

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 709, L.D. 960, Bill, "An Act to Impose a Moratorium on Certain Sources of Energy until a State Energy Policy Is Adopted"

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

'An Act to Impose a Moratorium on Certain Sources of Energy'

Further amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. Moratorium on permits. Notwithstanding any other provision of law, a state permit may not be issued before June 1, 1995 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 calendar year is or is proposed to be 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 June 1, 1995. 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 calendar year is or is proposed to be 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 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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2 **Sec. 3. Application.** Notwithstanding the Maine Revised
4 Statutes, Title 1, section 302 and Title 38, section 344, this
 Act applies to any application pending before any state agency on
 or after the effective date of this Act.'

6 Further amend the bill by inserting at the end before the
8 statement of fact the following:

10 **FISCAL NOTE**

12 A moratorium on the construction and operation of certain
14 electric generation plants may result in insignificant reductions
 of General Fund revenues from various licensing fees.'

16 **STATEMENT OF FACT**

18 This amendment, which is the minority report of the Joint
20 Standing Committee on Utilities, places a moratorium on state
 permitting and the construction and operation of new coal-fired
22 electric generation plants. This amendment makes explicit
 exemptions for upgrades and retrofits of existing plants. Under
24 this moratorium, state agencies may process and 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
5/18/93 (Filing No. H-352)