

HB 1470 -- INTERSTATE POWER COMPACT

SPONSOR: Burlison

This bill provides the template for establishing an "Interstate Power Compact" upon the adoption of two or more states which creates an interstate agreement subject to the consent of the Congress of the United States which would allow member states to regulate environmental matters currently regulated by the Environmental Protection Agency under Section 111 (d) of the Clean Air Act. The compact declares that this section of federal law is unconstitutional under the Tenth Amendment of the Constitution of the United States, but it nonetheless requires Congressional approval in order to supersede or displace federal laws and regulations.

The compact allows for amendment by unanimous consent and for individual states to file specific plans to prevent air pollution that will apply to their own particular state. Member states may unilaterally withdraw from the compact in the manner specified and the compact shall cease to be effective if less than two members remain.

The compact contains a severability clause.