

**As Introduced**

**131st General Assembly  
Regular Session  
2015-2016**

**H. C. R. No. 29**

**Representative Hill**

**Cosponsors: Representatives Hood, Rezabek, Hambley, Brenner, Romanchuk,  
Roegner, Becker, Maag, Thompson, Reineke, Vitale, Buchy, Schaffer, Young,  
Burkley, McColley, Koehler, Cera, Ginter**

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**CONCURRENT RESOLUTION**

To oppose the United States Environmental Protection 1  
Agency's Clean Power Plan. 2

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
OHIO (THE SENATE CONCURRING):**

WHEREAS, The availability of reliable, abundant, and low- 3  
cost electricity is essential for the health of Ohio's economy 4  
and the welfare of its people. The Ohio General Assembly is 5  
responsible for ensuring that Ohio's energy policy reflects the 6  
proper balance for the citizens of Ohio, the environment, and 7  
future generations; and 8

WHEREAS, On August 3, 2015, the Administrator of the United 9  
States Environmental Protection Agency (USEPA) adopted a final 10  
rule it calls the Clean Power Plan. The Plan compels Ohio to 11  
dramatically reduce the use of coal to meet federal limits on 12  
the rate of carbon dioxide emissions from electricity 13  
generation; and 14

WHEREAS, Ohio's existing coal power plant fleet is a vital 15  
economic resource representing billions of dollars in public and 16  
private investments over the past century, including substantial 17  
recent investments to upgrade the coal fleet and install 18

expensive pollution controls as required by previous rules 19  
adopted by the USEPA. The existing coal power plant fleet 20  
ensures the availability of reliable, abundant, and low-cost 21  
electricity critical to Ohio's economy and especially the 22  
continued revival of the manufacturing industry in Ohio; and 23

WHEREAS, In light of the central importance of reliable, 24  
abundant, and low-cost electricity for Ohio's economy, Ohio's 25  
energy policy pursues a balanced "all fuels" approach that 26  
relies on coal, natural gas, and hydroelectric fuels, including 27  
energy efficient sources such as renewable energies. The USEPA's 28  
Clean Power Plan irreconcilably conflicts with Ohio's energy 29  
policy as determined and enacted by the Ohio General Assembly 30  
and usurps the authority of the General Assembly to establish 31  
Ohio's energy policy going forward; and 32

WHEREAS, The USEPA lacks the legal authority to establish 33  
Ohio's energy policy under federal law and the United States 34  
Constitution, including the Tenth Amendment, which reserves 35  
powers to the states; now therefore be it 36

RESOLVED, That we, the members of the 131st General 37  
Assembly of the State of Ohio, oppose the United States 38  
Environmental Protection Agency's Clean Power Plan; and be it 39  
further 40

RESOLVED, That the Clerk of the House of Representatives 41  
transmit duly authenticated copies of this resolution to the 42  
President of the United States, the Administrator of the United 43  
States Environmental Protection Agency, the Speaker and Clerk of 44  
the United States House of Representatives, the President Pro 45  
Tempore and Secretary of the United States Senate, each member 46  
of the Ohio Congressional delegation, and the news media of 47  
Ohio. 48