

February 12, 2025

Senate Energy and Natural Resources Committee

Re: Testimony in Opposition to SB2208

Chairman Patten and Members of the Energy and Natural Resources Committee,

My name is Levi Taylor and presently serve as vice-chairman for Stutsman County Commission. I write to you today as a concerned citizen of North Dakota and urge your committee with “Do Not Pass” of SB2208.

SB2208 has the potential to take away local zoning and ordinance authority in exchange for maintaining grant funding, such as Prairie Dog funding, that is critical for all political subdivisions. The language in the bill says “If a county or township adopts an ordinance or policy that interferes or conflicts with an energy infrastructure project permitted or approved by a state agency, the county or township is not eligible to receive any grants from the fund.”

What is considered “permitted” or “approved”? Many energy infrastructure projects require numerous permits and multiple steps to approval. This open end and vague language leaves broad interpretation up to any state agency. Could this law mean the Department of Education is going to approve all public schools to install solar panels or wind turbines where they wish regardless of local zoning ordinances? Consider all the current zoning ordinances enacted across the state, if this law was passed would all political subdivisions be required to change their current zoning to maintain compliance? Do the zoning ordinances in question only pertain to projects that are brought up on a case-by-case basis?

Counties are the collectors of Prairie Dog funds for all townships within said county. Theoretically, if SB2208 is law and a county is not in compliance but townships that have zoning and ordinance authority maintain compliance, how would these counties receive their respectful Prairie Dog funds if the funds can be no longer sent to the county? Furthermore, many townships within counties have relinquished their zoning and ordinance authority to the counties they reside in. If a county is out of compliance and is not to receive grant funding are those counties going to be penalized as well?

I respectfully ask your committee to consider these questions when discussing SB2208 and urge a “Do Not Pass.”

Respectfully,

Levi Taylor

Ypsilanti, ND