

1                                   **RESOLUTION CONCERNING KYOTO**  
2                                   **PROTOCOL ON GLOBAL CLIMATE CHANGE**

3                                   1998 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Mike Dmitrich**

6 A JOINT RESOLUTION OF THE LEGISLATURE URGING THE PRESIDENT OF THE  
7 UNITED STATES NOT TO SIGN THE KYOTO PROTOCOL ON GLOBAL CLIMATE  
8 CHANGE, SUBMIT IT TO CONGRESS FOR CONSIDERATION, NOR INITIATE  
9 STRATEGIES TO MITIGATE GREENHOUSE GASES UNTIL THE PROTOCOL IS  
10 AMENDED TO REQUIRE DEVELOPING COUNTRIES TO MITIGATE EMISSIONS  
11 WITHIN THE SAME COMPLIANCE PERIOD AS DEVELOPED COUNTRIES; URGING  
12 THE UNITED STATES SENATE TO REJECT ANY PROTOCOL INCONSISTENT WITH  
13 UNITED STATES SENATE RESOLUTION 98; AND URGING GOVERNOR LEAVITT TO  
14 PROHIBIT IMPLEMENTATION OF ANY GREENHOUSE GAS REDUCTION PLAN IN  
15 UTAH UNTIL IT IS RATIFIED BY THE UNITED STATES SENATE.

16 *Be it resolved by the Legislature of the state of Utah:*

17           WHEREAS the United States is a signatory to the 1992 United Nations Framework  
18 Convention on Global Climate Change (FCCC);

19           WHEREAS a proposed protocol to expand the scope of the FCCC, known as the Kyoto  
20 Protocol, was negotiated in December 1997, in Kyoto, Japan;

21           WHEREAS the Kyoto Protocol potentially requires the United States to reduce emissions  
22 of greenhouse gases from 1990 levels by seven percent between 2008 and 2012, with potentially  
23 larger emission reductions thereafter;

24           WHEREAS the Kyoto Protocol would require other major industrial nations to reduce  
25 emissions from 1990 levels by six to eight percent between 2008 and 2012, with potentially larger  
26 emission reductions thereafter;

27           WHEREAS President Clinton pledged on October 22, 1997, "that [the] United States not

1 assume binding obligations (in Kyoto) unless key developing nations meaningfully participate in  
2 this effort";

3 WHEREAS on July 25, 1997, the United States Senate adopted Senate Resolution 98 by  
4 a voice vote of 95-0, expressing the sense of the Senate that "the United States should not be a  
5 signatory to any protocol to, or other agreement regarding, the Framework Convention on Climate  
6 Change . . . which would require the advice and consent of the Senate to ratification, and which  
7 would mandate new commitments to mitigate greenhouse gas emissions for the Developed  
8 Country Parties unless the protocol or other agreement also mandates specific scheduled  
9 commitments within the same compliance period to mitigate greenhouse gas emissions for  
10 Developing Country Parties";

11 WHEREAS developing nations are exempt from greenhouse gas emission limitations  
12 requirements in the FCCC, and refused in the Kyoto negotiations to accept any new commitments  
13 for greenhouse gas emission limitations through the Kyoto Protocol;

14 WHEREAS manmade emissions of greenhouse gases such as carbon dioxide are caused  
15 primarily by the combustion of oil, coal, and natural gas fuels by industries, automobiles, homes,  
16 and other uses of energy;

17 WHEREAS the United States relies on carbon-based fossil fuels for more than 90 percent  
18 of its total energy supply;

19 WHEREAS achieving the emission reductions proposed by the Kyoto Protocol would  
20 require a 38 percent reduction in projected United States carbon emissions between 2008 and  
21 2012;

22 WHEREAS developing countries exempt from emission limitations under the Kyoto  
23 Protocol are expected to increase their rates of fossil fuel use over the next two decades, and to  
24 surpass the United States and other industrialized countries in total emissions of greenhouse gases;

25 WHEREAS studies prepared by WEFA, an economic forecasting group, estimate that  
26 legally binding requirements for the reduction of United States greenhouse gases below 1990  
27 levels would result in the loss of more than 8,400 jobs, create higher energy, housing, medical and  
28 food costs, and reduce Utah tax revenues by over \$100 million;

29 WHEREAS with no commitments in the Kyoto Protocol, developing countries enjoy an  
30 unfair competitive imbalance in relation to industrial nations, potentially leading to the transfer  
31 of jobs and industrial development from the United States to developing countries; and

1 WHEREAS increased emissions of greenhouse gases by developing counties would offset  
2 any environmental benefits associated with emission reductions achieved by the United States and  
3 by other industrial nations:

4 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah call  
5 upon the President of the United States not to sign the Kyoto Protocol, submit it to the United  
6 States Senate for ratification, nor attempt to use federal agencies to initiate strategies to mitigate  
7 greenhouse gases unless the protocol is amended or otherwise revised, consistent with United  
8 States Senate Resolution 98, to include specific scheduled commitments from developing countries  
9 to mitigate greenhouse gas emissions within the same compliance period as required for developed  
10 countries.

11 BE IT FURTHER RESOLVED that the Legislature of the state of Utah call upon the  
12 United States Senate to reject any proposed protocol or other amendment to the FCCC that is  
13 inconsistent with this resolution, or that does not comply fully with United States Senate  
14 Resolution 98.

15 BE IT FURTHER RESOLVED that the Legislature of the state of Utah call upon Governor  
16 Leavitt to prohibit Utah state agencies from implementing any strategies to reduce greenhouse  
17 gases unless the United States Senate ratifies any protocol to, or other agreement regarding, the  
18 Framework Convention on Climate Change.

19 BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of the  
20 United States, the President of the United States Senate, the Speaker of the United States House  
21 of Representatives, the United Nations, and the members of Utah's congressional delegation.

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**Legislative Review Note**  
**as of 1-20-98 1:27 PM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**