

MAINE STATE LEGISLATURE

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ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 550, L.D. 1679, Bill, "An Act To Establish the Maine Climate Change Council To Assist Maine To Mitigate, Prepare for and Adapt to Climate Change"

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

'An Act To Promote Clean Energy Jobs and To Establish the Maine Climate Council'

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, the Maine Climate Council, its Scientific and Technical Subcommittee and its working groups, which are established in this legislation and which are directed in this legislation to address a number of critical and pressing issues relating to the effects of climate change on the State, its communities and its environment and natural resources, must commence work on those issues as soon as is possible; and

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

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

'Sec. 1. 5 MRSA §12004-I, sub-§24-G is enacted to read:

24-G.

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1	<u>Environment:</u>	<u>Maine Climate</u>	<u>Legislative Per Diem</u>	<u>38 MRSA §577-A</u>
2	<u>Natural Resources</u>	<u>Council, Scientific</u>	<u>and Expenses for</u>	
3		<u>and Technical</u>	<u>Legislators/Expenses</u>	
4		<u>Subcommittee and</u>	<u>Only for Certain</u>	
5		<u>Working Groups</u>	<u>Members</u>	

7 Amend the bill in section 3 in subsection 3 in the 5th blocked paragraph in the 2nd
8 line (page 2, line 21 in L.D.) by striking out the following: "greenhouse gas reduction
9 under" and inserting the following: '~~greenhouse gas reduction under~~'

10 Amend the bill in section 6 in subsection 1-A in the last line (page 4, line 3 in L.D.)
11 by striking out the following: "this chapter" and inserting the following: 'section 577'

12 Amend the bill by striking out all of sections 8 to 12 and inserting the following:

13 '**Sec. 8. 38 MRSA §576-A** is enacted to read:

14 **§576-A. Greenhouse gas emissions reductions**

15 **1. 2030 annual emissions level.** By January 1, 2030, the State shall reduce gross
16 annual greenhouse gas emissions to at least 45% below the 1990 gross annual greenhouse
17 gas emissions level.

18 **2. Interim emissions level.** By January 1, 2040, the gross annual greenhouse gas
19 emissions level must, at a minimum, be on an annual trajectory sufficient to achieve the
20 2050 annual emissions level in accordance with subsection 3.

21 **3. 2050 annual emissions level.** By January 1, 2050, the State shall reduce gross
22 annual greenhouse gas emissions to at least 80% below the 1990 gross annual greenhouse
23 gas emissions level.

24 **4. Monitoring, reporting and compliance rules.** By July 1, 2021, the department
25 shall adopt rules to track and report to the Legislature on gross annual greenhouse gas
26 emissions and net annual greenhouse gas emissions.

27 Notwithstanding any provision of section 341-H to the contrary, by September 1, 2021,
28 the board shall adopt rules to ensure compliance with the levels established by
29 subsections 1 to 3 which:

30 A. Must be consistent with the climate action plan, as updated pursuant to section
31 577, subsection 1;

32 B. Must prioritize greenhouse gas emissions reductions by sectors that are the most
33 significant sources of greenhouse gas emissions, as identified by the United States
34 Energy Information Administration and in the department's biennial reports submitted
35 under section 578, taking into account gross greenhouse gas emissions reductions
36 achieved by each sector since 1990 measured as a percentage of statewide gross
37 greenhouse gas emissions and taking into account the cost-effectiveness of future
38 gross greenhouse gas emissions reductions by each sector;

39 C. Must be fair and equitable and account for and give significant weight to
40 greenhouse gas emissions reductions already achieved by various sectors; and

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1 D. May establish a mechanism for crediting voluntary measures that quantifiably and
2 reliably sequester additional carbon in forests, farms and coastal lands in the State or
3 by the use of materials that sequester additional carbon.

4 The Department of Transportation, after consultation with the department, may adopt
5 rules as necessary to ensure compliance with the levels established by subsections 1 to 3.

6 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
7 chapter 375, subchapter 2-A.

8 **Sec. 9. 38 MRSA §577, as enacted by PL 2003, c. 237, §1, is amended to read:**

9 **§577. Climate action plan; update**

10 By July 1, 2004, the department, with input from stakeholders, shall adopt a state
11 climate action plan to meet the reduction goals ~~specified in section 576~~ for greenhouse
12 gas emissions. The action plan must address reduction in each sector in cost-effective
13 ways and must allow sustainably managed forestry, agricultural and other natural
14 resource activities to be used to sequester greenhouse gas emissions. The department
15 shall submit the action plan to the joint standing committee of the Legislature having
16 jurisdiction over natural resources matters.

