

HOUSE CONCURRENT RESOLUTION NO. 1007

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

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

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

WHEREAS, on June 2, 2014, the United States Environmental Protection Agency (EPA) proposed guidelines under section 111(d) of the federal Clean Air Act to reduce carbon dioxide emissions from existing fossil fuel-fired power plants; and

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninetieth Legislature of the State of South Dakota, the Senate concurring therein, that the EPA's proposed

guidelines for reducing carbon dioxide emissions from existing fossil fuel-fired power plants are in direct conflict with this resolution; and

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

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

BE IT FURTHER RESOLVED, that the EPA's proposed guidelines will cause economic harm to the economy and citizens of the state; and

BE IT FURTHER RESOLVED, that the Legislature opposes the EPA's guidelines for reducing carbon dioxide emissions from existing fossil fuel-fired power plants and urges the EPA to withdraw the guidelines; and

BE IT FURTHER RESOLVED, the Legislature urges the Governor and the attorney general to use every means at their disposal to prevent the EPA's guidelines from being implemented.

Adopted by the House of Representatives,
Concurred in by the Senate,

February 25, 2015
February 27, 2015

Dean Wink
Speaker of the House

Arlene Kvislen
Chief Clerk of the House

Matt Michels
President of the Senate

Kay Johnson
Secretary of the Senate