
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 100 Session of
2021

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KRAJEWSKI, BRADFORD, MULLINS, FREEMAN, FIEDLER, HANBIDGE AND
KIM, SEPTEMBER 22, 2021

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
SEPTEMBER 22, 2021

AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania
2 Consolidated Statutes, providing for transition to renewable
3 energy; imposing duties on the Department of Environmental
4 Protection and other Commonwealth agencies relating to energy
5 consumption and renewable energy generation; establishing the
6 Renewable Energy Transition Task Force, the Just Transition
7 Community Advisory Committee, the Renewable Energy Center of
8 Excellence, the Council for Renewable Energy Workforce
9 Development and the Renewable Energy Workforce Development
10 Fund; providing for interim limits on energy produced from
11 nonrenewable sources and for wage requirement for energy
12 producing systems.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Title 27 of the Pennsylvania Consolidated
16 Statutes is amended by adding a chapter to read:

17 CHAPTER 51

18 TRANSITION TO RENEWABLE ENERGY

19 Sec.

- 1 5101. Declaration of policy.
- 2 5102. Definitions.
- 3 5103. Priorities.
- 4 5104. Renewable Energy Transition Task Force.
- 5 5105. Executive agency duties.
- 6 5106. Publication and review.
- 7 5107. Renewable Energy Center of Excellence.
- 8 5108. Council for Renewable Energy Workforce Development.
- 9 5109. Study by department.
- 10 5110. Analysis of energy consumption.
- 11 5111. Interim limits on energy produced from nonrenewable
- 12 sources.
- 13 5112. State-owned facilities and land.
- 14 5113. Prevailing wage requirement for energy producing systems.
- 15 § 5101. Declaration of policy.

16 The General Assembly finds and declares as follows:

17 (1) The purpose of this act is to steadily transition
18 this Commonwealth to 100% clean, renewable energy by 2050 in
19 order to:

20 (i) Avoid pollution of our air, water and land,
21 reduce emissions and ultimately eliminate our use of
22 fossil fuels and other polluting and dangerous forms of
23 energy.

24 (ii) Increase energy security by reducing reliance
25 on imported sources of energy and maximizing renewable
26 energy production in this Commonwealth.

27 (iii) Increase economic development by stimulating
28 public and private investments in clean, renewable energy
29 and energy efficiency projects.

30 (iv) Create local jobs by harnessing this

1 Commonwealth's skilled workforce, business leadership and
2 academic institutions to advance new technologies,
3 improve the energy performance of homes and workplaces
4 and deploy renewable energy across this Commonwealth.

5 (v) Improve economic and social equity for all
6 residents of this Commonwealth, with an emphasis on
7 historically disadvantaged communities and populations
8 that have been disproportionately affected by pollution
9 and high energy costs under the current system.

10 (vi) Support individuals who are facing the burdens
11 of climate impact, such as those who are suffering from
12 loss of agricultural land, increased health impacts and
13 neighborhood displacement.

14 (2) It is the goal of the Commonwealth to:

15 (i) Meet 100% of Pennsylvania's energy needs with
16 renewable energy by 2050, including the energy consumed
17 for electricity, heating and cooling, transportation,
18 agricultural uses, industrial uses and all other uses by
19 residents, institutions, businesses, State and municipal
20 agencies and other entities operating within this
21 Commonwealth.

22 (ii) Obtain 100% of the electricity consumed by
23 residents, institutions, businesses, State and municipal
24 agencies and other entities operating within this
25 Commonwealth from renewable energy sources by 2035.

26 § 5102. Definitions.

27 The following words and phrases when used in this chapter
28 shall have the meanings given to them in this section unless the
29 context clearly indicates otherwise:

30 "Building sector." The energy consumed to heat, cool and

1 provide hot water and electricity for buildings. The term does
2 not include energy used for heavy industrial activities.

3 "Center." The Renewable Energy Center of Excellence
4 established under section 5107 (relating to Renewable Energy
5 Center of Excellence).

6 "Commonwealth agency." As defined in 62 Pa.C.S. § 103
7 (relating to definitions).

