

HB1406/403121/1

BY: Delegate Behler

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 1406

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 8, in each instance, after “necessity” insert “for certain generating stations”; in lines 6 and 9, in each instance, strike “, if applicable,”; in line 11, strike “any applicable”; in line 12, after “grant” insert “, under certain circumstances,”; in the same line, strike “certain conditional”; in line 13, strike “under certain circumstances” and substitute “for a certain generating station that the Commission determines would cause or contribute to certain impacts”; in line 14, strike “conditional”; and in line 15, after “necessity” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 6 in line 23, and on page 11 in line 30, in each instance, after “**(1)**” insert “**THIS SUBSECTION DOES NOT APPLY TO A PERSON APPLYING FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR A SOLAR ENERGY, WIND ENERGY, OR GEOTHERMAL ENERGY GENERATING STATION.**”

(2)”.

On page 6, in line 24, after “NECESSITY” insert “**FOR A GENERATING STATION PROPOSED TO BE CONSTRUCTED WITHIN A 1.5-MILE RADIUS OF AN AT-RISK CENSUS TRACT**”; in lines 26, 28, and 29, strike “**(2)**”, “**(3)**”, and “**(2)**”, respectively, and substitute “**(3)**”, “**(4)**”, and “**(3)**”, respectively; and in line 27, strike “**IF APPLICABLE,**”.

On page 7, in line 6, strike “**AND**”; in line 8, after “**IMPACTS**” insert “**; AND**”

(V) ANY ALTERNATIVES TO THE PROPOSED GENERATING STATION;

in line 9, strike “**(3)**” and substitute “**(4)**”; strike beginning with “**A**” in line 9 down through “**AN**” in line 10 and substitute “**AN**”; in line 11, after “**REPORT**” insert “**SHALL BE COMPLETED**”; and in line 12, strike “**AN**” and substitute “**ANY**”.

On page 7 in lines 3 and 4, 13 and 14, 18 and 19, and 23 and 24, on page 8 in lines 4, 13 and 14, 20 and 21, and 24 and 25, on page 10 in lines 16 and 17, on page 12 in lines 7 and 8, 14 and 15, 22 and 23, 28 and 29, and 33 and 34, and on page 13 in lines 14 and 15, 27 and 28, and 31 and 32, in each instance, strike “, **OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE**”.

On page 8, in line 26, strike “**(4)**” and substitute “**(5)**”; in line 27, strike “**AN APPLICANT**” and substitute “**THE COMMISSION**”; after line 8, insert:

“D. SOLID OR HAZARDOUS WASTE MANAGEMENT FACILITIES;

E. WASTEWATER TREATMENT PLANTS;”;

in lines 9 and 10, strike “**D.**” and “**E.**”, respectively, and substitute “**F.**” and “**G.**”, respectively; in lines 15 and 16, strike “**OR LINE**”; in line 19, strike the first “**IN**” and substitute “**BORNE BY**”; and in line 22, after “**ANY**” insert “**POTENTIAL**”.

On page 9, in line 4, strike “**AND**”; strike in their entirety lines 5 through 8, inclusive; in line 9, strike “**THE**”; in line 10, strike “**SUBMITTED UNDER PARAGRAPH (4) OF THIS SUBSECTION**”; in lines 9 and 12, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; and in line 14, strike “, **IF APPLICABLE, AN**”.

On page 11, in line 31, after “NECESSITY” insert “FOR A GENERATING STATION PROPOSED TO BE CONSTRUCTED WITHIN A 1.5-MILE RADIUS OF AN AT-RISK CENSUS TRACT”; and in line 32, strike the colon.

On page 12, in line 1, strike “(I)”; strike beginning with “REQUIRED” in line 1 down through “THE” in line 3 and substitute “AND”; in line 4, strike “REQUIRED” and substitute “SUBMITTED”; in the same line, strike “(C)(4)” and substitute “(C)(5)”; in lines 5, 13, 21, and 24, strike “(2)”, “(3)”, “(4)”, and “(2)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(3)”, respectively; in line 6, strike “ANY APPLICABLE”; and in line 13, strike “(4)” and substitute “(5)”.

On page 12 in line 21, and on page 13 in lines 1 and 9, in each instance, strike “CONDITIONAL”.

On page 13, in lines 1, 2, 7, and 9, strike “(5)”, “(4)”, “(6)”, and “(6)”, respectively, and substitute “(6)”, “(5)”, “(7)”, and “(7)”, respectively; in line 4, strike “PERMIT”; and in line 10, after “NECESSITY” insert “IN ACCORDANCE WITH PARAGRAPH (5) OF THIS SUBSECTION”.