

By: Fraser

S.C.R. No. 20

CONCURRENT RESOLUTION

1           WHEREAS, The business climate in Texas has been consistently  
2 ranked as the best in the United States, and the state's economy  
3 regularly outpaces the rest of the nation; and

4           WHEREAS, Texas produces approximately 60 percent of all  
5 chemicals manufactured in the United States, as well as 30 percent  
6 of the nation's natural gas and 20 percent of its oil; in addition,  
7 the state leads the nation in overall electricity production, and  
8 its competitive wholesale power market is among the most robust and  
9 demand-responsive in the country; and

10           WHEREAS, The manufacturing sector contributes \$96 billion  
11 annually to the Texas economy and employs more than one million  
12 Texans at some of the highest salaries in the state; the continued  
13 economic health of the state is dependent on this vital sector, and  
14 Texas is competing globally to protect existing business investment  
15 and attract new jobs; and

16           WHEREAS, Texas has not been immune to the global economic  
17 recession; over the past two years, some manufacturers have shut  
18 down and there have been significant job losses; yet in spite of  
19 this challenging business climate, the Environmental Protection  
20 Agency has moved forward with the regulation of greenhouse gas  
21 emissions from stationary sources such as refineries, chemical  
22 plants, power plants, and other commercial establishments; and

23           WHEREAS, The EPA claims that greenhouse gas emissions are air  
24 pollutants under Section 202(a) of the Clean Air Act, but that act

1 was designed to regulate conventional pollutants, such as ozone and  
2 particulate matter, that create local air quality problems, and not  
3 unconventional pollutants, such as greenhouse gases, which are  
4 found in essentially equal concentrations around the globe; in  
5 formulating its plan to regulate greenhouse gases, the EPA failed  
6 to identify cost-effective technology to meet the demands of such  
7 regulation and instead invoked the legal doctrine of "absurd  
8 results," essentially admitting that implementing the new rules  
9 would overwhelm the administrative capabilities of state  
10 permitting authorities and the agency itself; and

11 WHEREAS, Congress and the scientific community continue to  
12 engage in vigorous, legitimate, and substantive debate regarding  
13 the regulation of greenhouse gases; meanwhile, the EPA has acted on  
14 its own to institute a backdoor regulatory regime, an abuse of power  
15 with serious implications; these regulations are projected to cost  
16 Texas more than 300,000 jobs because of increased energy prices,  
17 compliance with required greenhouse gas permit conditions, and  
18 greater competition from overseas manufacturers that have lower  
19 energy costs; furthermore, as it has communicated to the EPA, the  
20 State of Texas does not have the legal authority to regulate  
21 greenhouse gas emissions from stationary sources in the manner  
22 proposed by the EPA; and

23 WHEREAS, The EPA's regulation of greenhouse gas emissions  
24 from stationary sources will prove highly detrimental to the  
25 manufacturing and energy sectors in an already struggling economy  
26 and will cause additional job losses that the nation can ill afford;  
27 now, therefore, be it

1           RESOLVED, That the 82nd Legislature of the State of Texas  
2 hereby respectfully urge the Congress of the United States to take  
3 such actions as are necessary to prevent the Environmental  
4 Protection Agency from regulating greenhouse gas emissions from  
5 stationary sources; and, be it further

6           RESOLVED, That the Texas secretary of state forward official  
7 copies of this resolution to the president of the United States, to  
8 the EPA administrator, to the president of the Senate and speaker of  
9 the House of Representatives of the United States Congress, and to  
10 all the members of the Texas delegation to Congress with the request  
11 that this resolution be entered in the Congressional Record as a  
12 memorial to the Congress of the United States of America.