

HOUSE BILL NO. 375

INTRODUCED BY M. PHILLIPS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY
5 TO ~~PROVIDE~~ SUPPORT THE LEGISLATIVE CLIMATE CHANGE COMMITTEE IN DEVELOPING A REPORT
6 CONCERNING MONTANA'S PARTICIPATION IN A REGIONAL OR FEDERAL CLIMATE CHANGE INITIATIVE;
7 ESTABLISHING A LEGISLATIVE CLIMATE CHANGE COMMITTEE; AND PROVIDING AN IMMEDIATE
8 EFFECTIVE DATE AND A TERMINATION DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 NEW SECTION. Section 1. Regional or federal climate change -- report on participation. (1) During
13 the 2011 biennium, the department of environmental quality shall ~~work with the~~ SUPPORT THE LEGISLATIVE climate
14 change committee established in [section 2] ~~to prepare~~ IN PREPARATION OF a report concerning Montana's
15 participation in a regional or federal climate change initiative, INCLUDING PROPOSED LEGISLATION IMPLEMENTING THE
16 FINDINGS OF THE REPORT.

17 (2) The department shall collaborate with the department of natural resources and conservation in
18 ~~developing the recommendations included in the report pursuant to subsection (3)(b)~~ SUPPORTING THE COMMITTEE
19 IN DEVELOPING THE REPORT.

20 (3) (A) The report must be submitted to the environmental quality council by ~~August~~ SEPTEMBER 1, 2010,
21 and must include recommendations for:

- 22 ~~—— (a) the scope of a cap and trade program and cap setting necessary for participation in a climate change~~
23 ~~initiative;~~
- 24 ~~—— (b) the distribution of allowances and the definition and use of offsets in a potential climate change~~
25 ~~initiative;~~
- 26 ~~—— (c) reporting, market operation, and oversight necessary for participation; and~~
- 27 ~~—— (d) changes, if necessary, in existing law to further Montana's participation in a regional or federal climate~~
28 ~~change initiative.~~ AS TO WHETHER MONTANA SHOULD PARTICIPATE IN A REGIONAL OR FEDERAL CLIMATE CHANGE
29 INITIATIVE THAT WOULD INCLUDE A TAX ON GREENHOUSE GAS EMISSIONS OR A CAP AND TRADE PROGRAM FOR
30 GREENHOUSE GAS EMISSIONS.



1 (B) FOR A POTENTIAL CAP AND TRADE PROGRAM, THE REPORT MUST INCLUDE RECOMMENDATIONS THAT
2 SPECIFICALLY CONSIDER:

3 (I) THE SCOPE OF A CAP AND TRADE PROGRAM AND CAP SETTING;

4 (II) THE DISTRIBUTION OF ALLOWANCES AND THE DEFINITION OF USE OF OFFSETS;

5 (III) REPORTING, MARKET OPERATION, AND OVERSIGHT; AND

6 (IV) THE NECESSARY CHANGES TO EXISTING LAW.

7 (C) FOR A POTENTIAL TAX ON GREENHOUSE GAS EMISSIONS, THE REPORT MUST INCLUDE RECOMMENDATIONS
8 THAT ADDRESS THE NECESSARY CHANGES TO EXISTING LAW.

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10 NEW SECTION. Section 2. Climate change committee -- duties. (1) There is a climate change
11 committee composed of four members, appointed prior to July 1, 2009, including:

12 (a) two representatives, one from the majority party and one from the minority party, appointed by the
13 speaker of the house; and

14 (b) two senators, one from the majority party and one from the minority party, appointed by the ~~president~~
15 ~~of the senate~~ COMMITTEE ON COMMITTEES.

16 (2) The committee shall meet as needed, but may not meet more than six times.

17 ~~—— (3) The committee shall act in an advisory capacity to the department of environmental quality in~~
18 ~~preparing the report pursuant to [section 1].~~

19 ~~(4)~~(3) Members must be compensated by the department pursuant to 5-2-302.

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21 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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23 NEW SECTION. Section 4. Termination. [This act] terminates January 1, 2011.

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