

HOUSE No. 3541

By Mr. Cabral of New Bedford, petition of Antonio F. D. Cabral, Joseph B. McIntyre, Robert M. Koczera, Brian S. Dempsey, Marc D. Draisen and Pamela P. Resor for legislation to further regulate the use of coal in electric generating facilities. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT FURTHER REGULATING THE USE OF COAL IN ELECTRIC GENERATING FACILITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 164 of the General Laws is hereby amended by inserting
- 2 after section 69I the following section: —
- 3 Section 69I½. Notwithstanding the provisions of this chapter
- 4 or any law to the contrary, an electric generating facility
- 5 constructed or commencing operation on and after January first,
- 6 nineteen hundred and ninety-three shall utilize coal only as a last
- 7 resort for a fuel source and if a facility determines that coal is
- 8 the only alternative available, the burden of proof of such
- 9 determination shall be on the facility; provided, however, that cost
- 10 shall not be a factor in such determination.

