



# North Dakota House of Representatives

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## Representative Lori VanWinkle

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## COMMITTEES:

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Mr. Chairman and members of the House Energy and Natural Resources Committee. For the record my name is Lori VanWinkle, and I represent the incredible citizens of District 3 out of Eastern Minot. I am here today to explain HB 1292 and provide support for eliminating carbon dioxide from having common carrier status.

Let me start by giving a simple overview of each of the sections.

Section 1 removes carbon dioxide out of chapter 49-10-01 of Century code that defines goods that are common carries. Subsection 4 of section 1 is where carbon dioxide is being removed from being defined as a common carrier, and this is where the authority lies that allows a common carrier to eminent domain powers "IF" they are in fact a commodity that is truly a common carrier.

Carbon dioxide, by the design for which the government and private entities involved intend of it, is not a common carrier. I believe this provision was shoved into law by design, so that this agenda has a right to violate our citizens and call it legal, but all this does for carbon dioxide is make the government agenda and the private entities involved, a greater priority over our citizens and it is an unethical approach. Based on the legal definition of a common carrier it is, "a person or commercial enterprise that transports passengers or goods for a fee and establishes that their service is open to the general public". But a carbon dioxide pipeline will not operate as a common carrier, so what was done here is a violation to the legal definition of common carrier, and it has been placed into law anyway.

Section 2 amends chapter 49-19-11 of century code stating that a common carrier must carry without discrimination. The reason for removing carbon dioxide out of line 8,9 &10 is because nothing about the carbon agenda intends to carry goods indiscriminately. Therefore, I reiterate, carbon dioxide was strategically shoved into law so that they can accomplish an agenda that the people do not want, and neither do the people benefit from, this current allowance of carbon dioxide in law provides unethical actors with a false sense of legality to the agenda supporting their private entities and government ties. Because it completely violates the definition

of a common carrier, and violates that a common carrier shall carry without discrimination, and it violates that a common carrier provides something of benefit to the citizens for the need in which their land is taken, this is a must to remove from law.

The government ties and private entities involved will be the ONLY ones to benefit from this pipeline, all at the expense of tax payer funds. Consider that violation along with the violation to their constitutional rights for equal protection and due process under the law. Our citizens are unable to defeat a government that has endless state wealth and tax payer resources that they will use against our citizens, while citizens are left with limited resources and poor options for legal council willing to defend them against the government because political ties favor the government powers over the rights of our citizens! So our citizens are in a lose lose scenario unless we intervene.

Our ND Constitution in Article 1 section 16, was meant to protect our citizens. But somewhere along the line there has been a steady decline in honoring the historical ramifications of intent of law and intent of the constitution, so here is where inside that article they gave themselves power. "Private property shall not be taken for the use of or ownership by any private industry or entity unless that property is necessary for conducting a common carrier or utility business." So, all nefarious efforts collide here, because that clause creates a false legality and a false sense of consent by our Constitution that if they can just shove this in law and attribute it "common carrier" status, then all is good. This was all done strategically, but let me remind us that the globalist agenda and green energy scandal, and the efforts to push this with a sense of legality, is still completely unethical in the sight of God and it is a violation to humanity. Shame on every government leader who is behind allowing this violation.

Section 8 of Article 1 decrees that the people have a right to be secure in their persons, houses, papers and effects against unreasonable searches and seizures which SHALL not be violated. This carbon agenda is a violation of land rights and the right to safety that shall not be violated against our citizens. This is unconstitutional and unethical at all levels.

Section 20 of article 1 also states that our declaration of rights is "to guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate!" So, we have the power to legislate but not the power to do it unethically or unjustly by rewriting the intent of the constitution and law. Our rights were intended to be inviolate, which also means never breached, never violated, yet because some are willing to rewrite the historical definition of what a common carrier is, and are willing to disregard the intent of our constitution, they have allowed this terrible right to Co2 in law, when by all means of its intent, it only violates the definition of a common carrier and it violates the statute for a carrier without discrimination.



Lastly, we have section 3 of the bill which amends chapter 49-19-19. This chapter deals with a common carrier's status needing to be one that carries without discrimination, but this relationship is among shippers in facilities, services rendered, and rates prohibited.

Line 19, 20 and 23 remove carbon dioxide as being a carrier that will carry without discrimination among those provisions, and other changes appear to be legal counsel's technical corrections. In finality, last reference to carbon dioxide is removed from line 1 on page 3.

Mr. Chairman and members of the committee, if we haven't already exhausted testimony, my hope is we will continue to hear more in depth testimony to follow. Right now as is, the law is unethical and the oath we took before the citizens we all represent was to uphold the intent of the constitution also. I ask for a do pass for House Bill 1292 out of this committee so that we do the right thing for our citizens and let this agenda come from the free-market approach and with acceptance by the people, like it should. I respectfully yield my time to others, but will return to answer questions if needed after anyone else speaks in favor.