2025 HOUSE ENERGY AND NATURAL RESOURCES

HB 1292

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1292
1/30/2025

Relating to eliminating a carbon dioxide pipelines' owners', operators', or managers' status as a common pipeline carrier.

3:25 p.m. Chairman Porter called the hearing to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Carbon Dioxide Pipelines
- Pipeline safety
- Definition of a 'common carrier'
- Green New Deal

3:25 p.m. Representative VanWinkle introduced the bill and submitted testimony. #33030

3:33 p.m. Curtis Jundt, ND Resident, testified in favor and submitted testimony. #32805

3:53 p.m. Zachary Cassidy, testified in favor and submitted testimony. #32319

3:55 p.m. Rodger Nesim, Farmer in ND, testified in favor.

3:59 p.m. Doyle Turner, Moville Iowa, testified in favor.

4:02 p.m. David Moch, ND Resident, testified in favor and submitted testimony. #33012

4:04 p.m. Rachel Gross, Farm euro, NDFB, testified in favor.

4:05 p.m. Barb Clayton, Iowa resident, testified in favor.

4:07 p.m. Francis Robinson, ND Resident, testified in favor.

4:10 p.m. Travis Zablotney, ND Resident, testified in favor.

4:11 p.m. Ron Ness, President, ND Petroleum Council, testified in opposition.

4:17 p.m. Dave Nehring, Manager for Summit Carbon Solutions, testified in opposition and submitted testimony. #32868 #32870

4:27 p.m. Jeff Zueger, ND Ethanol Producers Association, testified in opposition, and submitted testimony. #32752

4:32 p.m. Andrea Pfenning, VP Government Affairs, GNDC, testified in opposition and submitted testimony. #32935

4:33 p.m. Jonathan Fortner, VP of Government Relations, Lignite Energy, testified in opposition and submitted testimony. #32783

Additional written testimony:

Lon Klusmann, ND Resident, submitted testimony in favor. #31472

Meredith Gross, ND Resident, submitted testimony in favor. #31965

Lydia Gessele, ND Resident, submitted testimony in favor. #32285

Gordon Greenstein, ND Resident, submitted testimony in favor. #32386

Jessica Tiegs, ND Resident, submitted testimony in favor. #32663

Ann Bernhardt, ND Resident, submitted testimony in favor. #32756

Bruce and Stephanie Doolittle, ND Resident, submitted testimony in favor. #32801

David Hanson, ND Resident, submitted testimony in favor. #32825

Lanny Kenner, ND Resident, submitted testimony in favor. #32981

Steven Nagel, ND Resident, submitted testimony in favor. #33004

4:44 p.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk

Testimony **IN SUPPORT of HB1292**

Common Carrier status should **never be granted for sequestration projects**, no legislator should even consider that a project that does NOT provide for public good or purposes should be granted status that is already reserved for public transportation, and necessary life supporting utilities..etc.

A taxpayer funded private company that does not benefit the common good should never claim that they deserve common carrier designation, and the legislature should not allow it.

I urged this committee to enact a “due pass” recommendation on HB1292

Lon klusmann

Chairman and Committee Members:

I am writing in support of HB1292 removing carbon dioxide as part of the common carrier status for pipelines in North Dakota. I feel that the carbon dioxide should not qualify for common carrier status as if they were the same as natural gas. Carbon dioxide capture and its sequestration is not being used or going to be essential for the public good, which I believe is the definition of a common carrier. It may be that down the road the gas being stored in the ground will be used to help with the fracking of oil in the Bakken, but to me that is another discussion for another session of the ND Legislature.

Meredith Gross

1808 Harmon Ave.

Bismarck, ND 58501

HB 1292
House Energy and Natural Resources

I am in support of HB1292

Dear Chairman and Committee Members,

I am in support of eliminating common carrier status of carbon dioxide pipelines' owners', operators', or managers'.

According to Black's Law Dictionary, a common carrier is defined as a company that offers services to the public over wires or satellite systems or a transporter that serves all public, follows a schedule, and carries specified goods or people. In legal terms, a common carrier holds itself out to provide service to the general public without discrimination and is responsible for any loss of goods during transport. It must demonstrate to a regulatory body that it is "fit, willing, and able" to provide those services for which it is granted authority. Common carriers typically transport persons or goods according to defined and published routes, time schedules, and rate tables upon the approval of regulators.

We have seen too many times when companies come in with a project that is part of some new environmental scheme that they are given common carrier status to separate the people from their land. CO_2 pipelines do not fall in the definition and are not a benefit to the public.

I urge a Do Pass on HB1292

Thank you for your time,
Lydia R. Gessele
Wells County
District 14

Zachary Cassidy
Organizer
Dakota Resource Council

Dear Mr Chairman and members of the committee. I am Zachary Cassidy with DRC, writing in support of HB 1292. We have seen Summit and other companies use common carrier status to threaten and sue landowners even before their projects are permitted. South Dakota has already denied Summit common carrier status in that state, it is time we do the same is North Dakota. Looking at the original intent for common carrier status, it was meant for railroads, roads, and other projects that transferred people or goods for a fee without requiring a contract. As Summit and other carbon pipelines do enter into formal contracts with customers, they would be a private carrier. To protect property rights and restore the original intent of the bill, DRC recommends DO PASS on this bill.

HB 1292

House Energy and Natural Resources

I am in support of HB 1292

Chairman Porter and Committee Members, I am in support of HB 1292 to remove carbon dioxide pipelines from the legal definition and regulatory requirements of common pipeline carriers in North Dakota.

