

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

823X0626

## HOUSE CONCURRENT RESOLUTION NO. 1005

Introduced by: Representatives Wiik, Anderson, Beal, Bolin, Brunner, Campbell, Craig, Cronin, Deutsch, DiSanto, Duvall, Feickert, Gosch, Greenfield (Lana), Haggar (Don), Harrison, Haugaard, Heinemann (Leslie), Holmes, Hunt, Johns, Klumb, Langer, May, McCleerey, Mickelson, Munsterman, Otten (Herman), Partridge, Peterson (Kent), Qualm, Rasmussen, Rounds, Rozum, Schaefer, Schoenbeck, Schoenfish, Sly, Solum, Stalzer, Steinhauer, Stevens, Tulson, Verchio, Werner, Westra, Willadsen, Wink, Wollmann, and Zikmund and Senators Peterson (Jim), Brown, Curd, Ewing, Fiegen, Frerichs, Greenfield (Brock), Haggar (Jenna), Holien, Jensen (Phil), Monroe, Olson, Omdahl, Otten (Ernie), Peters, Rempelberg, Rusch, Shorma, Solano, Tidemann, Tieszen, Van Gerpen, Vehle, and White

1 A CONCURRENT RESOLUTION, Urging the federal government to refrain from enacting  
2 regulations that threaten the reliability and affordability of electric power in the northern  
3 great plains.

4 WHEREAS, the citizens of South Dakota benefit from adequate, efficient, and affordable  
5 electricity, a reliable electricity grid, and a diverse mix of generation sources; and

6 WHEREAS, having affordable electricity is vital to South Dakota jobs, economy, and the  
7 well-being of its citizens; and

8 WHEREAS, high energy costs particularly affect low income and elderly persons; and

9 WHEREAS, over the last several years, the United States Environmental Protection Agency  
10 has proposed several regulations that would enact a de facto ban on the construction of new,



1 efficient, and cost-effective coal-fired power plants, and threaten the continued operation of  
2 existing coal-fired power plants; and

3 WHEREAS, in 2015 the United States Office of Surface Mining, Reclamation, and  
4 Enforcement has proposed regulations that could significantly restrict access to the vast coal  
5 reserves in North Dakota and Wyoming, on which South Dakota electric consumers rely; and

6 WHEREAS, in January 2016, the Department of the Interior announced a moratorium on  
7 new federal coal leases at the urging of President Obama during his State of the Union Address;  
8 and

9 WHEREAS, the United States Environmental Protection Agency's Clean Power Plan is  
10 estimated to cost the American economy more than three hundred billion dollars, with no  
11 measurable reduction in global carbon dioxide levels; and

12 WHEREAS, the United States Environmental Protection Agency's proposed regulations for  
13 carbon dioxide emissions from new and existing coal-fired power plants go beyond the authority  
14 provided by existing federal statutes; and

15 WHEREAS, if the federal government continues to issue regulations and administrative  
16 actions that are not based on sound science, economic, and a technological reality, it will have  
17 significant impact on consumer electricity costs, and the utilities that serve South Dakota will  
18 struggle to provide low-cost, reliable electricity; and

19 WHEREAS, the cumulative effects of proposed federal regulations present a significant  
20 threat to the viability and dependability of the northern great plains' electric grid:

21 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-  
22 First Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature  
23 of the State of South Dakota urges the federal government to refrain from continuing to impose  
24 regulations and other administrative actions that prohibit or restrict the ability of utilities to

1 continue providing low-cost and reliable power; and

2 BE IT FURTHER RESOLVED, that the United States Environmental Protection Agency  
3 refrain from finalizing regulations for carbon dioxide emission standards which requires new  
4 coal-fired power plants to meet an emission standard that is not achievable with current  
5 commercial technology, and which prematurely requires retirement or curtailment of existing  
6 coal-fired power plants; and

7 BE IT FURTHER RESOLVED, that the Legislature urges the federal government to work  
8 with this state, the South Dakota congressional delegation, and the utilities that serve South  
9 Dakota electricity consumers to design and implement regulatory programs that are based on  
10 sound science, recognize the status of existing technology and development timelines, and that  
11 make economic sense for South Dakota businesses and consumers; and

12 BE IT FURTHER RESOLVED, that the chief clerk of the House of Representatives forward  
13 copies of this resolution by certified mail, return receipt requested, to the President of the United  
14 States, the Administrator of the United States Environmental Protection Agency, and each  
15 member of the South Dakota congressional delegation.