDITION TO ANY TREES PROJECTED TO BE PLANTED UNDER PROGRAMS DESCRIBED IN THE 2019 DRAFT GREENHOUSE GAS EMISSIONS REDUCTION PLAN; AND

(ii) INCLUDES NATIVE TREE PLANTINGS ACCOMPLISHED THROUGH STATE PROGRAMS AND THROUGH THE EFFORTS OF NONPROFIT AND PRIVATE ORGANIZATIONS.

(3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT AT LEAST 500,000 OF THE 5,000,000 TREES CALLED FOR BY THIS SUBSECTION SHOULD BE PLANTED IN AN “UNDERSERVED AREA”, AS DEFINED IN § 8-1911 OF THE NATURAL RESOURCES ARTICLE.

(B) (1) THE DEPARTMENT:

(i) IS RESPONSIBLE FOR TRACKING THE STATE’S PROGRESS TOWARD MEETING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION; AND

(ii) SHALL SERVE AS THE LEAD AGENCY TO RECEIVE DATA

FROM:

1. THE MARYLAND DEPARTMENT OF AGRICULTURE
REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE CONSERVATION
RESERVE ENHANCEMENT PROGRAM AND OTHER AGRICULTURAL INITIATIVES;

2. THE DEPARTMENT OF NATURAL RESOURCES
REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE CHESAPEAKE AND
ATLANTIC COASTAL BAYS 2010 TRUST FUND, THE MEL NOLAND WOODLAND
INCENTIVES FUND, AND OTHER FORESTRY INITIATIVES; AND

3. THE CHESAPEAKE BAY TRUST REGARDING TREE
PLANTINGS ACCOMPLISHED THROUGH THE URBAN TREES PROGRAM.

(2) (I) THERE IS A 5 MILLION TREE PROGRAM COORDINATOR
WITHIN THE DEPARTMENT.

(II) THE PRIMARY RESPONSIBILITY OF THE PROGRAM
COORDINATOR IS TO PROMOTE, FACILITATE, AND ALIGN THE STATE'S EFFORTS TO
ACHIEVE THE GOALS ESTABLISHED UNDER SUBSECTION (A)(1) OF THIS SECTION.

(III) ON OR BEFORE DECEMBER 1 EACH YEAR, THE PROGRAM
COORDINATOR SHALL:

1. CONSOLIDATE DATA ON TREE PLANTINGS FROM
MULTIPLE SOURCES; AND

2. REPORT, IN ACCORDANCE WITH § 2-1257 OF THE
STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND
ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENT AND
TRANSPORTATION COMMITTEE ON THE STATE'S PROGRESS TOWARD MEETING THE
GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

(C) THE GOVERNOR SHALL FORMALLY PLEDGE THE STATE'S COMMITMENT
TO ACHIEVING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION
THROUGH THE U.S. CHAPTER OF THE WORLD ECONOMIC FORUM'S ONE TRILLION
TREES INITIATIVE.

Article – Natural Resources

8-2A-02.

(a) There is a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.

(f) (1) The Fund may be used only for the implementation of nonpoint source pollution control projects to:

(i) Support State and local watershed implementation plans by targeting limited financial resources on the most effective nonpoint source pollution control projects; and

(ii) Improve the health of the Atlantic Coastal Bays and their tributaries.

(2) It is the intent of the General Assembly that, when possible, moneys in the Fund shall be granted to local governments and other political subdivisions for agricultural, forestry, stream and wetland restoration, and urban and suburban stormwater nonpoint source pollution control projects, including up to 25% in matching funds to local governments and other political subdivisions that have enacted a stormwater remediation fee under § 4–202.1 of the Environment Article.

(3) IN EACH FISCAL YEAR FROM 2022 THROUGH 2030, INCLUSIVE, \$1,250,000 FROM THE FUND SHALL BE USED TO FUND:

(I) THE 5 MILLION TREE PROGRAM COORDINATOR POSITION IN THE DEPARTMENT OF THE ENVIRONMENT; AND

(II) 13 CONTRACTOR POSITIONS IN THE FOREST SERVICE OF THE DEPARTMENT TO PROVIDE TECHNICAL ASSISTANCE, PLANNING, AND COORDINATION RELATED TO TREE PLANTINGS ON PUBLIC, PRIVATE, AND AGRICULTURAL LANDS AND IN “UNDERSERVED AREAS” AS DEFINED IN § 8–1911 OF THIS ARTICLE.

