

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

Introduced by

### HOUSE CONCURRENT RESOLUTION NO. 3017

Representatives Novak, D. Anderson, Dockter, J. Olson, S. Olson, Porter, Tveit

Senators Kessel, Patten, Boehm

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12       **WHEREAS**, President Donald J. Trump declared a national energy emergency in January  
13 2025, emphasizing the importance of using domestic energy resources, including lignite coal, to  
14 strengthen the reliability and affordability of energy for the United States; and

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

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

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

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

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

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

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

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

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

17       **BE IT FURTHER RESOLVED**, that federal agencies increase their partnership with North  
18 Dakota to accelerate technological advancements in critical and rare earth minerals, carbon  
19 capture and other innovations to ensure the continued operation of coal-based facilities while  
20 reducing emissions; and

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