As argued by the attorney representing the landowners in the case before the South Dakota Supreme Court, Summit is a “private, for-profit carrier. Carbon Capture Storage companies are not common carriers. They do not provide commodities for purchase by the general public, nor do they serve a valid public purpose—even under the broad, modern, and extremely flawed interpretation of the constitutional basis for eminent domain. Sequestered carbon dioxide has no productive use, and as such, can provide no public benefit. Summit and other Carbon Capture Storage companies are simply taking advantage of the massive financial incentives available to them. Carbon capture and storage projects are nothing more than an opportunistic scheme to make vast sums of money from a problem that arguably does not exist. And, like most other green-energy policies, the solutions to this “problem” entail stripping Americans of their fundamental rights.

I Strongly Urge a Do Pass on HB 1292

Thank You, Gordon Greenstein

US navy (Veteran)

US Army-NDNG (Retired)

Testimony in Support of HB 1292
James and Jessica Tiegs

To the Honorable ND Legislators,

We are residents in Dickey County whose land has been in the crosshairs of Summit Carbon Solutions for the last 3+ years. SCS would like us to sign away rights to significant portions of our crop land so they can transport hazardous CO2 via pipeline, with the intention of gaining billions of dollars in federal tax benefits and "saving agriculture". We assure you that agriculture's foundation is much greater than any corporate climate-related project or opportunistic ethanol plant. Carbon pipelines should have NEVER been listed as a common carrier; it's time to stop catering to the CO2 boondoggle.

According to actual definition, common carriers are entities that offer transportation services to the public for a fee. Some examples of common carrier services include airlines, ferries, internet service providers, guided tours, rural water, insurance companies, and utilities. Common carriers are different from private carriers; private carriers use their own vehicles and transport their own goods or goods for specific clients. Examples of private carriers include a retailer's fleet of trucks, manufacturer's transportation, construction companies, and landscaping companies. A private carrier does not transport goods as its primary business.

SCS is a private carrier. They are a private company of investors that enter in formal contracts with entities like ethanol plants and Gevo and only exist because of the IRA 45Q tax credits; these actions do not qualify them as service providers to the public. South Dakota has denied SCS common carrier status and it's only logical that ND follows suit.

We urge a DO PASS on this bill.

Thank you for your consideration.

NDEPA
NORTH DAKOTA ETHANOL PRODUCERS ASSOCIATION

Testimony of Jeff Zueger, CEO of Harvestone Low Carbon Partners

North Dakota Ethanol Producers Association

Opposition of HB 1210, 1292, 1414

January 30, 2025

Chairman Porter and members of the House Energy and Natural Resources committee,

I am Jeff Zueger, the CEO of Harvestone Low Carbon Partners (formally known as Midwest Ag Energy) which owns two plants in North Dakota, Blue Flint in Underwood and Dakota Spirit in Spiritwood. I am also a director on the North Dakota Ethanol Producers Association (NDEPA) board, which represents North Dakota's six ethanol plants, industry stakeholders and associated businesses. On behalf of NDEPA, I am here to oppose HB 1210, 1292 and 1414.

These bills would be detrimental—and in some cases fatal—to the ethanol industry with respect to any future advancements in the carbon (CO_2) markets. North Dakota's legislature has diligently invested immense resources in research and development to advance the CO_2 markets and opportunities in ND, and it has spent 15 years creating a legal, tax, and regulatory regime to encourage investment in the CO_2 markets. Each of these bills could unilaterally undo the very thoughtful and at times groundbreaking work you have invested in safe and permanent CO_2 storage.

North Dakota's ethanol industry contributes nearly $1.7 billion annually to the state's economy and provides thousands of direct and indirect jobs. Thanks to North Dakota's innovative private sector and supportive state government, the state's ethanol production capacity is 550 million gallons per year, which is fifty percent more than what it was a decade ago. The plants produce 2.4 million tons of CO_2 annually. Red Trail Energy in Richardton has been capturing and storing the CO_2 it produces for over two years. They were the first Class VI injections well approved by a state regulator with EPA primacy. Harvestone's Blue Flint plant has been working on its CO_2 project for the past several years and now has an operational CO_2 injection site. Tharaldson Ethanol signed onto the Summit Carbon Solutions pipeline which will be able to capture CO_2 from various Midwest ethanol plants and store it in central North Dakota.

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There is a tremendous advantage to capturing and storing North Dakota's CO_2 emitted from the ethanol plants. There are a couple of powerful economic factors at play: (1) the ability to capture more revenue with low-carbon ethanol and (2) 45Q tax credits. The ethanol produced from these plants can be sold to developed and emerging low carbon fuels markets that are willing to pay a premium for low carbon fuel. Low carbon ethanol is often sold at a premium—around $0.20-$0.30 cents more a gallon. Assuming a $0.20 lift in every gallon ethanol, at 550 million gallons of production in the state, assuming all CO_2 from ND's ethanol plants be permanently stored, that would amount to an additional $110M (550M X $0.20) in increased annual revenue. That revenue supports North Dakota's agriculture economy. Those who permanently store carbon can also utilize the 45Q tax credit which is currently valued at $85/ton. ND ethanol plants produce 2.4 million tons CO_2 annually, the 45Q tax credit on this volume could generate $204M per year in federal tax credits taken directly to the plant's bottom line (2.4M x $85). The 45Q tax credit is available for 12 years. Also, lower carbon-intensity scores at a plant enables it to pay a higher price for corn in their area, which translates directly into a better economy for our farmers in ND. These are game-changing opportunities for ND agriculture.