8–2A–04.

(a) The BayStat Program shall direct the administration of the Trust Fund in accordance with this section.

(c) (1) The BayStat Program shall distribute funds from the Trust Fund to the BayStat Subcabinet agencies in accordance with the final work and expenditure plans.

(2) The BayStat Subcabinet agencies shall administer the funds in accordance with the final work and expenditure plans, including the distribution of funds:

(i) Through grants to:

1. Counties;

2. Bicounty agencies;

1 3. Municipalities;

2 4. Forest conservancy district boards;

3 5. Soil conservation districts;

4 6. Academic institutions; and

5 7. Nonprofit organizations having a demonstrated ability to
6 implement nonpoint source pollution control projects;

7 (ii) To the Chesapeake and Atlantic Coastal Bays Nonpoint Source
8 Fund established under § 9–1605.3 of the Environment Article;

9 (iii) To the Maryland Agricultural Cost–Share Program established
10 under Title 8, Subtitle 7 of the Agriculture Article for nonpoint source pollution control
11 projects; [and]

12 (iv) **TO THE GREEN SHORES PROGRAM ESTABLISHED UNDER §**
13 **5–429 OF THIS ARTICLE; AND**

14 (v) To the Mel Noland Woodland Incentives Fund established under
15 § 5–307 of this article.

16 8–1901.

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

18 (b) “Board” means the Board of Trustees of the Chesapeake Bay Trust.

19 (c) “Trust” means the Chesapeake Bay Trust.

20 **8–1911.**

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

23 **(2) “PROGRAM” MEANS THE URBAN TREES PROGRAM.**

24 **(3) “QUALIFIED ORGANIZATION” MEANS:**

25 **(I) A NONPROFIT ORGANIZATION;**

26 **(II) A SCHOOL;**

1 (III) A COMMUNITY ASSOCIATION;

2 (IV) A SERVICE, YOUTH, OR CIVIC GROUP;

3 (V) AN INSTITUTION OF HIGHER EDUCATION;

4 (VI) A COUNTY OR MUNICIPALITY; OR

5 (VII) A FOREST CONSERVANCY DISTRICT BOARD.

6 (4) "UNDERSERVED AREA" MEANS AN AREA OF THE STATE FALLING
7 WITHIN THE BOUNDARIES OF:

8 (I) AN URBAN AREA, AS DELINEATED BY THE UNITED STATES
9 CENSUS BUREAU; AND

10 (II) 1. A NEIGHBORHOOD THAT WAS, AT ANY POINT IN TIME,
11 REDLINED OR GRADED AS "HAZARDOUS" BY THE HOME OWNERS' LOAN
12 CORPORATION;

13 2. A CENSUS TRACT WITH AN AVERAGE RATE OF
14 UNEMPLOYMENT FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE
15 AVAILABLE THAT EXCEEDS THE AVERAGE RATE OF UNEMPLOYMENT FOR THE
16 STATE; OR

17 3. A CENSUS TRACT WITH A MEDIAN HOUSEHOLD
18 INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE
19 AVAILABLE THAT IS EQUAL TO OR LESS THAN 75% OF THE MEDIAN HOUSEHOLD
20 INCOME FOR THE STATE DURING THAT PERIOD.

21 (B) THERE IS AN URBAN TREES PROGRAM ADMINISTERED BY THE TRUST.

22 (C) THE PURPOSE OF THE PROGRAM IS TO PLANT NATIVE SPECIES OF
23 TREES IN UNDERSERVED AREAS, IN FURTHERANCE OF THE GOALS ESTABLISHED
24 UNDER § 2-1212 OF THE ENVIRONMENT ARTICLE.

25 (D) (1) THE TRUST SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS
26 FOR TREE-PLANTING PROJECTS IN UNDERSERVED AREAS.

27 (2) ELIGIBLE PROGRAM EXPENSES INCLUDE PERSONNEL COSTS,
28 SUPPLIES, SITE PREPARATION, AND OTHER EXPENSES AND MATERIALS RELATED TO
29 PLANNING, IMPLEMENTING, AND MAINTAINING TREE-PLANTING PROJECTS IN
30 UNDERSERVED AREAS.

