



Senator Jeffery J. Magrum

District 8
P.O. Box 467
Hazelton, ND 58544-0467

C: 701-321-2224

jmagrum@ndlegis.gov

COMMITTEES:
Finance and Taxation
Energy and Natural Resources

01/29/2025

Good morning, Chairman Weber and committee members.

For the record I am Senator Jeff Magrum serving district 8. I am standing before you to present SB2320.

The reason is that the property tax exemption for CO2 pipelines was not intended for Interstate pipelines.

The original intent was to help keep the Dakota Gasification Company in business. Former Senator Don Moore from Forbes called and told me that before he passed away.

I'll refer to the minutes from 1991.

Another question that I have is why we would exempt property taxes for a pipeline owned partially by the Chinese Communist Party our number one foreign adversary, South Korea and Saudi Arabia. I'll refer to the document provided by Summit Carbon Solutions.

Summit Carbon Solutions advertises that they contribute close to a billion dollars in taxes. It surely isn't in ND because they are exempt from property and sales taxes. Property for ten years.

Another issue is fairness. All other pipelines pay property tax as I understand. I will refer to the long sheet.

For these reasons I ask for a do pass on SB2320

CHAPTER 652

SENATE BILL NO. 2249
(Senators Streibel, Naaden, DeKrey)
(Representatives Brown, Rennerfeldt, Whalen)

CARBON DIOXIDE PIPELINES

AN ACT to create and enact two new sections to chapter 57-06 of the North Dakota Century Code, relating to a property tax exemption for certain centrally assessed pipeline and associated property used to promote enhanced recovery of oil or natural gas and to provide for payments in lieu of taxes; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 57-06 of the North Dakota Century Code is created and enacted as follows:

Carbon dioxide pipeline exemption. Property, not including land, is exempt from taxation for the first ten full taxable years after commencement of construction if it consists of a pipeline and necessary associated equipment for the transportation or storage of carbon dioxide to an oilfield in this state for use in enhanced recovery of oil or natural gas.

SECTION 2. A new section to chapter 57-06 of the North Dakota Century Code is created and enacted as follows:

Payments in lieu of taxes. Carbon dioxide pipeline property described in section 1 of this Act is subject to payments in lieu of property taxes during the time it is exempt from taxation under section 1 of this Act. For the purpose of these payments, carbon dioxide pipeline property described in section 1 of this Act must be valued annually by the state board of equalization in the manner that other pipeline valuations are certified. The county auditor shall calculate taxes on the carbon dioxide pipeline property described in section 1 of this Act in the same manner that taxes are calculated on other pipeline property. Not later than December twenty-sixth of each year, each county auditor shall submit a statement of the amount of taxes that would have been assessed against carbon dioxide pipeline property, exempted under section 1 of this Act, to the state treasurer for payment. The state treasurer shall make the required payment to each county not later than March first of the following year, and the county auditor shall distribute the payments to the political subdivisions in which the exempt pipeline property is located.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1990.

Approved April 11, 1991
Filed April 12, 1991

BILL SUMMARY: SB 2249

Prepared by the Legislative Council staff

DATE: March 21, 1991

SUBJECT: Tax exemption for carbon dioxide pipeline

GENERALLY, THIS BILL:

As amended, exempts a carbon dioxide pipeline from property taxes if it is used to transport carbon dioxide for enhanced oil recovery and provides that the counties in which the tax would have been payable are entitled to reimbursement of the lost property tax revenues by the state.

REP. WARDNER Then at this time the counties wouldn't be receiving any revenue from these pipelines, so then the part about the state treasurer having to send money to the counties, the counties would end up getting more out of it?

REP. BROWN That is the way I see it.

LOWELL RIDGEWAY, ND PETROLEUM COUNCIL Testified in support of the bill. When we had HB 1414 before this committee, we shared with you a study that showed that there is about three hundred and forty three point eight million barrels of oil that have been identified from seventy reservoirs that could be brought to the surface with tertiary production which is carbon dioxide, in this case. That is the market for CO₂. We think this type of legislation could possibly prove to be a partial carrot to encourage the construction of such a line. The original bill as was discussed with you did provide for a property tax exemption on a CO₂ line built from the gasification plant to the oil fields to be exempt from taxation. We are aware of at least one other potential CO₂ pipeline, referred to as the Amoco one, actually it is the EXON one from Wyoming. They explored the idea of bringing natural CO₂ from Wyoming to western North Dakota and perhaps even to Canada. Those are the two potential pipelines I am aware of. I think the committee should understand that if there ever is a CO₂ pipeline built in North Dakota, there is probably going to be one built, not two or three. There seemed to be some question about the gathering lines, gathering lines traditionally, were exempt from property taxes, rightly or wrongly. Our Supreme Court, couple of years ago ruled that gathering lines are subject to taxes, many companies that have gathering lines are paying taxes today.

