

1 SENATE JOINT RESOLUTION NO. 10

2 INTRODUCED BY J. PRIEST

3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA OPPOSING EFFORTS BY THE ENVIRONMENTAL PROTECTION AGENCY TO REGULATE
6 GREENHOUSE GAS EMISSIONS.

7

8 WHEREAS, the U.S. Environmental Protection Agency has proposed or is proposing numerous new
9 regulations, particularly in the area of air quality and the regulation of greenhouse gases, that are likely to have
10 major detrimental effects on the economy, jobs, and U.S. competitiveness in worldwide markets; and

11 WHEREAS, the EPA's regulatory activity related to air quality and greenhouse gases has become known
12 as the "train wreck" because of the numerous and overlapping requirements and because of the potentially
13 devastating consequences that this regulatory activity may have on the economy; and

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

16 WHEREAS, EPA overregulation is driving jobs and industry out of America; and

17 WHEREAS, neither the EPA nor President Obama's administration has undertaken any comprehensive
18 study of what the cumulative effect of all of this new regulatory activity will be on the economy, jobs, and
19 competitiveness; and

20 WHEREAS, the EPA has not performed any comprehensive study of what the environmental benefits
21 of its greenhouse regulation will be in terms of impacts on global climate; and

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

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

27 WHEREAS, the Montana Legislature supports continuing improvements in the quality of the nation's air
28 and believes that those improvements can be made in a sensible fashion without damaging the economy, as long
29 as there is a full understanding of the cost and benefits of the regulations at issue; and

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

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

2 WHEREAS, Montana is the seventh largest user of energy per capita but only ranks 49th, second to last,
3 in take-home pay and is extremely vulnerable to carbon taxes of any kind, including regulatory taxes; and

4 WHEREAS, Montana possesses vast reserves of proven, low-cost energy, including coal, natural gas,
5 and oil, that creates high-paying jobs; and

6 WHEREAS, 40% of the nation's coal used for electricity generation comes from the Powder River Basin
7 states of Montana and Wyoming; and

8 WHEREAS, more than 70% of Montana's coal production is exported to generate low-cost electricity used
9 in homes, small businesses, and manufacturing; and

10 WHEREAS, more than 1,100 families depend on the good-paying jobs the Montana coal industry
11 provides; and

12 WHEREAS, the state of Montana receives more than \$70 million in direct tax benefits annually from coal
13 industries; and

14 WHEREAS, the EPA's efforts to lower coal consumption in other states will cost Montana jobs, impact
15 tax revenue, and harm Montana's coal industry; and

16 WHEREAS, the oil and gas industry is responsible for 4,500 direct jobs in Montana, and another 7,500
17 indirect jobs; and

18 WHEREAS, production tax revenue alone accounts for more than \$220 million that is distributed to state
19 and local government and schools across the state; and

20 WHEREAS, the total economic impact of the petroleum industry in Montana is \$9 billion; and

21 WHEREAS, Montana's four refineries provide more than 1,000 jobs with an average wage of over
22 \$90,000; and

23 WHEREAS, public health and welfare will suffer without significant new job creation and economic
24 improvement because people with good jobs are better able to take care of themselves and their families than
25 are the unemployed and because environmental improvement is only possible in a society that generates wealth.

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27 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
28 STATE OF MONTANA:

29 That the 62nd Legislature requests that the United States Congress:

30 (1) adopt legislation prohibiting the EPA, by any means necessary, from regulating greenhouse gas

1 emissions, including, if necessary, defunding the EPA's greenhouse gas regulatory activities;

2 (2) impose a moratorium on promulgation of any new air quality regulation by the EPA by any means
3 necessary, except to directly address an imminent health or environmental emergency, for a period of at least
4 2 years, including defunding the EPA's air quality regulatory activities; and

5 (3) require President Obama's administration to undertake a study identifying all regulatory activity that
6 the EPA intends to undertake in furtherance of its goal of "taking action on climate change and improving air
7 quality" and specify the cumulative effect of all of these regulations on the economy, jobs, and American
8 economic competitiveness. This study should be a multiagency study drawing on the expertise of the EPA,
9 agencies, and departments having expertise in and responsibility for the economy and the electric system and
10 should provide an objective cost-benefit analysis of all of the EPA's current and planned regulation.

11 BE IT FURTHER RESOLVED, that copies of this resolution be sent to the President of the United States,
12 the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the
13 members of Montana's Congressional Delegation, and the Administrator of the Environmental Protection Agency.

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