

and 1973 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 78 - Public Service Commission Law

54B.

(c) The Public Service Commission shall [take cognizance of the mandate by the General Assembly to] impose [the] AN ENVIRONMENTAL surcharge per kilowatt hour of electric energy generated within Maryland [by authorizing] AND SHALL AUTHORIZE the electric companies to add the full amount of the surcharge to customers' bills. TO THE EXTENT THAT THE SURCHARGE IS NOT COLLECTED FROM CUSTOMERS, THE SURCHARGE SHALL BE DEEMED A COST OF GENERATION AND SHALL BE ALLOWED AND COMPUTED AS SUCH, TOGETHER WITH OTHER ALLOWABLE EXPENSES, FOR RATE-MAKING PURPOSES. Revenues from the surcharge [so required to be made by electric companies and] SHALL BE collected by the Comptroller [shall be] AND placed into the special fund known as the Environmental Trust Fund. [Commencing with 1972, the] THE Secretary of Natural Resources [will each year] ANNUALLY SHALL coordinate the preparation of a budget required to carry out the provisions of [this act] THE POWER PLANT SITING AND RESEARCH PROGRAM, AS SET FORTH IN THE NATURAL RESOURCES ARTICLE. 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]. THE SURCHARGE MAY NOT continue beyond 1985 nor [shall] MAY it ever exceed 0.3 mill per kilowatt hour. [Prior to January 1, 1972, after consultation with the electric companies, the] THE Comptroller shall [establish] MAINTAIN the method of collection of the surcharge from the companies [, provided that such] AND THE collections shall accrue to the [" ]Fund. THE DEPARTMENT SHALL CREDIT AGAINST THE AMOUNT REQUIRED TO BE PAID INTO THE ENVIRONMENTAL TRUST FUND BY EACH ELECTRIC COMPANY AN AMOUNT EQUAL TO 1-1/2% OF THE TOTAL SURCHARGE ATTRIBUTED TO EACH COMPANY ON THE BASIS OF THE ELECTRICITY GENERATED WITHIN MARYLAND. [" In no event shall the utilities be required to pay into the fund a greater amount than that which has been collected less 1 1/2% for expenses incurred in the collection thereof.]

SECTION 3. AND BE IT FURTHER ENACTED, [[That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the