COMMITTEE ON WATER AND ENERGY

SENATE AMENDMENTS TO S.B. 1007

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

   "Section 1. Title 41, chapter 7, Arizona Revised Statutes, is amended
   by adding article 12, to read:

   ARTICLE 12. JOINT LEGISLATIVE COMMITTEES

   41-1291. Joint legislative review committee on state
   implementation plans relating to carbon dioxide
   emissions from existing power plants; committee
   termination

   A. THE JOINT LEGISLATIVE REVIEW COMMITTEE ON STATE IMPLEMENTATION
   PLANS RELATING TO CARBON DIOXIDE EMISSIONS FROM EXISTING POWER PLANTS IS
   ESTABLISHED AND CONSISTS OF THE FOLLOWING MEMBERS:

   1. THE CHAIRPERSON OF THE SENATE COMMITTEE ON WATER AND ENERGY OR ITS
   SUCCESSOR COMMITTEE.

   2. THE CHAIRPERSON OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON
   ENERGY, ENVIRONMENT AND NATURAL RESOURCES OR ITS SUCCESSOR COMMITTEE.

   3. TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF THE
   SENATE AND WHO ARE MEMBERS OF DIFFERENT POLITICAL PARTIES.

   4. TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
   THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND WHO ARE MEMBERS OF DIFFERENT
   POLITICAL PARTIES.

   B. THE CHAIRPERSON OF THE SENATE COMMITTEE ON WATER AND ENERGY OR ITS
   SUCCESSOR COMMITTEE SHALL SERVE AS THE CHAIRPERSON.

   C. THE COMMITTEE SHALL MEET AS OFTEN AS THE MEMBERS DEEM NECESSARY,
   AND A MAJORITY OF THE MEMBERS CONSTITUTES A QUORUM FOR THE TRANSACTION OF
   BUSINESS."
D. THE COMMITTEE ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2018
PURSUANT TO SECTION 41-3103.

41-1291.01.  Powers and duties; review; staff

A. WITHIN SIXTY DAYS AFTER THE DIRECTOR OF ENVIRONMENTAL QUALITY
TRANSmits A STATE PLAN TO THE COMMITTEE PURSUANT TO SECTION 49-459, THE JOINT
LEGISLATIVE REVIEW COMMITTEE ON STATE IMPLEMENTATION PLANS RELATING TO CARBON
DIOXIDE EMISSIONS FROM EXISTING POWER PLANTS SHALL REVIEW THE STATE PLAN
DEVELOPED PURSUANT TO SECTION 49-459 IN COMPLIANCE WITH RULES ADOPTED BY THE
ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY UNDER SECTION 111(d) OF
THE CLEAN AIR ACT AS DEFINED IN SECTION 49-401.01.

B. THE COMMITTEE MAY MEET BEFORE RECEIVING THE STATE PLAN FOR THE
PURPOSE OF OBTAINING INFORMATION REGARDING THE DEVELOPMENT OF THE STATE PLAN
AND SHALL MEET TO DEVELOP FACTORS THAT MAY BE CONSIDERED BY THE COMMITTEE IN
REVIEWING THE PLAN. THE FACTORS SHALL INCLUDE CONSIDERATION OF THE
FOLLOWING:

1. THE SECURITY OF THE ELECTRICAL POWER GRID IN THIS STATE AND IN THIS
REGION.

2. THE AVAILABILITY OF NATURAL GAS AND ACCESS TO NATURAL GAS
INFRASTRUCTURE IN THIS STATE.

3. THE EFFECTS OF IMPROVED TECHNOLOGIES AND EFFICIENCIES IN POWER
GENERATION FOR THIS STATE.

4. THE EFFECTS OF EXEMPTING EXISTING ELECTRIC GENERATING PLANTS FROM
FURTHER MEASURES.

5. THE ROLE OF STRANDED COSTS IN THE OPERATION OF EXISTING OR NEW
ELECTRIC GENERATING PLANTS.

6. THE EFFECTS ON LOCAL ECONOMIES AND THE ECONOMY OF THIS STATE,
INCLUDING IMPACTS ON NEW AND EXISTING JOBS, HOUSING AFFORDABILITY AND INCOME
AND EMPLOYMENT LEVELS.