Regarding HB 1210, relating to carbon dioxide pipeline damage, this bill creates a broad and impractical liabilities for carbon dioxide pipelines and facilities tied to CO2 projects. It also introduces significant financial and legal risks that could deter critical carbon capture and storage (CCS) projects. The unrestricted lien provisions and "Kill zone" framework would jeopardize investment in this essential infrastructure, hindering the states leadership in carbon management. **This legislation is not grounded in science or evidence but is instead an attempt to obstruct thoroughly vetted and publicly supported projects. Further, using terms like "kill zone" to incite fear is not responsible public policy.**

With regard to the eminent domain bills, HB 1414 and HB 1292 completely repeals common carrier status for CO_2 projects. Our industry works extremely hard to be sure that landowners are treated fairly and appropriately- they are our suppliers for corn and customers for distillers grains. We all share benefits if we're able to successfully build and operate these projects. Eminent domain, simply put, is not a desired tool, but small vocal minorities of protestors should not be given veto power over any linear infrastructure that allows our state to compete and prosper.

Similarly, with regard to the amalgamation bills, Senate Bill 1414 repeals amalgamation for CO_2 storage. Similar to eminent domain, NDEPA understands that amalgamation is never the first mode of action, but it is a tool that must be utilized at times to avoid property rights of the minority outweighing the property rights of the majority on project development. Again, the industry aims for 100% consent

from landowners on these projects but there are instances that amalgamation is the voice of the super majority. The CCUS projects related to the ethanol industry have tremendous pore-space owner support. Our project in McLean County secured 92% of voluntary pore space owners, Gevo/Red Trail secured 96% of voluntary pore space owners, and Tharaldson Ethanol's partner, Summit Carbon Solutions, has secured 95% of voluntary pore space owners.

Addressing a carbon-constrained future is a critical public purpose. Our two major industries, agriculture and energy, cannot survive and thrive without them. Additionally, hindering projects for the ethanol industry would put the 550 million gallons of ethanol produced by home grown corn in North Dakota at a disadvantage on the national level. Thank you for your time today and on behalf of NDEPA I respectfully urge a 'Do Not Pass' on HB 1210, 1292, 1414.

Testimony in support of HB 1292

Ann Bernhardt
Linton ND
January 28, 2025

I've been in this CO2 Fight for over 3 years and I'm sick of it. Actually I'm pretty tired of Legislators who are only concerned with appeasing the lobbyist. What happened to being nice to your neighbor and using some common sense?

I really don't know how much more information we have to provide to the state, the PSC and our representatives. We've said it all and we've said it at least a 100x's. Now it's time for you people to do what is right. Carbon Pipelines DO NOT FIT THE COMMON CARRIER STATUS. You can put a tail and some ears on a person and they can identify as a cat – but sorry they are still a human being. You can tell yourself whatever you want about CO2 pipelines, you can pass as many laws as you want but CO2 pipelines are not for the greater good.

Which brings me to what the real truth is? Are we sequestering it or are we using it to enhance oil recovery. Lies! If we don't know the intentions of this pipeline how can we know if it a common carrier.

I have tried to be pleasant in the past and respectful to our representatives – but that hasn't gotten us anywhere – what is it going to take to wake you guys up.

Pass HB 1414,

Lignite Energy Council
LEADING THROUGH ADVOCACY AND INNOVATION

January 30, 2025

Chairman Porter and Members of the House Energy and Natural Resources Committee,

On behalf of the Lignite Energy Council, we submit this testimony in opposition to House Bill 1292, which seeks to revoke the common carrier status of carbon dioxide (CO_2) pipelines. This legislation threatens North Dakota's leadership in the carbon economy and jeopardizes the future of critical energy projects that drive economic growth and innovation in our state.

The North Dakota Legislature wisely recognized the importance of CO_2 pipelines in 1993 by granting them common carrier status. This designation enabled transformative projects such as the Dakota Gasification Company's Synfuels Plant pipeline, which has successfully transported CO_2 to Saskatchewan for enhanced oil recovery (EOR) for over 25 years. The continued success of CO_2 infrastructure is essential for future projects like Project Tundra, which could also utilize these pipelines.

Stripping CO_2 pipelines of their common carrier status would deter investment, create regulatory uncertainty, and weaken North Dakota's competitive edge. Future CO_2 pipelines transporting carbon from coal plants to the Bakken oil fields will be critical for sustaining tax revenues from oil production. Enhanced oil recovery, enabled by these pipelines, maximizes the value of North Dakota's oil resources while creating market opportunities for coal plants to provide CO_2 for this process. This synergy between coal and oil strengthens both industries, ensuring long-term economic stability and reinforcing our state's energy leadership.

To protect North Dakota's energy future, economic growth, and the utilization of carbon as a valuable resource, I urge the committee to issue a Do Not Pass recommendation on House Bill 1292.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations
Lignite Energy Council

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701.258.7117 www.lignite.com LEC@lignite.com

This testimony is in support of HB 1292

Bruce and Stephanie Doolittle
Hazelton, ND
January 28, 2025

There are two constitutional limitations on the power of eminent domain:

1. Just compensation must be paid for the property condemned.
2. The property must be necessary for a public use.

Carbon dioxide pipelines do not supply or provide heat, refrigeration, or power for the use of any county, city, or the inhabitants thereof. A carbon dioxide pipeline has no public use and should therefore never have been granted status as a common carrier in North Dakota.

As rural landowners we have signed numerous easements over the years to ensure our community has adequate power, a reliable water source, and telecommunications. We understand the "common" good that these services bring. Eminent domain was never mentioned or needed.

Summit Carbon Solutions is on record threatening property owners with eminent domain in a public commission meeting 2 years prior to their project being approved. The outpouring of concerns regarding the tactics they used should be of great concern to our leaders. When private property owners are threatened because of an unconstitutional and unjust law being exploited by a private, out-of-state company seeking private gain…we must take a stand. We must defend our private property rights!

