

Sixty-first
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3029

Introduced by

Representative Belter

Senator Christmann

1 A concurrent resolution urging to the Environmental Protection Agency not to regulate
2 greenhouse gases under the Clean Air Act.

3 **WHEREAS**, the Environmental Protection Agency has released an Advance Notice of
4 Proposed Rulemaking which describes a nationwide scheme to regulate greenhouse gases
5 under the Clean Air Act; and

6 **WHEREAS**, if the Environmental Protection Agency were to pursue such a course, at
7 the very least, it would require additional action from Congress clarifying and specifying the
8 Environmental Protection Agency's legal and regulatory obligations with respect to greenhouse
9 gases; and

10 **WHEREAS**, the Environmental Protection Agency's plan to regulate greenhouse gases
11 is very expansive in scope, envisioning a nationwide cap and trade program for greenhouse
12 gases, additional motor vehicle regulations and economy-wide restrictions impacting a wide
13 range of industries including dairy and beef operations, office buildings, hospitals, schools,
14 large homes, houses of worship, and even regulating the greenhouse gas emissions from
15 lawnmowers, among other things; and

16 **WHEREAS**, the United States Court of Appeals for the District of Columbia has recently
17 ruled that the Environmental Protection Agency does not have authority to carry out a cap and
18 trade plan under the Clean Air Act; and

19 **WHEREAS**, the Environmental Protection Agency's plan represents policymaking which
20 is the prerogative of the legislative branch; and

21 **WHEREAS**, even committed proponents of ambitious greenhouse gas regulation have
22 expressed doubts about the Environmental Protection Agency's approach; and

23 **WHEREAS**, climate change is a global issue, not a local or regional pollution issue as
24 the Clean Air Act was designed to address; and

1 **WHEREAS**, the Environmental Protection Agency's plan would impose a massive
2 economic burden on America without appreciably reducing worldwide concentrations of
3 greenhouse gases;

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

6 That the Environmental Protection Agency not regulate greenhouse gases under the
7 Clean Air Act; and

8 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this
9 resolution to each member of the North Dakota Congressional Delegation.