

SB0781/403428/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 781
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “system” insert “upgrade and”.

On page 2, in line 10, after “Program” insert “; requiring a certain certification agency to initiate a certain study regarding clean energy and offshore wind industries and certain remedial measures”.

AMENDMENT NO. 2

On page 3, in line 30, strike “AND”.

On page 4, in line 8, after “fuels” insert “; AND”

(VI) IT IS IN THE PUBLIC INTEREST OF THE STATE TO MAXIMIZE THE OPPORTUNITIES FOR OBTAINING AND USING FEDERAL FUNDS FOR OFFSHORE WIND AND RELATED TRANSMISSION PROJECTS THROUGH THE INCLUSION OF SPECIFIED LABOR STANDARDS AND GOALS, DOMESTIC CONTENT REQUIREMENTS, AND OTHER PROVISIONS TO ALIGN STATE LAW WITH PROVISIONS OF THE FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021 AND THE FEDERAL INFLATION REDUCTION ACT OF 2022”.

On page 8, in line 37, after “industry” insert “**, INCLUDING THE USE OF A PREFERENCE GIVEN TO BUSINESSES THAT ARE CERTIFIED UNDER THE FEDERAL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**”.

On page 13, in line 33, strike “AN” and substitute “**A FULL OR PARTIAL**”.

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On page 14, in line 10, strike “SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION,”; in line 12, strike “45” and substitute “60”; and strike beginning with “A” in line 24 down through “REVIEW” in line 26 and substitute “IF THE COMMISSION APPROVES A PARTIAL EXEMPTION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE NONEXEMPT VALUE OF ANY FEDERAL INFLATION REDUCTION ACT OF 2022 GRANTS, REBATES, TAX CREDITS, OR LOAN GUARANTEES RECEIVED BY THE PROJECT SHALL BE PASSED ALONG TO RATEPAYERS”.

On page 17, in line 13, after “NECESSITY” insert “, INCLUDING OPPORTUNITIES FOR PUBLIC ENGAGEMENT AND COMMENT WITH UNITS OF STATE AND LOCAL GOVERNMENT AND THE GENERAL PUBLIC;”

(V) DEMONSTRATE NET BENEFITS TO RATEPAYERS IN THE STATE WHEN COMPARED WITH AN ALTERNATIVE BASELINE SCENARIO UNDER WHICH 8,500 MEGAWATTS OF OFFSHORE WIND ENERGY CAPACITY IS CONNECTED TO PJM INTERCONNECTION INDEPENDENT OF AN OFFSHORE WIND TRANSMISSION PROJECT TO ACHIEVE THE GOAL ESTABLISHED UNDER § 7-704.1(A)(1)(I) OF THIS SUBTITLE”;

and in line 14, strike “(V)” and substitute “(VI)”.

On page 18, strike in their entirety lines 19 through 24, inclusive.

On page 19, in line 23, after “NOTICE” insert “, ONE OR MORE HEARINGS TO RECEIVE PUBLIC COMMENT,”; in line 24, after “2027” insert “, BY ORDER”; in line 25, after “DEVELOPMENT” insert “:”

(I)”;

in line 27, after “SECTION” insert “; AND”

(II) THAT DEMONSTRATE NET BENEFITS TO RATEPAYERS IN THE STATE WHEN COMPARED WITH AN ALTERNATIVE BASELINE SCENARIO UNDER SUBSECTION (E)(1)(V) OF THIS SECTION”;

in lines 28 and 29, strike “ARE BENEFICIALLY COST-EFFECTIVE OR”; and in line 30, after “SECTION” insert “OR DEMONSTRATE NET BENEFITS TO RATEPAYERS IN THE STATE WHEN COMPARED WITH AN ALTERNATIVE BASELINE SCENARIO UNDER SUBSECTION (E)(1)(V) OF THIS SECTION”.

On page 20, in line 8, after “7-207” insert “OR § 7-208”; and after line 9, insert:

“(3) AN ORDER SELECTING A PROPOSAL UNDER SUBSECTION (I) OF THIS SECTION CONSTITUTES AUTHORIZATION BY THE COMMISSION TO CONSTRUCT AND OPERATE FACILITIES THAT WOULD OTHERWISE REQUIRE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER § 7-207 OR § 7-208 OF THIS TITLE.”.

On page 24, in line 31, after “BUSINESSES” insert “AND BUSINESSES CERTIFIED UNDER THE FEDERAL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM”.

On page 25, in lines 2, 6, and 8, in each instance, after “BUSINESSES” insert “AND BUSINESSES CERTIFIED UNDER THE FEDERAL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM”.

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On page 25, after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The certification agency designated by the Board of Public Works under § 14–303(b) of the State Finance and Procurement Article and the Governor’s Office of Small, Minority, and Women Business Affairs, in consultation with the Public Service Commission, the Maryland Department of Labor, the Office of the Attorney General, and the General Assembly, shall initiate a study regarding the participation of small, minority, women–owned, and veteran–owned businesses and businesses certified under the federal Disadvantaged Business Enterprise Program that receive contracts or subcontracts for offshore wind projects under this Act to evaluate whether the enactment of remedial measures to assist minority and women–owned businesses in the clean energy and offshore wind industries would comply with the U.S. Supreme Court decision in City of Richmond v. J. A. Croson Co., 488 U.S. 469, and any subsequent federal or constitutional requirements.

(b) The certification agency and the Governor’s Office of Small, Minority, and Women Business Affairs shall submit the findings of the study required under subsection (a) of this section to the Legislative Policy Committee, in accordance with § 2–1257 of the State Government Article, on or before December 31, 2025, so that the General Assembly may review the findings before the 2026 session.”;

and in line 21, strike “3.” and substitute “4.”.