

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1058

S.P. 318

In Senate, February 13, 1997

An Act to Require Legislative Review of Any Proposed Interstate Agreement Related to the Atmospheric Transport of Ozone.

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator LIBBY of York.
Cosponsored by Representative TRIPP of Topsham and
Representatives: LOVETT of Scarborough, MACK of Standish, SAVAGE of Union.

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 38 MRSA §585-F is enacted to read:

6 §585-F. Interstate ozone transport agreements

8 1. Authorization to enter into agreements. The commissioner
10 or the commissioner's designee may not enter into an interstate
12 agreement relating to the transport of ozone and potentially
14 requiring the State to undertake emissions reductions in addition
to those specified in the federal Clean Air Act, 42 United States
Code, section 7401 et seq., without the prior review and
authorization of the Legislature.

16 2. Legislative review. Within 10 days of the development of
18 a proposed interstate agreement relating to the transport of
20 ozone, the commissioner shall submit the proposed agreement to
22 the joint standing committee of the Legislature having
24 jurisdiction over natural resources matters. The committee shall
26 review the proposed agreement and hold at least one public
hearing on the proposed agreement. The committee's review must
include, but is not limited to, the public health, economic and
environmental impacts of the proposed agreement. The committee
has the authority to report out legislation authorizing the
commissioner to enter into the proposed agreement or disapproving
the proposed agreement.

28 3. Study. To assist in the review required by subsection 2,
30 the Director of the State Planning Office or the director's
32 designee shall study the impacts of the proposed interstate
34 agreement relating to the transport of ozone on the State's
36 economy, including, but not limited to, impacts on economic
38 development, employment, utility costs and rates, income and
industrial competitiveness. Other agencies shall assist in the
preparation of the study upon request. The director shall submit
the study to the joint standing committee of the Legislature
having jurisdiction over natural resource matters not fewer than
10 days prior to a public hearing held pursuant to subsection 2.

42 **SUMMARY**

44 This bill prohibits the Commissioner of Environmental
46 Protection from entering into any interstate agreement relating
48 to the transport of ozone and potentially requiring the State to
undertake emissions reductions in addition to those specified in
50 the federal Clean Air Act, 42 United States Code, section 7401 et
seq., without the prior review and authorization of the
Legislature. The bill requires the joint standing committee of

2 the Legislature having jurisdiction over natural resources
3 matters to review a proposed agreement and to hold at least one
4 public hearing on a proposed agreement. The State Planning
5 Office shall assist the committee in its review by studying the
6 impacts of the proposed agreement on the State's economy. The
7 bill authorizes the committee to report out legislation
8 authorizing the commissioner to enter into the proposed agreement
or disapproving the proposed agreement.