8 "Council." The Council for Renewable Energy Workforce
9 Development established under section 5108 (relating to Council
10 for Renewable Energy Workforce Development).

11 "Department." The Department of Environmental Protection of
12 the Commonwealth.

13 "Distressed community." Geographic area where at least 30%
14 of residents have incomes that are less than the national
15 poverty level and where the unemployment rate is at least 1.5
16 times the national unemployment rate.

17 "Emerging renewable technologies." Technologies that meet
18 the definition of renewable energy and have a preponderance of
19 peer reviewed, evidence based, scientific research validating
20 adherence to renewable energy requirements.

21 "Emission." The emission of a greenhouse gas into the air.

22 "Executive agency." As defined in 62 Pa.C.S. § 103.

23 "Fund." The Renewable Energy Workforce Development Fund
24 established in section 5112(c) (relating to State-owned
25 facilities and land).

26 "Greenhouse gas." A gas in the Earth's atmosphere that
27 absorbs and reemits infrared radiation, including carbon
28 dioxide, nitrous oxide, methane, hydrofluorocarbons,
29 perfluorocarbons and sulfur hexafluoride.

30 "Nonrenewable energy." Energy produced from any source that

1 fails to meet one or more of the criteria for renewable energy.

2 "Public school." A school operated by a school district. The
3 term does not include an intermediate unit, charter school,
4 cyber charter school or an area career and technical school.

5 "Renewable energy." As follows:

6 (1) Energy produced from sources that meet all of the
7 following criteria:

8 (i) Virtually pollution-free, producing little to no
9 global warming pollution or health-threatening pollution.

10 (ii) Inexhaustible, coming from natural sources that
11 are regenerative or practically unlimited.

12 (iii) Safe, having minimal impacts on the
13 environment, community safety and public health.

14 (iv) Efficient, a wise use of resources.

15 (2) The term includes energy produced with any
16 technology, the use of which conforms to the requirements
17 under paragraph (1), including the following:

18 (i) Solar photovoltaic.

19 (ii) Solar thermal electric.

20 (iii) Solar thermal heating.

21 (iv) Offshore wind energy.

22 (v) Onshore wind energy.

23 (vi) Geothermal energy.

24 (vii) Emerging renewable technologies.

25 "Secretary." The Secretary of Environmental Protection of
26 the Commonwealth.

27 "Sector." A major category of energy usage. The term
28 includes electricity generation, heating, transportation and
29 industry and may include other major categories as identified by
30 the department.

1 "Subsector." A subcategory within a sector of energy usage,
2 characterized by a common energy generation technology,
3 industry, application, end-use sector or type of consumer.

4 "Task force." The Renewable Energy Transition Task Force
5 established in section 5104 (relating to Renewable Energy
6 Transition Task Force).

7 "Transportation sector." The technologies and uses of energy
8 that are applied to move people and goods within, into and out
9 of this Commonwealth, including nonmotorized forms of
10 transportation, such as walking and bicycling.

11 "Zero net energy building." An energy efficient building
12 where, on a source energy basis, the actual annual delivered
13 energy is less than or equal to the onsite renewable exported
14 energy.

15 § 5103. Priorities.

16 In meeting the goals identified under section 5101(2)
17 (relating to declaration of policy), Commonwealth agencies shall
18 prioritize the following:

19 (1) Sources of renewable energy that are located in this
20 Commonwealth or elsewhere in the Mid-Atlantic region.

21 (2) Sources of renewable energy that represent
22 additional renewable generation capacity added to the grid.

23 (3) Models for local and community ownership of
24 renewable energy generation, particularly models that bring
25 direct financial benefits to low-income communities.

26 (4) Reducing energy consumption through efficiency
27 measures to the greatest extent practicable.

28 § 5104. Renewable Energy Transition Task Force.

29 (a) Establishment.--The Renewable Energy Transition Task
30 Force is established to integrate the goal of 100% renewable

1 energy throughout State government operations. The members of
2 the task force shall be appointed within 90 days of the
3 effective date of this section.

4 (b) Members.--The task force shall include the following
5 members:

6 (1) The secretary or the secretary's designee, who shall
7 serve as the chairperson of the task force.

