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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.

Presented by Representative LOOKNER of Portland.
Be it enacted by the People of the State of Maine as follows:

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

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

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

§8063-C. Climate impact

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

This section does not apply to emergency rules.

SUMMARY

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