

REFERENCE TITLE: **greenhouse emissions; regulations; fuel economy**

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

## **SB 1147**

Introduced by  
Senators Allen S, Gould, Pearce; Representatives Burges, Kavanagh:  
Senators Gray C, Gray L, Harper, Melvin, Pierce, Verschoor;  
Representatives Barto, Biggs, McGuire, Seel

**AN ACT**

**AMENDING TITLE 49, CHAPTER 1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6;  
RELATING TO THE REGULATION OF GREENHOUSE GAS EMISSIONS AND MOTOR VEHICLE FUEL  
ECONOMY.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 49, chapter 1, Arizona Revised Statutes, is amended  
3 by adding article 6, to read:

4 ARTICLE 6. REGULATION OF GREENHOUSE GAS EMISSIONS  
5 AND MOTOR VEHICLE FUEL ECONOMY

6 49-191. Greenhouse gas programs; motor vehicle fuel economy  
7 programs; definition

8 A. NOTWITHSTANDING ANY OTHER LAW, A STATE AGENCY ESTABLISHED UNDER  
9 THIS TITLE OR TITLE 41 SHALL NOT ADOPT OR ENFORCE A STATE OR REGIONAL PROGRAM  
10 TO REGULATE THE EMISSION OF GREENHOUSE GAS OR MOTOR VEHICLE FUEL ECONOMY  
11 WITHOUT EXPRESS LEGISLATIVE AUTHORIZATION THAT IS ENACTED AFTER THE EFFECTIVE  
12 DATE OF THIS SECTION.

13 B. FOR THE PURPOSES OF THIS SECTION, "GREENHOUSE GAS" MEANS CARBON  
14 DIOXIDE, METHANE, NITROUS OXIDE, SULFUR HEXAFLUORIDE, HYDROFLUOROCARBON OR  
15 PERFLUOROCARBON.

16 Sec. 2. Report; review

17 The director of the Arizona department of environmental quality shall  
18 provide a written report to the governor, the president of the senate, the  
19 speaker of the house of representatives and the Arizona corporation  
20 commission on each proposed program to address greenhouse gas emissions or  
21 motor vehicle fuel economy, including any program that is the subject of a  
22 pending or previous rule making proceeding within three months of either the  
23 effective date of this act or the release of recommendations by the  
24 participants in the western climate initiative for a regional cap and trade  
25 or other program to regulate greenhouse gas emissions or motor vehicle fuel  
26 economy. The report shall include a description of the proposed program, a  
27 comprehensive analysis of the fiscal impact to the state and the economic,  
28 consumer and small business impacts of the proposed program and the  
29 legislation required to authorize the proposed program.

30 Sec. 3. Legislative intent

31 It is the intent of the legislature that, notwithstanding any other  
32 law, any state or regional program to implement a cap and trade system or any  
33 other program to address greenhouse gas emissions or motor vehicle fuel  
34 economy that has been or may be proposed by a state agency established under  
35 title 41 or 49, Arizona Revised Statutes, shall require express legislative  
36 authorization following a comprehensive assessment of the state fiscal and  
37 other economic, consumer and small business impacts of the program.