

Introduced by

Representatives Novak, D. Anderson, Bosch, Heinert, Mock, J. Olson, Porter, Thomas

Senator Patten

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 is the second largest oil producer in the United  
7 States; and

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

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

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

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

20 **WHEREAS**, economic analysis performed by North Dakota State University agribusiness  
21 and applied economics researchers estimates a new 500 megawatt, coal-based electric  
22 generating facility would create \$54.3 million in personal income, \$40 million in retail sales, and  
23 \$173.7 million in total business activity each year; and

24 **WHEREAS**, the current value of the state's existing coal-based infrastructure is  
25 \$18.6 billion; and

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

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

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

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

12       **WHEREAS**, North Dakota continues to be 1 of only 17 states meeting all federal ambient  
13 air quality standards and 1 of only 4 states which has never violated federal ambient air quality  
14 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-eighth 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 support for research, development, and deployment for next generation  
24 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 coal industry to  
30 design and implement regulatory programs based on sound science with inputs from local  
31 sources, recognize the status of existing technology, and develop timelines that make economic

1 sense 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.