

Each party compensates their own appraiser and shall bear one-half (1/2) the cost of the third appraiser. The leasing charge shall be at five (5) percent annually of the purchase price. For the purposes of this Act, said leases are tantamount to a proprietary interest subjecting the electric utility to local property taxes. Receipts from the purchase and leasing transactions shall be deposited in the "Fund." ~~The purchase or lease by electric utilities as described in this paragraph shall not necessitate submission to or approval of county or municipal zoning authorities.~~ IN VIEW OF THE SAFEGUARDS PROVIDED BY THIS SUBTITLE THROUGH STATE AGENCIES, AND TO ASSURE THE CONTROLLING EFFECT OF THEIR DETERMINATIONS, ANY PROPERTY PURCHASED OR LEASED BY AN ELECTRIC COMPANY AS PROVIDED IN THIS PARAGRAPH ~~TO~~ SHALL BE USED AND OPERATED FOR ELECTRIC GENERATING AND ASSOCIATED TRANSMISSION PURPOSES WITHOUT REGARD TO ANY LOCAL ZONING RULE, REGULATION, LAW, OR ORDINANCE, AND SUCH USE SHALL NOT BE REQUIRED IN ANY MANNER TO BE SUBMITTED TO OR APPROVED BY ANY COUNTY OR MUNICIPAL ZONING BOARD, AUTHORITY, OR AGENCY.

767. *Judicial Review*

The Board of Review of the Department of Natural Resources shall not have jurisdiction over any proceedings arising under or pursuant to this subtitle, and Sections 236 and 237 of Article 41 of this Code shall not be applicable to decisions of the Secretary of Natural Resources relating to power plant siting. It is the intention of this subtitle that judicial review as herein provided for shall in all instances include the right to appeal to the Circuit Courts as set forth in Article 78, Sections 89 through 98.

768. *Administration*

Such staff as may be necessary to carry out the provisions of this subtitle, in such numbers and at such salaries shall be provided in the annual State budget.

5A. *Review of and recommendation to CONCERNING applications for Certificates of Public Convenience and Necessity associated with power plant construction.*

Anything in Article 66C, Article 78, and Article 96A of the Annotated Code of Maryland to the contrary notwithstanding and in lieu of the requirements of Article 96A and Sections 722 through 731 of Article 66C, upon application to the Public Service Commission for a certificate of public convenience and necessity associated with power plant construction involving, but not limited to, use or diversion of the waters of the State, and/or private wetlands, said Commission shall immediately notify the Department of Natural Resources of such fact and said Commission shall supply the Department of Natural Resources with all pertinent available information regarding such application. The Secretary of the Department of Natural Resources shall treat such application for a certificate of public convenience and necessity similar to an application for the appropriation or use of the waters of the State pursuant to Article 96A and similar to an application for a license for dredging and filling pursuant to Sections 722 through 731 of this Article. Within