

Introduced by

Representatives Nehring, Delzer, Kreidt, Porter, Schmidt, Toman

Senators Anderson, Kannianen, Bell

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

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

8 **WHEREAS**, because of energy intensive industries, weather extremes, and transportation  
9 requirements, North Dakota is ranked second in the nation in energy expenditures per capita  
10 based on 2018 data used in the latest rankings from the United States Energy Information  
11 Administration; and

12 **WHEREAS**, the North Dakota lignite industry generates over 60 percent of the electricity  
13 in the state and provides affordable electricity to more than two million families throughout the  
14 upper Midwest; and

15 **WHEREAS**, the lignite coal industry contributes more than \$5.4 billion in total business  
16 activity to North Dakota; and

17 **WHEREAS**, the lignite coal industry employs 13,000 individuals with some of the highest  
18 wages in the state; and

19 **WHEREAS**, economic analysis by the North Dakota State University agribusiness and  
20 applied economics researchers estimates a new 500 megawatt, coal-based electric generating  
21 facility would create \$54.3 million in personal income, \$40 million in retail sales, and  
22 \$173.7 million in total business activity each year; and

23 **WHEREAS**, the current value of the state's existing coal-based infrastructure is  
24 \$18.6 billion; and

1       **WHEREAS**, state tax revenues attributed to the lignite industry have increased from  
2 \$61.4 million in 2000 to over \$125 million in 2020; and

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

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

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

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

13       **WHEREAS**, North Dakota continues to be one of only 17 states meeting all federal ambient  
14 air quality standards; and

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

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

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

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

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

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

1 for the producers and consumers of electricity and byproducts derived from North Dakota  
2 lignite; and

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

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