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Sixty-second
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with Senate Amendments**

ENGROSSED HOUSE CONCURRENT

RESOLUTION NO. 3028

Introduced by

Representatives Headland, Grande, Heller

Senators Christmann, Wanzek, Wardner

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

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

WHEREAS, the Environmental Protection Agency's regulatory activity as to air quality and greenhouse gases has numerous and overlapping requirements and may have negative consequences on the economy; and

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

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

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

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

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

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

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

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

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

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

That the Sixty-second Legislative Assembly urges Congress to adopt legislation prohibiting the Environmental Protection Agency by any legal means from regulating greenhouse emissions, including, if necessary, defunding Environmental Protection Agency greenhouse gas regulatory activities; imposing a moratorium on adoption on any new air quality regulations by the Environmental Protection Agency by any means necessary, except those directly addressing an imminent health or environmental emergency, for a period of at least two years; and requiring the administration to undertake a study identifying all regulatory activity that the Environmental Protection Agency intends to undertake in furtherance of its goal of "taking action

on climate change and improving air quality" and specifying the cumulative effect of all these regulations on the economy, jobs, and American economic competitiveness; and

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

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