It is time for the ND legislature to right the wrong and amend the ND Century Code removing carbon dioxide pipelines from common carrier status.

We ask for a DO PASS on HB 1292.

Comments of Curtis Jundt

Before the ND Legislative Senate/House Natural Resources Committee

In support of HB1292 (Sponsor Rep. Lori VanWinkel, et al)
SB2322 (Sponsor Senator Magrum, et al)
HB1414 (Sponsor Rep Heilman, et al)
Purpose: Various Senate and House Bills to Amend NDCC Sections 32-15-02, 49-19-01, 49-19-11 and 49-19-19 to Eliminate "CO2" from the Definition of Common Carrier Status and, to Repeal Section 38-22-10 (HB1414) relating to the exercise of Public (Eminent) Domain in Geologic Storage CO2 and,

SB2320 (Sponsor Senator Magrum, et al)
Purpose: To remove/repeal NDCC 57-06-01: the 10-year Tax Exemption for CO2 Pipelines for EOR or Sequestration and,

HB1210 and (Sponsor Rep SuAnn Olson, et al)
Purpose: To create a new NDCC Section 35 creating a CO2 Pipeline Operator's Liability Victims Fund

January 30, 2025

Good morning (afternoon) Senate Committee Chair Patten (House Committee Chair Porter) and Legislator Committee Members:

My name is Curtis Jundt. I am here today in support the Senate (House) Bill before you along with several others Bill's proposed that are part-and-parcel to CO2 Pipeline transportation and CCUS (Carbon Capture Utilization and Storage) where CO2 has been lumped in and treated *on par* with the true transportation Commodities of Crude Petroleum (Crude Oil and Its Refined Residual Fuels), Coal and **Natural Gas**.

A couple of Philosophical Comments to Preface my Testimony:

I disagree with the former U.S. president who repeatedly said that "Climate Change is an Existential Threat to America – I believe the most significant Existential Threat to our Country is the ever-increasing National Debt

*How can anyone be against the "Green New Deal (Scam) – that is 100% about reducing "carbon emissions" that is primarily CO2 emissions – and STILL be in favor of our Country and State spending Trillions of dollars on CCUS? It's an oxymoron and an imponderable! *

I've spent my entire nearly 43-year engineering career in the energy industry with emphasis on building Natural Gas-producing assets, energy project economics and micro-macroeconomics within the energy Industry as a whole. Natural Gas, like Crude Oil and Refined Products, are true Commodities, derived from the word "Commerce" (the activity of Buying and Selling especially on a large scale) – all traded as Commodities on the NYSE. A "Common Carrier" transportation Company, like a pipeline for example, transport a Commodity for benefit of "Public Convenience and Necessity". **Pursuant to Article 1, Section 16 of the North Dakota Constitution:**

".....a Public Use or a Public Purpose does not include benefits of Economic Development, including and increase in tax base, tax revenues, employment, or general economic health" and continues "Private Property Shall Not be taken for the use of, or ownership by, any private individual or entity, unless that Property is necessary for conducting a common carrier or utility business (emphasis supplied)"

So trying to sell the Summit CO2 pipeline beyond its original purpose of CO2 sequestration by saying that is vital to the survival/sustenance/growth of ND's oil shale production by use of CO2 in EOR to increase recoverable reserves of oil and gas - that then equates to sustaining or growing the State's oil tax collections - does not justify a CO2 pipeline as a "Common Carrier" transporter. Nevertheless, for the first twelve (12) years, the CO2 pipeline transportation will be strictly used for permanent sequestration and DOES NOT in any way fit that definition. First, there is no "Commerce" taking place in the CCUS-CO2 pipeline

transportation. Secondly, there is NO GOOD or "Public Convenience and Necessity" benefiting the Public, the citizens of North Dakota. In fact, it's quite the opposite. Any CO2 pipeline, like Summit CS, seeking to take advantage of the Inflation Reduction Act's 45Q/Z/V/etc. CCUS tax subsidies and/or credits are proposed to **happen at a Public Cost**. No citizen, landowner, commercial or residential customer will ever be able to tap into Summit's CO2 pipeline for any purpose except, possibly in the future, a mega-Meat Processing/Packing Plant using CO2 to euthanize the livestock. Safety is a much greater justified citizen concern. In addition to CO2 being used to euthanize animals (Hitler used it to do the same to humans), there are CO2 weapons of mass destruction that exist in military arsenals around the world that once dropped, turn the landscape into a total realm of euthanizing every living breathing bug, rodent, wildlife, livestock and humans as the heavier than air CO2 spreads overland as an asphyxiant.

So here now we have the taxpayers paying for the CO2 pipeline ROI (Summit CS will generate $1.6 billion per year totally $19.4 billion (or more) in 12 years in taxpayer subsidies/credits) the CO2 pipeline comes with a very different set of operational and safety risks to landowners, towns, cities and Counties along its route that are substantially greater due to the more complex thermophysical properties of CO2 and thermodynamic challenges of transporting CO2 in a high pressure supercritical state. When released from a CO2 pipeline rupture, dense-phase CO2 at 60 lbs/cubic feet (or more) in a 24-inch CO2 2,183PSIG/50 degrees Fahrenheit goes through multiple phase changes eventually becoming an odorless, colorless gas spreading along the ground at 1.53X the weight of air. At concentrations of 3 to 4% CO2 by volume in our breathable air exposure in minutes can begin to cause problems for humans while at concentrations of 8% and higher you have minutes, not hours, to save yourself and your family or be rescued.

