

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE JOINT
RESOLUTION NO. 6

By: Long and Campbell of the
Senate

and

Rice of the House

(Joint Resolution - Kyoto Protocol on Global Climate
Change - ratification - voluntary participation -
effective date -

distribution)

AUTHORS: Add the following House Coauthors: Adkins, Bryant,
Coleman, Davis, Graves, Greenwood, Liotta, Maddux, Pope
(Clay) and Webb

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

"A Joint Resolution prohibiting the Oklahoma State
Legislature and the Governor from implementing the
Kyoto Protocol on Global Climate Change until such
protocol is ratified by the United States Senate;
providing for construction of resolution;
authorizing certain voluntary participation in
various programs; providing for codification;
directing distribution; and declaring an emergency.

WHEREAS, a protocol to expand the scope of the 1992 United
Nations Framework Convention on Global Climate Change was negotiated
in December 1997 in Kyoto, Japan, and such Kyoto Protocol was signed
by the United States Government in November 1998, such protocol,
which if ratified by the United States Senate would require the
United States to reduce emissions of greenhouse gases including
carbon dioxide and methane by seven percent (7%) from 1990 emission
levels during the period 2008 to 2012; and

WHEREAS, the United States Senate has not yet received the Kyoto Protocol for its consideration; and

WHEREAS, economic impact studies by the U.S. Department of Energy, Energy Information Administration, an independent agency of the United States Government, estimate that legally binding requirements for implementation of the Kyoto Protocol would result in the loss of hundreds of thousands of jobs in the United States, sharply increased electric service rates, reduced family incomes and wages, and severe losses of output in energy-intensive industries such as aluminum, steel, rubber, chemicals, and utilities; and

WHEREAS, increased emissions of greenhouse gases by developing countries would offset any potential climate change benefits associated with emissions reductions achieved by the United States and by other industrial nations; and

WHEREAS, federal implementation of the Kyoto Protocol, if ratified by the United States Senate, would entail new congressional legislation whose form and requirements cannot be predicted at this time, but could include national energy taxes or emission control allocation and trading schemes preempting state-specific programs intended to reduce emissions of greenhouse gases; and

WHEREAS, piecemeal or other regulatory initiatives pursuant to the Kyoto Protocol intended to reduce emissions of greenhouse gases may be inconsistent with subsequent congressional determinations concerning the Kyoto Protocol, or with related federal legislation implementing the Kyoto Protocol; and

WHEREAS, individual state responses to the Kyoto Protocol, including development of new regulatory programs intended to reduce greenhouse gas emissions, are premature prior to United States Senate ratification of the Protocol, in its current or amended form.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 47TH LEGISLATURE:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1-207 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Neither the legislative or executive branch of the State of Oklahoma shall take actions to implement the Kyoto Protocol until such time as the Kyoto Protocol has been ratified by the United States Senate or otherwise enacted into law.

B. Nothing in this section shall:

1. Be construed to limit or to impede state or private participation in any ongoing voluntary initiatives to reduce greenhouse gases, including, but not limited to, the United States Environmental Protection Agency's Green Lights program, the United States Department of Energy's Climate Challenge program and similar state and federal initiatives relying on voluntary participation; provided, however, that such participation does not involve any allocation or other distribution of greenhouse gas emission entitlements pursuant to or under color of the Kyoto Protocol; or

2. Prohibit industry from complying with the Oklahoma Clean Air Act as it exists or may be amended, or prohibit the Department of Environmental Quality from carrying out its duties under the Oklahoma Clean Air Act as it exists or may be amended, or prohibit the Environmental Quality Board from promulgating rules to maintain or achieve compliance with the Federal Clean Air Act as it exists or may be amended.

C. This section shall remain in full force and effect until repealed by the Legislature of the State of Oklahoma, or until such time as the Kyoto Protocol is ratified by the United States Senate.

SECTION 2. The Secretary of State shall distribute copies of this resolution to the Governor of the State of Oklahoma, the Executive Director of the Department of Environmental Quality, and the members of the Oklahoma congressional delegation.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 8th day of April, 1999.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1999.

President of the Senate