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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1425 Session of  
2019

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DRISCOLL, KIRKLAND, HOHENSTEIN, HOWARD, WILLIAMS AND O'MARA,  
MAY 29, 2019

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MAY 29, 2019

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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 Clean Energy Transition Task Force, the Just Transition  
7 Community Advisory Committee, the Clean Energy Center of  
8 Excellence, the Council for Clean Energy Workforce  
9 Development and the Clean Energy Workforce Development Fund;  
10 and providing for interim limits on energy produced from  
11 nonrenewable sources.

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

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

16 CHAPTER 51

17 TRANSITION TO RENEWABLE ENERGY

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

16 § 5101. Declaration of policy.

17 The General Assembly finds and declares as follows:

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

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

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

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

1           (iv) Create local jobs by harnessing this  
2           Commonwealth's skilled workforce, business leadership and  
3           academic institutions to advance new technologies,  
4           improve the energy performance of homes and workplaces  
5           and deploy renewable energy across this Commonwealth.

6           (v) Improve the quality of life and economic well-  
7           being of all residents of this Commonwealth, with an  
8           emphasis on communities and populations that have been  
9           disproportionately affected by pollution and high costs  
10           under our energy system.

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

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

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

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

27 § 5102. Definitions.

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

1 "Building sector." The energy consumed to heat, cool and  
2 provide hot water and electricity for buildings. The term does  
3 not include energy used for heavy industrial activities.

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

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

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

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

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

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

16 "Fund." The Clean Energy Workforce Development Fund  
17 established in section 5112(c) (relating to State-owned  
18 facilities and land).

19 "Greenhouse gas." A gas in the Earth's atmosphere that  
20 absorbs and reemits infrared radiation, including carbon  
21 dioxide, nitrous oxide, methane, hydrofluorocarbons,  
22 perfluorocarbons and sulfur hexafluoride.

23 "Nonrenewable energy." Energy produced from any source that  
24 fails to meet one or more of the criteria for renewable energy.

25 "Renewable energy." As follows:

26 (1) Energy produced from sources that meet all of the  
27 following criteria:

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

30 (ii) Inexhaustible, coming from natural sources that

1 are regenerative or practically unlimited.

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

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

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

8 (i) Solar photovoltaic.

9 (ii) Solar thermal electric.

10 (iii) Solar thermal heating.

11 (iv) Offshore wind energy.

12 (v) Onshore wind energy.

13 (vi) Geothermal energy.

14 "Secretary." The Secretary of Environmental Protection of  
15 the Commonwealth.

16 "Sector." A major category of energy usage. The term  
17 includes electricity generation, heating, transportation and  
18 industry and may include other major categories as identified by  
19 the department.

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

23 "Task force." The Clean Energy Transition Task Force  
24 established in section 5104 (relating to Clean Energy Transition  
25 Task Force).

26 "Transportation sector." The technologies and uses of energy  
27 that are applied to move people and goods within, into and out  
28 of this Commonwealth, including nonmotorized forms of  
29 transportation, such as walking and bicycling.

30 "Zero net energy building." An energy efficient building

1 where, on a source energy basis, the actual annual delivered  
2 energy is less than or equal to the onsite renewable exported  
3 energy.

4 § 5103. Priorities.

5 In meeting the goals identified under section 5101(2)  
6 (relating to declaration of policy), Commonwealth agencies shall  
7 prioritize the following:

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

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

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

15 (4) Reducing energy consumption through efficiency  
16 measures to the greatest extent practicable.

17 § 5104. Clean Energy Transition Task Force.

18 (a) Establishment.--The Clean Energy Transition Task Force  
19 is established to integrate the goal of 100% renewable energy  
20 throughout State government operations. The members of the task  
21 force shall be appointed within 90 days of the effective date of  
22 this section.

23 (b) Members.--The task force shall include the following  
24 members:

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

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

30 (i) The Department of Conservation and Natural

1           Resources.

2           (ii) The Pennsylvania Public Utility Commission.

