

INTERIM STUDY PROPOSAL 2023-016

1
2 State of Arkansas
3 94th General Assembly
4 Regular Session, 2023

A Bill

ANS/ANS
HOUSE BILL

5
6 By: Representative Ennett

7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. § 10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO CREATE THE ADVANCED ENERGY JOBS TASK FORCE;
11 AND FOR OTHER PURPOSES.

12
13
14 **Subtitle**

15 TO CREATE THE ADVANCED ENERGY JOBS TASK
16 FORCE.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. DO NOT CODIFY. Legislative findings.

22 The General Assembly finds that:

23 (1) Job creation is a priority for the state;

24 (2) The manufacturing, installation, and operation of advanced
25 energy systems is a growth industry and should be encouraged;

26 (3) The composition and structure of the nation's energy system
27 is transitioning to a system with near zero (0) emissions to be more:

28 (A) Engaging with customers; and

29 (B) Resilient in adapting to weather-induced electrical
30 grid impacts;

31 (4) Many electric utility companies have voluntarily announced
32 goals to transition to advanced energy systems;

33 (5) Many major businesses desire to reduce their carbon
34 footprint to meet market-driven sustainability goals and may use access to
35 advanced energy systems as a determining factor for business location;

36 (6) Planning for the creation of advanced energy jobs requires

1 input from all stakeholders;

2 (7) To ensure Arkansas can fully capitalize on the many
3 employment opportunities in this growing industry, the creation of an
4 advanced energy jobs task force can add significant value to the state's
5 economic development efforts; and

6 (8) By promoting the adoption of advanced electricity by
7 Arkansas businesses and expanding on advanced energy technical training
8 options with educational institutions, the state can continue to grow its
9 economy while taking advantage of some of the most innovative initiatives in
10 the nation.

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12 SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Advanced Energy Jobs
13 Task Force – Creation – Duties.

14 (a) As used in this section:

15 (1) "Advanced electricity resource" means any fuel, technology,
16 or policy that generates electricity or facilitates the production of
17 electricity with near zero (0) life cycle greenhouse gas emissions;

18 (2) "Advanced electricity system" means the entirety of an
19 electrical grid system, including without limitation:

20 (A) A diverse portfolio of advanced electricity resources,
21 both centralized and distributed generation;

22 (B) An annual electric grid carbon intensity of fifty
23 grams carbon dioxide equivalent per kilowatt hour (50g CO₂ e/kWh) or less;

24 (C) A transmission and distribution network;

25 (D) Energy storage facilities;

26 (E) Demand response capabilities, including without
27 limitation:

28 (i) Smart metering;

29 (ii) Information infrastructure;

30 (iii) Implementation policies; and

31 (iv) Utility and customer communications;

32 (F) Policies and programs that support energy efficiency
33 and conservation measures; and

34 (G) Market structures that properly incentivize:

35 (i) Deployment of advanced electricity resources;

1 (ii) Reasonably rapid deployment of an optimal mix
2 of advanced electricity resources that provides near zero (0) emission
3 electricity at low overall electricity system cost;

4 (iii) Reliable and resilient electricity system
5 performance; and

6 (iv) Reasonable, stable, nonvolatile energy pricing
7 for ratepayers;

8 (3) "Carbon intensity" means the amount of global warming
9 potential of greenhouse gases emitted to produce a given amount of electrical
10 power, measured on an annual basis and expressed in grams of carbon dioxide
11 equivalent per kilowatt hour (g CO₂ e/kWh);

12 (4) "Direct emissions" means the carbon intensity of emissions
13 from operation and maintenance of an energy source;

14 (5) "Greenhouse gas" means carbon dioxide, methane, nitrous
15 oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and any
16 other gas identified by the Arkansas Pollution Control and Ecology Commission
17 as a gas that traps heat in the atmosphere;

18 (6)(A) "Indirect emissions" means the carbon intensity of the
19 full energy chain for an energy resource, exclusive of the direct emissions.

20 (B) "Indirect emissions" includes without limitation the:

21 (i) Mining, processing, and transporting of
22 materials for energy resource equipment;

23 (ii) Manufacturing, transporting, and installing of
24 energy resource equipment;

25 (iii) Decommissioning or disposing of energy
26 resource equipment; and

27 (iv) Mining, processing, and transporting of
28 combustion fuel;

29 (7) "Life cycle emissions" means the sum of direct emissions and
30 indirect emissions for a given energy resource, expressed in carbon intensity
31 per unit of energy generated; and

32 (8) "Near zero (0) emissions" means electricity production that
33 achieves a nominal value of zero grams carbon dioxide equivalent per kilowatt
34 hour (0g CO₂ e/kWh) to fifty grams (50g) carbon dioxide equivalent per
35 kilowatt hour (50g CO₂ e/kWh), measured on an annual basis.

36 (b) There is created the Advanced Energy Jobs Task Force.

