

State of Vermont House of Representatives



Montpelier, Vermont

Joint House Resolution

J.R.H. 25

Joint resolution requesting the governors of the 19 states that have suspended state implementation planning to continue the compliance process under the Environmental Protection Agency's Carbon Pollution Emission Guidelines

Offered by: Representatives McCormack of Burlington, Deen of Westminster, Klein of East Montpelier, and Sullivan of Burlington

Whereas, on October 23, 2015, the U.S. Environmental Protection Agency (EPA) issued a final rule entitled *Carbon Pollution Emission Guidelines for Existing Utility Generating Units*, 80 FR 64662-01 (Clean Power Plan), and

Whereas, the Clean Power Plan is intended to reduce carbon emissions from the nation's power plants to 32 percent below 2005 levels no later than 2032, and

Whereas, 27 states, including West Virginia and Texas (the parties), along with a number of companies and business groups, are seeking to overturn the final rule through a suit they filed in the U.S. Court of Appeals for the District of Columbia, and

Whereas, in a close 5–4 decision, issued on February 9, 2016, the U.S. Supreme Court, in *Chamber of Commerce v. EPA*, 2016 WL 502658, granted the parties' requested stay of enforcement, and

Whereas, Environment & Energy Publishing's recent analysis estimates that 19 states have suspended state implementation planning associated with the Clean Power Plan, and

Whereas, the Clean Power Plan is based on a strong legal and technical foundation since, in 2007, the U.S. Supreme Court ruled, in *Massachusetts v. Environmental Protection Agency*, 127 S.Ct. 1438, that the Environmental Protection Agency (EPA) is authorized to regulate greenhouse gas emissions if the agency believes they contribute to climate change, and

Whereas, according to 2014 NBC/Wall Street Journal and Bloomberg polls, a majority of Americans support efforts to reduce carbon pollution, and

Whereas, a 2014 Yale Climate Opinion Poll indicated that majorities in 17 of the 19 states that have suspended state implementation planning support setting strict carbon dioxide limits on coal-fired power plants, and

Whereas, according to a 2016 Utility Dive survey, 70 percent of utility executives thought the EPA should maintain the Clean Power Plan or make it more aggressive, and

Whereas, it is estimated that the Clean Power Plan will prevent up to 3,600 premature deaths and produce a maximum \$54 billion in annual health and climate benefits by 2030, and

Whereas, from an environmental perspective, it is preferable for state environmental administrators to comply with the Clean Power Plan, notwithstanding the U.S. Supreme Court's enforcement stay, and

Whereas, there are no coal-fired plants located in Vermont, due in part to the choices our State has made to combat climate change through investing in energy efficiency and renewable energy and not developing coal- or oil-fired power plants, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges the governors of Alabama, Arkansas, Georgia, Indiana, Kansas, Kentucky, Michigan, Mississippi, Montana, Nebraska, New Jersey, North Carolina, North Dakota, Oklahoma, South Dakota, Texas, Utah, West Virginia, and Wisconsin to support the global fight against climate change by continuing the Clean Power Plan compliance process in order to keep their states from falling behind the nation and obstructing the growth of a strong clean energy economy after the current legal challenges to the Clean Power Plan have ended, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the governor of each state mentioned in this resolution.