GARY JACOBSON, MGR. OF GOVERNMENT RELATIONS DIV. OF BASIN ELECTRIC POWER COOPERATIVE. Testified in support of the bill. There is a little confusion about where is Dakota Gasification Company on this issue. Dakota Gas Company is a subsidiary of Basin Electric Power Cooperative. It is a for profit company. When we are talking about the ability of Dakota Gasification Company to produce CO₂, we are talking about the fact that it does produce a loss fuel too, it does not produce a purified CO₂. In order to produce a purified CO₂ it would require a tremendous investment at that gasification plant. Yes, we can produce CO₂. Because CO₂ is a byproduct of the process out there, it would require a tremendous investment on our part. At this point, the company is trying to hang on for dear life right now, with the falling of the oil prices and the world situation right now. We have been producing at record level for the last two years. We are encouraging the development of the tertiary recovery process, CO₂ is part of that process. Everybody is a gainer on this, that is what we are supporting.

REP. TIMM What do you do now with the CO₂?

GARY JACOBSON I am not sure, I will get a response on that.

COMMITTEE ACTION Tape #2, Side A, Meter 2140

REP. ANDERSON Made a motion to adopt the amendments as presented #10341.0301. REP. GROSZ Second the motion. Motion carried by voice vote.

REP. ANDERSON Made a motion for a Do Not Pass
REP. LINDERMAN Second the motion. Motion carried

12 Yes

4 No

0 Absent

REP. LINDERMAN Was given the floor assignment.

COMMITTEE ACTION 3-18-91 SB 2249 Tape 1, Side A Meter 800

The committee met again to reconsider the action by which the bill was passed out of committee with a Do Not Pass As Amended.

BARRY HASTI, STATE TAX DEPARTMENT Appeared before the committee to answer questions the committee might have.

REP. NICHOLS Would there be a cost to the state if the tax exemption were granted to the pipeline, is there an in lieu of payment that goes to the counties that would have to be paid by the state?

BARRY HASTI In Section 2, there would be a negative impact on the state.

REP. WARDNER How long does this exemption go?

BARRY HASTI If it is added as a section to 57-02-08, there is no limiting language on here so it would be perpetual.

REP. TIMM When Gary Jacobson was testifying I was surprised at how unenthusiastic he was about the pipeline, in fact, in talking to him privately, he stated that if they got a contract with some oil company out in Williston, got a thirty or forty year contract to send them CO₂, that would be their deciding factor to build this pipeline. It wouldn't be a tax exemption that would be the deciding factor.

REP. FREIER If section 2 is the problem, why don't we just amend it out.

REP. FREIER Made a motion to reconsider the action by which the bill was passed out of committee 3-13-91. REP. BELTEP Second the motion. Motion carried 9 Yes 6 No 1 Absent

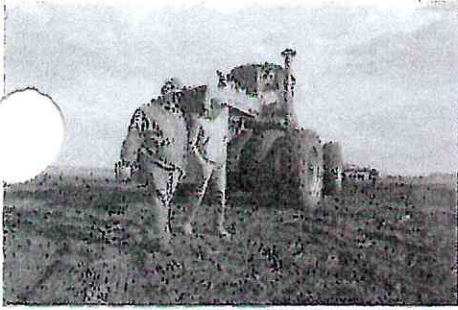


SUMMIT
CARBON
SOLUTIONS

SUMMIT CARBON SOLUTIONS, LLC

INVESTOR LIST

Investor	Website
Continental Resources, Inc	https://www.clr.com
TPG Rise Climate <i>CHINA</i>	https://therisefund.com/tpgriseclimate
Summit Agricultural Group	https://www.summitag.com
SK Group <i>SOUTH KOREA</i>	https://www.sk-perspectives.com
Tiger Infrastructure Partners <i>SAUDI ARABIA</i>	https://www.tigerinfrastructure.com



Decision Innovation Services (DIS) conducted a study that found Summit Carbon Solutions' proposed carbon capture, transportation, and storage project will create jobs, generate new tax revenue for local communities, support local suppliers, and strengthen the Midwest regional economy.

