

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

249W0547

HOUSE CONCURRENT RESOLUTION NO. 1007

Introduced by: Representatives Haggar (Don), Anderson, Beal, Bolin, Brunner, Campbell, Conzet, Craig, Cronin, Deutsch, DiSanto, Dryden, Duvall, Feickert, Gosch, Greenfield (Lana), Harrison, Haugaard, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Jensen (Alex), Johns, Kaiser, Klumb, Langer, Latterell, Marty, May, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Partridge, Peterson (Kent), Qualm, Rasmussen, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenbeck, Schoenfish, Schrempp, Sly, Solum, Stalzer, Stevens, Tulson, Verchio, Werner, Westra, Wiik, Willadsen, Wink, Wollmann, and Zikmund and Senators Rampelberg, Bradford, Brown, Cammack, Curd, Ewing, Frerichs, Greenfield (Brock), Haggar (Jenna), Haverly, Heineman (Phyllis), Holien, Jensen (Phil), Lederman, Monroe, Novstrup (David), Olson, Omdahl, Otten (Ernie), Parsley, Peters, Rave, Rusch, Soholt, Solano, Tidemann, Tieszen, Van Gerpen, Vehle, and White

1 A CONCURRENT RESOLUTION, opposing the EPA's guidelines to reduce carbon dioxide
2 emissions from existing fossil fuel-fired power plants in a manner that will cause economic
3 harm.

4 WHEREAS, the citizens of South Dakota have benefitted from affordable electricity prices,
5 a reliable electricity grid, and a diverse mix of electricity sources; and

6 WHEREAS, maintaining an affordable, reliable, and diverse electricity supply is vital to the
7 state's economic growth, jobs, and the well-being of its citizens; and

8 WHEREAS, on June 2, 2014, the United States Environmental Protection Agency (EPA)
9 proposed guidelines under section 111(d) of the federal Clean Air Act to reduce carbon dioxide



1 emissions from existing fossil fuel-fired power plants; and

2 WHEREAS, carbon dioxide standards for existing fossil fuel-fired power plants should be
3 based on measures that can be implemented at each fossil fuel-fired electric generating unit
4 within the state; and

5 WHEREAS, the EPA's proposed guidelines require unprecedented changes to the electric
6 system of the state; and

7 WHEREAS, the EPA's proposed guidelines interfere with the production, consumption,
8 price, and regulation of electricity, which are the sole prerogative of the state, not the EPA; and

9 WHEREAS, the EPA does not have the legal authority to require reductions in carbon
10 dioxide emissions from coal-fired power plants under section 111(d) of the federal Clean Air
11 Act, nor to interfere with the electric system of any state; and

12 WHEREAS, studies project that the EPA's proposed guidelines will cause double digit
13 electricity price increases for consumers in the state; and

14 WHEREAS, these electricity price increases will have a disproportionately harmful impact
15 on lower-income and middle-income families; and

16 WHEREAS, the EPA's proposal threatens the reliability of the electricity grid:

17 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninetieth
18 Legislature of the State of South Dakota, the Senate concurring therein, that the EPA's proposed
19 guidelines for reducing carbon dioxide emissions from existing fossil fuel-fired power plants
20 are in direct conflict with this resolution; and

21 BE IT FURTHER RESOLVED, that the EPA's proposed guidelines exceed the EPA's legal
22 authority under section 111(d) of the federal Clean Air Act; and

23 BE IT FURTHER RESOLVED, that the EPA's proposed guidelines interfere with the
24 prerogative of the state to regulate electricity and to ensure an affordable and reliable supply of

1 electricity for its citizens; and

2 BE IT FURTHER RESOLVED, that the EPA's proposed guidelines will cause economic

3 harm to the economy and citizens of the state; and

4 BE IT FURTHER RESOLVED, that the Legislature opposes the EPA's guidelines for

5 reducing carbon dioxide emissions from existing fossil fuel-fired power plants and urges the

6 EPA to withdraw the guidelines; and

7 BE IT FURTHER RESOLVED, the Legislature urges the Governor and the attorney general

8 to use every means at their disposal to prevent the EPA's guidelines from being implemented.