17 **1. Update plan.** By December 1, 2020, and every 4 years thereafter, the Maine
18 Climate Council, as established in section 577-A and referred to in this section as "the
19 council," with input from stakeholders, shall update the state climate action plan under
20 this section and shall include in the plan strategies to meet the greenhouse gas emissions
21 reduction levels specified in section 576-A.

22 **2. Mitigation strategies.** In updating the climate action plan under subsection 1, the
23 council shall evaluate mitigation strategies to reduce gross annual greenhouse gas
24 emissions and net annual greenhouse gas emissions consistent with the reduction levels in
25 section 576-A. The council shall quantitatively analyze and report on the technical
26 feasibility and cost-effectiveness of each mitigation strategy. The updated climate action
27 plan must include climate change mitigation strategies to reduce greenhouse gas
28 emissions in the State and, as applicable, must include updates to the mitigation strategies
29 included in the plan and identification of new strategies through the application of the
30 latest scientific and technological information available related to climate change.

31 **3. Adaptation and resilience strategies.** The updated climate action plan under
32 subsection 1 must address the impacts of climate change upon the State and provide
33 strategies and actions for climate adaptation and resiliency. These strategies must include
34 implementation guidelines that:

35 A. Prioritize the welfare of the State's citizens and visitors and recognize and foster
36 the value of the State's natural resources and natural resource-based industries;

37 B. Encourage diversity, inclusion and equity;

38 C. Provide education and training opportunities when appropriate;

39 D. Build upon existing global, national and state plans and partnerships for
40 addressing climate adaptation, emergency preparedness and disaster risk reduction;

41 E. Encourage investments that prevent and proactively mitigate risk;

- 1 F. Encourage, foster and utilize the most recent scientific and technical information
- 2 available; and
- 3 G. Incorporate means for measuring progress.
- 4 **4. Clean energy economy transition plan.** The updated climate action plan under
- 5 subsection 1 must include a clean energy economy transition plan that, as applicable,
- 6 incorporates feedback from the Maine Climate Council working groups established under
- 7 section 577-A, subsection 7 and which may incorporate feedback from other entities with
- 8 expertise in education, training, apprenticeships, workforce and labor. The clean energy
- 9 economy transition plan under this subsection must:
- 10 A. Include opportunities for and address barriers to advancing the State's clean
- 11 energy economy;
- 12 B. Highlight strategies for the State's rural communities, workers and businesses as
- 13 the State transitions to a low-carbon future that are designed to encourage good-
- 14 paying jobs and long-term employment; and
- 15 C. Identify policy recommendations; opportunities for public-private partnerships;
- 16 workforce development and educational opportunities, including opportunities for
- 17 training and retraining workers and the development of apprenticeship programs; and
- 18 other strategies necessary to the creation of clean energy jobs and a robust clean
- 19 energy economy in the State.
- 20 **5. Effects of climate change.** The updated climate action plan under subsection 1
- 21 must provide the latest information on climate change effects in the State and on the
- 22 sectors, ecosystems and communities most at risk from such effects.
- 23 **6. Submission of plan.** By December 1, 2020, and every 4 years thereafter, the
- 24 council shall submit the updated climate action plan under subsection 1 and any
- 25 recommended legislation to the joint standing committee of the Legislature having
- 26 jurisdiction over natural resources matters. Upon receipt and review of the plan, the joint
- 27 standing committee may report out a bill to the Legislature related to the plan or the
- 28 council's recommendations.
- 29 **7. Objectives.** In identifying the mitigation strategies and adaptation and resilience
- 30 strategies to include in the updated climate action plan under subsections 2 and 3 and in
- 31 developing the clean energy economy transition plan under subsection 4, the council shall
- 32 give consideration to the following objectives:
- 33 A. Pursuing cost-effective, technologically feasible and equitable greenhouse gas
- 34 emissions reduction pathways and adaptation and preparedness strategies, informed
- 35 by scientific and technical expertise;
- 36 B. Pursuing actions that minimize deleterious effects, including those on persons of
- 37 low income and moderate income, to public health and the environment and that
- 38 support economic sectors that face the biggest barriers to emissions reductions and
- 39 creating, when feasible, additional employment and economic growth in the State,
- 40 especially in rural and economically distressed regions of the State;
- 41 C. Ensuring equity for all sectors and regions of the State and that the broadest group
- 42 of residents benefit from the achievement of the greenhouse gas emissions reduction

