ASSEMBLY CONCURRENT RESOLUTION No. 218

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED FEBRUARY 5, 2009

Sponsored by:
Assemblywoman ALISON LITTELL MCHOSE
District 24 (Sussex, Hunterdon and Morris)

SYNOPSIS
Memorializes Administrator of EPA to not impose livestock fees associated with greenhouse gas emissions.

CURRENT VERSION OF TEXT
As introduced.
A CONCURRENT RESOLUTION memorializing the Administrator of the United States Environmental Protection Agency to not impose livestock fees associated with greenhouse gas emissions.

WHEREAS, On April 2, 2007, the United States Supreme Court ruled that the United States Environmental Protection Agency has the authority to regulate carbon dioxide and other greenhouse gases, including methane, under the Federal Clean Air Act (42 U.S.C. s.7401 et seq.), and the result could be the enactment of fees associated with greenhouse gas emissions; and

WHEREAS, In July 2008, the United States Environmental Protection Agency issued an advanced notice of proposed rulemaking to solicit public comment on the potential regulation of greenhouse gas emissions from cars, which could trigger an unprecedented expansion of regulating other sources of greenhouse gas emissions, such as various types of livestock; and

WHEREAS, The American Farm Bureau Federation reports that any farm or ranch with more than 25 dairy cows, 50 beef cattle, or 200 hogs annually emits more than 100 tons of greenhouse gases and under the potential regulation and resulting fees the annual cost to livestock owners meeting or exceeding these thresholds would be $175 for each dairy cow, $87.50 for each beef cattle, and $20 for each hog; and

WHEREAS, According to the American Farm Bureau Federation, more than 90 percent of United States dairy, beef, and pork producers would be affected by the potential regulation of greenhouse gases emitted by livestock, likely resulting in higher consumer costs for milk, beef, and pork products; and

WHEREAS, Fees associated with the potential regulation of greenhouse gases may bankrupt livestock owners, force the United States to import dairy and meat products from countries with poor health standards, and increase costs on the United States economy without reducing overall greenhouse gas levels in the atmosphere; and

WHEREAS, It is altogether proper and fitting and in the best interest of this State for the Legislature to memorialize the Administrator of the United States Environmental Protection Agency to not impose livestock fees associated with greenhouse gas emissions; now, therefore,

BE IT RESOLVED by the General Assembly of the State of New Jersey (the Senate concurring):

1. The Legislature memorializes the Administrator of the United States Environmental Protection Agency to not impose livestock fees associated with greenhouse gas emissions.

2. Duly authenticated copies of this concurrent resolution, signed by the President of the Senate and the Speaker of the
General Assembly and attested by the Secretary of the Senate and
the Clerk of the General Assembly, shall be transmitted to the
President and Vice President of the United States, the Administrator
of the United States Environmental Protection Agency, each
member of the United States Congress elected from this State, the
Secretary of the New Jersey Department of Agriculture, and the
Commissioner of the New Jersey Department of Environmental
Protection.

STATEMENT

This concurrent resolution memorializes the Administrator of the
United States Environmental Protection Agency (EPA) to not
impose livestock fees associated with greenhouse gas emissions.

On April 2, 2007, the United States Supreme Court ruled that the
EPA has the authority to regulate carbon dioxide and other
greenhouse gases. In the summer of 2008, the EPA issued an
advanced notice of proposed rulemaking to solicit public comment
on the regulation of greenhouse gas emissions from cars, which
could trigger an unprecedented expansion of regulating other
sources of greenhouse gas emissions, such as various types of
livestock. Interested parties associated with agriculture argue that it
is likely the potential regulation would impose fees on livestock
owners.

The fees associated with this potential regulation may have
serious consequences for livestock owners. The American Farm
Bureau Federation estimates that the potential regulation and
resulting fees would affect livestock owners owning more than 25
dairy cows, 50 beef cattle, or 200 hogs and cost the owners,
anually, $175 for each dairy cow, $87.50 for each beef cattle, and
$20 for each hog. Also, according to the American Farm Bureau
Federation, more than 90 percent of United States dairy, beef, and
pork producers would be affected by the potential regulation.

The potential regulation may bankrupt livestock owners. It
would force the United States to import dairy and meat products
from countries with poor health standards, and increase costs for
American consumers. This would all occur with little or no net
effect on the overall level of greenhouse gases in the atmosphere, as
the increased demand in America for dairy and meat imports will
increase greenhouse gas emissions from livestock in other parts of
the world.