

Senate Energy and Natural Resources Committee

Testimony on HB 1459 (IN OPPOSITION)

Kurt Swenson, Beulah, ND District 33

Chairman Patten, Vice Chairman Kessel and members of the Senate Energy and Natural Resources Committee, my name is Kurt Swenson from Beulah.

I became aware of this bill when it was in the house. To be clear, I am supportive of developing these resources within a regulatory framework for permitting and oversight. As currently written, I am appalled at the bill's blatant disrespect for contract law, our constitution and mineral interest owners.

As you ponder your position on this bill and before voting, I encourage you to ask legislative counsel if this bill is constitutional with respect to the Contracts and Takings clauses in our constitutions. Your oath to uphold our constitution trumps any economic development opportunities we may have as a state.

If passed as written, the state is risking untold numbers of quiet title action lawsuits along with constitutional challenges.

Please send a message that it's best to work with mineral interest owners, endeavor in good faith negotiations with them and not just FORCE legislation onto them that strips them of their rights guaranteed by our constitution.

I respectfully ask you to vote DO NOT PASS vote on HB 1459.

Sincerely,

Kurt Swenson