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1 levels in section 576-A, with consideration of economic, quality-of-life and public
2 health benefits;

3 D. Encouraging the use of natural solutions to reduce net annual greenhouse gas
4 emissions and increase resiliency, such as solutions related to forests, farms and
5 coastal lands in the State and materials that sequester carbon;

6 E. Maximizing involvement in interstate and regional initiatives and programs
7 designed to reduce regional greenhouse gas emissions;

8 F. Supporting industries, technology and training that will allow workers and
9 companies in the State to benefit from carbon reduction solutions through jobs and
10 economic activity; and

11 G. Planning for adaptation and resilience strategies that will prepare the State's
12 communities, infrastructure and industries for current and anticipated effects of
13 climate change.

14 **8. Use of existing data.** In updating the climate action plan under subsection 1, the
15 council shall draw upon existing state data and studies, including, but not limited to,
16 analyses and data from the 2004 climate action plan and the 2010 adaptation plan
17 developed by the department, the evaluations of the State's progress toward meeting
18 greenhouse gas emissions levels under section 578, the comprehensive state energy plan
19 pursuant to Title 2, section 9, subsection 3, paragraph C and the Efficiency Maine Trust's
20 triennial plan pursuant to Title 35-A, section 10104, subsection 4.

21 **9. Funding.** The costs to the council of updating the climate action plan pursuant to
22 this section, including, but not limited to, the costs associated with the evaluation of
23 mitigation strategies to reduce gross annual greenhouse gas emissions and net annual
24 greenhouse gas emissions under subsection 2, may be funded using funds solicited and
25 accepted by the council pursuant to section 577-A, subsection 9.

26 **Sec. 10. 38 MRSA §577-A** is enacted to read:

27 **§577-A. Maine Climate Council**

28 The Maine Climate Council, referred to in this section as "the council," is created to
29 advise the Governor and Legislature on ways to mitigate the causes of, prepare for and
30 adapt to the consequences of climate change.

31 **1. Membership.** The council's membership consists of the following 39 members:

32 A. Two members of the Senate, appointed by the President of the Senate, including
33 one member of each of the 2 parties holding the most seats in the Senate;

34 B. Two members of the House of Representatives, appointed by the Speaker of the
35 House, including one member of each of the 2 parties holding the most seats in the
36 House of Representatives;

37 C. The Director of the Governor's Office of Policy and Management, or the director's
38 designee;

39 D. The Commissioner of Administrative and Financial Services, or the
40 commissioner's designee;

- 1 E. The Commissioner of Agriculture, Conservation and Forestry, or the
2 commissioner's designee;
- 3 F. The Commissioner of Economic and Community Development, or the
4 commissioner's designee;
- 5 G. The Commissioner of Environmental Protection, or the commissioner's designee;
- 6 H. The Commissioner of Inland Fisheries and Wildlife, or the commissioner's
7 designee;
- 8 I. The Commissioner of Labor, or the commissioner's designee;
- 9 J. The Commissioner of Marine Resources, or the commissioner's designee;
- 10 K. The Commissioner of Transportation, or the commissioner's designee;
- 11 L. The Commissioner of Defense, Veterans and Emergency Management, or the
12 commissioner's designee;
- 13 M. The Commissioner of Education, or the commissioner's designee;
- 14 N. The Commissioner of Health and Human Services, or the commissioner's
15 designee;
- 16 O. The Director of the Governor's Energy Office, or the director's designee;
- 17 P. The director of the Efficiency Maine Trust, or the director's designee;
- 18 Q. The director of the Maine State Housing Authority, or the director's designee; and
- 19 R. The following 20 additional members appointed by the Governor representing
20 state interests affected by climate change or with expertise in climate change issues:
- 21 (1) One member to represent marine fisheries;
- 22 (2) One member to represent agriculture;
- 23 (3) One member to represent municipal governments;
- 24 (4) One member to represent the forestry industry;
- 25 (5) One member to represent the State's energy sector;
- 26 (6) One member to represent the State's Indian tribes;
- 27 (7) One member to represent building or construction trades;
- 28 (8) One member to represent the manufacturing industry;
- 29 (9) One member to represent organized labor;
- 30 (10) Two members to represent business, including one member to represent
31 small business;
- 32 (11) Two members to represent environmental nonprofit organizations or private
33 foundations focused on environmental issues;

1 (12) Two members with expertise in climate change science, including a
2 representative of the University of Maine System;

3 (13) Two members with expertise in climate change resilience and adaptation,
4 emergency management or disaster risk reduction;

5 (14) One member to represent the State's youth; and

6 (15) Two other government or public members.

