

Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

Drafting Number: LLS 11-0932**Date:** April 1, 2011**Prime Sponsor(s):** Rep. McNulty
Sen. Morse**Bill Status:** House Health and Environment**Fiscal Analyst:** Josh Abram (303-866-3561)

TITLE: CONCERNING LEGISLATIVE APPROVAL OF THE REGIONAL HAZE ELEMENT OF THE STATE IMPLEMENTATION PLAN, AND, IN CONNECTION THEREWITH, POSTPONING THE AUTOMATIC EXPIRATION OF THE PORTION OF THE PLAN THAT CONSISTS OF RULES.

Summary of Legislation

Under federal law, each state prepares a state implementation plan (SIP) to meet specific requirements of the national Clean Air Act. The SIP is submitted to the Environmental Protection Agency (EPA) for approval. This bill, *recommended by Legislative Council*, approves the most recent SIP revisions, and eliminates the automatic expiration of the rules contained in the plan that, under current law, would otherwise expire automatically on May 15, 2012.

Background

In Colorado, the Air Quality Control Commission (AQCC) in the Department of Public Health and Environment is responsible for preparing and revising the SIP. In January 2011, the commission adopted a visibility and regional haze SIP. Section 25-7-133(1) and (2) C.R.S., creates a special SIP review process in which any legislator can request a hearing by Legislative Council. At the hearing, the committee may vote to introduce a bill to affect the SIP. Once a bill is introduced, the AQCC can submit the SIP to the EPA for provisional acceptance until the legislative process is resolved.

Assessment

This bill is a procedural requirement that allows the state to revise its SIP and maintain primacy over implementation of clean air laws. The bill does not impose new requirements on departments of state or on local governments, and will not change expenses or revenue. For these reasons, the bill is assessed as having no fiscal impact.

Departments Contacted

Public Health and Environment