

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3004

2001 HOUSE NATURAL RESOURCES

HCR 3004

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3004

House Natural Resources Committee

Conference Committee

Hearing Date January 11, 2001

Tape Number	Side A	Side B	Meter #
1	x		2,745 to 4268
Committee Clerk Signature <i>Bryan</i>			

Minutes: Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKroy, Rep. Drovdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich, Rep. Solberg.

Chairman Rennerfeldt: We will open the hearing on HCR 3004.

John Walstad, Attorney - Legislative Council: I served as committee council for interim taxation committee where this bill originated. The committee studied a variety of topics, the Lignite Industry and Agriculture. The resolution before you is phrased in terms of agriculture, but the committee could just have well included lignite in the resolution. The Kyoto Protocol was a treaty on how to reduce global warming by reducing green house gases to a level 7 % below 1990 levels. This is a substantial reduction in green house gases. This would have a significant impact on ND Lignite Industry and the fuel industry, but this resolution is phrased in terms of the impact on agriculture in this state. Reason being if this treaty is fully implemented, fuel costs would increase substantially. It is easy to see that fuel increases would significantly impact the

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House Natural Resources Committee

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intense use of fuels in farming. Another aspect of the resolution - it urges congress not to approve the Kyoto Protocol. Congress has been pretty cool towards this treaty. I don't think congress will approve it. Concern exists that the administration would implement part or all of the Treaty through federal regulations through the EPA. The resolution talks not only about urging congress not to implement the treaty, but also about the impact on lignite, fuel and agriculture. I am guessing the Kyoto Protocol is not very popular in this state. Are there any questions?

Chairman Rennerfeldt: Are there any questions on the committee? If not, thank you John.

John Walstad: Thank you.

Chairman Rennerfeldt: Anyone else care to testify in favor of this?

John Dwyer - President of the Lignite Council: The council consists of the producers of lignite energy and the rural electric cooperatives that provide electricity from coal. The Lignite Industry is very supportive of this resolution. The Industrial Commission through the Lignite Research program funded a study of Kyoto Protocol on Agriculture. (See attached brochure).

As pointed out by John Walstad this is not just an issue for lignite but also for agriculture in the state of ND. Because of the higher carbon basis of lignite, the impact from lignite generated electricity is greater. The significant thing about this resolution isn't the treaty itself. What is happening is back door implementation of the treaty by the EPA. There are a lot of regulations being put in place or that have been put in place. I will outline a couple for you. Backing off on coal based fuels would have the same impact on the fuel sources. For example, haze reduction which is not an environmental issue, but which is achieved by cutting emissions. The state must come up with the implementation plan to cut emissions which would end in the same result as the treaty outlines. This is an example of the back door implementation which is very important to the state of ND. Another example is No Nox rules based on the output from a ton of coal,

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which penalizes lignite which has lower Btu's than other coals. Mercury regulations are another example. PSD regulations are another example. Regulations that are being put in place as a way to achieve the same results as the Kyoto Treaty and have the same impact on agriculture and energy. Mr. Chairman on behalf of the Lignite Industry we urge the committee to Do Pass. I will be happy to answers any questions if I can.

Chairman Rennerfeldt: Do we have any questions of the committee? Thank you John.

Dale Niezwaag - Basin Electric Cooperative: Basin is a wholesale producer of power for ND, SD and Wyoming. I am here to state that Basin is favor of HCR 3004. (See resolution passed at Basin annual meeting November 1999, attached)

Chairman Rennerfeldt: Are there any questions of the committee? Thank you Dale.

Brian Kramer - ND Farm Bureau: We would like to go on record as supporting HCR 3004. It would be very detrimental to the agriculture in this state. We feel it is something we need not put forward and we hope you will support this bill.

Chairman Rennerfeldt: Any questions of the committee? Thank you. Is there anyone else that would like to testify in favor of this bill? Opposed? If not I will close the hearing. Can we act on this one.

Rep. Solberg: I move we Do Pass.

Rep. Nottelstad: I second.