In a Natural Gas pipeline, a rupture from the same pipeline conditions has a density of less than 9lbs/cubic feet and when venting to the atmosphere in a

single-phase gas that is 1/2 the weight of air tends to disperse more easily. Believing that CO2 pipelines are safer than a Natural Gas pipeline - or any other pipeline running through ND is - in my experience and belief - patently false! For this and other reasons, it has been an unintended consequence for ND's Legislators to have treated CO2 as though it were in the same category as crude oil, refined petroleum products or Natural Gas while inserting CO2 throughout our Century Code to receive the same treatment as the other energy hazardous fluid and gases. To further support how different CO2 transportation is from Natural Gas pipeline transportation, I have provided below **USDOT's PHMSA's January 15, 2025, release of its 346-Page DRAFT Proposed Rulemaking "To Strengthen Safety Requirements for Carbon Dioxide Pipelines"**

(End Direct Testimony – Due to 5-Minute Time Limit)

<u>Supplemental Testimony/information for reading at your leisure:</u>

The NDCC additions over the last dozen or more years were done somewhat under the radar and before an unwitting Public. I firmly believe this was not intentional. No one ever told any of you, or the Public, or our federal elected delegation or the employees of the Department of Mineral Resources or Geological Survey or even the Governor's office, what the risks to health and safety would be for those landowners and citizens living in X-mile proximity of a 2,100+PSIG carbon steel CO2 pipeline or what the risks are associated with injecting 19 million metric tons of high pressure CO2 1-1/2 miles below ground. While tens-of-millions of dollars of federal and state grant money have been spent on the R & D of sequestering CO2 in the Broom Creek formation of North Dakota, I cannot find ANY additional research that has been done on addressing the increased safety risks (like enhanced Public Alert Systems) or heightened Emergency Response procedures and equipment needed that comes with the whole CCUS and high-pressure CO2 pipeline transportation. From POV, I believe that Safety has previously been minimized and taken for granted and completely deflected to the USDOT PHMSA as was done by our NDPSC throughout the Summit Application proceedings. The Narrative by the litany of

proponents of the CO2 pipeline is “it will be the safest ever built in ND and even safer than a Natural Gas pipeline.” In fact, through the entire 24-month NDPSC Hearing process on the Summit CS Application, the Public STILL has not been told what the risks may be in the event of a CO2 pipeline rupture and therefore have little to no idea how to respond to save themselves and their families. Weve been left to figure it out on our own with Summit basically saying, “just trust us.” The last time we did that was five years ago listening to Dr. Anthony Fauci and we all now see how well that turned out!

Summit’s justification for not providing “Plume Dispersion Modeling/Analysis” and a credible Modeling Tool to Emergency Responders to use in real time, is because we were told “we cannot provide this to the Public at the risk it could end up in the hands of a Terrorist(s)”. That pretty says it all. One can only conclude that “well isn’t that just great, it is by our default conclusion that Summit is building a “weapon-of-mass-destruction!” Yes, a CO2 pipeline rupture when compared to an oil or natural gas pipeline rupture is a very different animal - a very dark horse of a different color! Another reason why treating CO2 in our Century Code on par with our “true” energy transporting Commodities has been a grave injustice to the citizens of ND and that is loaded with a litany of unintended consequences to any citizen living within a lethal proximity of a 24-inch 2,183PSIG 19+ million metric tons a year CO2 pipeline that is part of the longest haul, greatest capacity CO2 pipeline ever built in the lower-48 states by a newly formed LLC pipeline company assembled by group of AG executives. But you do not have to take my word on the part of a CO2 Pipeline being more technically challenging when it comes to operations, safety protocols, Plume Dispersion Modeling/Analysis of the numerous variables that can occur at the time of a CO2 release to the air we breathe, you can read it for yourself in the **USDOT’s PHMSA’s January 15, 2025 release of its 346-Page DRAFT Proposed Rulemaking “To Strengthen Safety Requirements for Carbon Dioxide Pipelines”**. Per PHMSA’s Draft Rulemaking Pages 101-102:

PHMAS DRAFT Rulemaking Pages 101-102: Continued

"In contrast, carbon dioxide behaves differently when released to the atmosphere compared to flammable gases and hazardous liquids. Specifically, when modeling the failure and subsequent release of carbon dioxide from a pipeline compared to a failure and release of (flammable) natural gas, release simulations indicate that a significantly larger percentage of the initial mass in the pipeline will be immediately released from a rupture on a carbon dioxide pipeline than the percentage of the initial mass in the pipeline that would be released from a natural gas pipeline. [Insert by CJundt: This is due to the density in a CO2 24-inch pipeline being more than 6X the density of Natural Gas at the same pressure and temperature conditions] This increased amount of released carbon dioxide, combined with a density greater than air, can quickly lead to asphyxiating concentrations of carbon dioxide at or near the ground level. Further, these hazardous plumes of carbon dioxide can settle into low-lying areas and flow downhill into areas that are distant from the release site, before ultimately dissipating into the atmosphere. Unlike other gases (e.g. natural gas and certain other Part192-regulated gases) whose release could result in ignition or combustion in the immediate vicinity of the release point (thereby potentially limiting the geographic scope of public safety and environmental harm), carbon dioxide is not a flammable gas. Combustion or ignition would not reduce the potential for carbon dioxide asphyxiation hazards distant from the release site, nor would the asphyxiation hazard posed by released carbon dioxide persist in the environment as long as other Part195-regulated commodities (e.g., crude oil); released carbon dioxide eventually dissipates to atmosphere. Reliance on either of the above approaches currently used by PHMSA's parts 192 and 195 regulations may not, therefore, be appropriate to address the asphyxiation and other risks specific to carbon dioxide pipelines. The risks carbon dioxide pipelines pose to the public and the environment are not adequately addressed in existing location-based part 195 requirements"

Newsworthy Items to be aware of while dealing with Bills related to CCUS and CO2 pipeline transportation:

- Summer 2024 it was announced by the EPA that ADM CCUS at Decatur Illinois had halted its CO2 injections due to migration of saline/brine water to unintended formations. They injected about 1 million metric tons of CO2 annually for about 7 years. Summit is planning on injecting 19 million metric tons PER YEAR into the ND Broom Creek formation.

