

enter upon private property to conduct environmental and engineering studies, including soil boring and excavation, necessary to determine the suitability of the property for [Administration] use BY THE ADMINISTRATION ENTERING THE PROPERTY. Entry onto private property for these purposes shall not be undertaken without prior consent of the property owner. If, after real and bona fide effort, the consent of the property owner cannot be secured, the Administration SEEKING ENTRY may apply to a law or equity court where the property or any part of it is located for an order directing that entry be permitted. "Bona fide effort" shall include either 30 days advance notice in writing by certified mail return receipt requested to the last known address of the property owner or posting notice on the property not less than 30 days in advance, and such other requirements as the court may deem appropriate. The Administration ENTERING THE PROPERTY, when removing, displacing, boring, or excavating soil under the provisions of this section, shall replace the topsoil in a manner which will approach the level of compaction and contour as when removed. [The] AN Administration ENTERING PRIVATE PROPERTY UNDER THE AUTHORITY OF THIS SUBSECTION shall reimburse the landowner or lessee who is farming the property for agricultural products destroyed or damaged by [its] THE ADMINISTRATION'S agents, employees, or consultants[. The Administration] AND shall be responsible for any other damages that may be incurred as a result of such entry on private property.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved April 26, 2005.

CHAPTER 121

(Senate Bill 131)

AN ACT concerning

Public Service Commission - Annual Reports - Common Carriers and Telephone Companies

FOR the purpose of ~~authorizing~~ providing that, unless directed by the Public Service Commission to ~~modify the requirements that a public service company, certain public service companies are not required to file certain annual reports; and~~ generally relating to the authority of the Public Service Commission.

BY repealing and reenacting, with amendments,

Article - Public Utility Companies

~~Section 5-302(a) and 6-205(a)(2)~~ Section 5-302 and 6-205

Annotated Code of Maryland

(1998 Volume and 2004 Supplement)

~~BY repealing and reenacting, without amendments,~~

Article - Public Utility Companies