

# HOUSE . . . . . No. 3283

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By Mr. Cabral of New Bedford, petition of Antonio F. D. Cabral for legislation to further regulate the use of coal in electric generating facilities. Telecommunications, Utilities and Energy.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Seven.

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AN ACT FURTHER REGULATING 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, as appearing in the 2004 Offi-  
2 cial Edition, is hereby amended by inserting after Section 69I the  
3 following section:—

4 Section 69I½. Notwithstanding the provisions of this chapter or  
5 any law to the contrary, an electric generating facility constructed or  
6 commencing operation on and after January first, nineteen hundred  
7 and ninety-six shall utilize coal only as a last resort for a fuel source  
8 and if a facility determines that coal is the only alternative available,  
9 the burden of proof of such determination shall be on the facility;  
10 provided, however, that cost shall not be a factor in such determina-  
11 tion.