

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

**'An Act To Apply the Precautionary Principle to
Decision Making in the Public Utilities Commission'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'**Sec. 1. 35-A MRSA §1324** is enacted to read:

§ 1324. Precautionary principle

In an adjudicatory proceeding, if the commission determines, after a review of the best scientific information available, there are reasonable grounds for concern that a proposed action that is the subject of the adjudicatory proceeding will result in serious or irreversible damage to the environment or human, animal or plant health, the commission may require, as a condition of approval of the proposed action, that all cost-effective measures be taken to prevent that damage. The commission may adopt routine technical rules as described in Title 5, chapter 375, subchapter 2-A to implement this section.

Sec. 2. Application. This Act applies only to adjudicatory proceedings of the Public Utilities Commission opened or initiated after the effective date of this Act.'

SUMMARY

This amendment is the minority report of the committee and replaces the bill. This amendment provides that, in an adjudicatory proceeding initiated after the effective date of this legislation, if the Public Utilities Commission determines, after a review of the best scientific information available, there are reasonable grounds for concern that a proposed action that is the subject of the adjudicatory proceeding will result in serious or irreversible damage to the environment or human, animal or plant health, the commission may require, as a condition of approval of the proposed action, that all cost-effective measures be taken to prevent that damage.