

SB0489/133420/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 489
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “establishing that”; in the same line, after “corporation” insert “has the authority”; in the same line, strike “process” and substitute “approve or deny”; and in line 7, after “lines;” insert “requiring a county or municipal corporation to approve or deny the local permits in a certain manner; prohibiting a county or municipal corporation from conditioning the approval of the local permits on certain approvals;”.

AMENDMENT NO. 2

On page 2, in lines 3 and 4 and 12 and 13, in each instance, strike “**NOTWITHSTANDING ANY LOCAL LAW, A COUNTY OR MUNICIPAL CORPORATION SHALL PROCESS WITHIN A REASONABLE TIME**” and substitute:

“(1) A COUNTY OR MUNICIPAL CORPORATION HAS THE AUTHORITY TO APPROVE OR DENY”;

and after lines 6 and 15, in each instance, insert:

“(2) A COUNTY OR MUNICIPAL CORPORATION SHALL APPROVE OR DENY ANY LOCAL PERMITS REQUIRED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED UNDER THIS SECTION:

(I) WITHIN A REASONABLE TIME; AND

(II) TO THE EXTENT LOCAL LAWS ARE NOT PREEMPTED BY STATE LAW, IN ACCORDANCE WITH LOCAL LAWS.

(3) A COUNTY OR MUNICIPAL CORPORATION MAY NOT CONDITION THE APPROVAL OF A LOCAL PERMIT REQUIRED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED UNDER THIS SECTION ON RECEIPT OF ANY OF THE FOLLOWING APPROVALS FOR ANY ASPECT OF A

GENERATING STATION, AN OVERHEAD TRANSMISSION LINE, OR A QUALIFIED
LEAD LINE PROPOSED TO BE CONSTRUCTED UNDER THE CERTIFICATE:

- (I) A CONDITIONAL USE APPROVAL;
- (II) A SPECIAL EXCEPTION APPROVAL; OR
- (III) A FLOATING ZONE APPROVAL.”