

1995 SESSION

ENGROSSED

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SENATE JOINT RESOLUTION NO. 329

Senate Amendments in [] — February 7, 1995

Memorializing Congress to refrain from mandates dealing with air pollution control programs.

Patrons—Barry, Benedetti, Calhoun and Quayle; Delegates: Giesen, Hall, Mayer and Plum

Referred to the Committee on Rules

WHEREAS, the Ozone Transport Commission (OTC) has recommended to the federal Environmental Protection Agency (EPA) the imposition of a low-emission vehicle (LEV) program throughout the northeastern United States, including Northern Virginia, an action to which the General Assembly of Virginia, in House Joint Resolution No. 1 of the 1994 Regular Session, has already expressed its opposition; and

WHEREAS, use of subsidies, selective tax benefits, or other financial incentives are appropriate means of encouraging the development of alternative fuel technologies and their accompanying infrastructure and stimulating a market for alternative fuel vehicles; and

WHEREAS, experience has disclosed a tendency for the Clean Air Act Amendments (CAAA), the federal Energy Policy Act (EPACT), and EPA regulations to be used by the federal bureaucracy to impose mandates upon the states without any consultation or consideration of state legislators or other elected representatives of the people who will ultimately have to bear the financial and other costs of these mandates; and

WHEREAS, the final decision on the appropriateness of such [~~subsidies~~ mandates] as part of an air pollution control and reduction program should be left in the hands of state legislators and other elected representatives of affected people, and not be imposed by the federal bureaucracy; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Congress of the United States be hereby memorialized to refrain from imposing upon the states, through the medium of the Clean Air Act Amendments of 1990, the Energy Policy Act of 1992, or federal regulations, any program of mandates except after consultation with and the cooperation of the legislatures of the affected states; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia congressional delegation in order that they may be apprised of the sense of the General Assembly in this matter.

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