

SENATE BILL 560

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C5

1999 Regular Session
(9r2090)

ENROLLED BILL
-- Finance/Environmental Matters --

Introduced by **Senator Hogan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Higher Education - Utility Services**

3 FOR the purpose of exempting certain persons that enter into certain agreements
4 regarding certain utility services with public institutions of higher education
5 from being considered public service companies subject to the jurisdiction of the
6 Public Service Commission under certain circumstances.

7 BY adding to
8 Article - Education
9 Section 15-109
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 1998 Supplement)

12 ~~BY repealing and reenacting, without amendments,~~
13 ~~Article - Public Utility Companies~~
14 ~~Section 1-101(p) and 2-112~~

1 Annotated Code of Maryland
2 (1998 Volume)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Education**

6 15-109.

7 (A) THIS SECTION APPLIES ONLY TO A PUBLIC INSTITUTION OF HIGHER
8 EDUCATION THAT OWNS, MANAGES, OR MAINTAINS A STEAM SYSTEM OR AN
9 ELECTRIC SYSTEM FOR THE PURPOSE OF PROVIDING SERVICES EXCLUSIVELY FOR
10 THE BENEFIT OF THE INSTITUTION.

11 (B) A PERSON THAT ENTERS INTO AN AGREEMENT OR LEASE WITH A PUBLIC
12 INSTITUTION OF HIGHER EDUCATION TO FACILITATE OR UNDERTAKE THE
13 FINANCING, WHOLE OR PARTIAL OWNERSHIP, OPERATION, GENERATION,
14 CONSTRUCTION, DISTRIBUTION, OR MAINTENANCE OF AN ON-SITE STEAM OR
15 ELECTRIC GENERATION, PRODUCTION, OR DISTRIBUTION SYSTEM FOR THE
16 INSTITUTION MAY NOT BE CONSIDERED A PUBLIC SERVICE COMPANY, AS DEFINED
17 IN § 1-101 OF THE PUBLIC UTILITY COMPANIES ARTICLE, SUBJECT TO THE
18 JURISDICTION OF THE PUBLIC SERVICE COMMISSION AS A RESULT OF THE
19 FINANCING, LEASING, OWNERSHIP, OPERATION, CONTROL, MANAGEMENT,
20 CONSTRUCTION, DISTRIBUTION, OR MAINTENANCE OF THE STEAM OR ELECTRIC
21 SYSTEM.

22 **~~Article - Public Utility Companies~~**

23 ~~1-101.~~

24 ~~(p) "Public service company" means a common carrier company, electric~~
25 ~~company, gas company, sewage disposal company, steam heating company, telegraph~~
26 ~~company, telephone company, water company, or any combination of public service~~
27 ~~companies.~~

28 ~~2-112.~~

29 ~~(a) To the full extent that the Constitution and laws of the United States~~
30 ~~allow, the Commission has jurisdiction over each public service company that engages~~
31 ~~in or operates a utility business in the State and over motor carrier companies as~~
32 ~~provided in Title 9 of this article.~~

33 ~~(b) (1) The Commission has the powers specifically conferred by law.~~

34 ~~(2) The Commission has the implied and incidental powers needed or~~
35 ~~proper to carry out its functions under this article.~~

36 ~~(c) The powers of the Commission shall be construed liberally.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 1999.