8 (2) A representative from the following Commonwealth
9 agencies, to be appointed by the chief executive or
10 administrative officer of each agency:

11 (i) The Department of Conservation and Natural
12 Resources.

13 (ii) The Pennsylvania Public Utility Commission.

14 (iii) The Department of Education.

15 (iv) The Department of Human Services.

16 (v) The Department of Health, Bureau of Health
17 Promotion and Risk Reduction.

18 (vi) The Department of Community and Economic
19 Development.

20 (vii) The Pennsylvania Workforce Development Board.

21 (viii) The Department of Transportation.

22 (ix) The Department of Corrections.

23 (x) The Department of General Services.

24 (xi) The Department of State.

25 (xii) The Governor's Office of Administration.

26 (xiii) The State Conservation Committee.

27 (3) A representative designated by each of the
28 following:

29 (i) The Attorney General.

30 (ii) The State Treasurer.

1 (iii) The Auditor General.

2 (4) Three members designated by the Secretary of
3 Education as follows:

4 (i) A member to represent the State System of Higher
5 Education.

6 (ii) A member to represent community colleges.

7 (iii) A member to represent public schools.

8 (c) Duties.--The task force shall:

9 (1) Identify all existing State laws and regulations and
10 Commonwealth agency programs with an impact on energy
11 production and consumption and evaluate the programs based on
12 the following:

13 (i) Their potential to support this Commonwealth's
14 transition to 100% renewable energy.

15 (ii) Their ability to maximize the environmental and
16 economic benefits of the transition for residents of this
17 Commonwealth and businesses, particularly, but not
18 exclusively, for communities that have been impacted by
19 pollution from energy sources.

20 (2) Within one year of the effective date of this
21 section, determine a date not later than January 1, 2035, by
22 which the operations of State government will be powered with
23 100% renewable energy.

24 (3) Conduct a study assessing the true costs of fossil
25 fuels and renewable energy, including benefits to and burdens
26 on:

27 (i) the grid;

28 (ii) individuals' health; and

29 (iii) energy affordability.

30 (4) Conduct a study assessing the feasibility of

1 creating a special fund to be used for the purposes of
2 providing guarantees for pension funds, funding workforce
3 training and placement programs, catalyzing renewable energy
4 industries and supporting worker-owned cooperatives for
5 workers in the fossil fuel industry and communities adversely
6 affected by pollution and energy burden. The study shall
7 identify potential revenue streams and potential models for
8 implementation.

9 (5) Identify emerging renewable technologies that may be
10 used in the transition to renewable energy.

11 (d) Meetings.--The task force shall meet at least once each
12 quarter to review progress in modifying State law and
13 regulations and Commonwealth agency programs to accelerate the
14 transition to 100% renewable energy. The meetings shall be
15 subject to 65 Pa.C.S. Ch. 7 (relating to open meetings).

16 (e) Advisory committee.--The Just Transition Community
17 Advisory Committee is established within the department to work
18 in partnership with the task force to ensure accountability and
19 public participation in the planning and design of this
20 Commonwealth's energy transition. The members of the advisory
21 committee shall be appointed by the secretary and shall include
22 representatives of the following constituencies:

23 (1) Labor.

24 (2) Environmental justice.

25 (3) Consumer advocacy.

26 (4) Community development corporations that serve
27 distressed communities.

28 (5) Community development financial institutions.

29 (6) Community development entities.

30 (7) Agricultural communities.

- 1 (8) Transportation equity.
2 (9) Renewable energy industry.
3 (10) Communities with a majority population of
4 historically disadvantaged minorities.

5 § 5105. Executive agency duties.

6 An executive agency shall:

7 (1) Conduct a review of the laws, regulations and
8 programs under the executive agency's jurisdiction and submit
9 a report to the task force describing how the laws,
10 regulations and programs can be modified to accelerate the
11 transition to 100% renewable energy.

12 (2) Consider how modifying the executive agency's
13 programs to accelerate the transition to 100% renewable
14 energy can help achieve the executive agency's other
15 objectives.

