

HB 1470 -- INTERSTATE POWER COMPACT

SPONSOR: Burlison

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Energy and the Environment by a vote of 7 to 5.

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.

PROPOSERS: Supporters say that the Clean Power Plan will increase the cost of energy for Missourians with minimal benefit. The plan requires a 37% decrease in carbon emissions in Missouri. The compact is a way for states to band together to push back against the federal government.

Testifying for the bill were Representative Burlison and Douglas W. Domenech, Texas Public Policy Foundation.

OPPOSERS: Those who oppose the bill say that the federal courts have ruled that the federal government has the ability to regulate carbon emissions. The Clean Power Plan will save Americans in the long run by improving overall health and reducing health care costs. This compact will prohibit Missouri from creating a plan to meet the requirements of the Clean Power Plan and therefore, the EPA may have to implement a plan to meet the required reductions.

Testifying against the bill were Renew Missouri and Edward Smith, Missouri Coalition for the Environment.