

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 932

H.P. 579

House of Representatives, March 2, 2023

An Act Requiring Climate Impact Notes on Proposed Transportation Legislation and Agency Rules

Reference to the Committee on State and Local Government suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative WARREN of Scarborough.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: ABDI of Lewiston, GRAMLICH of Old Orchard Beach, LOOKNER of
Portland, RANA of Bangor, RECKITT of South Portland, WILLIAMS of Bar Harbor,
Senators: CARNEY of Cumberland, TIPPING of Penobscot.

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

2 **Sec. 1. 3 MRSA §163-A, sub-§10-A** is enacted to read:

3 **10-A. Statement of climate impact.** With the assistance of the Department of
4 Environmental Protection, to collect and assemble factual information and to prepare a
5 statement concerning the climate impact that may result from the implementation of a
6 proposed law in legislation referred to the joint standing committee of the Legislature
7 having jurisdiction over transportation matters, including the budget of the Department of
8 Transportation. The statement must include an estimate in pounds of the amount of carbon
9 dioxide, methane and any other pollutant that may be emitted and how the amount of any
10 pollutant may change over time and an analysis of the anticipated effects of any significant
11 environmental changes and any significant secondary or indirect effects, including effects
12 on the State's economy or public health, that may result from the implementation of the
13 proposed law. The statement of climate impact is made within the limits of information
14 provided to the office designated by the Legislative Council as having responsibility for
15 financial analysis in collaboration with any other state agency providing an impact
16 statement of any kind regarding the proposed law. The statement must be furnished to the
17 joint standing committee of the Legislature having jurisdiction over transportation matters
18 for the information of its members and for inclusion in bills that receive an ought to pass
19 report when reported by the committee. A statement is not necessary for any bill that has
20 no apparent climate impact;

21 **Sec. 2. 5 MRSA §8063-C** is enacted to read:

22 **§8063-C. Climate impact**

23 Every rule proposed by an agency must contain a climate impact note at the end of the
24 rule. The note must be placed on the rule prior to any public hearing and, in the case of
25 rules adopted without a hearing, prior to the sending of notice under section 8053. The
26 climate impact note must describe the estimated climate impact on municipalities, counties,
27 the State and the United States and globally of implementing or complying with the
28 proposed rule. If the proposed rule will not impose any climate impact under this section,
29 the climate impact note must state that fact.

30 This section does not apply to emergency rules.

31 **SUMMARY**

32 This bill requires a climate impact note on every rule proposed by a state agency and
33 on all legislation referred to the joint standing committee of the Legislature having
34 jurisdiction over transportation matters that would have an apparent significant climate
35 impact if implemented.