

2023 HOUSE ENERGY AND NATURAL RESOURCES

HCR 3013

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HCR 3013

2/9/2023

a resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in ND and to increase support for research, development, and deployment for next generation carbon-based energy generation

3:51 PM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

Discussion Topics:

- Lignite industry
- Technological innovation
- Affordable Power

Rep Novak, District 33, introduced HCR 3013, Testimony # 20599

John Fortner, VP of Government Relations and External Affairs, Testimony #20064

Carlee McCloud, President, Utility Shareholders of ND, Testimony # 20183

Jean Schafer, Senior Legislative Rep., Basin Electric Power Cooperative, oral testimony

3:59 PM Chairman Porter closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HCR 3013
2/10/2023

a resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in ND and to increase support for research, development, and deployment for next generation carbon-based energy generation

11:21 AM

Chairman Porter opened the meeting. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

Discussion Topics:

- Committee action

Rep Novak moved to amend HCR 3013 on Page 1, Line 1, and Page 2 Line 23, to recognize Miner's Day, seconded by Rep Heinert. Voice vote. Motion carried.

Rep Olson moved a Do Pass as Amended and to Place on the Consent Calendar, seconded by Rep Dockter.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	Y
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y

14-0-0 Motion carried. Rep Dockter is carrier.

11:23 Chairman Porter closed the meeting.

Kathleen Davis, Committee Clerk

23.3064.01001
Title.02000

Prepared by the Legislative Council staff for
Representative Novak
February 9, 2023

off
2-10-23

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3013

Page 1, line 1, after "resolution" insert "recognizing December 6th as "Miner's Day" and"

Page 2, line 21, after "Assembly" insert "recognizes December 6th as "Miner's Day" and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3013: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0
ABSENT AND NOT VOTING). HCR 3013 was placed on the Sixth order on the
calendar.

Page 1, line 1, after "resolution" insert "recognizing December 6th as "Miner's Day" and"

Page 2, line 21, after "Assembly" insert "recognizes December 6th as "Miner's Day" and"

Renumber accordingly

2023 SENATE ENERGY AND NATURAL RESOURCES

HCR 3013

2023 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HCR 3013
3/17/2023

A concurrent resolution recognizing December 6th as "Miner's Day"; urging the federal government to refrain from enacting regulations threatening the reliability & affordability of electric power in North Dakota; to increase support for next generation carbon-based energy generation.

9:03 AM Chairman Patten opened the meeting.
Chairman Patten and Senators Kessel, Beard, Boehm were present. Senators Magrum and Kannianen were absent.

Discussion Topics:

- Power Supply
- Energy
- Coal Industries

9:03 AM Representative Anna Novak introduced the bill and testified. #25694

9:06 AM Tyler Hamman, Lobbyist, Basin Electric Power Cooperative spoke in favor of the bill.

9:07 AM Chairman Patten closed the public hearing.

Additional written testimony:

Jonathan Fortner #25650

9:07 Senator Boehm moved to Do Pass the bill. Motion seconded by Senator Kessel.

9:08 AM Roll call vote is taken.

Senators	Vote
Senator Dale Patten	Y
Senator Jeffery J. Magrum	AB
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Jordan L. Kannianen	AB
Senator Greg Kessel	Y

Motion passes 4-0-2

Senator Boehm will carry the bill.
This bill does not affect workforce development.

9:08 AM Chairman Patten closed the meeting.

Rick Schuchard, Committee Clerk

REPORT OF STANDING COMMITTEE

HCR 3013, as engrossed: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HCR 3013 was placed on the Fourteenth order on the calendar. This resolution does not affect workforce development.

TESTIMONY

HCR 3013



February 8, 2023

Chairman Porter and House Energy and Natural Resources Committee Members,

On behalf of the members of the Lignite Energy Council, I am submitting testimony today in support of House Concurrent Resolution 3013. The Lignite Energy Council consists of over 250 members representing lignite mines, electric utilities, independent power producers and contractor suppliers in the Upper Midwest. The lignite industry accounts for over 13,000 direct and indirect jobs, over \$5.4 billion in economic development and millions in state, county and local tax revenue.

This resolution describes the status of the lignite industry and its contributions to the State of North Dakota, and factors impacting its ability to continue providing reliable, environmentally responsible, and affordable power to the Upper Midwest.