Project-Wide Findings (Construction Phase)

Total Investment	\$8.9 billion*
Total Average Annual Jobs Created	12,293
Total Federal, State, Local Taxes Generated by the Project	\$752 million
Total Income Paid	\$2.1 billion
Total Right-of-Way and Other Landowner Payments	\$776 million

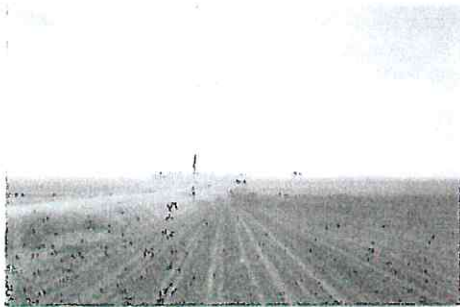
*this number is subject to change and based on internal calculations

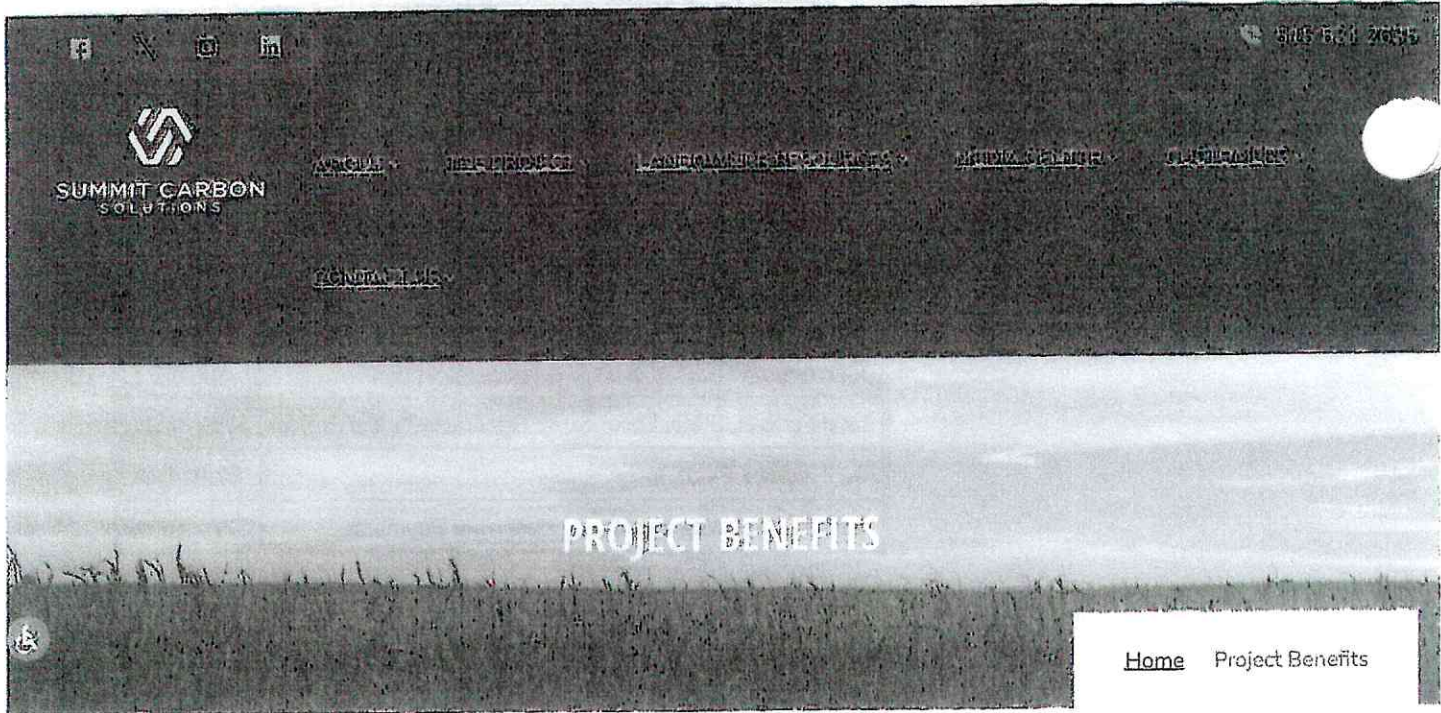
Project-Wide Findings (Operations Phase)

