

SENATE BILL NO. 2372

Introduced by

Senators Unruh, Oban

Representatives Boe, Delzer, Porter, Seibel

1 A BILL ~~for an Act to create and enact a new subsection to section 23-25-04.1 of the North-~~
2 ~~Dakota Century Code, relating to air pollution analyses.~~ for an Act to provide for a legislative
3 management study of environmental protection agency regulations regarding carbon dioxide
4 emissions for new and existing electric generation units.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 ~~SECTION 1. A new subsection to section 23-25-04.1 of the North Dakota Century Code is~~
7 ~~created and enacted as follows:~~

8 ~~If the installation or operation of an emission reduction technology received state,~~
9 ~~federal, or local financial funding, the department may not require installation or~~
10 ~~operation of that technology when conducting the analyses for:~~

- 11 ~~a. The best available control technology;~~
- 12 ~~b. The best system of emission reductions;~~
- 13 ~~c. The lowest achievable emission rate;~~
- 14 ~~d. The reasonably available control technology; or~~
- 15 ~~e. Reasonable further progress~~

16 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ENVIRONMENTAL PROTECTION**
 17 **AGENCY REGULATIONS ON CARBON DIOXIDE EMISSIONS.** During the 2015-16 interim,
 18 the legislative management shall consider studying the impacts and costs of environmental
 19 protection agency regulations on carbon dioxide emissions for new and existing electric
 20 generation units. The study must include the regulations' estimated compliance costs on the
 21 industry, estimated impacts on regional grid reliability, estimated economic impact to ratepayers
 22 in this state, and the feasibility of implementing the regulations, including the proposed timeline.
 23 The study must also include an update on the status of technologies related to reduction of
 24 carbon dioxide emissions. The legislative management may consult with the lignite energy

Sixty-fourth
Legislative Assembly

1 council, state department of health, public service commission, attorney general, and other
2 state and federal agencies as needed. The legislative management shall report its findings and
3 recommendations, together with any legislation required to implement the recommendations, to
4 the sixty-fifth legislative assembly.