

1-1 By: Fraser S.C.R. No. 20
1-2 (In the Senate - Filed February 23, 2011;
1-3 February 28, 2011, read first time and referred to Committee on
1-4 Natural Resources; March 23, 2011, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; March 23, 2011, sent to printer.)

1-6 SENATE CONCURRENT RESOLUTION

1-7 WHEREAS, The business climate in Texas has been consistently
1-8 ranked as the best in the United States, and the state's economy
1-9 regularly outpaces the rest of the nation; and

1-10 WHEREAS, Texas produces approximately 60 percent of all
1-11 chemicals manufactured in the United States, as well as 30 percent
1-12 of the nation's natural gas and 20 percent of its oil; in addition,
1-13 the state leads the nation in overall electricity production, and
1-14 its competitive wholesale power market is among the most robust and
1-15 demand-responsive in the country; and

1-16 WHEREAS, The manufacturing sector contributes \$96 billion
1-17 annually to the Texas economy and employs more than one million
1-18 Texans at some of the highest salaries in the state; the continued
1-19 economic health of the state is dependent on this vital sector, and
1-20 Texas is competing globally to protect existing business investment
1-21 and attract new jobs; and

1-22 WHEREAS, Texas has not been immune to the global economic
1-23 recession; over the past two years, some manufacturers have shut
1-24 down and there have been significant job losses; yet in spite of
1-25 this challenging business climate, the Environmental Protection
1-26 Agency has moved forward with the regulation of greenhouse gas
1-27 emissions from stationary sources such as refineries, chemical
1-28 plants, power plants, and other commercial establishments; and

1-29 WHEREAS, The Environmental Protection Agency claims that
1-30 greenhouse gas emissions are air pollutants under Section 202(a) of
1-31 the Clean Air Act, but that act was designed to regulate
1-32 conventional pollutants, such as ozone and particulate matter, that
1-33 create local air quality problems, and not unconventional
1-34 pollutants, such as greenhouse gases, which are found in
1-35 essentially equal concentrations around the globe; in formulating
1-36 its plan to regulate greenhouse gases, the Environmental Protection
1-37 Agency failed to identify cost-effective technology to meet the
1-38 demands of such regulation and instead invoked the legal doctrine
1-39 of "absurd results," essentially admitting that implementing the
1-40 new rules would overwhelm the administrative capabilities of state
1-41 permitting authorities and the agency itself; and

1-42 WHEREAS, Congress and the scientific community continue to
1-43 engage in vigorous, legitimate, and substantive debate regarding
1-44 the regulation of greenhouse gases; meanwhile, the Environmental
1-45 Protection Agency has acted on its own to institute a backdoor
1-46 regulatory regime, an abuse of power with serious implications;
1-47 these regulations are projected to cost Texas more than 300,000
1-48 jobs because of increased energy prices, compliance with required
1-49 greenhouse gas permit conditions, and greater competition from
1-50 overseas manufacturers that have lower energy costs; furthermore,
1-51 as it has communicated to the Environmental Protection Agency, the
1-52 State of Texas does not have the legal authority to regulate
1-53 greenhouse gas emissions from stationary sources in the manner
1-54 proposed by the Environmental Protection Agency; and

1-55 WHEREAS, The Environmental Protection Agency's regulation of
1-56 greenhouse gas emissions from stationary sources will prove highly
1-57 detrimental to the manufacturing and energy sectors in an already
1-58 struggling economy and will cause additional job losses that the
1-59 nation can ill afford; now, therefore, be it

1-60 RESOLVED, That the 82nd Legislature of the State of Texas
1-61 hereby respectfully urge the Congress of the United States to take
1-62 such actions as are necessary to prevent the Environmental
1-63 Protection Agency from regulating greenhouse gas emissions from
1-64 stationary sources; and, be it further

2-1 RESOLVED, That the Texas secretary of state forward official
2-2 copies of this resolution to the president of the United States, to
2-3 the administrator of the Environmental Protection Agency, to the
2-4 president of the Senate and speaker of the House of Representatives
2-5 of the United States Congress, and to all the members of the Texas
2-6 delegation to Congress with the request that this resolution be
2-7 entered in the Congressional Record as a memorial to the Congress of
2-8 the United States of America.

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