

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE CONCURRENT RESOLUTION NO. 4008  
(Senators Casper, Kreun, Oban)  
(Representatives Porter, Roers Jones, Seibel)

A concurrent resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase its support for research, development, and deployment for next generation carbon-based energy generation.

**WHEREAS**, North Dakota has at least an 800-year supply of economically recoverable lignite coal at current production rates and has become the second largest oil producer in the United States; and

**WHEREAS**, these energy resources have resulted in North Dakota having the fourth lowest energy costs in the nation; and

**WHEREAS**, the North Dakota lignite industry generates over seventy-five percent of the electricity in the state and provides affordable electricity to more than two million families throughout the upper midwest; and

**WHEREAS**, the lignite coal industry contributes more than 3.4 billion dollars in total business activity to North Dakota; and

**WHEREAS**, the lignite coal industry employs fifteen thousand individuals with some of the highest wages in the state; and

**WHEREAS**, economic analysis by the North Dakota State University agribusiness and applied economics researchers estimates a new five hundred megawatt, coal-based electric generating facility would create 54.3 million dollars in personal income, 40 million dollars in retail sales, and 173.7 million dollars in total business activity each year; and

**WHEREAS**, the current value of the state's existing coal-based infrastructure is 18.6 billion dollars; and

**WHEREAS**, state tax revenues attributed to the lignite industry have increased from 61.4 million dollars in 2000 to over 100 million dollars in 2015; and

**WHEREAS**, current federal regulations represent a de facto ban on the construction of new, efficient, and cost-effective coal-based power plants and threaten the continued operation of existing coal-based power plants; and

**WHEREAS**, federal policy gives other electric generation resources a significant competitive advantage; and

**WHEREAS**, uncertainty around federal regulations continues to discourage investment in coal-based facilities; and

**WHEREAS**, North Dakota continues to serve as a model for responsible production of its natural resources, including a longstanding standard of reclaiming mined land to as good or better than before mining; and

**WHEREAS**, North Dakota continues to be one of only seven states meeting all federal ambient air quality standards; and

**WHEREAS**, affordable, reliable power is the backbone of North Dakota's established and emerging industries; and

**WHEREAS**, advancements in carbon capture utilization and storage can unlock enormous potential for the state's energy industries and economy;

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

That the Sixty-fifth Legislative Assembly urges the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase its support for research, development, and deployment for next generation carbon-based energy generation; and

**BE IT FURTHER RESOLVED**, that the federal government is urged to withdraw and revise regulations and other administrative actions that negatively impact the ability to utilize North Dakota's lignite coal reserves for affordable and reliable domestic power; and

**BE IT FURTHER RESOLVED**, that the federal government is urged to work with the state, the North Dakota Congressional Delegation, and the North Dakota lignite industry to design and implement regulatory programs based on sound science with inputs from local sources, recognize the status of existing technology, and develop timelines that make economic sense for the producers and consumers of electricity and byproducts derived from North Dakota lignite; and

**BE IT FURTHER RESOLVED**, that the federal government is urged to increase its partnership with the state of North Dakota and industry to develop technological solutions to enable the continuation of lignite-based electric generation; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the President of the United States, the Administrator of the United States Environmental Protection Agency, the Secretary of the Department of Energy, the Secretary of the Department of Interior, and each member of the North Dakota Congressional Delegation.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House