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HOUSE BILL NO. 234

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Labor and Commerce
on February 4, 2020)

(Patron Prior to Substitute-Delegate Mugler)

A *BILL to amend and reenact §§ 45.1-161.5, 67-1208, and 67-1209 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 45.1-161.5:1, relating to Division of Offshore Wind; established.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 45.1-161.5, 67-1208, and 67-1209 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 45.1-161.5:1 as follows:

§ 45.1-161.5. Establishment of divisions; division heads.

The following divisions, through which the functions, powers, and duties of the Department may be discharged, are established in the Department: a Division of Mines, a Division of Mined Land Reclamation, a Division of Geology and Mineral Resources, a Division of Gas and Oil, a Division of Mineral Mining, ~~and~~ a Division of Energy, *and a Division of Offshore Wind*. The Director may establish other divisions as he deems necessary. Except as provided in § 45.1-161.15 with respect to the Chief of the Division of Mines, the Director shall appoint persons to direct the various functions and programs of the divisions, and may delegate to the head of any division any of the powers and duties conferred or imposed by law on the Director.

§ 45.1-161.5:1. Division of Offshore Wind; established.

A. The Director shall establish the Division of Offshore Wind (Division) in the Department and shall appoint persons to direct, support, and execute the powers and duties of the Division.

B. The powers and duties of the Division shall include:

1. Identifying specific measures that will facilitate the establishment of the Hampton Roads region as a wind industry hub for offshore wind generation projects in state and federal waters off the United States coast;

2. Coordinating state agencies' activities related to offshore wind, including development of programs that prepare Virginia's workforce to work in the offshore wind industry, create employment opportunities for Virginians within such industry, create opportunities for Virginia-based businesses to participate in the offshore wind industry supply chain, and attract out-of-state offshore wind-related businesses to locate within the Commonwealth;

3. Developing and implementing a stakeholder engagement strategy that identifies key groups, sets forth outreach objectives, and outlines a timeline for outreach and engagement;

4. Identifying regulatory and other barriers to the deployment of offshore wind and attraction of offshore wind supply chain businesses; and

5. Providing staff support for the Virginia Offshore Wind Development Authority and facilitating fulfillment of the Authority's purpose and duties set forth in Chapter 12 (§ 67-1200 et seq.) of Title 67.

C. On or before October 15 of each year, the Division shall submit an annual summary of its activities, the ways in which those activities have furthered the functions and programs of the Division, and the benefits of the efforts of the Division to the Commonwealth and its economy to the Governor and the Chairs of the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, the House Committee on Labor and Commerce, and the Senate Committee on Commerce and Labor. The Division may include its submission with the report of the Virginia Offshore Wind Development Authority required by § 67-1209.

§ 67-1208. Director; staff; counsel to the Authority.

A. The Director of the Department of Mines, Minerals and Energy shall serve as Director of the Authority and shall administer the affairs and business of the Authority in accordance with the provisions of this chapter and subject to the policies, control, and direction of the Authority. The Director shall maintain, and be custodian of, all books, documents, and papers of or filed with the Authority. The Director may cause copies to be made of all minutes and other records and documents of the Authority and may give certificates under seal of the Authority to the effect that such copies are true copies, and all persons dealing with the Authority may rely on such certificates. The Director also shall perform such other duties as prescribed by the Authority in carrying out the purposes of this chapter.

B. The Division of Offshore Wind within the Department of Mines, Minerals and Energy shall serve as staff to the Authority.

C. The Office of the Attorney General shall provide counsel to the Authority.

§ 67-1209. Annual report.

On or before October 15 of each year, the Authority shall submit an annual summary of its activities

60 and recommendations to the Governor and the ~~chairmen~~ *Chairs* of the House *Committee on*
61 *Appropriations Committee*, the Senate *Committee on Finance Committee and Appropriations*, and the
62 *House Committee on Labor and Commerce*, and the Senate *Committee on Commerce and Labor*
63 *Committees*. Such report may include the submission of the Division of Offshore Wind within the
64 Department of Mines, Minerals and Energy required by § 45.1-161.5:1.