

Article - Natural Resources
Section 3-305(a), (b), and (d)
Annotated Code of Maryland
(1983 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

3-305.

(a) The expertise of the electric utilities in the basic requirements, including environmental considerations, of a site for power generation and generator lead route is a needed element in site selection. Therefore, for the purposes of insuring adequate power on reasonable schedules while also protecting the quality of the State's environment, site acquisition and generator lead route designation may occur as follows:

(1) Notwithstanding any other provision of this subtitle, any site either already owned or purchased in the future by electric companies shall be included in the inventory of possible and proposed sites.

(2) The Secretary, on the advice of the Secretary of Economic and Community Development, shall acquire in the name of the State a sufficient number of sites to satisfy the expected requirements as submitted by the Secretary of State Planning, as provided in § 3-304(4) of this subtitle. Site selection shall be based on existing research findings that show the site is desirable for power plant construction. Following site acquisition, the Secretary and the local governing bodies of the areas through which the potential generator lead routes pass shall designate mutually one or more desirable routes. After designation of a route, each county within which the route is located shall designate the proposed public utility corridor by enactment of an ordinance or by incorporation in its appropriate land use plan. Any investigation to ascertain the suitability of a site for the construction of an electric generating station shall be completed within 2 years of the date the site has been identified. By the end of the 2 year period, the Secretary shall purchase or remove from consideration the site and make public his decision.

(3) Notwithstanding any other provision of this subtitle, the Secretary shall not acquire any site for an electric company whose peak demand within the State is less than 1000 MW until the Public Service Commission requests the Secretary to purchase a site under Article 78, § 54B(e) of the Code.