



General Assembly

February Session, 2000

Amendment

LCO No. 3732

Offered by:

REP. BACKER, 121st Dist.

REP. MADDUX, 66th Dist.

To: Subst. House Bill No. 5754

File No. 308

Cal. No. 247

"An Act Encouraging Fuel Cell Technology."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Subsection (a) of section 16-50k of the general statutes is repealed
4 and the following is substituted in lieu thereof:

5 (a) Except as provided in subsection (b) of section 16-50z, no person
6 shall exercise any right of eminent domain in contemplation of,
7 commence the preparation of the site for, or commence the
8 construction or supplying of a facility, or any modification of a facility,
9 that may, as determined by the council, have a substantial adverse
10 environmental effect, in the state without having first obtained a
11 certificate of environmental compatibility and public need, hereinafter
12 referred to as a "certificate", issued with respect to such facility or
13 modification by the council, except fuel cells with a generating
14 capacity of ten kilowatts or less which shall not require such certificate.
15 Any facility with respect to which a certificate is required shall
16 thereafter be built, maintained and operated in conformity with such

17 certificate and any terms, limitations or conditions contained therein.
18 Notwithstanding the provisions of this subsection, the council shall, in
19 the exercise of its jurisdiction over the siting of generating facilities,
20 approve by declaratory ruling (1) the construction of a facility solely
21 for the purpose of generating electricity other than an electric
22 generating facility that uses nuclear materials or coal as fuel, at a site
23 where an electric generating facility operated prior to July 1, 1998, and
24 (2) the construction or location of any fuel cell, unless the council finds
25 a substantial adverse environmental effect.