

SB0771/227579/3

BY: Finance Committee

AMENDMENTS TO SENATE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Public Utility Companies – Wind Turbines” and substitute “Wind–Powered Electric Generating Facilities and Solar Generating Systems”; in the same line, after “Standards” insert “and Decommissioning and Restoration Studies”; strike beginning with “Public” in line 3 down through “regulation;” in line 6 and substitute “Power Plant Research Program in the Department of Natural Resources to conduct two studies; requiring the Program to study performance standards for wind–powered electric generating facilities to make a certain determination on the development of standards, identify certain types of standards, and indicate the performance standard for certain types of standards; requiring the Program to study decommissioning and restoration of wind–powered electric generating facilities and solar generating systems to identify certain means to ensure certain adequate funds exist for a certain purpose; requiring the Program to seek input from certain representatives and other appropriate persons; requiring the Program to report on certain findings and recommendations to the Governor and certain committees of the General Assembly in a certain manner on or before a certain date;”; in line 7, before “general” insert “studies of”; in line 7, after “standards” insert “for wind–powered electric generating facilities and decommissioning and restoration”; in the same line, strike “for wind turbines erected” and substitute “of wind–powered electric generating facilities and solar generating systems”; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 1, in line 14, strike “the Laws of Maryland read as follows”.

On pages 1 and 2, strike beginning with line 15 on page 1 through line 8 on page 2 and substitute:

(Over)

“(a) The Power Plant Research Program in the Department of Natural Resources shall conduct two studies as provided in this section.

(b) (1) The Program shall study the development of general performance standards for wind-powered electric generating turbines located in the State.

(2) The study shall:

(i) determine whether general performance standards should be developed on a statewide, regional, or a project-specific basis;

(ii) identify the types of standards that could reasonably be included in general performance standards, including:

A. individual turbine electricity generating capacity;

B. turbine type or model;

C. tower height;

D. number and size of blades;

E. rotor diameter;

F. noise;

G. lighting on and near turbines; and

H. setbacks; and

(iii) indicate the performance standard, as appropriate, for each of the standards identified in item (ii) of this paragraph.

(3) In conducting the study, the Program shall:

(i) consider general performance standards developed in other states;

(ii) seek input, as appropriate, from the Public Service Commission, the Department of the Environment, the Department of Natural Resources, the Maryland Energy Administration, the Department of Agriculture, owners of wind turbines and wind-powered generating facilities, electric companies, and any other person that the Program considers appropriate; and

(iii) review any resource of information relating to general performance standards for wind-powered generating facilities, as the Program considers appropriate.

(c) (1) The Program shall study how to ensure that adequate funds exist to:

(i) decommission wind-powered electric generating facilities in the State and solar generating systems located in the State once they cease to operate; and

(ii) restore the site on which wind-powered electric generating facilities and solar generating systems operated to its pre-operation condition.

(2) The study shall:

(i) identify the means that could be used to ensure that adequate funds exist, including:

A. the imposition of a surcharge on a facility or system based on the output or production capacity of the generating facility or system; and

B. requiring a facility or system to post a bond, hold funds in an escrow account, or obtain other security; and

(ii) indicate the criteria, as appropriate, that would be used for the means identified in item (i) of this paragraph.

(3) In conducting the study, the Program shall:

(i) consider how other states ensure adequate decommissioning and restoration funds for wind-powered electric generating facilities and solar generating systems;

(ii) seek input, as appropriate, from the Public Service Commission, the Department of the Environment, the Department of Natural Resources, the Maryland Energy Administration, the Department of Agriculture, owners of wind turbines and wind-powered generating facilities, owners of solar panels and solar generating systems, electric companies, and any other person that the Program considers appropriate; and

(iii) review any resource of information relating to decommissioning and restoration of wind-powered electric generating facilities and solar generating systems, as the Program considers appropriate.

(d) On or before December 31, 2009, the Program shall report its findings and recommendations on the two studies required under this section to the Governor and, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.”.

On page 2, in line 10, strike “October” and substitute “July”.