However, the real focus of this resolution is to urge our federal leaders to work with the state and industry to continue to develop real technological solutions to enable the continuation of coal-based generation in North Dakota. Under past administrations, the industry was put in a defensive position with respect to an onslaught of federal regulations, some well-intentioned but unworkable, and some intentionally aimed at stopping the mining and use of our coal resources.

The coal industry is not anti-regulation, and the State of North Dakota has proven that government can balance responsible coal development with environmental stewardship and the needs of the people. North Dakota set the national standard for mine reclamation decades ago before other states had even considered doing so. We believe that the federal government should follow the example set by this state and its commonsense regulation of the lignite industry, and this resolution would effectively deliver that message.

The Lignite Energy Council appreciates Representative Novak and the cosponsors of this resolution, and the North Dakota legislature for their generous and continued support and recognition of the lignite industry's strong track record of success in providing affordable and reliable electricity, 13,000 jobs, and billions in economic activity to the State of North Dakota and the region.

For these reasons, the Lignite Energy Council supports HCR 3013 and we respectfully ask that the committee provide this legislation with a favorable "Do-Pass" recommendation.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations & External Affairs

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House Concurrent Resolution 3013 Testimony in Support

House Energy and Natural Resources Committee, Representative Porter, Chair

February 9, 2023

Chairman Porter, members of the committee, I am Carlee McLeod, president of the Utility Shareholders of North Dakota, here on behalf of USND utility members, including ALLETE, Montana-Dakota Utilities, Otter Tail Power, and Xcel Energy. We ask you to support HCR3013.

For all the reasons stated in the resolution itself, we support HCR3013. It's clear that the federal administration does not value the importance of North Dakota's lignite, natural gas, and oil resources and what they mean to the reliability of US energy demands and US energy independence. As a leader in carbon capture research and technology, North Dakota's lignite industry and its partners should be examples to the rest of the nation how to generate reliable, affordable, and clean energy. We ask for your support in sending this message to the federal offices and agencies affecting energy policy.





North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Anna S. Novak

District 33
1139 Elbowoods Drive
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anovak@ndlegis.gov

COMMITTEES:
Education
Energy and Natural Resources

February 9, 2023

Concurrent Resolution 3013

Mr. Chairman, members of the committee - for the record, my name is Anna Novak, Representative for District 33. All of what we recognize as Coal Country is located within the bounds of District 33.

My husband is a coal miner, as was my brother and so was my dad. Most everyone back home either works in the industry or in a service-related industry. The coal industry is the life-blood of my district! But unfortunately, fossil fuels are under attack by the federal government.

You have before you House Concurrent Resolution 3013. This resolution urges the federal government to refrain from enacting policies that compromise reliable and affordable electricity for North Dakota residents. It also encourages research and development of carbon capture technologies for electricity generation sources. A version of this concurrent resolution has been introduced in the legislature for many years. It essentially reaffirms the legislature's support for the state's lignite industry because of the jobs, tax revenue, reliable and affordable electricity it provides to the great state of North Dakota. The concurrent resolution typically receives broad bipartisan support and I hope that tradition continues this session.

I urge a Do Pass vote on Concurrent Resolution 3013 and will stand for any questions.

23.3064.01000

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3013

Introduced by

Representatives Novak, D. Anderson, Bosch, Heinert, Mock, J. Olson, Porter, Thomas
Senator Patten

1 A concurrent resolution urging the federal government to refrain from enacting regulations that
2 threaten the reliability and affordability of electric power in North Dakota and to increase support
3 for research, development, and deployment for next generation carbon-based energy
4 generation.

