

Sixty-second  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE CONCURRENT  
RESOLUTION NO. 3028**

Introduced by

Representatives Headland, Grande, Heller

Senators Christmann, Wanzek, Wardner

1 A concurrent resolution urging Congress to adopt legislation prohibiting the Environmental  
2 Protection Agency by any means necessary from regulating greenhouse emissions, including, if  
3 necessary, defunding Environmental Protection Agency greenhouse gas regulatory activities;  
4 imposing a moratorium on adoption on any new air quality regulations by the Environmental  
5 Protection Agency by any means necessary, except those directly addressing an imminent  
6 health or environmental emergency, for a period of at least two years, including defunding  
7 Environmental Protection Agency air quality regulatory activities; and requiring the  
8 administration to undertake a study identifying all regulatory activity the Environmental  
9 Protection Agency intends to undertake in furtherance of its goal of "taking action on climate  
10 change and improving air quality" and specifying the cumulative effect of all these regulations  
11 on the economy, jobs, and American economic competitiveness.

12 **WHEREAS**, the Environmental Protection Agency has proposed or is proposing numerous  
13 new regulations, particularly in the area of air quality and regulation of greenhouse gases, that  
14 are likely to have major effects on the economy, jobs, and United States competitiveness in  
15 worldwide markets; and

16 **WHEREAS**, the Environmental Protection Agency's regulatory activity as to air quality and  
17 greenhouse gases has become known as the "train wreck" because of the numerous and  
18 overlapping requirements and because of the potentially devastating consequences this  
19 regulatory activity may have on the economy; and

20 **WHEREAS**, concern is growing that, with cap and trade legislation having failed in  
21 Congress, the Environmental Protection Agency is attempting to obtain the same results  
22 through the adoption of regulations; and

23 **WHEREAS**, Environmental Protection Agency overregulation is driving jobs and industry  
24 out of the United States; and

1       **WHEREAS**, neither the Environmental Protection Agency nor the administration has  
2 undertaken any comprehensive study of what the cumulative effect of all of this new regulatory  
3 activity will have on the economy, jobs, and competitiveness; and

4       **WHEREAS**, the Environmental Protection Agency has not performed any comprehensive  
5 study of what the environmental benefits of its greenhouse gas regulation will be in terms of  
6 impacts on the global climate; and

7       **WHEREAS**, state agencies are routinely required to identify the costs of their regulations  
8 and to justify those costs in light of the benefits; and

9       **WHEREAS**, since the Environmental Protection Agency has identified "taking action on  
10 climate change and improving air quality" as its first strategic goal for the 2011-15 time period,  
11 the Environmental Protection Agency should be required to identify the specific actions it  
12 intends to take to achieve these goals and to assess the total cost of all these actions together;  
13 and

14       **WHEREAS**, the Legislative Assembly supports continuing improvement in the quality of the  
15 nation's air and believes that such improvement can be made in a sensible fashion without  
16 damaging the economy, provided there is a full understanding of the cost of the regulations at  
17 issue; and

18       **WHEREAS**, the primary goal of government at the present time must be to promote  
19 economic recovery and to foster a stable and predictable business environment that will lead to  
20 the creation of jobs; and

21       **WHEREAS**, public health and welfare will suffer without significant new job creation and  
22 economic improvement because people with good jobs are better able to take care of  
23 themselves and their families than the unemployed and because environmental improvement is  
24 only possible in a society that generates wealth;

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

27       That the Sixty-second Legislative Assembly urges Congress to adopt legislation prohibiting  
28 the Environmental Protection Agency by any means necessary from regulating greenhouse  
29 emissions, including, if necessary, defunding Environmental Protection Agency greenhouse gas  
30 regulatory activities; imposing a moratorium on adoption on any new air quality regulations by  
31 the Environmental Protection Agency by any means necessary, except those directly

1 addressing an imminent health or environmental emergency, for a period of at least two years,  
2 including defunding Environmental Protection Agency air quality regulatory activities; and  
3 requiring the administration to undertake a study identifying all regulatory activity that the  
4 Environmental Protection Agency intends to undertake in furtherance of its goal of "taking action  
5 on climate change and improving air quality" and specifying the cumulative effect of all these  
6 regulations on the economy, jobs, and American economic competitiveness; and

7 **BE IT FURTHER RESOLVED**, that this study be a multiagency study drawing on the  
8 expertise of the Environmental Protection Agency and of agencies and departments having  
9 expertise and responsibility for the economy and the electric system and should provide an  
10 objective cost-benefit analysis of all of the Environmental Protection Agency's current and  
11 planned regulation together; and

12 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution  
13 to the President of the United States, the Majority Leader of the United States Senate, the  
14 Minority Leader of the United States Senate, the Majority Leader of the United States House of  
15 Representatives, the Minority Leader of the United States House of Representatives, the  
16 Speaker of the United States House of Representatives, the administrator of the Environmental  
17 Protection Agency, the director of the federal Office of Management and Budget, and to each  
18 member of the North Dakota Congressional Delegation.