

requiring a renewables portfolio standard, including the feasibility and structure of a two-tiered standard, and the estimated costs and benefits of establishing this requirement.]

[(d)](A) (1) [(i)] In recognition of the potential environmental impacts of restructuring the electric industry, it is the intent of the General Assembly to minimize the effects of electric restructuring on the environment.

[(ii)](2) Electric companies in Maryland shall conduct a study that tracks shifts in generation and emissions as a result of restructuring the electric industry.

[(iii)](3) The study shall be submitted to the Department of the Environment and the Commission one year after the initial date of implementation of customer choice.

[(iv)](4) Electric companies in Maryland shall update the study twice and submit each updated study to the Department of the Environment and the Commission on or before December 31, 2003 and on or before December 31, 2005.

[(2)](B) If, after review of the study required under paragraph (1) of this subsection, the Department of the Environment determines that the emissions levels impose a higher emission burden in Maryland, the Department of the Environment, in consultation with the Commission, shall study the appropriateness, constitutionality, and feasibility of establishing an air quality surcharge or other mechanism to protect Maryland's environment in connection with the implementation of customer choice of electricity suppliers.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) On or before October 1, 2004, the Public Service Commission shall establish a technical advisory group to develop recommendations on siting, operational, and monitoring criteria for wind-powered electricity generating facilities relating to avian and bat issues.

(2) The technical advisory group shall include the following members:

(i) two biologists who are professionally recognized for their expertise in avian issues and behavior, including one from the Department of Natural Resources;

(ii) two representatives of wind energy companies;

(iii) one representative of an electricity transmission company or other individual with interest and experience in siting and interconnection of electricity transmission facilities with generating facilities;

(iv) two representatives of environmental groups; and

(v) one representative of the Commission.

(3) The technical advisory group shall study and make recommendations on: