

Representative Chad E. Bennion proposes the following substitute bill:

**LEGISLATIVE APPROVAL OF STATE OR
REGIONAL HAZE IMPLEMENTATION PLAN**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Chad E. Bennion

This act modifies the Environmental Quality Code. This act requires the governor or the governor's designee to provide an annual report of the Western Regional Air Partnership activities to the Legislature and requires legislative approval of any Grand Canyon Visibility Transport Commission or Western Regional Air Partnership recommendations or actions that impose new or different requirements on Utah citizens.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

19-2-109.7, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **19-2-109.7** is enacted to read:

19-2-109.7. Definitions -- Purpose -- Annual report required -- Legislative approval required.

(1) As used in this section:

(a) "1990 Clean Air Act" has the same meaning as provided in Section 19-2-109.1.

(b) "Grand Canyon Visibility Transport Commission" means the commission created pursuant to Section 169B of the 1990 Clean Air Act to issue a report directed toward protecting visibility in the Grand Canyon National Park.

(c) "Western Regional Air Partnership" means the appointed organization that is performing the role as successor body under the 1990 Clean Air Act implementing the recommendations of the Grand Canyon Visibility Transport Commission.



26 (2) The purpose of this section is to preserve Utah sovereignty, to enhance public
27 notice and awareness, and to ensure public confidence in the fairness of the implementation of
28 any Utah requirements of the Western Regional Air Partnership's advisory recommendations,
29 reports, or interpretations.

30 (3) No later than November 1 of each year, the governor or the governor's designee
31 shall provide an annual report of the Western Regional Air Partnership activities to the
32 Legislature. This requirement shall continue until:

33 (a) the Western Regional Air Partnership ceases operation; and
34 (b) the governor has forwarded to the federal Environmental Protection Agency
35 notification that the state complies with the final unappealable provisions of Title 40, Code of
36 Federal Regulations, implementing a visibility protection plan, adopted in accordance with the
37 1990 Clean Air Act.

38 (4) Any final recommendation, report, or other action of the Grand Canyon Visibility
39 Transport Commission or the Western Regional Air Partnership may not impose any new or
40 different requirements upon private entities or citizens of Utah unless approved by a joint
41 resolution of the Legislature or by statute.