1 (c)(1) The task force shall consist of the following members:

2 (A) One (1) chair, who shall be appointed from the
3 membership of the Senate by the President Pro Tempore of the Senate;

4 (B) One (1) chair, who shall be appointed from the
5 membership of the House of Representatives by the Speaker of the House of
6 Representatives or his or her designee;

7 (C) One (1) cochair, who shall be appointed from the
8 membership of the Senate by the President Pro Tempore of the Senate;

9 (D) One (1) cochair, who shall be appointed from the
10 membership of the House of Representatives by the Speaker of the House of
11 Representatives or his or her designee;

12 (E) The Chair of the Senate Committee on City, County, and
13 Local Affairs or his or her designee;

14 (F) The Chair of the House Committee on City, County, and
15 Local Affairs or his or her designee;

16 (G) One (1) member of the minority party of the General
17 Assembly, who shall be appointed from the membership of the Senate by the
18 President Pro Tempore of the Senate;

19 (H) One (1) member of the minority party of the General
20 Assembly, who shall be appointed from the membership of the House of
21 Representatives by the Speaker of the House of Representatives;

22 (I) One (1) member of the majority party of the General
23 Assembly, who shall be appointed from the membership of the Senate by the
24 President Pro Tempore of the Senate;

25 (J) One (1) member of the majority party of the General
26 Assembly, who shall be appointed from the membership of the House of
27 Representatives by the Speaker of the House of Representatives;

28 (K) The Director of the Arkansas Economic Development
29 Commission or his or her designee;

30 (L) The Chair of the Arkansas Public Service Commission or
31 his or her designee;

32 (M) The Secretary of the Department of Energy and
33 Environment or his or her designee; and

34 (N) The Executive Director of the Arkansas Advanced Energy
35 Association or his or her designee.

1 (2) If a vacancy occurs on the task force, the vacancy shall be
2 filled by the same process as the original appointment.

3 (3)(A) The legislative members of the task force attending in
4 person shall be paid per diem and mileage as authorized by law for attendance
5 at meetings of interim committees of the General Assembly.

6 (B) The nonlegislative members of the task force may
7 receive a per diem allowance of up to sixty dollars (\$60.00) when in
8 attendance at regular or special meetings of the task force.

9 (d)(1) The cochairs of the task force shall call the first meeting of
10 the task force within sixty (60) to ninety (90) days of the effective date of
11 this act.

12 (2)(A) The task force shall conduct its meetings using a digital
13 access platform, including without limitation online or virtual meetings held
14 through Zoom.

15 (B) Meetings of the task force shall be held at least one
16 (1) time every month but may occur more often at the call of the cochairs.

17 (3) The task force shall establish rules and procedures for
18 conducting its business.

19 (4)(A)(i) A majority of the members of the task force shall
20 constitute a quorum for transacting business of the task force.

21 (ii) Members attending a meeting virtually shall
22 count for purposes of establishing a quorum.

23 (B) An affirmative vote of a majority of a quorum present,
24 in person or virtually, shall be required for the passage of a motion or
25 other task force action.

26 (5) The Bureau of Legislative Research shall provide staff for
27 the task force.

28 (e)(1) The purpose of the task force is to study and propose:

29 (A) How to best prepare Arkansas to take full advantage of
30 the transition to advanced energy systems with respect to job creation and
31 economic development; and

32 (B) The best pathways to:

33 (i) Identify industry training gaps within the state
34 for relevant advanced energy resources, including solar, nuclear, fossil
35 fuels with carbon capture, use and sequestration, wind, geothermal,

- 1 hydropower, transmission and distributions systems, information systems,
2 instrumentation systems, and others;
- 3 (ii) Assess existing collegiate, technical,
4 apprenticeship, and career and technical education courses and training
5 opportunities currently available inside and outside of the state,
6 identifying best practices that can be replicated;
- 7 (iii) Work with the Division of Workforce Services
8 to explore the use of funds received under the Workforce Innovation and
9 Opportunity Act, 29 U.S.C. § 3101 et seq., to develop pathways to prosperity
10 for residents with barriers to employment through advanced energy jobs;
- 11 (iv) Identify emerging best practices regarding
12 workforce development and associated coordination of resources to prepare for
13 the advanced energy economy;
- 14 (v) Identify the magnitude and timetable associated
15 with new business development associated with an advanced energy economy;
- 16 (vi) Determine the appropriate pathways and programs
17 for investor-owned utilities, municipal utilities, and member-owned utilities
18 in achieving an advanced energy system;
- 19 (vii) Prioritize approaches that are more applicable
20 to decarbonization and electrification of other energy sectors, including
21 without limitation industrial processes, transportation, and building
22 heating;
- 23 (viii) Identify currently available technologies and
24 technology gaps relevant to achieving an advanced energy system;
- 25 (ix) Consider all emerging technologies relevant to
26 achieving an advanced energy system;
- 27 (x) Identify the roles of various programs and
28 approaches in achieving an advanced energy system, including without
29 limitation energy efficiency, conservation, centralized and distributed
30 generation, demand response, energy storage, and project financing for power
31 sector infrastructure;
- 32 (xi) Identify and minimize impacts on vulnerable and
33 underserved communities in seeking to achieve an advanced energy system;
- 34 (xii) Prioritize environmental and economic
35 considerations relevant to achieving an advanced energy system; and

1 (xiii) Minimize new generation capacity additions
2 with significant emissions that would likely become costly stranded assets.

3 (2) To achieve the purpose under subdivision (e)(1) of this
4 section, the task force shall:

5 (A) Evaluate, study, and address the issues identified in
6 subdivision (e)(1) of this section; and

7 (B) Recommend specific solutions and legislation necessary
8 to provide pathways for Arkansas to maximize advanced energy jobs and
9 economic development and to achieve a statewide advanced energy systems.

10 (f) On or before December 31, 2024, the task force shall file with the
11 Governor, the President Pro Tempore of the Senate, and the Speaker of the
12 House of Representatives a final written report of its activities, findings,
13 and recommendations, including recommendations for proposed legislation.

14 (g) If the task force determines it is necessary, the task force may
15 contract with one (1) or more facilitators to assist the task force with the
16 study and report required under this section.

17 (h) The task force expires on December 31, 2024.

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20 Referred by Representative Ennett

21 Prepared by: ANS/ANS
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