7 **2. Terms; compensation; staffing.** The term of a member appointed pursuant to
8 subsection 1, paragraph R is 3 years. A legislative member appointed pursuant to
9 subsection 1, paragraphs A or B serves for the duration of the Legislature in which the
10 legislative member was appointed. At the end of a term, a member continues to serve
11 until a successor is appointed.

12 Legislative members of the council, the subcommittee under subsection 6 and the
13 working groups under subsection 7 are entitled to receive the legislative per diem, as
14 defined in Title 3, section 2, and reimbursement for travel and other necessary expenses
15 for their attendance at meetings of the council, the subcommittee and the working groups.
16 Public members of the council not otherwise compensated by their employers or other
17 entities that they represent are entitled to receive reimbursement for travel and other
18 necessary expenses only. Public members of the subcommittee and the working groups
19 are not entitled to receive reimbursement of any expenses.

20 The Governor's Office of Policy and Management shall provide staffing services as
21 necessary to the council, the subcommittee and the working groups. The departments and
22 agencies referenced in subsection 1, paragraphs D through Q shall provide additional
23 staffing services to the council, the subcommittee and the working groups, as necessary
24 and as resources allow and when the expertise of the departments or agencies is relevant
25 to the work for which the additional staffing services are required.

26 **3. Chairs.** The Governor shall appoint 2 cochairs from among the members serving
27 pursuant to subsection 1, paragraphs C to N.

28 **4. Removal.** The Governor may remove any member appointed under subsection 1,
29 paragraph R for incompetence, misconduct or failure to perform the duties of the
30 position.

31 **5. Steering committee.** The cochairs of the council shall designate a steering
32 committee composed of a subset of the council, including, but not limited to, the cochairs
33 of the council, the subcommittee cochairs under subsection 6 and the working group
34 cochairs under subsection 7. The steering committee shall establish the priorities and
35 order of business of the council, the subcommittee and the working groups and shall
36 provide input on other administrative matters before the council, the subcommittee and
37 the working groups, including, but not limited to, determining the dates and frequency of
38 meetings of the steering committee, the council, the subcommittee and the working
39 groups.

40 **6. Scientific and Technical Subcommittee.** The Scientific and Technical
41 Subcommittee, referred to in this section as "the subcommittee," is established within the
42 council to identify, monitor, study and report out to the council and to the working groups

1 under subsection 7 relevant data, findings and recommendations related to climate change
2 in the State and its effects on the State's climate, species, marine and coastal
3 environments and natural landscape and on the oceans and other bodies of water.

4 The President of the Senate shall appoint as a member of the subcommittee a member of
5 the Senate, and the Speaker of the House of Representatives shall appoint as a member of
6 the subcommittee a member of the House of Representatives and, at the request of the
7 cochairs of the council, either presiding officer may appoint additional legislators as
8 members of the subcommittee from their respective chamber of the Legislature, except
9 that the President and the Speaker shall ensure that both of the 2 political parties holding
10 the most seats in the Legislature are represented in their appointments to the
11 subcommittee under this subsection. The cochairs of the council shall appoint as
12 additional members of the subcommittee persons with scientific backgrounds, training
13 and expertise relating to the purposes for which the subcommittee is established. From
14 among these appointed members of the subcommittee, the cochairs of the council shall
15 designate 2 cochairs of the subcommittee.