- Satartia MS CO2 Denbury Gulf Coast February 22, 2020 pipeline rupture resulted in PHMSA's May 26, 2022, 269-page Investigation Report, with an announcement that PHMSA would be initiated a Rulemaking Process to enhance Safety Regulations in CO2 Pipeline Transportation and an assessment of $3+ million fines against the company. Numerous victim lawsuits followed with substantial liabilities against Denbury Gulf Coast. The company filed for Bankruptcy and opened the next day as Denbury Energy LLC. Months later they are acquired by ExxonMobil Corporation. Is this how an entity can get out of paying for liabilities?

(END)

House Energy and Natural Resources

David Hanson

HB 1292

January 30th, 2025

Mr. Chairman and members of the committee, I apologize I could not be at the hearing in person. So, thank you for allowing me to submit my testimony in support of HB 1292.

Carbon dioxide should never have been added as a common carrier for pipelines, because it doesn't benefit the general public. The only ones that stand to benefit are those that are invested in the operation and no one else. When it comes to oil or gas, for example, the wider general public does benefit, because they get to use it those products. However, the products of carbon dioxide pipelines can't be used by the general public like other pipelines.

This really does not fit the characteristics of a public common carrier and is really a private carrier. The landowners should not live under the threat of eminent domain for this. This needs to be corrected and made right going forward by recognizing and protecting our property rights. Please recommend a do pass on HB 1292. Thank you.

Summit Carbon Solutions Testimony on House Bill 1292
January 30, 2025, 2:30 P.M.
House Energy and Natural Resources Committee
Representative Todd Porter, Chairman

Dave Nehring – Manager of Ag & Stakeholder Relations
Summit Carbon Solutions

Opposition to HB 1292

Good afternoon, Chairman Porter and members of the committee. For the record, my name is Dave Nehring, and I am a Manager of Ag and Stakeholder Relations for Summit Carbon Solutions. I am here today in opposition to House Bill 1292.

HB 1292 proposes to remove CO2 pipelines from the common carrier definition. This would effectively stop all legally developing projects, and in turn, significantly impair if not eliminate the ability for industrial facilities to access new markets. Consequently, slowing economic development by shutting down billions in investments, and thousands of jobs.

Summit Carbon Solutions is developing a carbon capture and storage project that proposes to capture CO2 from ethanol plants and industrial facilities across five states, transport the CO2 to North Dakota where it will be permanently geologically sequestered in Oliver and Mercer Counties. The project will invest over $900 million in North Dakota to bolster the energy and agricultural industries that are critical to the North Dakota economy as well as the regional economy. The project recently received approval on all permits and applications from the North Dakota Public Service Commission on November 15th and the Industrial Commission on December 12th.

In recent decades we have seen the establishment and growth of a low-carbon economy that presents both risk and tremendous opportunity to North Dakota. If we do nothing, these pressures threaten North Dakota's traditional energy and modern agriculture that represent seventy percent of our economy. If we take action and deploy solutions like carbon capture, transportation, storage and utilization, we can preserve our industries and thrive in the low-carbon economy. For example, our CO2 laws as they exist

currently, allow ethanol to be decarbonized to access low-carbon fuel markets, paying a premium to the plants and the corn growers that supply the feedstock.

Fortunately, North Dakota industry, research, and policy leaders had the foresight over three decades ago to begin investing in research and developing the legal and regulatory frameworks to enable the development and commercialization of carbon capture, transportation, and storage.

Linear infrastructure is critical to North Dakota's economy. We produce massive amounts of energy and agriculture commodities that all rely on linear infrastructure to transport them to markets including pipelines, electric transmission, roadways, and rail lines. Our economy, jobs and state funding are heavily dependent on our ability to move Ag and Energy Commodities to markets. Stopping linear infrastructure development would be devastating to our economy and the livelihoods of North Dakotans.

Chairman Porter and members of the committee, CO2 pipelines are the conduits to the markets of the future. We are at the doorstep of emerging markets for the agriculture and energy industries. Keeping this door open is critical to the livelihoods of North Dakotans. I respectfully ask for the committee to forward a DO NOT PASS recommendation on HB 1292. This concludes my testimony, and I'm happy to answer any questions. Thank you.

Summit Carbon Solutions
Additional Facts on CCUS

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- Ag and Energy represent 70% of ND's Economy. These industries require linear infrastructure to move products to market (electric transmission, pipelines, rail lines, & roadways).
- Stopping linear infrastructure projects threatens the livelihoods of all North Dakotans – our economy, jobs and state funding is entirely dependent on our ability to move Ag and Energy Commodities to markets.
- Our forefathers had the foresight to adopt eminent domain for linear infrastructure. They recognized the critical nature of linear infrastructure, and how a handful of landowners should not be able to shut down our economy and threaten the livelihood of our citizens by blocking linear infrastructure projects.
- SCS has worked diligently with landowners to identify and acceptable route for the pipeline, adjusting pipeline route 1,000's of times, and secured voluntary easement agreements with over 80 percent of landowners on the pipeline route in ND.

ND has worked on CO2 for over 3 decades – give these laws the chance they deserve

- The legislature has worked for many years to create a legal, tax, and regulatory framework for how to lead the world in C02 development,
    - including the definition of pore space, the fee structure at the ND Industrial Commission, the long-term accountability for CO2 storage, exempting CO2 from sales and use tax, and important investments and research and development.

