

BY: Senator Mooney

AMENDMENTS TO SENATE BILL NO. 783, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, after “Trademarks” insert “- Electric Generating Station Moratorium”; in line 6, after “date” insert “for a portion of this Act”; in line 7, after “application” insert “of a portion”; in line 8, after “gas companies” insert “and electric generating stations”; and after line 14, insert:

“BY adding to

Article - Public Utility Companies

Section 7-212

Annotated Code of Maryland

(1998 Volume and 2001 Supplement)”.

In the Finance Committee Amendments (SB0783/357179/1), in line 1 of Amendment No. 1, after “that” insert “a portion of”; and in line 3, after “improvements;” insert “prohibiting the Public Service Commission from issuing a certificate of public convenience and necessity for the construction of an electric generating station until the Secretary of the Environment has made a certain determination concerning certain effects of the construction and operation of the generating station on the State's achievement of compliance with the ozone standard required by the Environmental Protection Agency; requiring the Department of the Environment to provide certain notice to the Commission;”.

AMENDMENT NO. 2

On page 1 of the bill, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

(Over)

Article - Public Utility Companies

7-212.

THE COMMISSION MAY NOT ISSUE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR AN ELECTRIC GENERATING STATION UNTIL THE SECRETARY OF THE ENVIRONMENT, AFTER PUBLIC NOTICE AND HEARING, HAS DETERMINED THAT THE CONSTRUCTION AND OPERATION OF THE ELECTRIC GENERATING STATION SHALL MEASURABLY AND SUBSTANTIALLY ASSIST THE STATE TO ACHIEVE OVERALL COMPLIANCE WITH THE NATIONAL PRIMARY AMBIENT AIR QUALITY STANDARD FOR OZONE REQUIRED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY UNDER 42 U.S.C. § 7511A AND RELATED PROVISIONS OF THE FEDERAL CLEAN AIR ACT AMENDMENTS OF 1990.”.

On page 2 of the bill, in line 1, strike “2.” and substitute “3.”; in lines 1 and 5, in each instance, after “That” insert “Section 1 of”; in lines 2 and 3, in each instance, after “date of” insert “Section 1 of”; after line 4 insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Department of the Environment shall notify the Public Service Commission of the State's achievement of the national primary ambient air quality standard for ozone under Section 2 of this Act immediately on receiving notification of that achievement from the United States Environmental Protection Agency.”.

in line 5, strike “3.” and substitute “5.”; and after line 6, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect October 1, 2002.”.