

Sixty-ninth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 7, 2025

HOUSE CONCURRENT RESOLUTION NO. 3017
(Representatives Novak, D. Anderson, Dockter, J. Olson, S. Olson, Porter, Tveit)
(Senators Kessel, Patten, Boehm)

A concurrent resolution recognizing December 6th as annual "Miner's Day" to honor the hard work and dedication of coal miners, whose critical efforts provide reliable and affordable energy to millions of people, fuel economic growth, and support the energy security of North Dakota and the region.

WHEREAS, North Dakota's lignite coal industry is a cornerstone of the state's economy, contributing over \$5.5 billion in total business activity, employing 12,000 individuals with some of the highest wages in the state, and generating \$100 million in tax revenue to support schools, infrastructure, and public services; and

WHEREAS, lignite coal generates 55 percent of North Dakota's electricity, providing affordable and reliable power to more than 2 million families and businesses throughout the upper Midwest while supporting regional energy security; and

WHEREAS, North Dakota consistently ranks among the states with the lowest residential electricity rates in the nation, with an average rate of 11.44 cents per kilowatt-hour as of 2025, ranking second-lowest in the United States, largely due to coal serving as the dominant source of electricity generation in the state, which ensures reliability and affordability for residents; and

WHEREAS, North Dakota has an estimated 800-year supply of economically recoverable lignite coal reserves, ensuring long-term energy independence and resource stability for the state and the nation; and

WHEREAS, recent studies by the North Dakota Geological Survey have confirmed the presence of significant concentrations of rare earth elements in the state's lignite coal deposits, including samples that surpass the United States Department of Energy's economic extraction threshold of 300 parts per million; and

WHEREAS, the extraction of critical minerals and rare earth elements from this state's lignite coal seams and associated deposits offers the state an opportunity to diversify its economy, create high-value careers, and establish itself as a leader in this emerging sector; and

WHEREAS, value-added uses of lignite coal, such as activated carbon, synthetic graphite, critical mineral and rare earth element extraction, and advanced materials, demonstrate the versatility and economic potential of coal as a resource that extends beyond power generation; and

WHEREAS, responsible development of these resources can be achieved by ensuring environmental stewardship, protecting freshwater supplies, and supporting land reclamation practices that align with prior land use and productivity; and

WHEREAS, advancements in carbon capture technologies have unlocked opportunities to transform carbon dioxide emissions from coal-based energy production into valuable commodities, including fertilizers, industrial chemicals, enhanced oil recovery products, and low-carbon fuels, which benefit North Dakota's agricultural and industrial sectors; and

WHEREAS, carbon dioxide is critical for plant life and global food production through photosynthesis, and North Dakota's lignite coal industry is well-positioned to support agricultural innovation by converting captured carbon into sustainable agricultural products; and

WHEREAS, the development and deployment of lignite coal technologies create economic diversification, expand market opportunities, and ensure the long-term sustainability of coal as a critical resource for North Dakota; and

WHEREAS, federal regulations have created a de facto ban on the construction of new coal-based power plants by imposing economically unfeasible requirements, jeopardizing the continued operation of existing plants and discouraging private investment; and

WHEREAS, federal policies and tax incentives have provided subsidies to renewable energy resources for over 30 years, creating market imbalances that place coal at a competitive disadvantage and hinder its ability to contribute to a balanced, reliable, and affordable energy mix; and

WHEREAS, North Dakota serves as a model for responsible resource development, consistently reclaiming mined land to a condition equal to or better than its original state and meeting all federal ambient air quality standards, one of only four states to have never violated those standards; and

WHEREAS, affordable, reliable energy is the backbone of established industries in North Dakota, Minnesota, and South Dakota such as agriculture, manufacturing, and energy production and is vital for supporting the growth of emerging technologies and innovations across the Upper Midwest; and

WHEREAS, advancements in energy technologies offer enormous potential to ensure the continued use of lignite coal while reducing emissions and contributing to environmental sustainability; and

WHEREAS, President Donald J. Trump declared a national energy emergency in January 2025, emphasizing the importance of using domestic energy resources, including lignite coal, to strengthen the reliability and affordability of energy for the United States; and

WHEREAS, the administration's "unleashing American energy" executive order calls for the expansion of energy exploration and production on federal lands and waters, reducing barriers to development and promoting the use of reliable resources such as coal; and

WHEREAS, President Donald J. Trump directed the Environmental Protection Agency to review and reconsider the 2009 Endangerment Finding, which classified greenhouse gases as harmful to public health, potentially paving the way for balanced, economically viable regulations that protect both the environment and energy production; and

WHEREAS, the repeal of the Endangerment Finding would eliminate regulatory barriers that have effectively prevented the construction of new coal-based power plants, allowing for the development of efficient, cost-effective, and environmentally responsible coal technologies;

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

That the Sixty-ninth Legislative Assembly recognizes December 6th as "Miner's Day" to honor the hard work and dedication of coal miners, whose critical efforts provide reliable and affordable energy to millions of people, fuel economic growth, and support the energy security of North Dakota and the region; and

BE IT FURTHER RESOLVED, that the federal government is urged to refrain from enacting regulations that jeopardize the reliability and affordability of electric power in North Dakota, while supporting policies that improve market conditions for base-load electricity, encourage the expansion of generation resources, and accelerate research, development, and deployment of technologies essential to the lignite plant of the future; and

BE IT FURTHER RESOLVED, that the federal government is urged to review and repeal the 2009 Endangerment Finding to enable a balanced regulatory framework that supports coal-based energy production and economic growth while addressing environmental concerns; and

BE IT FURTHER RESOLVED, that the federal government is urged to revise policies and regulations that unfairly disadvantage coal-based energy production, ensuring a level playing field that allows all energy resources, including coal, natural gas, nuclear, and renewables, to compete fairly in the electricity marketplace; and

BE IT FURTHER RESOLVED, that the federal government work collaboratively with the state of North Dakota, the North Dakota Congressional Delegation, and the lignite coal industry to develop regulatory frameworks based on sound science, the status of existing technologies, and economically feasible timelines; and

BE IT FURTHER RESOLVED, that federal agencies increase their partnership with North Dakota to accelerate technological advancements in critical and rare earth minerals, carbon capture and other innovations to ensure the continued operation of coal-based facilities while reducing emissions; 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 the Interior, and each member of the North Dakota Congressional Delegation.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2025,
at _____ o'clock _____ M.

Secretary of State