Timeline:

2002: IOGCC task force established to study CO2 storage and the role of the states.

2009: Legislature adopts regulatory and legal regime for geologic storage of CO2, defining pore space ownership and setting up long-term liability laws.

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(1) ***The future of agriculture and energy—our two most important industries—depends on stable and predictable CO2 policies.***

- Regardless of perspectives on CO2 - markets are demanding low-emission energy.

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- ND has invested millions in anticipation of this market
- ND ideally positioned to thrive and take advantage of this market for the prosperity and continued growth of our agriculture and energy industries.

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Oil – Our CO2 laws have the promise, through enhanced oil recovering, to double the output of the Bakken to date (Helms), which will have tremendously positive impacts on the economy of ND and the state's budget—as long as large-scale CO2 can be transported from sources in central ND to reservoirs in western ND.

(2) Leave the CO2 laws alone. The regulatory, tax, and legal regime is working, and investments to extend the life of our agriculture and energy industries have been made.

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- . . . and more to come.

(3) Amalgamation and eminent domain laws are critical for infrastructure development.

- While getting voluntary and enthusiastic participation from pore space owners and landowners is always the goal, amalgamation and eminent domain laws are critical to the continued development of the agriculture and energy industries.
- These projects cannot succeed without having laws that allow for the moving and storage CO2.
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GREATER NORTH DAKOTA CHAMBER
HB 1292
House Energy & Natural Resources Committee
Chair Todd Porter
January 30, 2025

Mr. Chairman and members of the Committee, my name is Andrea Pfennig, and I am the Vice President of Government Affairs for the Greater North Dakota Chamber. GNDC is North Dakota's largest statewide business advocacy organization, with membership represented by small and large businesses, local chambers, and trade and industry associations across the state. We stand in **opposition** of House Bill 1292.

We support a business-friendly regulatory environment that is consistent, efficient, cost-effective and promotes investment in infrastructure.

This bill would remove common carrier status for carbon dioxide. Carbon dioxide pipelines are essential to the continued growth of a variety of key industries in North Dakota. Infrastructure projects take a very long time and significant amounts of money. We are competing for investments. If we were to change the rules at this stage, it would have a chilling effect on the attraction of capital. A stable and supportive policy framework is vital in order to have a strong business climate that encourages investment from the private sector.

Our state has worked long and hard to be a leader when it comes to innovation, especially in the energy sector, and we are reaping the benefits. We have a healthy economy and a multitude of earning opportunities for our citizens. Now is not the time to go backwards. We need carbon dioxide to retain its common carrier status in order to keep moving forward. We hope you will OPPOSE HB 1292.

701.222.0929 ndchamber@ndchamber.com ndchamber.com PO Box 2639 • Bismarck, ND 58502

Lanny Kenner

Bismarck North Dakota 58503

North Dakota district 7 remember

Writing in favor of house bill 1292

Chairman Porter and committee members I am urging a DO PASS On house bill 1292.

This bill would eliminate the common carrier status of CO2 pipelines in North Dakota being used to Transfer carbon dioxide to be permanently sequestered never to be used again robbing our atmosphere of precious food for Plant life. Without enough carbon dioxide for plants photosynthesis would not be possible. Carbon dioxide is the gas of life, without it there would be no life. The use of eminent domain claiming common carrier status is plain wrong! Common carrier status is for things like natural gas, oil, water, anything that would benefit the general public and as a commodity, but CO2 is not a commodity when it's going to be permanently stored in the ground. The only ones benefiting from this would be private industry and all the attorneys because of all the lawsuits that will be filed. So, for those reasons stated I urge a DO PASS on house bill 1292. Thank you, Lanny Kenner,

Summit Carbon Solutions Testimony on House Bill 1292

Support for HB1292

House Energy and Natural Resources Committee and Chairman Porter,

I urge a "do pass" for HB 1292.

Despite all the "economic advantages" listed by proponents of Carbon Dioxide sequestration, struggle to see what makes CO2 sequestration classify as a "common carrier". I've read the testimonies of those wanting to move this forward, and I do not see anything attesting to the inherent value of the sequestration.

One thing remains. When I look at the types of products that are considered "Common Carriers", all have inherent value and provide something positive for the people and taxpayers. Coal, Oil, Natural Gas. We use it for the basic tenants of life. I ask the following questions:

1. WHAT INHERENT VALUE does C02 sequestration specifically provide, outside the monetary "graft and pull" to the people of North Dakota?

2. What science supports efficacy of burying Oxygen's counterpart, therebye not only taking Carbon dioxide out of the air, but therefore removing the ability for that Carbon Dioxide to be turned back into Oxygen through the process of photosynthesis? And how does this provide any benefit to our world?

3. IF burying the Co2 does "save the planet" (it doesn't), how much needs to be buried to actually make a difference?

As I understand, a "common carrier" must have some tangible benefit to the people that this product "carries." Otherwise its nothing but a ruse. I've never seen, in my life, such a push for the government to pay for something for the sake of paying for it, irregardless of the lack of use-case.

Thank you for your time.

Steve Nagel

Concerned taxpayer and breather of Oxygen.

"When you see that trading is done, not by consent, but by compulsion–when you see that in order to produce, you need to obtain permission from men who produce nothing–when you see that money is flowing to those who deal, not in goods, but in favors–when you see that men get richer by graft and by pull than by work, and your laws don't protect you against them, but protect them against you–when you see corruption being rewarded and honesty becoming a self-sacrifice–you

may know that your society is doomed. Money is so noble a medium that does not compete with guns and it does not make terms with brutality. It will not permit a country to survive as half-property, half-loot”

— Ayn Rand, Atlas Shrugged

I ask that you amend and pass House Bill 1292 that removes carbon dioxide pipelines from the common carrier status.