5 **WHEREAS**, North Dakota has at least an 800-year supply of economically recoverable
6 lignite coal at current production rates and is the second largest oil producer in the United
7 States; and

8 **WHEREAS**, because of energy-intensive industries, weather extremes, and transportation
9 requirements, North Dakota is ranked third in the nation in energy expenditures per capita
10 based on 2020 data used in the latest rankings from the United States Energy Information
11 Administration; and

12 **WHEREAS**, the North Dakota lignite coal industry generated over 63 percent of the
13 electricity in the state in 2020 according to the United States Energy Information Administration
14 and provides affordable electricity to more than 2 million families throughout the upper Midwest;
15 and

16 **WHEREAS**, the lignite coal industry contributes more than \$5.4 billion in total business
17 activity to North Dakota; and

18 **WHEREAS**, the lignite coal industry employs 13,000 individuals with some of the highest
19 wages in the state; and

20 **WHEREAS**, economic analysis performed by North Dakota State University agribusiness
21 and applied economics researchers estimates a new 500 megawatt, coal-based electric
22 generating facility would create \$54.3 million in personal income, \$40 million in retail sales, and
23 \$173.7 million in total business activity each year; and

24 **WHEREAS**, the current value of the state's existing coal-based infrastructure is
25 \$18.6 billion; and

Sixty-eighth
Legislative Assembly

1 sense for the producers and consumers of electricity and byproducts derived from North Dakota
2 lignite; and

3 **BE IT FURTHER RESOLVED**, that the federal government is urged to increase its
4 partnership with the state of North Dakota and industry to develop technological solutions to
5 enable the continuation of lignite-based electric generation; and

6 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
7 to the President of the United States, the Administrator of the United States Environmental
8 Protection Agency, the Secretary of the Department of Energy, the Secretary of the Department
9 of the Interior, and each member of the North Dakota Congressional Delegation.



March 17, 2023

Chairman Patten and Senate Energy and Natural Resources Committee Members,

On behalf of the members of the Lignite Energy Council, I am submitting testimony today in support of House Concurrent Resolution 3013. The Lignite Energy Council consists of over 250 members representing lignite mines, electric utilities, independent power producers and contractor suppliers in the Upper Midwest. The lignite industry accounts for over 13,000 direct and indirect jobs, over \$5.4 billion in economic development and millions in state, county and local tax revenue.

This resolution describes the status of the lignite industry and its contributions to the State of North Dakota, and factors impacting its ability to continue providing reliable, environmentally responsible, and affordable power to the Upper Midwest.

However, the real focus of this resolution is to urge our federal leaders to work with the state and industry to continue to develop real technological solutions to enable the continuation of coal-based generation in North Dakota. Under past administrations, the industry was put in a defensive position with respect to an onslaught of federal regulations, some well-intentioned but unworkable, and some intentionally aimed at stopping the mining and use of our coal resources.

The coal industry is not anti-regulation, and the State of North Dakota has proven that government can balance responsible coal development with environmental stewardship and the needs of the people. North Dakota set the national standard for mine reclamation decades ago before other states had even considered doing so. We believe that the federal government should follow the example set by this state and its commonsense regulation of the lignite industry, and this resolution would effectively deliver that message.

The Lignite Energy Council appreciates Representative Novak and the cosponsors of this resolution, and the North Dakota legislature for their generous and continued support and recognition of the lignite industry's strong track record of success in providing affordable and reliable electricity, 13,000 jobs, and billions in economic activity to the State of North Dakota and the region.

For these reasons, the Lignite Energy Council supports HCR 3013 and we respectfully ask that the committee provide this legislation with a favorable "Do-Pass" recommendation.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations & External Affairs

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March 17, 2023

Concurrent Resolution 3013

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You have before you House Concurrent Resolution 3013. This resolution urges the federal government to refrain from enacting policies that compromise reliable and affordable electricity for North Dakota residents. It also encourages research and development of carbon capture technologies for electricity generation sources. A version of this concurrent resolution has been introduced in the legislature for many years. It essentially reaffirms the legislature's support for the state's lignite industry because of the jobs, tax revenue, reliable and affordable electricity it provides to the great state of North Dakota. The concurrent resolution typically receives broad bipartisan support and I hope that tradition continues this session.

I want every coal miner, every power plant employee, every contractor, every supplier, every small and large business that supports the coal industry to know...that it is you that keeps the lights on. It's you that keeps the power on and the heat going in the dead of winter, and our air conditioners and refrigerators running on hot, summer days. It is you – every single one of you, and your spouses and your children – that care enough to provide power for all the rest of us to enjoy... every single day, whether it's days, nights, weekends or holidays. Thank you! This resolution is for all of you.

With that, I urge a Do Pass vote on Concurrent Resolution 3013 and will stand for any questions.