7. THE IMPACT ON THIS STATE'S ABILITY TO ATTRACT CAPITAL INVESTMENT
AND NEW BUSINESSES AND TO DEVELOP AND EXPAND EXISTING BUSINESSES.

8. THE RELATIVE COSTS AND BENEFITS OF THE PLAN.
9. THE UNIQUE CHALLENGES FACED BY SMALL UTILITIES AND ELECTRICAL COOPERATIVE ASSOCIATIONS.

10. THE EFFECTS ON LOCAL RATEPAYERS, INCLUDING RATEPAYERS IN ELECTRICAL COOPERATIVE ASSOCIATIONS.

11. THE EFFECTS ON THE CUSTOMS, CULTURE, HISTORY AND HERITAGE OF THIS STATE AND ITS COMMUNITIES.

12. ANY OTHER FACTORS THE COMMITTEE DEEMS APPROPRIATE.


D. THE COMMITTEE HAS THE POWERS CONFERRED BY LAW ON LEGISLATIVE COMMITTEES.

E. THE LEGISLATURE SHALL PROVIDE STAFF ASSISTANCE TO THE COMMITTEE AS DIRECTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Sec. 2. Title 49, chapter 3, article 2, Arizona Revised Statutes, is amended by adding section 49-459, to read:

49-459. State implementation plan; carbon emissions from power plants

A. THE DIRECTOR, IN CONSULTATION WITH THE CORPORATION COMMISSION, THE GOVERNING BODIES OF AFFECTED PUBLIC POWER ENTITIES AS DEFINED IN SECTION 30-801, ELECTRIC UTILITIES REGULATED BY THE CORPORATION COMMISSION AND INDEPENDENTLY OWNED ELECTRIC GENERATING UNITS SHALL DEVELOP A STATE PLAN TO REGULATE THE EMISSIONS OF CARBON DIOXIDE FROM EXISTING ELECTRIC GENERATION UNITS IN COMPLIANCE WITH RULES ADOPTED BY THE ADMINISTRATOR UNDER SECTION 111(d) OF THE CLEAN AIR ACT.

B. NOT LESS THAN NINETY DAYS BEFORE SUBMITTING A PLAN TO THE ADMINISTRATOR, THE DIRECTOR SHALL TRANSMIT THE PLAN TO THE JOINT LEGISLATIVE
REVIEW COMMITTEE ON STATE IMPLEMENTATION PLANS RELATING TO CARBON DIOXIDE
EMISSIONS FROM EXISTING POWER PLANTS PURSUANT TO SECTION 41-1291.01.

C. THE DIRECTOR MAY NOT TRANSMIT A STATE PLAN TO THE JOINT LEGISLATIVE
REVIEW COMMITTEE ON STATE IMPLEMENTATION PLANS RELATING TO CARBON DIOXIDE
EMISSIONS FROM EXISTING POWER PLANTS UNTIL THE ADMINISTRATOR ADOPTS RULES
UNDER SECTION 111(d) OF THE CLEAN AIR ACT.

D. AFTER REVIEW AND COMMENT BY THE JOINT LEGISLATIVE REVIEW COMMITTEE
OR IF THE COMMITTEE FAILS TO ACT IN A TIMELY MANNER PURSUANT TO SECTION
41-1291.01, THE DIRECTOR MAY SUBMIT A STATE PLAN TO THE ADMINISTRATOR FOR
APPROVAL.

E. SUBMISSION OF A STATE PLAN DOES NOT IMPAIR THE ABILITY OF ANY
AFFECTED STATE ENTITY TO CHALLENGE THE LAWFULNESS OF THE FEDERAL REGULATION
OF CARBON DIOXIDE EMISSIONS FROM EXISTING ELECTRIC GENERATING UNITS AND DOES
NOT CONSTITUTE A WAIVER OF ANY CLAIMS."

Amend title to conform