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H.P. 922

House of Representatives, March 26, 2021

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

Received by the Clerk of the House on March 24, 2021. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LOOKNER of Portland.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: ARFORD of Brunswick, BAILEY of Gorham, BERRY of Bowdoinham,
GROHOSKI of Ellsworth, RIELLY of Westbrook, WILLIAMS of Bar Harbor, Senator:
CHIPMAN of Cumberland.

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, including all departmental budgets. The statement must include an estimate
7 in pounds of the amount of carbon dioxide, methane and any other pollutant that may be
8 emitted and how the amount of any pollutant may change over time and an analysis of the
9 anticipated effects of any significant environmental changes and any significant secondary
10 or indirect effects, including effects on the State's economy, that may result from the
11 implementation of the proposed law. The statement of climate impact is made within the
12 limits of information provided to the office designated by the Legislative Council as having
13 responsibility for financial analysis in collaboration with any other state agency providing
14 an impact statement of any kind regarding the proposed law. The statement must be
15 furnished to the appropriate committee for the information of its members and for inclusion
16 in bills that receive an ought to pass report when reported by the committee. A statement
17 is not necessary for any bill that has no apparent climate impact;

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

19 **§8063-C. Climate impact**

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

27 This section does not apply to emergency rules.

28 **SUMMARY**

29 This bill requires a climate impact note on every rule proposed by a state agency and
30 on all legislation that would have an apparent significant climate impact if implemented.