16 In carrying out its duties, the subcommittee:

17 A. Shall meet at least every 6 months beginning no later than October 1, 2019,
18 except that the subcommittee must meet at least 4 times before July 1, 2020. The
19 subcommittee shall at its first meeting each calendar year establish an annual work
20 plan;

21 B. May seek the advice of experts in fields related to its duties;

22 C. May create subgroups to provide data and recommendations on specific subtopics
23 related to the subcommittee's duties;

24 D. Shall identify, review and monitor the direct and indirect effects of climate
25 change and the factors contributing to those effects, including, but not limited to, air
26 temperature changes, sea level rise, ocean and coastal acidification, warming ocean
27 temperatures, increased precipitation and changes in salinity and dissolved oxygen
28 concentrations;

29 E. Shall review, study and analyze existing scientific literature and data on the direct
30 and indirect effects of climate change and how those effects have directly or
31 indirectly affected communities and public health, marine environments and species,
32 agriculture and forestry and ecosystems and species in the State;

33 F. Shall identify critical scientific data and knowledge gaps pertaining to the data and
34 monitoring of state-based climate changes and impacts and recommend methods for
35 monitoring;

36 G. Shall identify methods and protocols to mitigate direct and indirect effects of
37 climate change on the State's species;

38 H. Shall establish science-based sea level rise projections for the State's coastal areas
39 by December 1, 2020 and update those projections at least every 4 years;

40 I. Shall create maps that indicate the areas of the State that may be most affected by
41 storm surges, ocean and river flooding and extreme weather events and make these

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1 maps publicly available on a website maintained by the Department of Agriculture,
2 Conservation and Forestry, Maine Geological Survey; and

3 J. Shall analyze and identify options for quantifying carbon sequestration and
4 emissions associated with biomass growth, management and utilization in upland and
5 marine environments.

6 **7. Working groups.** There is established within the council the following working
7 groups:

- 8 A. A transportation working group;
- 9 B. A coastal and marine working group;
- 10 C. A buildings, infrastructure and housing working group;
- 11 D. A working lands working group;
- 12 E. An energy working group; and
- 13 F. Other working groups established by the council as needed.

14 The President of the Senate shall appoint as a member of each working group a member
15 of the Senate, and the Speaker of the House of Representatives shall appoint as a member
16 of each working group a member of the House of Representatives and, at the request of
17 the cochairs of the council, either presiding officer may appoint additional legislators
18 from their respective chamber of the Legislature as members of any working group,
19 except that the President and the Speaker shall ensure that both of the 2 political parties
20 holding the most seats in the Legislature are represented in their appointments to each
21 working group under this paragraph. The cochairs of the council shall appoint as
22 additional members of each working group representatives of scientific and academic
23 institutions, affected and involved businesses and industries, nonprofit organizations and
24 foundations, the State's youth and federal, state and local governments and agencies.
25 From among these appointed members of each working group, the cochairs of the council
26 shall designate 2 cochairs for that working group.

27 Each working group shall meet at least every 6 months, beginning no later than October
28 1, 2019 and shall establish at the working group's first meeting each calendar year an
29 annual work plan.

30 **8. Actions by council, subcommittee and working groups.** The council shall
31 consider and prioritize actions recommended by the subcommittee established in
32 subsection 6 and the working groups established in subsection 7 and shall ensure that its
33 actions and the actions of the subcommittee and the working groups, as applicable, are
34 consistent with and include, but are not limited to, the following:

- 35 A. Developing the State's updated climate action plan in accordance with section
36 577;
- 37 B. Developing recommendations for legislation, including, but not limited to,
38 legislation to better enable state agencies to implement the long-term goals included
39 in the updated climate action plan under section 577;
- 40 C. Soliciting input from members of the public when developing the State's updated
41 climate action plan and communicating with the public on progress and actions;

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- 1 D. Developing broad public and private partnerships with federal, state and local
2 agencies;
- 3 E. Ensuring that the State's transition to a clean energy economy benefits all
4 residents of the State fairly and equitably, with particular consideration given to
5 sources of employment, income levels and historical experience. Development of
6 mitigation and adaptation strategies must include consideration of how low-income
7 residents of the State and residents of the State who are members of vulnerable
8 communities will be affected by climate change and by the transition to a clean
9 energy economy and how programs and incentives to address such effects can be
10 designed to be accessible to all residents of the State regardless of income level, age,
11 race or geographic location;
- 12 F. Assessing the impacts that climate change may have on the State's economy,
13 revenues and investment decisions;
- 14 G. Assessing the need for utilities and other public and private service providers
15 throughout the State to adjust their operating practices and investment strategies to
16 increase their resiliency to climate change impacts;
- 17 H. Maximizing infrastructure, energy and new technologies for mitigation and
18 adaptation options that come from state sources or create jobs in the State, or both;
- 19 I. Assessing the impacts that climate change may have on agriculture, fishing,
20 forestry and other natural resource-based industries in the State and how those
21 industries might best adapt to preserve those industries and the communities they
22 support;
- 23 J. Recommending short-term and long-term strategies to mitigate the causes of and
24 prepare for and adapt to the consequences of climate change;
- 25 K. Developing a plan to encourage and prepare for transitions in transportation,
26 including both low-carbon and no-carbon technologies, and the changes in
27 infrastructure required to accommodate those technologies, as well as infrastructure
28 changes required as the result of climate disruption;
- 29 L. Developing and recommending strategies to address and prepare for coastal and
30 coastal watershed hazards, including, but not limited to, ocean and coastal
31 acidification, increased storm surges, extreme precipitation and other extreme
32 weather events, projected sea level rise and increased river flooding and storm water
33 runoff and the risks such hazards pose to municipalities, the coastal economy and
34 state assets;
- 35 M. Developing new and supporting existing programs, codes and incentives that
36 encourage increased energy efficiency and lower carbon emissions from the State's
37 public and private buildings and businesses;
- 38 N. Assisting local governments and other constituents in supporting regional and
39 community-scale climate vulnerability assessments and the development of specific
40 strategies and integration of specific strategies into local plans and ordinances;