Common carrier status was given to Summit Carbon Solutions before they had been evaluated for, and given common carrier status.

This company then went out and told land owners they had eminent domain power.

You can say that it is hearsay, but I have proof from an official Emmons County Commissioner Meeting dated July 05, 2022.

If we refused to sign, they stated they would use eminent domain to cross our private property.

So, I again ask you to remove CO2 pipelines from common carrier status, so this abuse can never happen to North Dakota land owners again.

Thank You for your time.

David Moch

6030 4th Ave. SE

Hazelton, ND 58544

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
JULY 5, 2022

Chairman Erin Magrum called the meeting to order at 9:00 A.M. with Commissioners Don Eberle, Gary Hulm, David Kalberer and Leonard Weichel being present. Also present was States Attorney Joseph M. Hanson.

The Pledge of Allegiance was recited.

The June, 2022 end of month fund balance report and the year to date expenditure report were distributed to the board.

Commissioner Weichel motioned to approve the minutes of the June 7, 2022 regular meeting and the June 21, 2022 special meeting. Seconded by Commissioner Eberle. Roll Call "YES": Eberle, Hulm, Kalberer, Magrum and Weichel. Motion carried.

Commissioner Kalberer motioned to approve the agenda with the addition of mowing the county lot on the W ½ 245' X 288' in Section 17, Township 132, Range 76, Resolution for fast tracking employee background checks and water concerns on the main road on 88th St. SE. Seconded by Commissioner Weichel. Roll Call "YES": Eberle, Hulm, Kalberer, Magrum and Weichel. Motion carried.

Representatives from Summit Carbon Solutions appeared and provided an update on the proposed CO2 pipeline in Emmons County. Joey Borracci, Relationship Manager, provided an infographic that showed a total project investment of $73,753,741 in Emmons County that's expected to generate $423,197.00 in property tax revenue. Mr. Borracci informed the board that of the 36.43 miles of anticipated pipeline in Emmons County, twelve miles has been acquired, which is 32%. The completion date for the project would be August, 2023.

Mr. Borracci inquired about permitting requirements for the project and was informed by the Commission that in addition to the required utility and approach permits, a conditional use permit is required for the pipeline and also for the pump station in phase two of the project. A haul road agreement would need to be entered into between Summit Carbon Solutions and Emmons County for restoration of the road system.

Brent Niece with Summit Carbon Solutions, stated that the diameter of the pipe will be 24" and intended to be at least 4 to 5 feet deep. Information on pipeline casings was provided with further discussion to be held at the August meeting.

Clerk of Court/Recorder, Anita Ibach, questioned why Summit Carbon Solutions was filing easements without maps? "How is anyone going to know where the easement is at without any maps attached?" The easements will need to be filed with maps, and there will be additional filing fees.

David Moch was present and stated that the earlier easements were not surveyed. "They didn't survey correctly when they surveyed his land and the Recorder could not correctly record the easement, so the surveyor came back and re-surveyed his land because they didn't follow state law the first time."

David Moch inquired about the roads getting repaired following construction. Brent Niece stated that the company will repair all the roads and section lines.

Stephanie Doolittle was present and questioned Summit Carbon Solutions about land acquisition. "We are not in favor of the project and will not jump on board with it, so how will you re-route the project?" Brent Niece stated that the hope is to acquire as much land as possible through easements, but eminent domain practices is a possibility.

Old and Unfinished Business:

Chairman Magrum stated that Don Volk will mow and bale the county property on the W ½ 245' X 288' in Section 17, Township 132, Range 76 without any reimbursement.

Chairman Magrum instructed States Attorney Joseph M. Hanson to create a resolution for fast tracking employee background checks.

Commissioner Eberle motioned to adopt the following Resolution:

RESOLUTION 22-03-01 REGULATING MOBILE HOMES, CONEX BOXES AND OTHER STRUCTURES

BE IT RESOLVED by the Emmons County Commission, the governing body of the County of Emmons, North Dakota;

WHEREAS, the Emmons County Commission acts as the Emmons County Zoning Commission; and

WHEREAS, the Emmons County Commission has previously approved and adopted the Emmons County Zoning Ordinance; and

WHEREAS, the Emmons County Commission seeks to amend the above-described Emmons County Zoning Ordinance, as follows:

DAVID MOCH
6030 4TH AVE SE
HAZELTON ND 58544

Legislative Assembly

North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

Representative Lori VanWinkle
District 3
205 Ninth Street SE
Minot, ND 58701-4043
C: 701-833-0586
lvanwinkle@ndlegis.gov

COMMITTEES:
Judiciary
Agriculture

January 30, 2025

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.

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1292
2/13/2025

Relating to eliminating a carbon dioxide pipelines' owners', operators', or managers' status as a common pipeline carrier.

10:38 a.m. Chairman Porter called the hearing to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, M. Ruby, Conmy, Foss

Discussion Topics:

- Committee action

10:40 a.m. Representative Dockter moved a Do Not Pass.

10:40 a.m. Vice Chairman D. Anderson seconded the motion.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared c. Hagert	Y
Representative Craig Headland	Y
Representative Pat D. Heinert	Y
Representative Jorin Johnson	Y
Representative Andrew Marschall	Y
Representative Jeremy L. Olson	AB
Representative Matthew Ruby	Y

Motin carried: 12-0-1

Bill Carrier: Vice Chairman D. Anderson.

10:41 a.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1292 (25.0919.01000)

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1292 was placed on the Eleventh order on the calendar.