

Sixty-first
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO.

Introduced by

Representative Belter

1 A concurrent resolution in opposition to the EPA's plan to regulate greenhouse gases under the
2 Clean Air Act.

3 **WHEREAS**, EPA has released an Advance Notice of Proposed Rulemaking which
4 describes a nationwide scheme to regulate greenhouse gases under the Clean Air Act; and

5 **WHEREAS**, if EPA were to pursue such a course, at the very least, it would require
6 additional action from Congress clarifying and specifying EPA's legal and regulatory obligations
7 with respect to greenhouse gases; and

8 **WHEREAS**, EPA's plan to regulate greenhouse gases is very expansive in scope,
9 envisioning a nationwide cap and trade program for greenhouse gases, additional motor vehicle
10 regulations and economy-wide restrictions impacting a wide range of industries including dairy
11 and beef operations, office buildings, hospitals, schools, large homes, houses of worship, and
12 even regulating the greenhouse gas emissions from lawnmowers, among other things; and

13 **WHEREAS**, the U.S. Court of Appeals for the District of Columbia Circuit has recently
14 rules that the EPA does not have authority to carry out a cap and trade plan under the Clean Air
15 Act; and

16 **WHEREAS**, EPA's plan represents policymaking which is the prerogative of the
17 legislative branch; and

18 **WHEREAS**, even committed proponents of ambitious greenhouse gas regulation have
19 expressed doubts about the ANPR's approach; and

20 **WHEREAS**, climate change is a global issue, not a local or regional pollution issue as
21 the Clean Air Act was designed to address; and

22 **WHEREAS**, EPA's plan would impose a massive economic burden on America without
23 appreciably reducing worldwide concentrations of greenhouse gases;

24 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
25 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

1 That EPA should not make an endangerment finding for greenhouse gases and should
2 not pursue regulation of greenhouse gases.

3 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this
4 resolution to each member of the North Dakota Congressional Delegation.