

Article - Tax - General

10-720.

(a) (1) In this section the following words have the meanings indicated.

(2) "ADMINISTRATION" MEANS THE MARYLAND ENERGY ADMINISTRATION.

~~(3) "QUALIFIED ENERGY AGGREGATOR OR BROKER" MEANS A PRIVATE ENERGY AGGREGATOR OR BROKER LICENSED BY THE PUBLIC SERVICE COMMISSION THAT:~~

~~(I) PURCHASES ELECTRICITY PRODUCED FROM QUALIFIED ENERGY RESOURCES AT A QUALIFIED MARYLAND FACILITY, AND~~

~~(II) SELLS THE ELECTRICITY TO AN ENERGY CONSUMER LOCATED IN MARYLAND.~~

[(2)](4) (3) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, "qualified energy resources" has the meaning stated in [§ 45] § 45(C)(1) of the Internal Revenue Code.

(ii) "Qualified energy resources" includes any solid, nonhazardous, cellulosic waste material that is segregated from other waste materials and is derived from:

1. any of the following forest-related resources, not including old-growth timber:

- A. mill residues, EXCEPT SAWDUST AND WOOD SHAVINGS;
- B. [pre-commercial] FOREST thinnings;
- C. slash; or
- D. brush;

2. waste pallets, crates, and dunnage and landscape or right-of-way trimmings[, not including unsegregated municipal solid waste and post-consumer waste paper]; or

3. agricultural sources, including orchard tree crops, vineyard, grain, legumes, sugar, and other crop by-products or residues.

(iii) "Qualified energy resources" includes methane gas OR OTHER COMBUSTIBLE GASES resulting from the [anaerobic] decomposition of organic materials [in] FROM AN AGRICULTURAL OPERATION, OR FROM a landfill or wastewater treatment plant USING ONE OR A COMBINATION OF THE FOLLOWING PROCESSES:

1. ANAEROBIC DECOMPOSITION; OR
2. THERMAL DECOMPOSITION.