16 (3) Within six months of the effective date of this
17 section, present a plan to achieve the goal identified under
18 section 5104(c) (2) (relating to Renewable Energy Transition
19 Task Force) for the facilities and activities in the
20 executive agency's jurisdiction. The executive agency shall
21 report on its progress to the task force and update the plan
22 annually.

23 § 5106. Publication and review.

24 The secretary shall publish the findings of the task force
25 under sections 5104(c) (1) (relating to Renewable Energy
26 Transition Task Force) and 5105 (relating to executive agency
27 duties) within six months of the formation of the task force.
28 The secretary and the task force shall review and update the
29 findings every three years from the date of initial publication.

30 § 5107. Renewable Energy Center of Excellence.

1 (a) Establishment.--The Governor shall establish the
2 Renewable Energy Center of Excellence at a member institution of
3 the State System of Higher Education to conduct and sponsor
4 research on the following:

5 (1) Renewable energy and energy efficiency technologies.

6 (2) Effective practices for renewable energy adoption by
7 residents, institutions, businesses, executive agencies,
8 municipal agencies and other entities.

9 (3) Barriers preventing access to renewable energy,
10 particularly, but not exclusively, for low-income
11 communities.

12 (4) Community outreach models and other tools to
13 increase the adoption of renewable energy, particularly for
14 low-income communities.

15 (b) Advisory committee.--The center shall be advised by a
16 15-member committee composed of experts with the following areas
17 of expertise:

18 (1) Renewable energy, energy efficiency and energy
19 storage technologies.

20 (2) Architecture, building engineering and construction.

21 (3) Transportation.

22 (4) Affordable housing.

23 (5) Economic development.

24 (6) Environmental justice.

25 (7) Other relevant fields.

26 § 5108. Council for Renewable Energy Workforce Development.

27 (a) Establishment.--The Council for Renewable Energy
28 Workforce Development is established. The council shall include
29 the following members:

30 (1) The secretary who shall serve as co-chair.

1 (2) The Secretary of Labor and Industry who shall serve
2 as co-chair.

3 (3) Three members designated by the Secretary of
4 Education as follows:

5 (i) A representative of the Department of Education.

6 (ii) A member to represent the State System of
7 Higher Education.

8 (iii) A member to represent the community college
9 system.

10 (4) Representatives from the following, to be appointed
11 by the co-chairs of the council:

12 (i) Organized labor.

13 (ii) Renewable energy businesses.

14 (iii) Occupational training organizations.

15 (iv) Economic development organizations.

16 (v) Community development organizations that serve
17 distressed communities.

18 (vi) Military and veterans affairs organizations.

19 (b) Duties of council.--The council shall:

20 (1) Identify the employment potential of the energy
21 efficiency and renewable energy industry and the skills and
22 training needed for workers in those fields.

23 (2) Recommend policies that promote employment growth
24 and access to jobs to the Governor and the General Assembly.

25 (3) Prioritize maximizing employment opportunities for
26 fossil fuel workers displaced in the transition to renewable
27 energy.

28 (4) Establish a target for the number of new renewable
29 energy jobs that provide wages at a rate equal to or greater
30 than the prevailing wage rate in the area for the same or

1 similar type work, to be created in this Commonwealth by 2030
2 not later than January 1, 2022. The council shall create job
3 growth targets for each subsequent 10-year period beginning
4 in 2030. The job growth targets for each subsequent 10-year
5 period shall be finalized at least 12 months prior to the
6 start of the 10-year period.

7 (5) Establish a target for the number of new renewable
8 energy jobs to be created for members of the prioritized
9 category identified in paragraph (3) not later than January
10 1, 2022, and for each subsequent 10-year period beginning in
11 2030, which shall be no less than 10% of the total number of
12 jobs created or 7,500 jobs, whichever is greater. The job
13 growth targets for each subsequent 10-year period shall be
14 finalized at least 12 months prior to the start of the 10-
15 year period.

16 (6) At least annually, submit a report to the Governor
17 and the General Assembly recommending changes to existing
18 State policies and programs to meet the identified job growth
19 targets.

20 (7) Meet at least once each quarter to review progress
21 in expanding renewable energy employment. The meetings shall
22 be subject to 65 Pa.C.S. Ch. 7 (relating to open meetings).

