

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 777

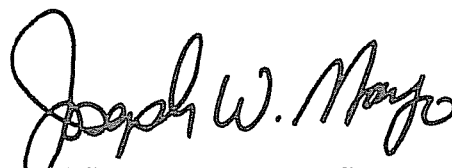
H.P. 572

House of Representatives, March 4, 1993

Resolve, to Establish a Commission to Study Nonregulatory and Market Solutions to Environmental Issues.

(EMERGENCY)

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


JOSEPH W. MAYO, Clerk

Presented by Representative GOULD of Greenville.
Cosponsored by Representatives: ANDERSON of Woodland, JACQUES of Waterville, LORD of Waterboro, MARSH of West Gardiner, POULIN of Oakland, Senator: LUDWIG of Aroostook.

Emergency preamble. Whereas, Acts and resolves of the
2 Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
Whereas, the first meeting of the Commission to Study
6 Nonregulatory and Market Solutions to Environmental Issues
established in this Act must convene no later than August 15,
8 1993, in order to complete its study and submit a report to the
Second Regular Session of the 116th Legislature; and

10
Whereas, in the judgment of the Legislature, these facts
12 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
14 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

16
Sec. 1. Commission established. Resolved: That the Commission
18 to Study Nonregulatory and Market Solutions to Environmental
Issues is established; and be it further

20
Sec. 2. Commission membership. Resolved: That the commission
22 consists of 12 members:

24 1. Three members of the natural resource agencies of the
State, appointed by the Governor; and

26
2. Nine persons chosen from the following list, jointly
28 appointed by the President of the Senate and the Speaker of the
House of Representatives:

30 A. Three members representing private industry;

32 B. Three members representing environmental advocacy groups;
34 and

36 C. Three members of the academic community; and be it further

38 Sec. 3. Appointments; meetings. Resolved: That all
appointments must be made no later than 30 days following the
40 effective date of this resolve. The Executive Director of the
Legislative Council must be notified by all appointing
42 authorities once the selections have been made. When the
appointment of all members has been completed, the Chair of the
44 Legislative Council shall call and convene the first meeting of
the commission no later than August 15, 1993. The commission
46 shall select a chair from among its members; and be it further

48 Sec. 4. Duties. Resolved: That the commission shall review the
State's environmental laws and rules and examine

2 reasonable alternative regulatory mechanisms and nonregulatory
3 strategies, including, but not limited to, market-based
4 strategies, economic incentives and nonregulatory approaches to
5 environmental issues. The commission shall evaluate the findings
6 of the study and make recommendations for alternative approaches
7 to existing environmental law that provide a cost savings to the
8 State and offer greater flexibility to the regulated community
9 without compromising appropriate levels of environmental
10 protection. In conducting the study, the commission may:

11 1. Meet at convenient times and locations;

12 2. Hold informational sessions for discussions with
13 knowledgeable persons;

14 3. Conduct, summarize and analyze the results of a
15 literature search;

16 4. Conduct, tabulate and analyze the results of a survey of
17 the public or affected persons and groups;

18 5. Procure and analyze relevant data;

19 6. Conduct legal research and prepare opinions on legal
20 questions within the scope of the study; and

21 7. Determine and summarize the legislative actions or
22 governmental programs undertaken in other jurisdictions related
23 to issues within the scope of the study; and be it further

24 **Sec. 5. Staff assistance. Resolved:** That the commission shall
25 request staffing assistance from the Legislative Council; and be
26 it further

27 **Sec. 6. Reimbursement. Resolved:** That all members of the
28 commission who are not state employees are entitled to
29 reimbursement for expenses as defined in the Maine Revised
30 Statutes, Title 5, section 12002, upon application to the
31 Executive Director of the Legislative Council; and be it further

32 **Sec. 7. Report. Resolved:** That the commission shall submit
33 its report, together with any necessary implementing legislation,
34 to the Second Regular Session of the 116th Legislature and to the
35 Joint Standing Committee on Energy and Natural Resources no later
36 than November 1, 1993; and be it further