3           (iii) The Department of Education.

4           (iv) The Department of Human Services.

5           (v) The Department of Health.

6           (vi) The Department of Community and Economic  
7           Development.

8           (vii) The Department of Labor and Industry.

9           (viii) The Department of Transportation.

10          (ix) The Department of Corrections.

11          (x) The Department of General Services.

12          (xi) The Department of State.

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

14          (3) A representative designated by each of the  
15          following:

16           (i) The Attorney General.

17           (ii) The State Treasurer.

18           (iii) The Auditor General.

19          (4) Two members designated by the Secretary of Education  
20          as follows:

21           (i) A member to represent the State System of Higher  
22           Education.

23           (ii) A member to represent the community college  
24           system.

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

26           (1) Identify all existing State laws and regulations and  
27           Commonwealth agency programs with an impact on energy  
28           production and consumption and shall evaluate them based on  
29           the following:

30           (i) Their potential to support this Commonwealth's

1 transition to 100% renewable energy.

2 (ii) Their ability to maximize the environmental and  
3 economic benefits of the transition for residents of this  
4 Commonwealth and businesses, particularly, but not  
5 exclusively, for communities that have been impacted by  
6 pollution from energy sources.

7 (2) Within one year of the effective date of this  
8 section, determine a date not later than January 1, 2035, by  
9 which the operations of State government will be powered with  
10 100% renewable energy.

11 (3) Conduct a study assessing the true costs of fossil  
12 fuels and renewable energy, including benefits to and burdens  
13 on:

14 (i) the grid;

15 (ii) individuals' health; and

16 (iii) energy affordability.

17 (4) Conduct a study assessing the feasibility of  
18 creating a special fund to be used for the purposes of  
19 providing guarantees for pension funds, funding workforce  
20 training and placement programs, catalyzing renewable energy  
21 industries and supporting worker-owned cooperatives for  
22 workers in the fossil fuel industry and communities adversely  
23 affected by pollution and energy burden. The study shall  
24 identify potential revenue streams and potential models for  
25 implementation.

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



1 (e) Advisory committee.--The Just Transition Community  
2 Advisory Committee is established within the department to work  
3 in partnership with the task force to ensure accountability and  
4 public participation in the planning and design of this  
5 Commonwealth's energy transition. The members of the advisory  
6 committee shall be appointed by the secretary and shall include  
7 representatives of the following constituencies:

8 (1) Labor.

9 (2) Environmental justice.

10 (3) Consumer advocacy.

11 (4) Community development corporations.

12 (5) Agricultural communities.

13 (6) Transportation equity.

14 (7) Renewable energy industry.

15 § 5105. Executive agency duties.

16 Each executive agency shall:

17 (1) Conduct a review of the laws, regulations and  
18 programs under its jurisdiction and submit a report to the  
19 task force describing how the laws, regulations and programs  
20 can be modified to accelerate the transition to 100%  
21 renewable energy.

22 (2) Consider how modifying its programs to accelerate  
23 the transition to 100% renewable energy can help achieve the  
24 agency's other objectives.

25 (3) Within 18 months of the effective date of this  
26 section, present a plan to achieve the goal identified under  
27 section 5104(c)(2) (relating to Clean Energy Transition Task  
28 Force) for the facilities and activities in its jurisdiction.

29 Each executive agency shall report on its progress to the  
30 task force and update its plan annually.

1 § 5106. Publication and review.

2 The secretary shall publish the findings of the task force  
3 under sections 5104(c) (1) (relating to Clean Energy Transition  
4 Task Force) and 5105 (relating to executive agency duties)  
5 within six months of the formation of the task force. The  
6 secretary and the task force shall review and update the  
7 findings every three years from the date of initial publication.

8 § 5107. Clean Energy Center of Excellence.

9 (a) The Governor shall establish the Clean Energy Center of  
10 Excellence at a member institution of the State System of Higher  
11 Education to conduct and sponsor research on the following:

12 (1) Renewable energy and energy efficiency technologies.