23 § 5109. Study by department.

24 (a) Study required.--In consultation with the task force and
25 the center, the department shall conduct a study identifying the
26 following:

27 (1) Pathways towards 100% renewable energy for the
28 building sector.

29 (2) Policies necessary for all new buildings to be zero
30 net energy buildings by 2030 and for nonrenewable energy

1 consumption to be reduced for existing buildings by 50% by
2 2030.

3 (b) Considerations.--The study shall consider the following:

4 (1) How to expand access to renewable heating and
5 electricity technologies.

6 (2) Ways of increasing access to energy efficiency
7 programs and minimizing costs, particularly, but not
8 exclusively, for low-income communities.

9 (3) Energy burden and the impact on tenant housing,
10 evictions and foreclosures.

11 (c) Presentation to task force.--The department shall
12 present the results of the study to the task force not later
13 than one year from the effective date of this section.

14 (d) Review.--The department shall review and update the
15 study every five years, considering technological developments,
16 demographic changes, the effectiveness of existing programs and
17 policies and other factors.

18 § 5110. Analysis of energy consumption.

19 (a) Department determination.--The department shall
20 determine:

21 (1) The overall quantity of energy consumed Statewide in
22 the calendar year 2022 across all sectors and the percentage
23 of energy consumed that came from renewable energy sources,
24 using the best available data. The determination shall
25 include an analysis of the percentage of renewable energy
26 consumed in this Commonwealth that was produced:

27 (i) in this Commonwealth;

28 (ii) in adjacent states; and

29 (iii) in other states, territories or foreign
30 countries.

1 (2) For energy consumed in an individual sector or
2 subsector representing more than 2% of total Statewide energy
3 consumption:

4 (i) The amount of energy consumed in the individual
5 sector or subsector.

6 (ii) The types and sources of energy consumed in the
7 sector or subsector.

8 (iii) The percentage of energy consumed in the
9 sector or subsector that was produced from renewable
10 sources.

11 (b) Publication.--The department shall publish a similar
12 analysis of renewable and nonrenewable energy consumption on at
13 least a triennial basis and for the years 2030, 2040 and 2050.
14 The analysis shall include the amount, percentage, types and
15 sources of renewable and nonrenewable energy consumed across all
16 sectors Statewide and in the individual sectors and subsectors
17 identified under subsection (a), as well as any additional
18 sectors or subsectors that have since come to represent at least
19 2% of total Statewide energy consumption.

20 § 5111. Interim limits on energy produced from nonrenewable
21 sources.

22 (a) Establishment.--The department shall establish interim
23 limits for the overall percentage of this Commonwealth's energy
24 produced from nonrenewable sources as follows:

25 (1) In 2030, no more than 50% nonrenewable energy.

26 (2) In 2040, no more than 20% nonrenewable energy.

27 (b) Individual sectors and subsectors.--The department shall
28 establish interim limits on nonrenewable energy in the
29 individual sectors and subsectors identified under section 5110
30 (relating to analysis of energy consumption). The interim limits

1 shall maximize the ability of this Commonwealth to achieve 100%
2 renewable energy by 2050.

3 (c) Projection.--The department shall determine the
4 Statewide emissions level in calendar year 1990 and reasonably
5 project what the emissions level will be in calendar year 2021
6 if no measures are imposed to lower emissions other than those
7 formally adopted and implemented as of July 1, 2018.

8 (d) Enforcement.--The interim limits on nonrenewable energy
9 consumption for 2030 and 2040 shall be considered binding caps
10 and shall be legally enforceable by a resident of this
11 Commonwealth.

12 § 5112. State-owned facilities and land.

13 (a) Expansion of solar and other renewable energy generation
14 capacity.--The department, together with the Governor's Office
15 of Administration and other Commonwealth agencies, shall:

16 (1) Identify opportunities to expand solar and other
17 renewable energy generation capacity on State-owned
18 facilities and land.

19 (2) Install an additional 100 megawatts of solar and
20 other clean energy generation capacity on State properties by
21 December 31, 2022.

