

BY: Economic Matters Committee and the Environmental
Matters Committee

AMENDMENTS TO HOUSE BILL 1556
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “fee” insert “, subject to certain conditions”; and in line 7, after “fee;” insert “prohibiting the imposition or collection of the fee on certain coal combustion by-products used in certain manners;”.

AMENDMENT NO. 2

On page 3, in line 2, strike “**WHICH**” and substitute “**THAT**”; in line 8, strike “**IN ACCORDANCE WITH THIS PART**”; in line 10, strike “**BY**” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, BY**”; in the same line, strike “**MAY**” and substitute “**SHALL**”; in the same line, strike “, **IMPOSE,**”; strike beginning with “**BY**” in line 14 down through “**TO**” in line 20 and substitute “**THE DEPARTMENT SHALL BASE THE FEES ON**”; in line 21, after “**(1)**” insert “**THE TOTAL ANNUAL TONNAGE OF COAL COMBUSTION BY-PRODUCTS THAT THE GENERATOR GENERATES;**

(2)”;

in lines 23, 25, 28, and 29, strike “**(2)**”, “**(3)**”, “**(4)**”, and “**(D)**”, respectively, and substitute “**(3)**”, “**(4)**”, “**(6)**”, and “**(C)**”, respectively; strike beginning with the comma in line 23 down through the comma in line 24; strike beginning with “**THE**” in line 25 down through “**DEPARTMENT**” in line 27 and substitute “**TO THE EXTENT THAT THE COAL COMBUSTION BY-PRODUCTS ARE USED RATHER THAN DISPOSED OF, THE TYPES OF THE USES;**

(Over)

(5) WHETHER THE COAL COMBUSTION BY-PRODUCTS ARE TRANSPORTED FOR USE OR DISPOSAL OUT-OF-STATE;

in line 28, strike “**ANY OTHER**” and substitute “**OTHER**”; in the same line, strike “**AS**”; in the same line, strike “**MAY DETERMINE**” and substitute “**CONSIDERS APPROPRIATE**”; and strike beginning with “**IN**” in line 31 down through “**BY**” in line 32 and substitute “**AS**”; and in line 32, after “**DEPARTMENT**” insert “**DETERMINES**”.

On page 4, in line 1, strike “**DISPOSED OF OUTSIDE THE STATE**” and substitute “**USED FOR COAL MINE RECLAMATION IN ACCORDANCE WITH REGULATIONS THE DEPARTMENT ADOPTS OR WITH REGULATIONS OF THE RECEIVING STATE**”; strike in their entirety lines 2 and 3 and substitute:

“(D) FEES IMPOSED ON COAL COMBUSTION BY-PRODUCTS THAT ARE TRANSPORTED FOR USE OR DISPOSAL OUT-OF-STATE MAY NOT EXCEED 50% OF THE FEES ESTABLISHED FOR DISPOSAL IN-STATE.”;

in line 4, strike “**(F)**” and substitute “**(E)**”; after line 6, insert:

“(F) THE FEES IMPOSED SHALL BE SET AT THE RATE NECESSARY TO IMPLEMENT THE PURPOSES SET FORTH IN § 9-284 OF THIS SUBTITLE.”;

in line 7, strike “**IF**” and substitute “**IN ANY FISCAL YEAR, IF**”; in the same line, after “**DEPARTMENT**” insert “**GENERATES REVENUE THAT**”; and in line 10, strike “**FEE SCHEDULE ACCORDINGLY**” and substitute “**FEES IN THE FOLLOWING FISCAL YEAR**”.

AMENDMENT NO. 3

On page 4, in line 12, before “**THE**” insert “**(A)**”; strike beginning with the colon in line 12 down through “**TO**” in line 13 and substitute “**SOLELY TO**”; in line 13, strike

“MANAGE DEPARTMENT” and substitute “IMPLEMENT”; in line 14, strike “RELATED”; in the same line, after “TO” insert “CONTROL”; in line 15, after “OR” insert “OTHER REQUIREMENTS RELATED TO THE”; in line 16, strike the semicolon and substitute “, INCLUDING ALL COSTS INCURRED BY THE STATE TO:”; in lines 17, 21, and 25, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; strike beginning with “TO” in line 17 down through “EVALUATING” in line 18 and substitute “REVIEW, INSPECT, AND EVALUATE”; in line 20, strike “RELATED TO COAL COMBUSTION BY-PRODUCTS”; in line 21, strike “FOR SITE” and substitute “PERFORM AND OVERSEE”; strike beginning with “RELATED” in line 22 down through “PRODUCTS” in line 24; in line 25, strike “TO DEVELOP, PROPOSE, OR” and substitute “DEVELOP, ADOPT, AND”; and strike beginning with “DISPOSAL” in line 27 down through “OR” in line 28.

AMENDMENT NO. 4

On page 5, strike beginning with the colon in line 14 down through “TO” in line 15 and substitute “TO”; and strike beginning with the comma in line 15 down through “PART” in line 20.