

**CHAPTER 17-07**  
**ENERGY POLICY COMMISSION**

**17-07-01. Energy policy commission.**

1. The energy policy commission is composed of:
  - a. The commissioner of commerce, or the commissioner's designee;
  - b. A representative of the agriculture community appointed by the governor;
  - c. A representative recommended by the lignite energy council appointed by the governor;
  - d. A representative recommended by the North Dakota petroleum council appointed by the governor;
  - e. A member from the biodiesel or green diesel industry appointed by the governor;
  - f. A member from the biomass industry appointed by the governor;
  - g. A member from the wind industry appointed by the governor;
  - h. A member from the ethanol industry appointed by the governor;
  - i. A representative recommended by the North Dakota petroleum marketers association appointed by the governor;
  - j. A member from the North Dakota investor-owned electric utility industry appointed by the governor;
  - k. A member from the generation and transmission electric cooperative industry appointed by the governor;
  - l. A member from the lignite coal-producing industry appointed by the governor;
  - m. A member from the refining or gas-processing industry appointed by the governor; and
  - n. Additional nonvoting members appointed by the governor.
2. Each member of the commission shall serve for a term of two years, beginning July first, may be reappointed for additional terms, and serves at the pleasure of the governor.
3. The commissioner of commerce, or the commissioner's designee, is chairman of the commission.
4. The commission shall meet at least four times per biennium or as often as the chairman deems necessary. The commission shall hold at least two public hearings per biennium to receive testimony regarding issues pertinent to the state's comprehensive energy policy and low-emission technology initiative. The department of commerce shall provide staffing for the commission.
5. The commission may identify and make recommendations to the clean sustainable energy authority on technologies related to low-emission advancements. The recommendations may include consideration of advancements or developments that have led to increased economic benefits and positive environmental public health benefits for the citizens and visitors of North Dakota, including cleaner air, soil, and water; improved efficiencies; reduction of waste; lower carbon-intensive agricultural products or processes; and quantities of energy used. The recommendations also may consider other factors, including environmental, social, and governance policies and the effect on financial or capital markets. The commission shall consider and make recommendations on policies to ensure the availability of affordable, reliable, resilient, and sustainable energy in the state; to expand value-added energy; and to expand the opportunities to diversify the use of North Dakota's natural resources, which may increase state tax revenues. The commission shall study and evaluate critical energy infrastructure and shall make recommendations to ensure the state's comprehensive energy policy supports electrical grid reliability and resiliency and supports sufficient dispatchable generation capacity to avoid brownouts, blackouts, or outages. The commission shall monitor the progress of implementing and achieving environmental benefits through the state's comprehensive energy policy.
6. The legislative assembly shall consider recommendations from the commission to develop a comprehensive energy policy for the state. The commission shall report its recommendations biennially to the legislative management.

7. The members of the commission who are not state employees are entitled to mileage and expenses as provided by law for state officers and employees. Unless otherwise provided in this subsection, the expenses of appointed members are to be paid by the department of commerce. A state employee who is a member of the commission must receive that employee's regular salary and is entitled to mileage and expenses, to be paid by the employing agency.