

SS#3 SCS SB 142 -- IMPLEMENTATION IMPACT REPORTS

SPONSOR: Romine (Ross)

COMMITTEE ACTIONS: Voted "Do Pass" by the Standing Committee on Energy and the Environment by a vote of 10 to 2. Voted "Do Pass" by the Select Committee on Utilities by a vote of 8 to 1.

This bill requires the Department of Natural Resources, when developing, amending, or revising state implementation plans to address National Ambient Air Quality Standard nonattainment areas under the federal Clean Air Act, to comply with federal regulations relating to carbon emissions for existing-source performance standards or non-point source management plans under the federal Clean Water Act for submission to the United States Environmental Protection Agency (EPA), in collaboration with other pertinent state departments and the Public Service Commission, to prepare an implementation impact report instead of a regulatory impact report. The department must submit the implementation report and the proposed plan to the Governor, Joint Committee on Government Accountability, the President Pro Tem of the Senate, and the Speaker of the House of Representatives 45 days before final submission to the EPA and post the plan and report prominently on its website 45 days prior to submission and for at least one year after final submission to the EPA. The report must take into consideration the unique policies, energy needs, resource mix, and economic priorities of Missouri and must include specified criteria.

Before final submission of a plan to the EPA, the Joint Committee on Government Accountability may conduct at least two public hearings within 45 days of receiving the report and plan in order to seek public comment.

Nothing in the provisions of the bill must be construed as otherwise conferring upon the Public Service Commission or the Department of Natural Resources' jurisdiction over the service, rates, financing, accounting, or management of any rural electric cooperative or municipally-owned utility or to amend, modify, or otherwise limit the rights to provide service as otherwise provided by law. Nothing in these provisions can be construed to effect, limit, or supersede the provisions regarding the development of emissions standards for certain carbon dioxide sources.

PROPOSERS: Supporters say that the bill provides the General Assembly an opportunity to review the impact of any state plan implementing new water or air quality standards. These plans do not go through rulemaking and are currently not reviewed by the General Assembly.

Testifying for the bill were Senator Romine; Association of Missouri Electric Cooperatives; Ameren Missouri; City Utilities of Springfield; Missouri Association of Municipal Utilities; and Associated Industries of Missouri.

OPPONENTS: There was no opposition voiced to the committee.