1 **(E) (1) THE PROGRAM SHALL BE FUNDED WITH:**

2 **(I) THE AMOUNT SPECIFIED IN § 9-1605.2(I)(11)(I) OF THE**
3 **ENVIRONMENT ARTICLE; AND**

4 **(II) ANY ADDITIONAL FUNDS THAT MAY BE ALLOCATED BY THE**
5 **TRUST THROUGH ITS ANNUAL BUDGET PROCESS.**

6 **(2) THE TRUST SHALL SEEK FEDERAL FUNDS AND GRANTS AND**
7 **DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR THE PURPOSE**
8 **OF THE PROGRAM.**

9 **(F) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST FOR THE**
10 **PROGRAM SHALL:**

11 **(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER**
12 **THE GRANT; AND**

13 **(2) INCLUDE PROVISIONS FOR VERIFICATION THAT TREE-PLANTING**
14 **PROJECTS ARE BEING IMPLEMENTED AND MAINTAINED AS PLANNED.**

15 **(G) ON OR BEFORE OCTOBER 1 EACH YEAR, THE TRUST SHALL REPORT TO**
16 **THE DEPARTMENT AND THE DEPARTMENT OF THE ENVIRONMENT ON THE GRANTS**
17 **AWARDED BY THE PROGRAM DURING THE IMMEDIATELY PRECEDING FISCAL YEAR,**
18 **INCLUDING:**

19 **(1) THE NAMES AND DESCRIPTIONS OF GRANT RECIPIENTS;**

20 **(2) THE NUMBER AND LOCATION OF TREES PLANTED BY GRANT**
21 **RECIPIENTS; AND**

22 **(3) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT OR**
23 **THE DEPARTMENT OF THE ENVIRONMENT.**

24 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
25 as follows:

26 **Article – Environment**

27 9-1605.2.

28 **(i) (1) In this subsection, “eligible costs” means the additional costs that would**
29 **be attributable to upgrading a wastewater facility to enhanced nutrient removal, as**

determined by the Department.

(2) Funds in the Bay Restoration Fund shall be used only:

(xii) For costs associated with the implementation of alternate compliance plans authorized in § 4–202.1(k)(3) of this article; [and]

(xiii) After funding any eligible costs identified under item (iv)1 and 2 of this paragraph, for costs associated with the purchase of cost-effective nitrogen, phosphorus, or sediment load reductions in support of the State's efforts to restore the health of the Chesapeake Bay, not to exceed \$4,000,000 in fiscal year 2018, \$6,000,000 in fiscal year 2019, and \$10,000,000 per year in fiscal years 2020 and 2021; AND

(XIV) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR THE TRANSFERS REQUIRED UNDER PARAGRAPH (11) OF THIS SUBSECTION.

(11) (I) IN FISCAL YEARS 2022 THROUGH 2030 THE DEPARTMENT SHALL TRANSFER FROM THE BAY RESTORATION FUND:

1. \$10,000,000 PER FISCAL YEAR TO THE CHESAPEAKE BAY TRUST FOR THE URBAN TREES PROGRAM ESTABLISHED UNDER § 8–1911 OF THE NATURAL RESOURCES ARTICLE;

2. \$2,500,000 PER FISCAL YEAR TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND IN THE DEPARTMENT OF NATURAL RESOURCES, TO BE USED, SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTING ON PUBLIC AND PRIVATE LAND; AND

3. \$2,500,000 PER FISCAL YEAR TO THE MARYLAND DEPARTMENT OF AGRICULTURE TO FUND TREE PLANTINGS UNDER THE CONSERVATION RESERVE ENHANCEMENT PROGRAM IN ACCORDANCE WITH § 8–706 OF THE AGRICULTURE ARTICLE AND OTHER TREE-PLANTING PROGRAMS ON AGRICULTURAL LAND.

(II) FUNDS TRANSFERRED TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH:

1. MAY BE DISTRIBUTED IN ACCORDANCE WITH § 8–2A–04(C)(2) OF THE NATURAL RESOURCES ARTICLE;

2. MAY BE USED TO COVER THE COSTS OF:

A. SITE PREPARATION, LABOR, AND MATERIALS FOR TREE-PLANTING PROJECTS;

B. MAINTAINING TREES FOLLOWING A TREE-PLANTING PROJECT; AND

C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;

3. MAY NOT BE USED TO PLANT TREES INTENDED FOR TIMBER HARVEST; AND

4. MAY BE USED ONLY FOR TREE PLANTINGS ON PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.

(III) FUNDS TRANSFERRED FROM THE BAY RESTORATION FUND UNDER THIS PARAGRAPH ARE SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAMS AND INITIATIVES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

9–1605.2.

