

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE CONCURRENT RESOLUTION NO. 3013  
(Representatives Novak, D. Anderson, Bosch, Heinert, Mock, J. Olson, Porter, Thomas)  
(Senator Patten)

A concurrent resolution recognizing December 6<sup>th</sup> as "Miner's Day" and urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase support for research, development, and deployment for next generation carbon-based energy generation.

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

**WHEREAS**, because of energy-intensive industries, weather extremes, and transportation requirements, North Dakota is ranked third in the nation in energy expenditures per capita based on 2020 data used in the latest rankings from the United States Energy Information Administration; and

**WHEREAS**, the North Dakota lignite coal industry generated over 63 percent of the electricity in the state in 2020 according to the United States Energy Information Administration and provides affordable electricity to more than 2 million families throughout the upper Midwest; and

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

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

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

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

**WHEREAS**, current federal regulations represent a de facto ban on the construction of new, efficient, and cost-effective, coal-based power plants that could provide the needed dispatchable, reliable, clean, and affordable electricity and threaten the continued operation of existing coal-based power plants; and

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

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

**WHEREAS**, North Dakota serves as a model for responsible production of its natural resources, including upholding a longstanding practice of reclaiming mined land to a condition equal to or better than the condition of the land before the land was mined; and

**WHEREAS**, North Dakota continues to be 1 of only 17 states meeting all federal ambient air quality standards and 1 of only 4 states which has never violated federal ambient air quality standards; and

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

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

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

That the Sixty-eighth Legislative Assembly recognizes December 6<sup>th</sup> as "Miner's Day" and urges the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase support for research, development, and deployment for next generation carbon-based energy generation; and

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

**BE IT FURTHER RESOLVED**, that the federal government is urged to work with the state, the North Dakota Congressional Delegation, and the North Dakota lignite coal industry to design and implement regulatory programs based on sound science with inputs from local sources, recognize the status of existing technology, and develop timelines that make economic sense for the producers and consumers of electricity and byproducts derived from North Dakota lignite; and

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

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State