13 (2) Effective practices for renewable energy adoption by  
14 residents, institutions, businesses, State and municipal  
15 agencies and other entities.

16 (3) Barriers preventing access to renewable energy,  
17 particularly, but not exclusively, for low-income  
18 communities.

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

22 (b) Advisory committee.--The center shall be advised by a  
23 15-member committee composed of experts with the following areas  
24 of expertise:

25 (1) renewable energy, energy efficiency and energy  
26 storage technologies;

27 (2) architecture, building engineering and construction;

28 (3) transportation;

29 (4) affordable housing;

30 (5) environmental justice; and

1           (6) other relevant fields.

2 § 5108. Council for Clean Energy Workforce Development.

3       (a) Establishment.--The Council for Clean Energy Workforce  
4 Development is established. The council shall be co-chaired by  
5 the secretary and the Secretary of Labor and Industry. The  
6 council shall include the following members:

7           (1) Three members designated by the Secretary of  
8 Education as follows:

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

10              (ii) A member to represent the State System of  
11 Higher Education.

12              (iii) A member to represent the community college  
13 system.

14           (2) Representatives from the following, to be appointed  
15 by the co-chairs of the council:

16               (i) Organized labor.

17               (ii) Renewable energy businesses.

18               (iii) Occupational training organizations.

19               (iv) Economic development organizations.

20               (v) Community development organizations.

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

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

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

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

30           (4) Establish a target for the number of new renewable

1 energy jobs that provide wages at a rate equal to or greater  
2 than the prevailing wage rate in the area for the same or  
3 similar type work, to be created in this Commonwealth by 2030  
4 not later than January 1, 2020. The council shall create job  
5 growth targets for each subsequent 10-year period beginning  
6 in 2030. The job growth targets for each subsequent 10-year  
7 period shall be finalized at least 12 months prior to the  
8 start of the 10-year period.

9 (5) Establish a target for the number of new renewable  
10 energy jobs to be created for members of the prioritized  
11 category identified in paragraph (3) not later than January  
12 1, 2020, and for each subsequent 10-year period beginning in  
13 2030, which shall be no less than 10% of the total number of  
14 jobs created or 7,500 jobs, whichever is greater. The job  
15 growth targets for each subsequent 10-year period shall be  
16 finalized at least 12 months prior to the start of the 10-  
17 year period.

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

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

25 § 5109. Study by department.

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

29 (1) Pathways towards 100% renewable energy for the  
30 building sector.

1           (2) Policies necessary for all new buildings to be zero  
2 net energy buildings by 2030 and for nonrenewable energy  
3 consumption to be reduced for existing buildings by 50% by  
4 2030.

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

6           (1) How to expand access to renewable heating and  
7 electricity technologies.

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

11           (3) Energy burden and the impact on tenant housing,  
12 evictions and foreclosures.

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

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

20 § 5110. Analysis of energy consumption.

21 (a) The department shall determine:

22           (1) The overall quantity of energy consumed Statewide in  
23 the calendar year 2018 across all sectors and the percentage  
24 of energy consumed that came from renewable energy sources,  
25 using the best available data. The determination shall  
26 include an analysis of the percentage of renewable energy  
27 consumed in this Commonwealth that was produced:

28           (i) in this Commonwealth;

29           (ii) in adjacent states; and

30           (iii) in other states, territories or foreign

1 countries.

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

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

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

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

12 (b) Publication.--The department shall publish a similar  
13 analysis of renewable and nonrenewable energy consumption on at  
14 least a triennial basis and for the years 2020, 2030, 2040 and  
15 2050. The analysis shall include the amount, percentage, types  
16 and sources of renewable and nonrenewable energy consumed across  
17 all sectors Statewide and in the individual sectors and  
18 subsectors identified under subsection (a), as well as any  
19 additional sectors or subsectors that have since come to  
20 represent at least 2% of total Statewide energy consumption.  
21 § 5111. Interim limits on energy produced from nonrenewable  
22 sources.