(i) (1) In this subsection, “eligible costs” means the additional costs that would be attributable to upgrading a wastewater facility to enhanced nutrient removal, as determined by the Department.

(2) Funds in the Bay Restoration Fund shall be used only:

(xi) Subject to the allocation of funds and the conditions under subsection (h) of this section, for projects related to the removal of nitrogen from on-site sewage disposal systems and cover crop activities; [and]

(xii) For costs associated with the implementation of alternate compliance plans authorized in § 4–202.1(k)(3) of this article; AND

(XIII) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR THE TRANSFERS REQUIRED UNDER PARAGRAPH (10) OF THIS SUBSECTION.

(10) (I) IN FISCAL YEARS 2022 THROUGH 2030 THE DEPARTMENT SHALL TRANSFER FROM THE BAY RESTORATION FUND:

1. \$10,000,000 PER FISCAL YEAR TO THE CHESAPEAKE BAY TRUST FOR THE URBAN TREES PROGRAM ESTABLISHED UNDER § 8-1911 OF THE NATURAL RESOURCES ARTICLE;

2. \$2,500,000 PER FISCAL YEAR TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND IN THE DEPARTMENT OF NATURAL RESOURCES, TO BE USED, SUBJECT TO THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTING ON PUBLIC AND PRIVATE LAND; AND

3. \$2,500,000 PER FISCAL YEAR TO THE MARYLAND DEPARTMENT OF AGRICULTURE TO FUND TREE PLANTINGS UNDER THE CONSERVATION RESERVE ENHANCEMENT PROGRAM IN ACCORDANCE WITH § 8-706 OF THE AGRICULTURE ARTICLE AND OTHER TREE-PLANTING PROGRAMS ON AGRICULTURAL LAND.

(II) FUNDS TRANSFERRED TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH:

1. MAY BE DISTRIBUTED IN ACCORDANCE WITH § 8-2A-04(C)(2) OF THE NATURAL RESOURCES ARTICLE;

2. MAY BE USED TO COVER THE COSTS OF:

A. SITE PREPARATION, LABOR, AND MATERIALS FOR TREE-PLANTING PROJECTS;

B. MAINTAINING TREES FOLLOWING A PLANTING PROJECT; AND

C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;

3. MAY NOT BE USED TO PLANT TREES INTENDED FOR TIMBER HARVEST; AND

4. MAY BE USED ONLY FOR TREE PLANTINGS ON PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO

1 **MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.**

2 **(III) FUNDS TRANSFERRED FROM THE BAY RESTORATION FUND**
3 **UNDER THIS PARAGRAPH ARE SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE**
4 **OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAMS AND**
5 **INITIATIVES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

6 SECTION 7. AND BE IT FURTHER ENACTED, That:

7 (a) There is a Commission for the Innovation and Advancement of Carbon
8 Markets and Sustainable Tree Plantings.

9 (b) The Commission consists of the following members:

10 (1) the Secretary of the Environment, or the Secretary's designee;

11 (2) the Secretary of Natural Resources, or the Secretary's designee;

12 (3) the Secretary of Agriculture, or the Secretary's designee;

13 (4) the State Treasurer, or the State Treasurer's designee;

14 (5) one representative of the Maryland Association of Counties, selected by
15 the Maryland Association of Counties;

16 (6) one representative of the Maryland Municipal League, selected by the
17 Maryland Municipal League;

18 (7) one representative of the Commission on Environmental Justice and
19 Sustainable Communities, appointed by the Commission on Environmental Justice and
20 Sustainable Communities;

21 (8) one representative of the Chesapeake Bay Foundation, appointed by
22 the Chesapeake Bay Foundation;

23 (9) one representative of the Maryland League of Conservation Voters,
24 appointed by the Maryland League of Conservation Voters;

25 (10) one representative of Blue Water Baltimore, appointed by Blue Water
26 Baltimore;

27 (11) one representative of the Maryland Chapter of the Nature
28 Conservancy, selected by the Maryland Chapter of the Nature Conservancy;

29 (12) one representative of the Maryland Farm Bureau, selected by the
30 Maryland Farm Bureau;

(13) one researcher from the University of Maryland, College Park, who has expertise in forestry-based carbon sequestration, selected by the President of the University of Maryland, College Park;

(14) one representative of Patapsco Heritage Greenway, selected by Patapsco Heritage Greenway; and

(15) the President of the Maryland Forestry Foundation, or the President's designee.

