

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1625, L.D. 2288, Bill, "An Act to Require a Total Least-cost Energy Plan and to Establish a Moratorium on Fossil-fuel Fired Electric Generation Facilities in This State"

Amend the bill by striking out the title and substituting the following:

'An Act to Impose a Moratorium on Certain New Energy Facilities'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Moratorium on permits. Notwithstanding any other provision of law, a state permit may not be issued before October 15, 1993 for the operation of a new electric generation plant that uses coal as its primary energy source. For purposes of this section, an electric generation plant that uses coal as its primary energy source is any electric generation plant 50% of whose total energy input in any calender year is or is proposed to be from coal. This section does not apply to generation plants that are or have been in legal operation prior to the effective date of this Act, nor does it include any upgrading of these plants, including the retrofitting of any of these plants to accommodate new fuel sources or fuel source mixes.

Sec. 2. Moratorium on construction and operation. Notwithstanding any other provision of law, construction or operation of a proposed new electric generation plant that uses coal as its primary energy source may not begin before October 15, 1993. For purposes of this section, an electric generation plant that uses coal as its primary energy source is any electric generation plant 50% of whose total energy input in any calender year is or is proposed to be from coal. This section does not apply to electric generation plants that are or have been in legal operation prior to the effective date of this Act, nor does

COMMITTEE AMENDMENT

2 it include any upgrading of these plants, including the
retrofitting of these plants to accommodate new fuel sources or
fuel source mixes.

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6 **Sec. 3. Application.** Notwithstanding the Maine Revised
Statutes, Title 1, section 302 and Title 38, section 344, this
Act applies to any application pending before any state agency on
8 or after the effective date of this Act.'

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12 **STATEMENT OF FACT**

14 This amendment, which is the minority report of the Joint
Standing Committee on Utilities, places a moratorium on state
16 permitting and the construction and operation of any new
coal-fired electric generation plant. This amendment makes
18 explicit exemptions for upgrades and retrofits of existing
plants. Under this moratorium, state agencies may process and
20 hold hearings on permits.

Reported by the Minority of the Committee on Utilities
Reproduced and distributed under the direction of the Clerk of the
House
3/11/92 (Filing No. H-1083)