

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 175
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Teitelbaum” and substitute “Teitelbaum, Hooper, and Kramer”; strike beginning with “requiring” in line 9 down through “Program;” in line 11; and strike beginning with “requiring” in line 15 down through “surcharge” in line 18 and substitute “altering the amount of the environmental surcharge for each account for each retail electric customer for a specified period of time; extending the date by which the environmental trust surcharge may be imposed; requiring that a specified amount of the Environmental Trust Fund be provided to the Administration for the Community Energy and Economic Development Grant Program for a specified period of time; altering the name of a certain program; requiring the Legislative Auditor to conduct post audits of the Fund”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“Preamble

WHEREAS, The Power Plant Assessment Program within the Department of Natural Resources plays an essential role in ensuring that the State’s energy needs are met with minimal impact on the environment; and

WHEREAS, The Power Plant Assessment Program, in order to fulfill its mandate through the Power Plant Siting Act of 1971, must conduct highly detailed scientific and technical analyses of power generation and transmission projects and their impacts on the State and coordinate among numerous State agencies; and

WHEREAS, The Environmental Trust Fund was created for the sole purpose of funding the Power Plant Assessment Program in recognition of the fact that no alternative funding sources exist;

(Over)

and

WHEREAS, The that the Environmental Trust Fund should remain dedicated to funding the needs of the Power Plant Assessment Program, and that any moneys from the Environmental Trust Fund that are used to support the Community Energy and Economic Development Grant Program or other programs outside the explicit mandate of the Power Plant Siting Act of 1971 should be identified only after the needs of the Power Plant Assessment Program are met; and

WHEREAS, The use of the Environmental Trust Fund to meet the needs of the Power Plant Assessment Program should be protected in the future; now, therefore,.”.

AMENDMENT NO. 3

On page 2, strike beginning with “AND” in line 26 down through “ARTICLE” in line 28; in line 29, after “Assembly” insert “AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION”; in line 32, strike “Notwithstanding any other provisions of this subtitle” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH”; in lines 33 and 34, strike “the lesser of”; in line 34, strike “or” and substitute “.

(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR THE FISCAL YEARS BEGINNING JULY 1, 2006 AND JULY 1, 2007, THE AMOUNT OF THE SURCHARGE FOR EACH ACCOUNT OF EACH RETAIL ELECTRIC CUSTOMER SHALL BE 0.15 MILL PER KILOWATT HOUR.

(III) A RETAIL ELECTRIC CUSTOMER MAY NOT BE CHARGED MORE THAN”;

in the same line, strike “and the” and substitute “.

(IV) THE”;

and in line 35, strike “2010” and substitute “2020”.

On page 3, in line 22, strike “(I)”;

strike in their entirety lines 24 and 25; in line 27, after “for” insert “COSTS AND EXPENSES TO IMPLEMENT”; in the same line, after “studies” insert “AND PROGRAMS”; in line 28, after “energy” insert “, INCLUDING RENEWABLE ENERGY, AND ENERGY EFFICIENCY”; in line 30, after “Fund” insert “.

(I)”;

and in the same line, after “year” insert “FOR ADMINISTRATIVE COSTS AND EXPENSES FOR STUDIES AND PROGRAMS RELATING TO CONSERVATION OR PRODUCTION OF ENERGY; AND”

(II) FOR THE FISCAL YEARS BEGINNING JULY 1, 2006 AND JULY 1, 2007, SHALL BE AN AMOUNT FOR THE COMMUNITY ENERGY AND ECONOMIC DEVELOPMENT GRANT PROGRAM ESTABLISHED IN TITLE 21A OF THE STATE GOVERNMENT ARTICLE EQUAL TO THE BALANCE IN THE FUND THAT EXCEEDS THE TOTAL OF THE FOLLOWING:

1. THE CURRENT FISCAL YEAR’S APPROPRIATION TO THE DEPARTMENT FROM THE FUND; AND

2. 10% OF THE REVENUES COLLECTED UNDER THIS SECTION FROM THE SURCHARGE DURING THE PREVIOUS FISCAL YEAR”.

