

SB0931/347171/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 931
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Hershey” and substitute “, Hershey, Middleton, Benson, Feldman, Jennings, Klausmeier, Mathias, Reilly, Rosapepe, Oaks, and Ready”; in line 2, strike “Local Jurisdiction - Zoning Authority” and substitute “Public Service Commission - Certificate of Public Convenience and Necessity”; in the same line, strike “Generating Stations” and substitute “Consistency With Comprehensive Plan”; and in line 3, after “of” insert “requiring the Public Service Commission, rather than the Department of Planning, to provide a copy of certain application materials for a certificate of public convenience and necessity to each appropriate unit of local government in which the construction of a generating station is proposed to be located and to certain public officials; requiring the Commission to take final action on the application only after due consideration of the consistency of the application with the jurisdiction’s comprehensive plan and zoning and of certain efforts to resolve certain issues;”.

On pages 1 and 2, strike beginning with “authorizing” in line 3 on page 1 down through “Act;” in line 7 on page 2.

On page 2, in line 7, strike “zoning authority and generating stations” and substitute “an application for a certificate of public convenience and necessity”; strike in their entirety lines 8 through 17, inclusive; and in line 20, strike “(b)(1) and 7-207.1(b)” and substitute “(c) and (e)”.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 25 on page 2 through line 18 on page 8, inclusive.

(Over)

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On pages 8 and 9, strike in their entirety the lines beginning with line 21 on page 8 through line 24 on page 9, inclusive, and substitute:

“(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice immediately or require the applicant to provide notice immediately of the application to:

(i) the Department of Planning;

(ii) the governing body AND, IF APPLICABLE, THE EXECUTIVE of each county or municipal corporation in which any portion of the generating station, overhead transmission line, or qualified generator lead line is proposed to be constructed;

(iii) the governing body AND, IF APPLICABLE, THE EXECUTIVE of each county or municipal corporation within 1 mile of the proposed location of the generating station, overhead transmission line, or qualified generator lead line;

(iv) each member of the General Assembly representing any part of a county in which any portion of the generating station, overhead transmission line, or qualified generator lead line is proposed to be constructed;

(v) each member of the General Assembly representing any part of each county within 1 mile of the proposed location of the generating station, overhead transmission line, or qualified generator lead line; and

(vi) all other interested persons.

(2) The [Department of Planning] COMMISSION, WHEN SENDING THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, shall forward A COPY OF the application to:

(I) each appropriate State unit and unit of local government for review, evaluation, and comment regarding the significance of the proposal to State, area-wide, and local plans or programs; AND

(II) EACH MEMBER OF THE GENERAL ASSEMBLY INCLUDED UNDER PARAGRAPH (1)(IV) AND (V) OF THIS SUBSECTION WHO REQUESTS A COPY OF THE APPLICATION.

(e) The Commission shall take final action on an application for a certificate of public convenience and necessity only after due consideration of:

(1) the recommendation of the governing body of each county or municipal corporation in which any portion of the construction of the generating station, overhead transmission line, or qualified generator lead line is proposed to be located;
[and]

(2) the effect of the generating station, overhead transmission line, or qualified generator lead line on:

(i) the stability and reliability of the electric system;

(ii) economics;

(iii) esthetics;

(iv) historic sites;

(v) aviation safety as determined by the Maryland Aviation Administration and the administrator of the Federal Aviation Administration;

(vi) when applicable, air and water pollution; and

(vii) the availability of means for the required timely disposal of wastes produced by any generating station; AND

(3) FOR A GENERATING STATION:

(I) THE CONSISTENCY OF THE APPLICATION WITH THE COMPREHENSIVE PLAN AND ZONING OF EACH COUNTY OR MUNICIPAL CORPORATION WHERE ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE LOCATED; AND

(II) THE EFFORTS TO RESOLVE ANY ISSUES PRESENTED BY A COUNTY OR MUNICIPAL CORPORATION WHERE ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE LOCATED.”.

On pages 9 through 11, strike in their entirety the lines beginning with line 25 on page 9 through line 3 on page 11, inclusive.

On page 11, in line 4, strike “3.” and substitute “2.”.