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

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

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

29 (b) Individual sectors and subsectors.--The department shall  
30 establish interim limits on nonrenewable energy in the

1 individual sectors and subsectors identified under section 5110  
2 (relating to analysis of energy consumption). The interim limits  
3 shall maximize the ability of this Commonwealth to achieve 100%  
4 renewable energy by 2050.

5 (c) Projection.--The department shall determine the  
6 Statewide greenhouse gas emissions level in calendar year 1990  
7 and reasonably project what the emissions level will be in  
8 calendar year 2021 if no measures are imposed to lower emissions  
9 other than those formally adopted and implemented as of July 1,  
10 2018.

11 (d) Enforcement.--The interim limits on nonrenewable energy  
12 consumption for 2030 and 2040 shall be considered binding caps  
13 and shall be legally enforceable by any resident of this  
14 Commonwealth.

15 § 5112. State-owned facilities and land.

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

19 (1) Identify opportunities to expand solar and other  
20 renewable energy generation capacity on State-owned  
21 facilities and land.

22 (2) Install an additional 100 megawatts of solar and  
23 other clean energy generation capacity on State properties by  
24 December 31, 2020.

25 (3) Establish a goal for the amount of additional  
26 renewable energy generation capacity installed on State-owned  
27 facilities and lands in each subsequent five-year period  
28 beginning in 2020. The goal for each five-year period shall  
29 be not less than 25 megawatts of renewable energy generation  
30 capacity.

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

3           (b) Office of the Budget.--On an annual basis, the Office of  
4           the Budget shall track the upfront cost of renewable energy  
5           projects installed under this section and the revenue and energy  
6           cost savings accruing to Commonwealth agencies from those  
7           projects through net metering credits, electricity sales, the  
8           sale of renewable energy credits, other Federal or State  
9           incentive programs and other sources of revenue or energy cost  
10           savings.

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

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

28           (e) Report.--The department shall submit an annual report to  
29           the Governor, the General Assembly and the council describing  
30           progress towards meeting goals for renewable energy



1 installations on State properties, the costs and revenue  
2 associated with each project, the amount of revenue generated  
3 for the fund and expenditures from the fund.

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

9 (1) The study shall give preference to transportation  
10 options that:

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

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

15 (iii) maximize access to employment centers.

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

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

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

29 § 5113. Regulations.

30 (a) General rule.--The department and other Commonwealth

1 agencies controlling sectors or subsectors of energy consumption  
2 shall promulgate regulations establishing declining annual  
3 limits on the percentage of nonrenewable energy consumed by the  
4 sectors and subsectors identified in section 5110 (relating to  
5 analysis of energy consumption). The regulations shall reduce  
6 the use of nonrenewable energy at a rate sufficient to meet the  
7 interim 2030 and 2040 limits on nonrenewable energy consumption,  
8 as well as the 2050 goal of 100% renewable energy. In adopting  
9 the regulations, the department shall consider how to minimize  
10 costs and maximize economic, social, public health and  
11 environmental benefits for fossil fuel workers displaced in the  
12 transition to renewable energy.

13 (b) Deadlines.--The department, along with other  
14 Commonwealth agencies that control sectors or subsectors of  
15 energy consumption, shall promulgate regulations under  
16 subsection (a):

17 (1) not later than January 1, 2021, to meet the 2030  
18 interim limits on nonrenewable energy consumption;

19 (2) not later than January 1, 2029, to meet the 2040  
20 interim limits on nonrenewable energy consumption; and

21 (3) not later than January 1, 2039, to achieve 100%  
22 renewable energy by 2050.

23 (c) Jointly promulgated regulations.--The department and  
24 other Commonwealth agencies may jointly promulgate regulations  
25 to satisfy limits on nonrenewable energy consumption.

26 (d) Intent.--The regulations promulgated under this section  
27 are intended to result in real, permanent reductions in the use  
28 of nonrenewable energy resulting from activities in this  
29 Commonwealth.

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