1 O. Encouraging programming in State Government and in municipal governments
2 that allows the State to lead the way in demonstrating initiatives that reduce carbon
3 emissions;

4 P. Establishing comprehensive and accountable annual working group work plans
5 that set annual goals and performance benchmarks and prioritize new and existing
6 climate change mitigation, preparedness actions and initiatives and report these out to
7 stakeholders and the public; and

8 Q. Considering other related matters as the council, the subcommittee and the
9 working groups determine to be necessary.

10 The council shall meet at least every 3 months, beginning no later than October 1, 2019,
11 and shall establish at its first meeting each calendar year an annual work plan.

12 9. Funding. The council may solicit and accept funds from any source, public or
13 private, to fulfill its responsibilities under this section, including, but not limited to, funds
14 necessary to fulfill the responsibilities of the subcommittee under subsection 6 and the
15 working groups under subsection 7.

16 The council shall include in the report required under subsection 10 a list of the amounts
17 and sources of any funds accepted by the council in the prior calendar year, excluding
18 those funds appropriated or allocated by the Legislature, and an indication of whether
19 such outside funds were expended in the prior calendar year and, if expended, the purpose
20 or purposes of the expenditure.

21 10. Report. Beginning January 15, 2021, and annually thereafter, the council shall
22 submit a report to the joint standing committee of the Legislature having jurisdiction over
23 environment and natural resources matters describing the activities of the council, the
24 subcommittee and its working groups over the prior calendar year and including any
25 findings and recommendations of the council, including any proposed legislation. After
26 reviewing the report, the joint standing committee may report out legislation to
27 implement any recommendations contained in the report.

28 **Sec. 11. 38 MRS §578**, as amended by PL 2013, c. 415, §5, is further amended
29 to read:

30 **§578. Progress evaluation**

31 By January 1, 2006 and by that date every 2 years thereafter, the department
32 The department, in consultation with the Maine Climate Council, established under section
33 577-A, shall evaluate the State's progress toward meeting the reduction goals specified in
34 section 576, review the cost effectiveness of the actions taken toward meeting the
35 reduction goals and shall amend the action plan as necessary to ensure that the State can
36 meet the reduction goals 576-A and progress toward implementing the climate action
37 plan in section 577. The department, after consultation with the council, shall submit a
38 report of its evaluation to the joint standing committee of the Legislature having
39 jurisdiction over natural resources matters and the joint standing committee of the
40 Legislature having jurisdiction over utilities and energy matters by January 1, 2016
41 December 1, 2022 and by that date every 2 years thereafter. The department, in
42 consultation with the council, may recommend other metrics to share the progress on
43 climate mitigation and adaptation strategies with the Legislature and public. The joint

1 standing committee of the Legislature having jurisdiction over natural resources matters
2 is authorized to report out legislation relating to the ~~evaluation to the second regular~~
3 ~~session of any Legislature. The report required under this section, and the joint standing~~
4 ~~committee of the Legislature having jurisdiction over utilities and energy matters may~~
5 ~~make recommendations to the joint standing committee of the Legislature having~~
6 ~~jurisdiction over natural resources matters regarding that legislation. Starting no earlier~~
7 ~~than January 1, 2008, the department may recommend to the joint standing committee of~~
8 ~~the Legislature having jurisdiction over natural resources matters that the reduction goals~~
9 ~~specified in section 576 be increased or decreased.~~

10 **Sec. 13. Appropriations and allocations.** The following appropriations and
11 allocations are made.

