

1 SJR91  
2 142362-2  
3 By Senator Waggoner  
4 RFD:  
5 First Read: 08-MAY-12

1 SJR91

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4 ENROLLED, SJR91,

5 URGING THE UNITED STATES CONGRESS TO ADOPT  
6 LEGISLATION PROHIBITING THE ENVIRONMENTAL PROTECTION AGENCY  
7 FROM REGULATING GREENHOUSE GAS EMISSIONS WITHOUT CONGRESSIONAL  
8 APPROVAL.

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10 WHEREAS, the United States Environmental Protection  
11 Agency (EPA) has proposed or is proposing numerous new  
12 regulations, particularly in the area of air quality and  
13 regulation of greenhouse gases, that are likely to have major  
14 effects on the economy, jobs, and U.S. competitiveness in  
15 worldwide markets; and

16 WHEREAS, EPA's regulatory activity as to air quality  
17 and greenhouse gases has become known as the "train wreck,"  
18 because of the numerous and overlapping requirements and  
19 because of the potentially devastating consequences this  
20 regulatory activity may have on the economy; and

21 WHEREAS, concern is growing that, with cap-and-trade  
22 legislation having failed in Congress, EPA is attempting to  
23 obtain the same results through the adoption of regulations;  
24 and

1                   WHEREAS, EPA over-regulation is driving jobs and  
2 industry out of America; and

3                   WHEREAS, neither EPA nor the administration has  
4 undertaken any comprehensive study of what the cumulative  
5 effect of all of this new regulatory activity will have on the  
6 economy, jobs, and competitiveness; and

7                   WHEREAS, EPA has not performed any comprehensive  
8 study of what the environmental benefits of its greenhouse  
9 regulations will be in terms of impacts on global climate; and

10                  WHEREAS, state agencies are routinely required to  
11 identify the costs of their regulations and to justify those  
12 costs in light of the benefits; and

13                  WHEREAS, since EPA has identified "taking action on  
14 climate change and improving air quality" as its first  
15 strategic goal for the 2011-2015 time period, EPA should be  
16 required to identify the specific actions it intends to take  
17 to achieve these goals and to assess the total cost of all  
18 these actions together; and

19                  WHEREAS, the Legislature supports continuing  
20 improvements in the quality of the nation's air and believes  
21 that such improvements can be made in a sensible fashion  
22 without damaging the economy so long as there is a full  
23 understanding of the cost of the regulations at issue; and

24                  WHEREAS, the primary goal of government at the  
25 present time must be to promote economic recovery and to

1 foster a stable and predictable business environment that will  
2 lead to the creation of jobs; and

3                   WHEREAS, public health and welfare will suffer  
4 without significant new job creation and economic improvement,  
5 because people with good jobs are better able to take care of  
6 themselves and their families than the unemployed and because  
7 environmental improvement is only possible in a society that  
8 generates wealth; now therefore,

9                   BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
10 HOUSES THEREOF CONCURRING, That we hereby call upon the  
11 Members of the Alabama Delegation in the U.S. Congress to:

12                   (1) Adopt legislation prohibiting EPA by any means  
13 necessary from regulating greenhouse gas emissions, including,  
14 if necessary, defunding EPA greenhouse gas regulatory  
15 activities;

16                   (2) Impose a moratorium on promulgation of any new  
17 air quality regulation by EPA by any means necessary, except  
18 regulation to directly address an imminent health or  
19 environmental emergency, for a period of at least two years,  
20 including defunding EPA air quality regulatory activities;

21                   (3) Require the administration to undertake a study  
22 identifying all regulatory activity that EPA intends to  
23 undertake in furtherance of its goal of "taking action on  
24 climate change and improving air quality" and specifying the  
25 cumulative effect of all of these regulations on the economy,

1 jobs, and American economic competitiveness. This study should  
2 be a multi-agency study drawing on the expertise both of EPA  
3 and of agencies and departments having expertise in and  
4 responsibility for the economy and the electric system and  
5 should provide an objective cost-benefit analysis of all EPA's  
6 current and planned regulations together.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

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I hereby certify that the within Senate Joint Resolution  
originated in and was adopted by the Senate.

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Patrick Harris  
Secretary

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House of Representatives

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Adopted: 10-MAY-12

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By: Senator Waggoner