

**EMPOWER NORTH DAKOTA COMMISSION LEGISLATIVE SESSION WEEKLY MEETINGS**

March 3, 2021 5:00 p.m.  
Microsoft TEAMS video conferencing platform and WSI Boardroom

**Members present:**

James Leiman, Jason Bohrer, Al Christianson, Ron Ness, Jay Skabo, David Straley, Danette Welsh, Jeff Zueger

**Ex Officio Members present:**

Wade Boeshans, Stacey Dahl

**Others present:**

Public invited via TEAMS video conferencing

**CALL TO ORDER/WELCOME**

James Leiman, newly appointed Commerce Commissioner and Chairman of the EmPower ND Commission, called the meeting to order at 5:00 p.m. The meeting was moved back to 5:00 p.m. due to calendar conflicts. The EmPower ND Commission legislative meetings will resume to the 4:00 p.m. timeframe next week. Roll call was taken, and guests were welcomed.

**APPROVAL OF MINUTES**

**Motion made by Ness and seconded by Christianson to approve the February 17, 2021 minutes. Motion carried.**

**Federal Administration and Clean Energy Plan**

Chairman Leiman discussed the need to reposition the ND Department of Commerce to be more aggressive and embedded with industry in economic development and the future of energy.

A proposed energy cell creation between state agency and industry; jointly working to improve the regulatory efforts of Environmental, Social and Corporate Governance (ESG), producing a bigger presence. Surfacing discussions that push for a public-private partnership regarding the clean energy industry will take place within the next few weeks between Chairman Leiman and commission members.

**Request for Proposal (RFP) for Environmental, Social and Corporate Governance (ESG)**

Chairman Leiman walked members through the scope of work in the RFP contract with the state's Office of Management & Budget and the Commerce Department, looking to seek an ESG Consultant. This study, over a four-month period will help educate small, medium, and large companies to position themselves for additional regulatory burdens. James reiterated the importance of engagement from the EmPower ND Commission members to help move this RFP along.

**March 3<sup>rd</sup> discussion of TRACKED BILLS**

Industry ask for EmPower ND Commission to **SUPPORT** the following bills:

**HB 1412** – Relating to allocation of the coal conversion facilities privilege tax and the lignite research tax; to provide an effective date and to provide an expiration date.

**HOUSE PASSED**

SENATE INTRODUCED

**EMPOWER SUPPORT**

**HB 1425** – Relating to the legacy infrastructure loan fund and the state investment board, budget stabilization fund advisory board, to provide a continuing appropriation.

**HOUSE PASSED**

SENATE INTRODUCED

**EMPOWER SUPPORT**

**HB 1452** – Clean sustainable energy authority and a clean sustainable energy fund. An exemption from procurement services for energy programs; to provide a continuing appropriation.

**HOUSE PASSED**

SENATE INTRODUCED

**EMPOWER SUPPORT**

**SB2065** – Relating to the authority of the board of university and school lands to lease lands under its control for the underground storage of oil or gas and the jurisdiction of the industrial commission to regulate the permitting and amalgamation of the underground storage of oil or gas.

**PASSED SENATE**

HOUSE INTRODUCED

**EMPOWER SUPPORT**

**SB 2152** – Relating to a sales and use tax exemption for carbon dioxide used for secure geologic storage; and to provide an effective date.

**PASSED SENATE**

HOUSE INTRODUCED

**EMPOWER SUPPORT**

**SB 2230** – Relating to the use of strategic investment and improvements fund.

**SENATE PASSED**

HOUSE INTRODUCED

**EMPOWER SUPPORT**

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**SB 2328** – Relating to a credit for oil produced from a well site using a onsite flare mitigation system; to provide for application and to provide an expiration date.

