Introduction and first reading

SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

OFFICIAL STATUS

Referred to Energy, Utilities and Telecommunications

S.F. No. 322

(SENATE AUTHORS: JUNGBAUER)

DATE

02/14/2011

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A resolution memorializing the United States Congress regarding the unauthorized and unscientific regulation of carbon dioxide emissions by the Environmental Protection Agency. WHEREAS, concern is growing that with the failure of cap-and-trade legislation in Congress, the United States Environmental Protection Agency (EPA) is attempting to reduce greenhouse gas (GHG) emissions through the adoption and implementation of regulations without congressional approval; and WHEREAS, the EPA is proposing numerous new rules to regulate GHG emissions as pollutants through the Clean Air Act; and WHEREAS, the EPA has not performed any comprehensive study of the environmental benefits of its GHG regulation in terms of impacts on global climate; and WHEREAS, the EPA's regulatory activity of GHG has numerous and overlapping requirements that are likely to have major negative effects on the nation's economy, jobs, and competitiveness in worldwide markets; and WHEREAS, neither the EPA nor the current administration has undertaken any comprehensive study on the cumulative effect that regulating GHGs will have on the nation's economy, jobs, and competitiveness; and WHEREAS, state agencies are routinely required to identify the costs of agency regulations and to justify those costs in light of benefits; and WHEREAS, since the EPA has identified "taking action on climate change and improving

air quality" as its first strategic goal for the time frame of 2011 to 2015, it should be required to

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identify the specific actions it intends to take to achieve these goals and to assess the cumulative effect of these actions on public health, climate change, and on the United States economy; and WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of new jobs; and WHEREAS, the public's health and welfare will suffer without significant new job creation and economic improvement and environmental improvement is most successful in a society that generates wealth; NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Minnesota that it calls on the Congress of the United States to adopt legislation prohibiting the EPA from regulating GHG emissions without Congressional approval, including, if necessary, not funding EPA GHG regulatory activities. BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota calls on the Congress of the United States to impose a moratorium on the promulgation of any new GHG regulation by the EPA for a period of at least two years, except for the need to directly address an imminent health or environmental emergency. BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota calls on the Congress of the United States to require the administration to carry out a study identifying all regulatory activity that the EPA intends to undertake in furtherance of its goal of "taking action on climate change and improving air quality" and provide an objective cost-benefit analysis and cumulative effect that the EPA's current and planned regulation will have on global climate, public health, the United States economy, jobs, and economic competitiveness in worldwide markets. BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota expresses its support for continuing improvements to the quality of the nation's air and declares that such improvements can be made without damaging the economy as long as there is a full understanding of the costs and benefits of the regulations at issue. BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States,

the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United

States House of Representatives, and Minnesota's Senators and Representatives in Congress.