

BY: Delegate Healey

AMENDMENTS TO SENATE BILL NO. 996  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “County” and substitute “and Prince George’s Counties -”; in the same line, after “Gas” insert “Facilities”; in line 3, strike “Task Force”; in line 4, after “of” insert “prohibiting the District Council for Prince George’s County from granting a special exception in Prince George’s County for a liquefied natural gas storage facility without a three-fourths majority vote of the district council for the county; providing for the application of certain provisions of this Act;”; in line 15, after “of” insert “certain provisions of”; in line 16, after “Act;” insert “making this Act an emergency measure;”; strike beginning with “the” in line 16 down through “Force” in line 17 and substitute “liquefied natural gas facilities in Baltimore and Prince George’s counties”; and after line 17, insert:

“BY repealing and reenacting, without amendments,

Article - Public Utility Companies  
Section 11-101(a)  
Annotated Code of Maryland  
(1998 Volume and 2005 Supplement)

BY repealing and reenacting, with amendments,

Article - Public Utility Companies  
Section 11-101(d), (e), (f), and (g)  
Annotated Code of Maryland  
(1998 Volume and 2005 Supplement)

BY adding to

Article - Public Utility Companies  
Section 11-101(d)  
Annotated Code of Maryland

(Over)

(1998 Volume and 2005 Supplement)”.  
On page 2, in line 10, after “area” insert “in Eastern Baltimore County”; and after line 28,

insert:

“WHEREAS, Liquefied natural gas storage facilities that are in close proximity to residential communities are inappropriate; and ”.

#### AMENDMENT NO. 2

On page 2, after line 31, insert:

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

#### Article - Public Utility Companies

#### 11-101.

(a) (1) In this section the following words have the meanings indicated.

(2) “Liquefied natural gas” means natural gas cooled to form a liquid at approximately atmospheric pressure.

(3) “Liquefied natural gas facility” means any facility used to produce, store, or regasify liquefied natural gas.

(D) IN PRINCE GEORGE’S COUNTY, THE DISTRICT COUNCIL FOR THE COUNTY ESTABLISHED UNDER ARTICLE 28 OF THE CODE MAY NOT APPROVE A SPECIAL EXCEPTION FOR PROPERTY TO BE USED AS A LIQUEFIED NATURAL GAS STORAGE FACILITY WITHOUT A THREE-FOURTHS MAJORITY VOTE OF THE DISTRICT COUNCIL.

[(d)] (E) The Commission may enforce [these] regulations ADOPTED UNDER THIS SECTION by any method provided in § 2-117(a), § 13-201, or § 13-205 of this article.

[(e)] (F) The Commission may enter into agreements with federal units as necessary to carry out this section.

[(f)] (G) This section does not expand the definition of “public service company” in § 1-101 of this article.

~~[(g)]~~ (H) A person who violates a regulation that the Commission adopts under this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10,000 for each day the violation continues, and imprisonment not exceeding 1 year.”;

in line 32, strike “1.” and substitute “2. AND”; in the same line, after “IT” insert “FURTHER”; and strike beginning with “BY” in line 32 down through “MARYLAND” in line 33.

AMENDMENT NO. 3

On page 5, after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any application for or permit issued for a liquefied natural gas facility on or after January 1, 2005.”;

in line 15, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 2 of”; strike beginning with “shall” in line 15 down through “It” in line 16; strike beginning with “for” in line 16 down through “at” in line 17 and substitute “through”; in line 17, after “2007.” insert “and at the end of July 31, 2007.”; in line 18, after “Assembly.” insert “Section 2 of”;

and after line 18, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yeay and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.