

*watt hour of electric energy generated within Maryland. BY AUTHORIZING THE ELECTRIC COMPANIES TO ADD THE FULL AMOUNT OF THE SURCHARGE TO CUSTOMERS' BILLS. Revenues from the surcharge so required to be made by electric companies and collected by the Comptroller shall be placed into the special fund known as the Environmental Trust Fund.*

*Commencing with 1972, the Secretary of Natural Resources will each year coordinate the preparation of a budget required to carry out the provisions of this Act. Upon approval of the Annual State Budget, by the General Assembly of the State of Maryland, the Public Service Commission shall establish the amount of the surcharge per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year thereafter, but in no event shall it continue beyond 1985 nor shall it ever exceed 0.3 mill per kilowatt hour.*

*Prior to January 1, 1972, after consultation with the electric companies, the Comptroller shall establish the method of collection of the surcharge from the companies, provided that such collections shall accrue to the "Fund." In no event shall the utilities be required to pay into the fund a greater amount than that which has been collected less 1½% for expenses incurred in the collection thereof.*

90. Right to review; etc.

Any party or any person in interest, including the People's Counsel, and the Secretary of Natural Resources, dissatisfied by a final decision or order of the Commission whether affirmative or negative in form is entitled to judicial review thereof as provided in this subtitle. *The term "final decision or order" includes the fair market value of a site as determined by the appraisal Committee as set forth in Article 66C, Section 766, a final determination by the Secretary of Natural Resources that a generating site shall not be included in the ten year plan as set out in Article 66C, Section 765 and a final recommendation by the Secretary of Natural Resources as to conditions imposed upon a certificate of public convenience and necessity as set forth in Article 66, Section 5A.* FOR THE PURPOSES OF THIS SUBTITLE, THE SECRETARY OF NATURAL RESOURCES SHALL HAVE STANDING TO SEEK JUDICIAL REVIEW OF THE COMMISSION'S FINAL DECISION OR ORDER MADE PURSUANT TO ARTICLE 78, SECTION 54A AND SECTION 54B RELATIVE TO THE ENVIRONMENTAL ASPECTS OF POWER PLANT SITING. Where the registration of any motor vehicle carrier is suspended or revoked by the Commissioner of Motor Vehicles, on order of the Commission, the order of the Commission, and not the action of the Commissioner of Motor Vehicles shall be subject to review.

SEC. 2. *And be it further enacted, That if any provision of this subtitle or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this subtitle which can be given effect without the invalid provisions or application, and to this end all provisions of this subtitle are declared to be severable.*

SEC. 3. *And be it further enacted, That this Act shall take effect July 1, 1971.*

Approved April 23, 1971.