Chairman Rennerfeldt: Is there any further discussion? I have a motion and a second, call the roll.

**ROLL CALL - Yes 14, No 0; 1 absent. Committee recommends DO PASS.**

**Representative Nottestad will carry.**

Hearing Closed.

Date: 1-11-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3004

House Natural Resources Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Rep. Lyle Hanson Seconded By Rep. Darrell D. Nottestad

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	X		Lyle Hanson	X	
Jon O. Nelson - Vice Chairman	X		Scot Kelsh	X	
Curtis E. Brekke	X		Lonnie B. Winrich	X	
Duane DeKrey	X		Dorvan Solberg	X	
David Drovdal	X				
Pat Galvin	X				
George Keiser	X				
Frank Klein	X				
Darrell D. Nottestad	X				
Todd Porter					
Dave Weiler	X				

Total (Yes) 14 No 0

Absent Rep. Todd Porter

Floor Assignment Rep. Darrell D. Nottestad

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 11, 2001 12:13 p.m.

**Module No: HR-03-0891**  
**Carrier: Nottestad**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HCR 3004: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3004 was placed on the Tenth order on the calendar.**

2001 SENATE NATURAL RESOURCES

HCR 3004



2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3004

Senate Natural Resources Committee

Conference Committee

Hearing Date 1-25-01

Tape Number	Side A	Side B	Meter #
1		X	29.0 - 44.3
1-26-01 2	X		9.6 -13.3
Committee Clerk Signature <i>Danl James</i>			

Minutes:

**SENATOR FISCHER** opened the hearing on HCR 3004, A RESOLUTION URGING CONGRESS NOT TO IMPLEMENT OR ALLOW IMPLEMENTATION OF THE KYOTO PROTOCOL BECAUSE OF THE POTENTIALLY DISASTROUS IMPACT ON AMERICAN AGRICULTURE.

DALE NIEZWAGG, representing Basin Electric Power Cooperative testified in support of HCR 3004. (See attached testimony).

**SENATOR CHRISTMANN** who served on the interim taxation committee which was assigned a study regarding what could be done to help farming and ranching in North Dakota as a whole. Among the conclusions was how limited the legislature was to have a broad impact on agriculture, but did find a number of things that can be done out of Washington so a number of resolutions were filed.

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Senate Natural Resources Committee  
Bill/Resolution Number HCR 3004  
Hearing Date 1-25-01

JOHN DWYER, representing the Lignite Council testified in support of HCR 3004, presented a flyer about the impact of the Kyoto Protocol on farms including the economic impact.

There was no neutral testimony given.

HERMAN J. WILSON, a retired physician testified in opposition to HCR 3004. He felt he needs to be morally objective to the resolution and felt the resolution should be returned for more research.

SENATOR FISCHER closed the hearing on HCR 3004.

January 26, 2001

SENATOR FISCHER reopened the committee meeting on HCR 3004.

SENATOR TOLLEFSON made a motion for a "Do Pass" of HCR 3004.

SENATOR CHRISTMANN second the motion.

SENATOR FISCHER called for a roll vote of HCR 3004. The vote indicated 7 YAYS, 0 NAYS, 0 ABSENT OR NOT VOTING.

SENATOR CHRISTMANN will carry HCR3004.

Date: 1-26-01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3004

Senate NATURAL RESOURCES Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Tollefson Seconded By Christmann

Senators	Yes	No	Senators	Yes	No
Sen. Thomas Fischer, Chairman	✓		Sen. Michael A. Every	✓	
Sen. Ben Tollefson, Vice Chair.	✓		Sen. Jerome Kelsh	✓	
Sen. Randel Christmann	✓				
Sen. Layton Freborg	✓				
Sen. John T. Traynor	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Christmann

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 26, 2001 2:53 p.m.

**Module No: SR-14-1779**  
**Carrier: Christmann**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HCR 3004: Natural Resources Committee (Sen. Fischer, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3004 was placed on the Fourteenth order on the calendar.**

2001 TESTIMONY

HCR 3004

