

APPROVED | CHAPTER
MAY 21 '03 | 237
BY GOVERNOR | PUBLIC LAW

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND THREE
—

H.P. 622 - L.D. 845

An Act To Provide Leadership in Addressing the Threat of
Climate Change

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

Sec. 1. 38 MRSA c.3-A is enacted to read:

CHAPTER 3-A

CLIMATE CHANGE

§574. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Greenhouse gas. "Greenhouse gas" means any chemical or physical substance that is emitted into the air and that the department determines by rule may reasonably be anticipated to cause or contribute to climate change. "Greenhouse gas" includes, but is not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Rules adopted by the department pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Sector. "Sector" means one of the 5 sectors identified in the climate change action plan adopted by the Conference of New England Governors and Eastern Canadian Premiers in August 2001. The 5 sectors are the transportation, industrial, commercial, institutional and residential sectors.

The department shall establish a lead-by-example initiative under which the department shall:

1. Greenhouse gas emissions inventory for state-owned facilities and state-funded programs. Create an inventory of greenhouse gas emissions associated with state-owned facilities and state-funded programs and create a plan for reducing those emissions to below 1990 levels by 2010;

2. Carbon emission reduction. By January 1, 2006, seek to establish carbon emission reduction agreements with at least 50 businesses and nonprofit organizations;

3. New England greenhouse registry. Participate in a regional effort to develop and adopt a greenhouse gas registry that includes 3rd-party verification; and

4. Statewide greenhouse gas emissions inventory. Create an annual statewide greenhouse gas emissions inventory.

§576. Reduction goals

The State's goals for reduction of greenhouse gas emissions within the State are as follows:

1. Reduction by 2010. In the short term, reduction to 1990 levels by January 1, 2010;

2. Reduction by 2020. In the medium term, reduction to 10% below 1990 levels by January 1, 2020; and

3. Long-term reduction. In the long term, reduction sufficient to eliminate any dangerous threat to the climate. To accomplish this goal, reduction to 75% to 80% below 2003 levels may be required.

§577. Climate action plan

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

§578. Progress evaluation

By January 1, 2006 and by that date every 2 years thereafter, the department shall evaluate the State's progress toward meeting the reduction goals specified in section 576 and shall amend the action plan as necessary to ensure that the State can meet the reduction goals. Starting no earlier than January 1, 2008, the department may recommend to the joint standing committee of the Legislature having jurisdiction over natural resources matters that the reduction goals specified in section 576 be increased or decreased.