Annual Expenditures	\$377 million
Total Jobs Supported	1,200+
Total Labor Paid	\$122 million
Total Federal, State, Local Taxes Generated by the Project	\$206 million

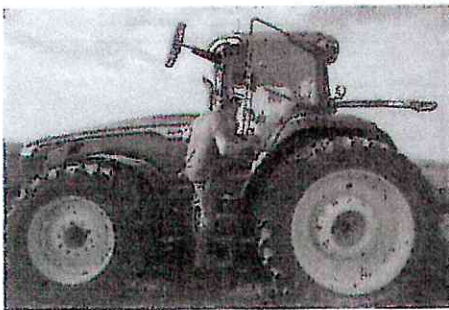
ENVIRONMENTAL BENEFITS

Once completed, Summit Carbon Solutions' Project will be the largest carbon capture and storage project in the world. This project will have the capacity to capture and permanently store up to 18 million tons of CO2 every year. That's the equivalent of removing 3.9 million vehicles from our roads annually.





AGRICULTURAL BENEFITS

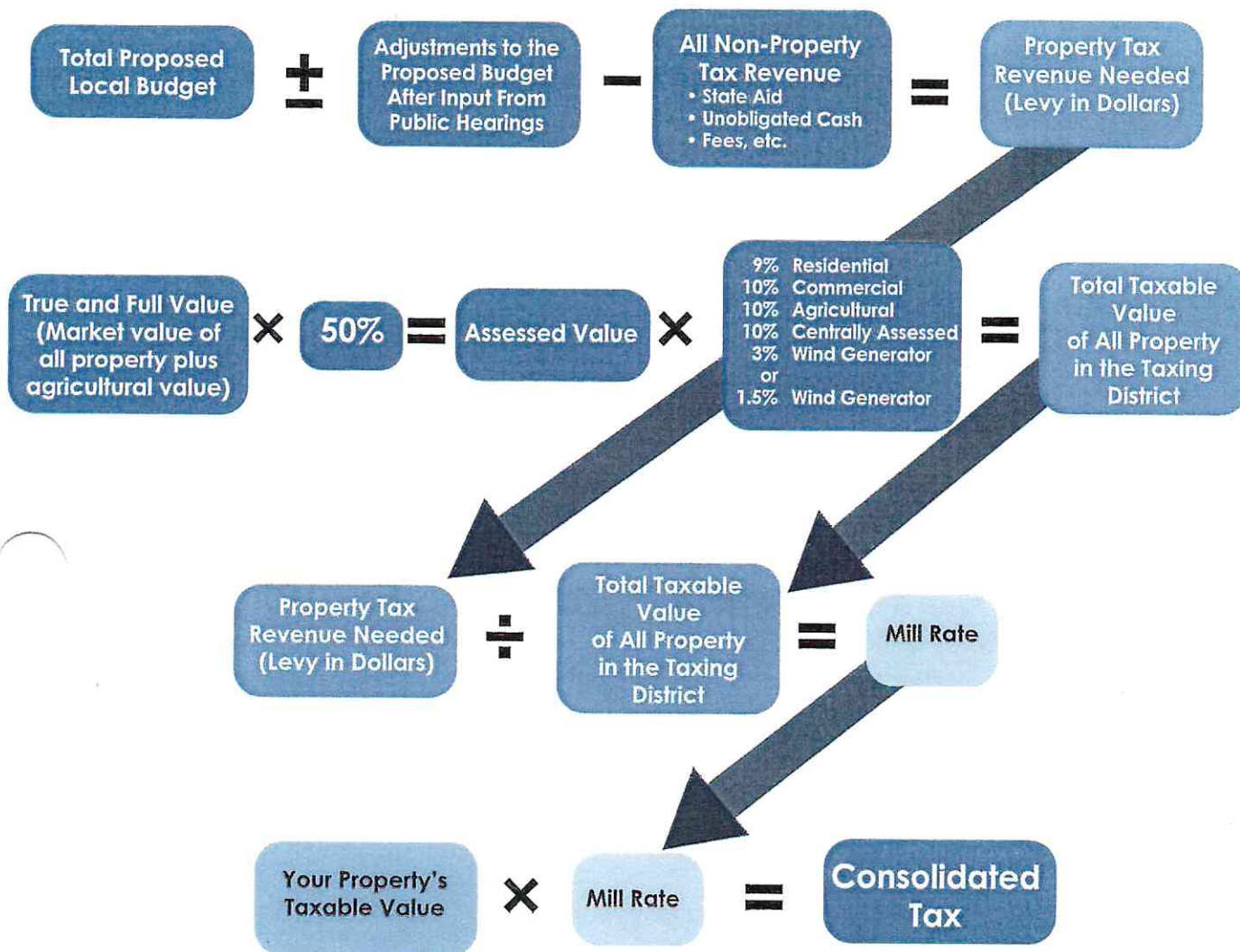


Summit Carbon Solutions will open new economic opportunities for the ethanol and agricultural industries that are so critical to the Midwest economy. Our carbon capture and storage project will put the ethanol produced at our 57 partner facilities on track to become a net-zero fuel by 2030. This will allow these plants to sell their product at a premium in the growing number of states and countries that have adopted low carbon fuel standards, as well as allow them access to emerging markets like sustainable aviation fuel.

Today, ethanol supports 360,000 jobs and contributes \$45 billion to the annual U.S. GDP. But maybe most importantly, ethanol plants purchase approximately half of all the corn produced in the United States. Summit Carbon Solutions' investment will strengthen this marketplace even further for farmers, while maintaining strong land and commodity prices.

