

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1404

H.P. 1047

House of Representatives, March 5, 2001

**Resolve, to Create a Stakeholders Group to Modernize Maine's Clean Air Policy.**

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative DAIGLE of Arundel.  
Cosponsored by Senator MARTIN of Aroostook and  
Representatives: COWGER of Hallowell, DUPLESSIE of Westbrook, Senator: SAWYER of Penobscot.

2           **Preamble. Whereas,** Maine is a state that is uniquely located  
to receive transported air pollution from other states; and

4           **Whereas,** Maine reviewed and developed its clean air policy  
in 1995; and

6           **Whereas,** the development of such a policy was undertaken in  
8 a collaborative manner by a broad base of interested  
stakeholders; and

10           **Whereas,** that policy is now 6 years old and not reflecting  
12 the changes to regulations and requirements governing air policy;  
and

14           **Whereas,** there exists a significant need to update,  
16 modernize and amend Maine's clean air policy; now, therefore, be  
it

18           **Sec. 1. Stakeholders Group to Modernize Maine's Clean Air Policy**  
20 **established. Resolved:** That the Stakeholders Group to Modernize  
Maine's Clean Air Policy, referred to in this resolve as the  
22 "stakeholders group," is established; and be it further

24           **Sec. 2. Stakeholders group membership; appointments. Resolved:**  
That the stakeholders group consists of the following 12 members:

26           1. Two members of the Senate, one appointed by the  
28 President of the Senate and one appointed by the President Pro  
Tempore, at least one of whom must be from a nonattainment area;

30           2. Two members of the House of Representatives, appointed  
32 by the Speaker of the House, one of whom is a member of a  
political party that does not hold a majority of seats in that  
34 body and at least one of whom must be from a nonattainment area;

36           3. Two members representing groups involved in  
38 environmental or energy matters, one appointed by the President  
of the Senate and one appointed by the Speaker of the House;

40           4. Two members representing groups involved in business and  
42 industrial issues pertaining to clean air issues, appointed by  
the Governor;

44           5. One member representing a group involved in petroleum  
46 issues, appointed by the Governor;

48           6. One member from a group representing automobile issues,  
appointed by the Governor;

2           7. One member representing an energy-generating facility,  
appointed by the Governor; and

4  
6           8. The Commissioner of Environmental Protection or the  
commissioner's designee.; and be it further

8           **Sec. 3. Chairs. Resolved:** That the first named Senate member  
is the Senate chair of the stakeholders group and the first named  
10 House of Representatives member is the House chair of the  
stakeholders group; and be it further

12           **Sec. 4. Appointments; meetings. Resolved:** That all  
14 appointments must be made no later than 30 days following the  
effective date of this resolve. The Executive Director of the  
16 Legislative Council must be notified by all appointing  
authorities once the selections have been made. When the  
18 appointment of all members has been completed, the chairs of the  
stakeholders group shall call and convene the first meeting of  
20 the stakeholders group no later than 30 days after all members  
are appointed; and be it further

22           **Sec. 5. Duties. Resolved:** That the stakeholders group shall:

24           1. Review, amend and modernize Maine's clean air policy.  
26 In examining the issues, the stakeholders group must ensure that  
such a policy achieves the requirements of federal law in a  
28 manner that costs the least for Maine citizens while being the  
most equitable. The policy must be scientifically grounded,  
30 based on the best data available, which may not be more than 2  
years old;

32           2. Review current air control strategies, possible air  
34 control strategies, agreements for control strategies with New  
England governors and eastern Canadian premieres and 3rd-party  
36 groups, including, but not limited to, the Ozone Transport  
Commission and the Northeast States for Coordinated Air Use  
38 Management;

40           3. Review current attainment and nonattainment areas to  
determine whether recommendations for changes to these areas need  
42 to be made; and

44           4. Review and update Maine's emission inventory, the 15%  
rate of progress plan and make whatever recommendations it  
46 considers necessary; and be it further

48           **Sec. 6. Staff assistance. Resolved:** That, upon approval of the  
Legislative Council, the Office of Policy and Legal

2 Analysis shall provide necessary staffing services to the  
3 stakeholders group and that the Department of Environmental  
4 Protection may provide necessary technical support services; and  
be it further

6 **Sec. 7. Compensation. Resolved:** That the members of the  
7 stakeholders group who are Legislators are entitled to the  
8 legislative per diem, as defined in the Maine Revised Statutes,  
9 Title 3, section 2, and reimbursement for necessary expenses  
10 incurred for their attendance at authorized meetings of the  
11 stakeholders group. Other members of the stakeholders group who  
12 are not otherwise compensated by their employers or other  
13 entities that they represent are entitled to receive  
14 reimbursement of necessary expenses incurred for their attendance  
at authorized meetings; and be it further

16 **Sec. 8. Report. Resolved:** That the stakeholders group shall  
17 submit its report, together with any necessary implementing  
18 legislation, to the Second Regular Session of the 120th  
19 Legislature no later than January 15, 2002. If the stakeholders  
20 group requires a limited extension of time to conclude its work,  
21 it may apply to the Legislative Council, which may grant the  
22 extension.

## 24 SUMMARY

26 This resolve establishes a stakeholders study group to study  
27 and recommend changes to Maine's clean air laws.