

As Adopted by the House

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

H. C. R. No. 29

Representative Hill

**Cosponsors: Representatives Hood, Rezabek, Hambley, Brenner, Romanchuck,
Roegner, Becker, Maag, Thompson, Reineke, Vitale, Buchy, Schaffer, Young,
Burkley, McColley, Koehler, Cera, Ginter, Amstutz, Anielski, Antani, Baker,
Blessing, Brinkman, Conditt, Derickson, Dovilla, Duffey, Green, Hagan,
Johnson, T., Landis, Manning, O'Brien, M., Perales, Retherford, Ruhl, Scherer,
Smith, R., Sprague, Terhar, Speaker Rosenberger**

A C O N C U R R E N T R E S O L U T I O N

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 economic resource representing billions of dollars in public and private investments over the past century, including substantial recent investments to upgrade the coal fleet and install expensive pollution controls as required by previous rules adopted by the USEPA. The existing coal power plant fleet ensures the availability of reliable, abundant, and low-cost electricity critical to Ohio's economy and especially the continued revival of the manufacturing industry in Ohio; and

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

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

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

RESOLVED, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, the Administrator of the United States Environmental Protection Agency, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, each member

of the Ohio Congressional delegation, and the news media of
Ohio.

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