

BY repealing and re-enacting, with amendments,

Article - Natural Resources
Section 8-802(c)
Annotated Code of Maryland
(1974 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 8-802(c) of Article - Natural Resources, of the Annotated Code of Maryland (1974 Volume) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article - Natural Resources

8-802(c).

Notwithstanding any other provision of this subtitle, AN application [to the Public Service Commission] for a certificate of public convenience and necessity associated with power plant construction [involving] WHICH INVOLVES use or diversion of waters of the State, MADE TO THE PUBLIC SERVICE COMMISSION under Article 78 of the code constitutes an application for the permit required by this section, and [is handled in accordance with] THE PROVISIONS OF Section 3-306 of this article[.] APPLY. If an application is made to the Public Service Commission, the hearing provided for by this subtitle [shall be] IS NOT required. [Any pertinent] ALL evidence RELEVANT TO THE PURPOSES OF THIS SUBTITLE shall be presented at the hearing HELD BY THE PUBLIC SERVICE COMMISSION, AS required by Article 78, Section 54A. The permit required by this subtitle is included in the certificate of public convenience and necessity issued by the Public Service Commission.

SECTION 2. AND BE IT FURTHER ENACTED, That [[the provisions of this corrective Act shall be applied from its effective date to assure that no hearing is deemed to have been necessary with respect to an application made between January 1, 1974 and June 30, 1974]] any proceedings under Section 8-802(c) of Article "Natural Resources" of the Annotated Code of Maryland (1974 Volume), held prior to June 1, 1974, with a hearing before the Public Service Commission but without a departmental hearing as said Section 8-802(c) then purported to require, are validated and confirmed as legal with respect to the absence of the departmental hearing.