

SCR6, As Adopted by Senate, February 24, 2011

Substitute for Senate Concurrent Resolution No. 6.

A concurrent resolution to memorialize the United States Congress to take immediate steps to impose a moratorium on greenhouse gas, air quality, and other regulatory actions by the Environmental Protection Agency.

Whereas, Concern is growing that, with cap-and-trade legislation having failed in Congress, the Environmental Protection Agency (EPA) is attempting to obtain the same results through the adoption of regulations. The EPA has proposed or is proposing numerous new regulations, particularly in the area of air quality, greenhouse gases, cooling water intake, and coal ash management, that are likely to have major negative effects on the economy, jobs, and U.S. competitiveness in worldwide markets. The aggregate of the EPA's regulatory activity and its aggressive timeline has become known to many as the "train wreck" because of the numerous and overlapping requirements and because of the potentially devastating consequences this regulatory activity may have on the economy; and

Whereas, These new regulatory actions are ill-conceived, ill-advised, and understudied. Neither the EPA nor any other executive agency has undertaken a comprehensive study of what the cumulative effect of all of this new regulatory activity will have on the economy, jobs, and competitiveness. Furthermore, the EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse regulation will be in terms of impacts on global climate; and

Whereas, Michigan and other states struggling to rebound from the loss of manufacturing jobs and high unemployment face further hardship if the EPA irresponsibly and prematurely imposes greenhouse gas, air quality, coal by-products, and water use restrictions. Coal dominates electricity generation in Michigan, supplying nearly two-thirds of the electric energy produced in the state. The regulatory package proposed by the EPA will push energy prices higher, hurting consumers, as well as the manufacturers the state is counting on to supply jobs. Manufacturers could face a double impact, paying higher energy prices and having to deal with these restrictions themselves; and

Whereas, The Michigan Legislature supports continuing improvements in the quality of the state's and the nation's air and water and believes that such improvements can be made in a sensible fashion without unjustifiably damaging the economy, so long as there is a full understanding of the cost of the regulations at issue, and those regulations are based upon sound science. Since the EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-2015 time period, the EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost, economic impact, and benefits of all these actions together; and

Whereas, A 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 jobs. Public health and welfare will suffer without significant new job creation and economic improvement because people with good jobs are better able to take care of themselves and their families than the unemployed, and environmental improvement is best achieved in a society that generates wealth; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to take the following actions: Adopt legislation prohibiting the EPA from unilaterally regulating greenhouse gas emissions, including, if necessary, by removing appropriations from EPA greenhouse gas regulatory activities; impose a moratorium on the promulgation of any new air quality, water use, and waste management regulations by the EPA for a period of at least two years, except those necessary to directly address an imminent health or environmental emergency when subject to court order; direct appropriations for EPA air quality regulatory activities towards the

updating of the agency's scientific models and data; require the administration to undertake a multiagency study identifying all regulatory activity that the EPA intends to undertake in furtherance of its goals of taking action on climate change and improving air quality, limiting water use, and expanding coal ash regulations; and specify the cumulative effect of all of these regulations on the economy, jobs, and American economic competitiveness; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.