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By: **Delegates Minnick, Arnick, and Weir**  
 Introduced and read first time: March 2, 2006  
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Committee Report: Favorable with amendments  
 House action: Adopted  
 Read second time: April 5, 2006

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore County Liquefied Natural Gas Facilities—Approval for**  
 3 **Construction or Operation—Baltimore County Task Force**

4 FOR the purpose of ~~prohibiting the construction or operation of a liquefied natural~~  
 5 ~~gas facility without the approval of the Public Service Commission; prohibiting~~  
 6 ~~the Public Service Commission from granting regulatory approval for the~~  
 7 ~~construction or operation of a liquefied natural gas facility in Baltimore County~~  
 8 ~~that is located within a certain distance of a residence; and generally relating to~~  
 9 ~~liquefied natural gas facilities~~ establishing a Baltimore County Liquefied  
 10 Natural Gas Task Force; providing for the composition and duties of the Task  
 11 Force; requiring the Department of the Environment to provide staffing for the  
 12 Task Force; prohibiting members of the Task Force from receiving  
 13 compensation, but authorizing certain reimbursement for certain expenses;  
 14 requiring the Task Force to report certain findings and recommendations to the  
 15 Governor and the General Assembly on or before a certain date; providing for  
 16 the termination of this Act; and generally relating to the Baltimore County  
 17 Liquefied Natural Gas Task Force.

18 ~~BY repealing and reenacting, with amendments,~~  
 19 ~~Article—Public Utility Companies~~  
 20 ~~Section 11-101~~  
 21 ~~Annotated Code of Maryland~~  
 22 ~~(1998 Volume and 2005 Supplement)~~



~~Article—Public Utility Companies~~

1  
2 ~~11-101.~~

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

4 (2) "Liquefied natural gas" means natural gas cooled to form a liquid at  
5 approximately atmospheric pressure.

6 (3) "Liquefied natural gas facility" means any facility used to produce,  
7 store, or regasify liquefied natural gas.

8 (b) The Commission shall adopt regulations to ensure to the greatest extent  
9 practicable the operational safety of liquefied natural gas facilities.

10 (c) (1) The Commission shall inspect periodically each liquefied natural gas  
11 facility to ensure compliance with the regulations adopted under subsection (b) of this  
12 section.

13 (2) Inspections shall be conducted at intervals the Commission  
14 determines necessary.

15 (d) The Commission may enforce [these] THE regulations by any method  
16 provided in § 2-117(a), § 13-201, or § 13-205 of this article.

17 (E) (1) A LIQUEFIED NATURAL GAS FACILITY MAY NOT BE CONSTRUCTED  
18 OR OPERATED WITHOUT THE APPROVAL OF THE COMMISSION.

19 (2) THE COMMISSION MAY NOT GRANT ANY APPROVAL FOR THE  
20 CONSTRUCTION OR OPERATION OF A LIQUEFIED NATURAL GAS FACILITY IF THE  
21 FACILITY IS TO BE LOCATED:

22 (I) IN BALTIMORE COUNTY; AND

23 (II) WITHIN 2 MILES OF ANY RESIDENCE.

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

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

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

32 (a) There is a Baltimore County Liquefied Natural Gas Task Force.

33 (b) The Task Force consists of the following members:

1           (1)     four members from the scientific, environmental, and energy  
2 communities, jointly appointed by the President of the Senate and the Speaker of the  
3 House of Delegates;

4           (2)     the Chairman of the Public Service Commission, or the Chairman's  
5 designee;

6           (3)     the Secretary of the Environment, or the Secretary's designee;

7           (4)     the Secretary of Natural Resources, or the Secretary's designee;

8           (5)     the Director of the Maryland Energy Administration, or the  
9 Director's designee;

10          (6)     three members nominated by the Senator representing the Maryland  
11 legislative district in which the proposed liquefied natural gas facility in eastern  
12 Baltimore County is proposed to be sited, subject to approval of the President of the  
13 Senate; and

14          (7)     three members nominated by the Delegates representing the  
15 Maryland legislative district in which the proposed liquefied natural gas facility in  
16 eastern Baltimore County is proposed to be sited, subject to approval of the Speaker of  
17 the House of Delegates.

18         (c)     The Task Force shall elect the chair of the Task Force from among its  
19 members.

20         (d)     The Department of the Environment shall provide staff for the Task Force.

21         (e)     A member of the Task Force:

22             (1)     may not receive compensation; but

23             (2)     is entitled to reimbursement for expenses under the Standard State  
24 Travel Regulations, as provided in the State budget.

25         (f)     The Task Force shall study:

26             (1)     the risks and hazards of a liquefied natural gas production, storage,  
27 or regasification facility;

28             (2)     the kind and use of the proposed production, storage, or  
29 regasification facility;

30             (3)     the current and projected population and demographic  
31 characteristics of the location of the proposed production, storage, or regasification  
32 facility;

33             (4)     the current and proposed land use near the location of the proposed  
34 production, storage, or regasification facility;

- 1           (5)     the natural and physical aspects of the proposed location;
- 2           (6)     the emergency response capabilities near the proposed facility  
3 location;
- 4           (7)     the need and appropriate distance for remote siting;
- 5           (8)     the effect of the proposed facility location on recreational and  
6 commercial boating and fishing and crabbing in the area;
- 7           (9)     the impact on the environment, especially on water quality, due to  
8 the quality of the dredged material from the large scale dredging that is intended to  
9 be undertaken to accommodate the ships transporting the liquefied natural gas; and
- 10          (10)    the impact on the ability of residential property owners near the  
11 proposed facility to retain access to their properties by way of the waterway.
- 12         (g)     The Task Force shall report its findings and recommendations to the  
13 Governor and, in accordance with § 2-1246 of the State Government Article, the  
14 General Assembly, on or before December 31, 2006.
- 15         SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 ~~October 1, 2006~~ July 1, 2006. It shall remain effective for a period of 1 year and 1  
17 month and, at the end of July 31, 2007, with no further action required by the General  
18 Assembly, this Act shall be abrogated and of no further force and effect.