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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE RESOLUTION

No. **325** Session of  
2020

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INTRODUCED BY YAW, PITTMAN AND ARGALL, MAY 8, 2020

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REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MAY 8, 2020

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A RESOLUTION

1 Urging the Department of Environmental Protection to cease all  
2 action on its "cap and invest" regulation.

3 WHEREAS, During the COVID-19 pandemic, Pennsylvania has  
4 united to adjust course and prioritize mitigating the spread of  
5 this deadly virus; and

6 WHEREAS, In Pennsylvania, business as usual has literally  
7 ceased, with small businesses across Pennsylvania closing their  
8 doors and most construction activities halted; and

9 WHEREAS, Many Pennsylvania families are without a definable  
10 path forward as they struggle to pay mortgages and rents and put  
11 food on the table; and

12 WHEREAS, Most Pennsylvanians are willing to provide latitude  
13 to their government to take temporary measures to address these  
14 extraordinary challenges; and

15 WHEREAS, Pennsylvanians visualize a government that  
16 prioritizes their health and safety while also developing a plan  
17 to begin reopening the economy in a sensible manner that  
18 provides a definitive path to the end of the COVID-19 crisis;

1 and

2 WHEREAS, Recently, the General Assembly passed legislation,  
3 aligning with the standards of the Centers for Disease Control  
4 and Prevention and the Cybersecurity and Infrastructure Security  
5 Agency, to provide for the development of a plan to allow  
6 certain businesses to reopen and resume operations during the  
7 mitigation of the COVID-19 pandemic; and

8 WHEREAS, Governor Wolf vetoed the General Assembly's plan,  
9 joining a multi-state council aligning himself with governors of  
10 six other states whose interests do not prioritize Pennsylvania  
11 residents and the strength of our economy; and

12 WHEREAS, During this time of crisis, the Department of  
13 Environmental Protection (DEP) continues to advance the  
14 development of regulations to join the Regional Greenhouse Gas  
15 Initiative (RGGI), despite concerns echoing across this  
16 Commonwealth that this program will do irreparable harm to  
17 Pennsylvania's economy; and

18 WHEREAS, The DEP's "cap and invest" regulation tracks the  
19 RGGI's model, but crucial guidelines on the baseline carbon  
20 budget and investment of allowance auction proceeds are  
21 currently being considered; and

22 WHEREAS, Advisory committee meetings of the General Assembly  
23 are essential in providing meaningful input to the DEP's "cap  
24 and invest" regulation; and

25 WHEREAS, Critical oversight hearings by legislative  
26 committees to ask questions and explore policy ramifications are  
27 indispensable in the promulgation of the DEP's "cap and invest"  
28 regulation, which not only caps carbon pollution but also  
29 requires carbon-emitting power plants to buy pollution  
30 allowances; and

1       WHEREAS, The DEP's "cap and invest" regulation continues to  
2 proceed through the regulatory process at a time when  
3 policymakers should be focused on reopening and rebuilding  
4 Pennsylvania's economy; and

5       WHEREAS, At a time when policymakers should be focused on  
6 reopening and rebuilding Pennsylvania's economy, the Wolf  
7 Administration has authorized expenditures of several hundred  
8 thousand dollars to advance policies unrelated to the current  
9 pandemic emergency; and

10       WHEREAS, Though Governor Wolf has been asked to suspend the  
11 development of the DEP's "cap and invest" regulation, as well as  
12 the pursuit of other major policy initiatives during this time  
13 of crisis, the Wolf Administration is spending massive  
14 quantities of taxpayer dollars to position Pennsylvania's  
15 economy at the mercy of some of the identical states to which  
16 Governor Wolf is currently relinquishing Pennsylvania's economic  
17 sovereignty; and

18       WHEREAS, Pennsylvanians deserve an Executive Branch that is  
19 focused on their well-being in its totality, their health,  
20 safety and prosperity; and

21       WHEREAS, Pennsylvania-elected lawmakers are hearing daily  
22 from their constituents and constituent business owners that  
23 mitigation measures for COVID-19 are critical; and

24       WHEREAS, During this time of a declared emergency,  
25 Pennsylvanians should not have to wonder what schemes their  
26 government is advancing while they struggle to make ends meet;  
27 therefore be it

28       RESOLVED, That the Senate urge the Department of  
29 Environmental Protection to cease all action on its "cap and  
30 invest" regulation.