12 **LEGISLATURE**

13 **Legislature 0081**

14 Initiative: Appropriates funds for the costs to the Legislature for legislators to participate
15 on the Maine Climate Council, the Council's Scientific and Technical Subcommittee and
16 the Council's working groups.

17	GENERAL FUND	2019-20	2020-21
18	Personal Services	\$1,320	\$1,210
19	All Other	\$3,360	\$3,080
20			
21	GENERAL FUND TOTAL	<u>\$4,680</u>	<u>\$4,290</u>

22 **Emergency clause.** In view of the emergency cited in the preamble, this
23 legislation takes effect when approved.¹

24 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
25 section number to read consecutively.

26 **SUMMARY**

27 This amendment changes the title of the bill, adds an emergency preamble and
28 emergency clause and makes the following additional changes to the bill.

29 1. It removes from the bill provisions regarding requirements for the consumption of
30 electricity from renewable resources.

31 2. It stipulates an interim greenhouse gas emissions reductions level to be achieved
32 by January 1, 2040, requiring by such date that the greenhouse gas emissions reductions
33 be on a trajectory sufficient to achieve the 2050 annual emissions reductions level in the
34 bill.

35 3. It clarifies the rule-making authority concerning compliance rules for the
36 greenhouse gas emissions reductions levels required under the bill, specifying that the
37 rules are to be adopted by the Board of Environmental Protection rather than the
38 Department of Environmental Protection and that the rules must be consistent with the
39 updated climate action plan and must be fair and equitable and account for and give

- 1 significant weight to greenhouse gas emissions reductions already achieved by various
2 sectors.
- 3 4. It requires the State's climate action plan update to include development of a clean
4 energy economy transition plan.
- 5 5. It amends the Maine Climate Change Council, which is proposed in the bill, as
6 follows.
- 7 A. It changes the name of the council to the Maine Climate Council.
- 8 B. It adds as a member of the council the Commissioner of Labor, increasing the
9 total membership to 39.
- 10 C. It clarifies member compensation and terms of membership, increasing the term
11 for public members from 2 years to 3 years.
- 12 D. It clarifies the purpose and makeup of the council's steering committee as well as
13 the designation of the members of the Scientific and Technical Subcommittee and the
14 working groups.
- 15 E. It clarifies the duties and responsibilities of the council, the subcommittee and the
16 working groups.
- 17 F. It removes language from the bill authorizing the subcommittee and the working
18 groups to solicit and accept funding, and instead authorizes the council to conduct all
19 funding solicitation and acceptance.
- 20 G. It requires, beginning January 15, 2021, and annually thereafter, that the council
21 submit a report to the joint standing committee of the Legislature having jurisdiction
22 over environment and natural resources matters describing the activities of the
23 council, the subcommittee and its working groups over the prior calendar year and
24 including any findings and recommendations of the council, including any proposed
25 legislation. After reviewing the report, the committee may report out legislation to
26 implement any recommendations contained in the report.
- 27 It requires that the report also include a list of the amounts and sources of any funds
28 accepted by the council in the prior calendar year, excluding those funds appropriated
29 or allocated by the Legislature, and an indication of whether such outside funds were
30 expended in the prior calendar year and, if expended, the purpose or purposes of the
31 expenditure.
- 32 6. It makes a number of other clarifications and technical changes to the bill.

33 **FISCAL NOTE REQUIRED**

34 (See attached)



129th MAINE LEGISLATURE

LD 1679

LR 2478(02)

An Act To Establish the Maine Climate Change Council To Assist Maine To Mitigate, Prepare for
and Adapt to Climate Change

Fiscal Note for Bill as Amended by Committee Amendment *11(S-221)*

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$4,680	\$4,290	\$4,290	\$4,290
Appropriations/Allocations				
General Fund	\$4,680	\$4,290	\$4,290	\$4,290

Fiscal Detail and Notes

Includes appropriations of \$4,680 in fiscal year 2019-20 and \$4,290 in fiscal year 2020-21 to the Legislature for the costs of legislators to participate on the Maine Climate Council, the Council's Scientific and Technical Subcommittee and the Council's working groups. Additional costs for various other departments and agencies to participate on the Council can be absorbed within existing budgeted resources.