ECONOMIC BENEFITS

North Dakota Property Tax System



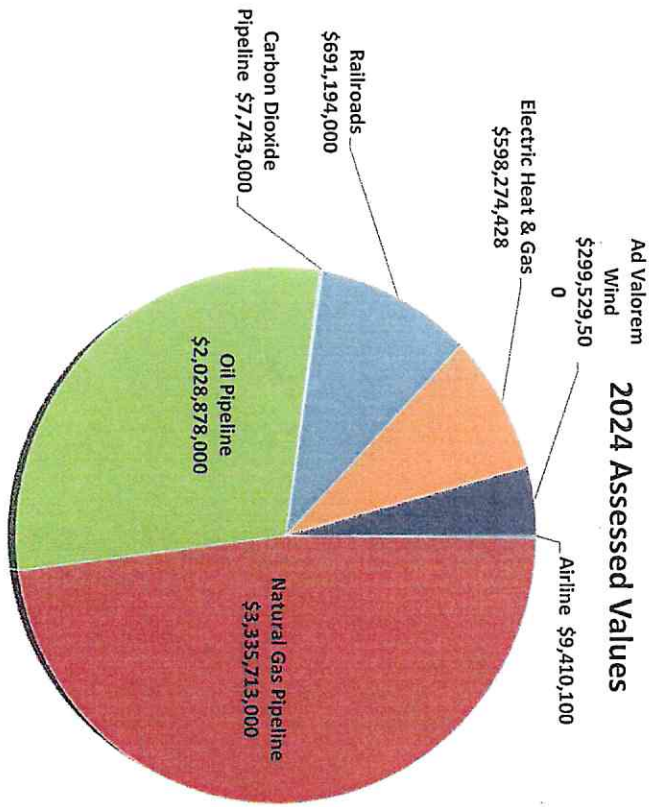
All property in North Dakota is subject to property tax unless it is specifically exempted. Except for a one-mill levy for the State Medical Center, property taxes are administered, levied, collected, and expended at the local level for the support of schools, counties, cities, townships, and other local units of government. The State does not levy a property tax for general government operations.

The property tax is an "ad valorem" tax, that is, it is based on the value of the property subject to tax.

NORTH DAKOTA STATE BOARD OF EQUALIZATION CENTRAL ASSESSMENT - 2024 SUMMARY

2024 CENTRALLY ASSESSED - ASSESSED VALUES

Airline	\$ 9,410,100
Natural Gas Pipeline	\$ 3,335,713,000
Oil Pipeline	\$ 2,028,878,000
Carbon Dioxide Pipeline	\$ 7,743,000
Railroads	\$ 691,194,000
Electric Heat & Gas	\$ 598,274,428
Ad Valorem Wind	\$ 299,529,500
Ad Valorem Wind	\$ 0



NORTH DAKOTA STATE BOARD OF EQUALIZATION CENTRAL ASSESSMENT - 2024 SUMMARY

2024 CENTRALLY ASSESSED - PAYMENT "IN LIEU"

Electric Distribution	\$ 15,155,675.11
Electric Transmission	\$ 1,955,548.18
Electric Generation from Wind	\$ 12,716,901.69
Electric Generation other than Wind or Coal	\$ 2,537,950.53