On page 4, in line 15, strike “Research” and substitute “ASSESSMENT”; strike beginning with “AND” in line 16 down through “ARTICLE” in line 17; in line 18, strike the brackets; in the same line, strike “BUDGETS”; in line 19, strike “Research” and substitute “ASSESSMENT”; strike beginning with “AND” in line 19 down through “PROGRAM” in line 20 and substitute “AND SUBJECT TO SUBSECTION (D) OF THIS SECTION”; in line 24, strike “Notwithstanding any other provision of this subtitle” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH”; in lines 25 and 26, strike “the lesser of”; in line 26, strike “or” and substitute “.”

(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR THE FISCAL YEARS BEGINNING JULY 1, 2006 AND JULY 1, 2007, THE AMOUNT OF THE SURCHARGE FOR EACH ACCOUNT OF EACH RETAIL ELECTRIC CUSTOMER SHALL BE 0.15 MILL PER KILOWATT HOUR.

(III) A RETAIL ELECTRIC CUSTOMER MAY NOT BE CHARGED MORE THAN”;

and in line 40, strike “2010” and substitute “2020”.

AMENDMENT NO. 4

On page 5, in lines 20 and 21, strike “OR TIER 2 RENEWABLE SOURCE”.

On page 6, in line 9, strike the first comma and substitute “AND”; in the same line, strike “, AND FARMERS”; in line 17, after “PURCHASE” insert “RENEWABLE”; strike beginning with “MAKE” in line 18 down through “(4)” in line 21; in line 21, after “ON” insert “RENEWABLE”; in lines 23 and 25, strike “(5)” and “(6)”, respectively and substitute “(4)” and “(5)”, respectively; strike in their entirety lines 27 and 28; in lines 29, 31, and 34, strike “(8)”, “(9)”, and “(10)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively; in lines 31 and 32, strike “AND MODERATE-INCOME RESIDENTS”; and in line 35, after “EFFICIENCY;” insert “OR”.

On page 7, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “(12)” and substitute “(9)”; in line 35, after “(A)” insert “(1)”; and after line 36, insert:

“(2) IN MAKING GRANTS UNDER THIS SUBTITLE, THE ADMINISTRATION SHALL CONSIDER:

(I) AN ALLOCATION OF GRANT ASSISTANCE AMONG PROPOSED COMMUNITY ENERGY PROGRAMS BASED ON PROJECTED ENERGY COST SAVINGS OR PROJECTED INCREASES IN RENEWABLE ENERGY USE OR PRODUCTION; AND

(II) THE GEOGRAPHIC DISTRIBUTION OF GRANT ASSISTANCE.”.

On page 8, in line 21, after “(B)” insert “(1)”; after line 23, insert:

“(2) THE ADMINISTRATION MAY NOT SPEND FOR ADMINISTRATIVE EXPENSES MORE THAN 10% OF THE FUNDS PLACED IN THE FUND.”;

strike beginning with “TRANSFERRED” in line 30 down through “ARTICLE” in line 32 and substitute “RECEIVED BY THE ADMINISTRATION UNDER § 3-302(D)(2)(II) OF THE NATURAL RESOURCES ARTICLE FOR THE USE IN PROGRAMS RELATING TO RENEWABLE ENERGY AND ENERGY EFFICIENCY”; and in line 33, after “FUND;” insert:

“(3) MONEY DIRECTED TO THE FUND IN CONNECTION WITH ANY PROCEEDINGS BEFORE THE PUBLIC SERVICE COMMISSION;

“(4) MONEY TRANSFERRED FROM THE RENEWABLE ENERGY FUND UNDER § 7-707 OF THE PUBLIC UTILITY COMPANIES ARTICLE, AS PROVIDED IN THE STATE BUDGET;”.

On page 9, in line 1, strike “(3)” and substitute “(5)”; after line 8, insert:

“(H) THE FUND IS SUBJECT TO THE PROVISIONS FOR FINANCIAL MANAGEMENT AND BUDGETING ESTABLISHED BY THE DEPARTMENT OF BUDGET AND MANAGEMENT.

(I) (1) THE LEGISLATIVE AUDITOR SHALL CONDUCT POST AUDITS OF A FISCAL AND COMPLIANCE NATURE OF THE FUND AND OF THE APPROPRIATIONS AND EXPENDITURES MADE FOR THE PURPOSE OF THIS SUBTITLE.

(2) THE COST OF THE FISCAL PORTION OF THE POST AUDIT EXAMINATIONS SHALL BE AN OPERATING COST OF THE FUND.”;

and strike in their entirety lines 9 through 17, inclusive.