

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1412

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La Costa Richardson  
Operator's Signature

10/16/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1412

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10/16/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1412

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2-07-03

Tape Number	Side A	Side B	Meter #
1	x		0-27.5

Committee Clerk Signature

*Jody Renke*

Minutes: Chairman Klein: opened the hearing on HB 1412. All committee members were present.

Representative Mary Ekstrom: appeared in favor of HB 1412 and presented testimony. **(SEE ATTACHED TESTIMONY).**

John Dwyer, President, Lignite Energy Council: appeared in opposition of HB 1412. I'm not opposed to wind energy, but I think our country needs all forms of energy. Our members are also not opposed to wind energy. About 90% of the electricity market is coal based. And basically is what your suggesting with this bill is there should be another market. Whether it is or is not a mandate, I guess its not an appropriate objective for the state of North Dakota.

Representative Potter: You say you don't think its the right objective, could you explain that?

John Dwyer: This bill says the objective is a certain percent in 2010, I guess we think an appropriate objective for the state is they would support all forms of energy. The one that is the most cost effective and the one that is the most reliable.

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House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1412  
Hearing Date 2-07-03

Darren Scherr, Energy Program, Department of Commerce: appeared neutral on HB 1412.

If you would do totally wind for energy even though the bill doesn't state that, 10% by 2010 would mean over 13 million kilowatt hours per year. I just wanted to let you know what that would be, state facilities was 60 % of the load, 40% the university systems.

Representative Winrich: the state buying its power from the grid, as I read the goals listed here doesn't limit the state in any way how it will accomplish that. This is not something that we will say, we will only buy power under these conditions, this may well be a situation where all of the economic bills relating to wind energy that are going thru the legislature also help accomplish this goal. Is that not correct?

Darren Scherr: Yes that is, I would agree with that.

Representative Klein: as time goes on and things come into play we are looking to the future and we don't know what is coming down.

Representative Ekstrom: I would say it is an achievable goal, we are well on our way with that alternative source.

No further testimony provided.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1412

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2-13-03

Tape Number	Side A	Side B	Meter #
2	x		20-28.6

Committee Clerk Signature *Jody Runko*

Minutes: Chairman Klein: called the hearing to order on HB 1412. All committee members were present.

Representative Klein: presented an amendment to the committee. How do we know when we are getting wind energy or some other type? Electricity flows the path of least resistance. I find it a real hard bill to try and figure out what is going to happen.

Representative Grande: moved to **AMEND** HB 1412.

Representative Devlin: **SECOND** the motion to amend HB 1412

**VOTE on amendment to HB 1412. 9-YES 5-NO 0 ABSENT.**

Representative Sitte: I don't really see much purpose in passing the amendment. The Legislative Assembly finds and declares there is an essential governmental function and public purpose to encourage wise and orderly development, why not just let it die a natural death.

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House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1412  
Hearing Date 2-13-03

Representative Klein: the only problem with this is the coal people don't want to be left out.

This addresses all of the energy possibilities that could happen instead of renewable energy. It makes a statement, saying we think you should look at all possibilities.

Representative Kasper: don't forget the horse that brought you here, don't forget the lignite energy industry that has been here for 50 or 60 years that helped develop our state and provide services that we need through there resources, while we are looking at wind, lets not forget lignite.

Representative Grande: having grown up in the center of the oil and gas basin, we don't want to throw that out either, the Williston Basin is huge and its a vital part of our state and we need to utilize all sources and see this as a whole not as a one piece.

Oil and gas is extremely important to the western part of the state.

Representative Winrich: I will resist this amendment, it really doesn't do much, I don't believe the orginal legislation constitutes a mandate, it talks about setting goals.

Representative Devlin: made a **DO PASS** motion as amended to HB 1412.

Representative Grande: **SECOND** the motion to do pass as amended to HB 1412.

**VOTE: 10-YES 4-NO 0-ABSENT.**

**Motion carried.**

Representative Klein: will carry the bill to the floor.

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Yolanda Richardson  
Operator's Signature

10/16/03  
Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/21/2003

Bill/Resolution No.: HB 1412

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

We are unable to determine the fiscal impact of this bill.

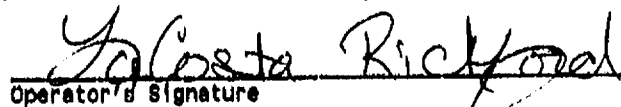
3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Pam Sharp	Agency:	OMB
Phone Number:	328-4606	Date Prepared:	01/23/2003

  
 Operator's Signature 10/16/03  
Date

30463.0201  
Title.0300

Prepared by the Legislative Council staff for  
Representative M. Klein  
February 11, 2003

VR  
2/13/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1412 GVA 2-13-03

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act establishing the state's energy policy."

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

**SECTION 1. Governmental public purpose - Development of state's natural and renewable energy resources.** The legislative assembly finds and declares it is an essential governmental function and public purpose to encourage the wise and orderly development of the state's natural and renewable energy resources. Increased development of the state's abundant lignite coal and oil and gas resources and development of the state's renewable resources, including biomass, hydro, geothermal, solar, and wind, are important components in achieving energy independence for the nation. State energy policies adopted by the state must consider the reliability, cost-effectiveness, enhanced environmental applications, and economic stability and tax revenue benefits to the state from each natural and renewable energy resource. It is a further public purpose not to mandate any state agency, department, or institution to use a particular energy resource."

Renumber accordingly



Date: 2-13-03  
 Roll Call Vote #: 1412

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO.

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

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

Action Taken Move to amend HB 1412

Motion Made By Rep. Grande Seconded By Rep. Devlin

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman		X
Vice Chairman B.B. Grande	X		L. Potter		X
W.R. Devlin	X		C. Williams		X
C.B. Haas	X		L. Winrich		X
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte		X			
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 9 No 5

Absent 0

Floor Assignment \_\_\_\_\_

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

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Salvatore Riccardi  
 Operator's Signature

10/16/03  
 Date