**SENATE PASSED**

HOUSE INTRODUCED

**EMPOWER SUPPORT**

**PUBLIC COMMENT**

No comments

**FUTURE MEETING**

The EmPower ND Commission Legislative session weekly meetings will resume to the original time of 4:00 p.m. for next week Wednesday, with onsite meetings to be held at the Century Center, 1600 East Century Avenue, Suite 2 in the WSI Boardroom. The meetings at the physical location will be open to commission members only, with the option of call in by audio/video through the Microsoft TEAMS platform for the public.

**ADJOURNMENT**

Motion made by Christianson, seconded by Welsh to adjourn the meeting. With no further discussion, the meeting was unanimously adjourned at 4:45 p.m.

James Leiman 03.17.2021  
James Leiman, Chairman Date

Sherri Frieze 03.17.2021  
Sherri Frieze, Boards & Commissions E.A. Date

**All other TRACKED BILLS with updates as of 3/3/21**

**HB 1095** – Siting of a repowered wind conversion facility that has not previously been issued a certificate of site compatibility & relating to the definition of a repower for a wind facility and waivers or extension for light mitigation technology systems.

**HOUSE PASSED**

SENATE INTRODUCED

**HB 1245** – Relating to public employee uniform group insurance plans; to provide for application; and to declare an emergency.

**HOUSE PASSED**

SENATE INTRODUCED

**HB 1268** – Relating to a financial technology sandbox program for innovative financial products and services and criminal history background checks.

**HOUSE DEFEATED**

**HB 1292** – Electric energy conversion facility retirement, status report requirements, limitations for recovery costs associated with electric generation built to replace a retiring electric energy conversion facility, and site reclamation and bond.

**HOUSE WITHDRAWN**

**HB 1431** – Relating to a water infrastructure revolving loan funded and bonded debt repayments, and community water development fund and infrastructure revolving loan fund within the resources trust fund.

**HOUSE PASSED**

SENATE INTRODUCED

**HB 1455** – Retirement of an electric energy conversion facility and site reclamation and bonding.

**HOUSE PASSED**

SENATE INTRODUCED

**HB 1458** – Grants for grid reliability and resiliency resources. Supplemental wind generation tax, to provide a continuing appropriation, and to provide an effective date.

**HOUSE WITHDRAWN**

**SB 2137** – Sales and use tax exemption for enterprise information technology equipment and computer software purchased for use in a qualified data center; to Provide for a retroactive application.

**SENATE PASSED**

Minutes of the

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HOUSE INTRODUCED

**SB 2155** – Relating to a sales and use tax exemption for enterprise information technology equipment and computer software purchased for use in a qualified data center.

**SENATE DEFEATED**

**SB 2285** – Relating to fees chargeable by an abstractor.

**SENATE DEFEATED**

**SB 2291** - Social investments made by the state investment board and the boycott of energy or commodities companies, to provide for a department of commerce study of the implications of complete divestment of companies that boycott energy or commodities, and to provide for reports to legislative management and to declare an emergency.

**SENATE PASSED**

HOUSE INTRODUCED

**SB 2301** – Relating to providing a definition of a local worker, application for certificate, and factors to be considered when evaluating an application and designation of sites, corridors, and routes.

**SENATE DEFEATED**

**SB 2313** – Relating to electric power reliability and price transparency; and to repeal chapter 17-01 of the NDCC, relating to the 25x25 initiative.

**PASSED SENATE**

HOUSE INTRODUCED

**SB 2317** – Relating to the establishment of a coal mine reclamation trust utilizing private assets; and to provide for a transfer.

**SENATE PASSED**

HOUSE INTRODUCED

**SCR 4012** – Concurrent resolution to establish state policy to support the reliability and resilience of the electric grid, ensure price transparency to consumers in electric markets, and incentivize carbon capture utilization and storage as an alternative to preserve dispatchable thermal electric generation and its associated benefits.

**PASSED SENATE**

HOUSE INTRODUCED

**SCR 4013** – Concurrent resolution urging Congress to pass the ND Trust Lands Completion Act.

**PASSED SENATE**

HOUSE INTRODUCED