22 (3) Establish a goal for the amount of additional
23 renewable energy generation capacity installed on State-owned
24 facilities and lands in each subsequent five-year period
25 beginning in 2022. The goal for each five-year period shall
26 be not less than 25 megawatts of renewable energy generation
27 capacity.

28 (4) Install enough renewable energy generation capacity
29 to meet the goals established for each five-year period.

30 (b) Office of the Budget.--On an annual basis, the Office of

1 the Budget shall track the initial cost of renewable energy
2 projects installed under this section including external costs
3 for utility companies to upgrade transformers for grid capacity
4 and the revenue and energy cost savings accruing to Commonwealth
5 agencies from those projects through net metering credits,
6 electricity sales, the sale of renewable energy credits, other
7 Federal or State incentive programs and other sources of revenue
8 or energy cost savings.

9 (c) Revenue positive projects.--Annually, the Office of the
10 Budget shall determine which renewable energy projects have paid
11 back their initial costs with revenue and energy cost savings.
12 These projects shall be known as revenue positive projects. Once
13 this determination has been made, future revenue or energy cost
14 savings from revenue positive projects shall be credited into
15 the Clean Energy Workforce Development Fund, which is
16 established as a special fund in the State Treasury.

17 (d) Use of fund.--The department and the Department of Labor
18 and Industry shall direct the use of money in the fund, in
19 consultation with the council. Money in the fund shall be used
20 to provide job training, education and job placement assistance
21 for residents of this Commonwealth to work in the clean energy
22 and energy efficiency industry. At least 50% of the money in the
23 fund shall be used on an annual basis for programs and
24 initiatives that primarily benefit fossil fuel workers displaced
25 in the transition to renewable energy.

26 (e) Report.--The department shall submit an annual report to
27 the Governor, the General Assembly and the council describing
28 progress toward meeting goals for renewable energy installations
29 on State properties, the costs and revenue associated with each
30 project, the amount of revenue generated for the fund and

1 expenditures from the fund.

2 (f) Report by Department of Transportation.--

3 (1) The Department of Transportation shall conduct a
4 study identifying pathways towards 100% renewable energy for
5 the transportation sector and the policies necessary to power
6 the transportation sector with at least 50% renewable energy
7 by 2030. The following apply:

8 (2) The study shall give preference to transportation
9 options that:

10 (i) increase access to mass transportation across
11 all income levels;

12 (ii) minimize costs, particularly for low-income
13 communities; and

14 (iii) maximize access to employment centers.

15 (3) Without limitations on the Department of
16 Transportation's evaluation of effective Statewide
17 transportation options, the study shall consider the
18 feasibility, cost effectiveness and environmental and
19 economic benefits of high-speed rail service between major
20 urban centers in this Commonwealth.

21 (4) The Department of Transportation shall publish the
22 findings from the study not later than one year from the
23 effective date of this section.

24 (5) The Department of Transportation shall review and
25 update this study every five years, considering technological
26 developments, demographic changes, the effectiveness of
27 existing programs and policies and other factors.

28 § 5113. Prevailing wage requirement for energy producing
29 systems.

30 (a) Duty to pay.--Except as provided under subsection (b),

1 an employer or contractor contracted to construct, reconstruct,
2 demolish, alter or repair an energy producing system with a
3 capacity greater than 5 megawatts alternating current shall pay
4 the prevailing minimum wage rate for each craft or
5 classification as determined by the Department of Labor and
6 Industry under the act of August 15, 1961 (P.L.987, No.442),
7 known as the Pennsylvania Prevailing Wage Act.

8 (b) Exception.--Subsection (a) shall not apply if a contract
9 is performed under a pre-hire collective bargaining agreement, a
10 labor peace agreement, a project labor agreement or other
11 enforceable agreement between an owner or contractor and a
12 building and construction trade labor organization.

13 (c) Definitions.--As used in this section, the following
14 words and phrases shall have the meanings given to them in this
15 subsection unless the context clearly indicates otherwise:

16 "Energy producing system." A facility that produces
17 electricity for wholesale onto the grid.

18 Section 2. This act shall take effect in 60 days.