(c) The Secretary of the Environment, or the Secretary's designee, shall chair the Commission.

(d) The Department of the Environment and, as necessary, the Department of Natural Resources shall provide staff for the Commission.

(e) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Commission shall develop:

(i) a plan to achieve the State's carbon mitigation goal of planting 5,000,000 native trees by 2030 in accordance with § 2-1212 of the Environment Article, as enacted by Section 4 of this Act;

(ii) a plan to ensure that trees planted under this Act are properly maintained;

(iii) recommendations regarding the establishment of a Maryland-based carbon offset market to support the State's tree-planting goals; and

(iv) recommendations on reviewing State policies to reduce and fully mitigate the clearing of trees during the construction of State highways and other transportation projects.

(2) The plans and recommendations shall include:

(i) science-based guidelines to inform a State strategy for using trees to maximize carbon sequestration, mitigate heat deserts, and improve water and air quality;

(ii) recommendations regarding potential planting sites, including

1 the impact that planting trees at these sites will have on agricultural and other private
2 land and associated ecological services;

3 (iii) a strategy for ensuring that at least 500,000 trees are planted in
4 underserved areas, in accordance with § 2–1212 of the Environment Article, as enacted by
5 Section 4 of this Act;

6 (iv) a list of native tree species that will be planted;

7 (v) a review of existing programs and current resource capacity for
8 tree plantings;

9 (vi) a plan for expanding or creating new capacities necessary to
10 achieve the State’s tree-planting goals;

11 (vii) an analysis of trees scheduled to be cut down and the impact that
12 will have on carbon sequestration;

13 (viii) an overview and analysis of logistical and policy barriers to
14 achieving the State’s tree-planting goals;

15 (ix) a plan for seeking private capital to support tree plantings and
16 forest conservation in the State;

17 (x) a plan for establishing a State-based carbon offset market to
18 support the State’s tree-planting goals;

19 (xi) recommendations for policy changes necessary to facilitate the
20 use of the Water Quality Revolving Loan Fund and Environmental Impact Bonds for tree
21 plantings; and

22 (xii) a plan for reviewing future transportation procurement to
23 minimize and fully mitigate tree clearing.

24 (g) On or before October 31, 2022, the Commission shall report its plan and
25 recommendations to the Governor and, in accordance with § 2–1257 of the State
26 Government Article, the General Assembly.

27 SECTION 8. AND BE IT FURTHER ENACTED, That, subject to the availability of
28 funding in the climate solutions account of the Strategic Energy Investment Fund, in fiscal
29 years 2022 through 2030, inclusive, the Governor shall appropriate \$6,000,000 per fiscal
30 year from the account to the Net-Zero School Loan Fund.

31 SECTION 9. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
32 effect June 1, 2021. It shall remain effective for a period of 4 years and 1 month and, at the
33 end of June 30, 2025, Section 2 of this Act, with no further action required by the General
34 Assembly, shall be abrogated and of no further force and effect.

1 SECTION 10. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall
2 take effect June 1, 2021. It shall remain effective for a period of 9 years and 1 month and,
3 at 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 11. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall
6 take effect on the taking effect of the termination provision specified in Section 5 of
7 Chapters 366 and 367 of the Acts of the General Assembly of 2017. If that termination
8 provision takes effect, Section 6 of this Act, with no further action required by the General
9 Assembly, shall be abrogated and of no further force and effect. This Act may not be
10 interpreted to have any effect on that termination provision.

11 SECTION 12. AND BE IT FURTHER ENACTED, That Section 7 of this Act shall
12 take effect June 1, 2021. It shall remain effective for a period of 2 years and 1 month and,
13 at the end of June 30, 2023, Section 7 of this Act, with no further action required by the
14 General Assembly, shall be abrogated and of no further force and effect.

15 SECTION 13. AND BE IT FURTHER ENACTED, That, except as provided in
16 Sections 9 through 12 of this Act, this Act shall take effect June 1, 2021.