

#	Industry	Action	Cat.	Type	Comments
1	Overall	Develop aggregate impacts of each sector and the industry as a whole to serve as an education, marketing and recruitment tool for North Dakota.	2	Funding	
2	Overall	(Federal) Encourage Congress to base any legislation impacting North Dakota's energy industries on sound science and sound economics.		Federal	
3	Overall	(Federal) Provide sufficient lead time for industry to adapt to new regulatory standards affecting production or product.		Federal	
4	Wind	The state should address boundary issues and property owner's rights (wind wake issues).	2	Legislation	
5	Wind	Review siting standards for transmission lines to encourage growth of transmission infrastructure.	3	Legislation	
6	Wind	Support sufficient funding for the Renewable Energy Development Program to leverage private sector dollars for wind research including using wind for alternative energy uses such as converting wind to hydrogen or compressed air.	2	Funding	
7	Wind	(Federal) Support the extension of the wind energy production tax credit.		Federal	
8	Wind	Study the property taxation of wind farms based upon installed capacity and production.	2	Study	Informal Study working with industry
9	Wind	Study the use and effectiveness of existing incentives and the costs associated with proposed tax incentives.	3	Study	Legislatively sanctioned & funded study
10	Wind	Extend the 1 ½% reduction of taxable value for wind generating units until 2015. This action is only applicable if the above action, capacity/production based taxation, is not accepted before the 2009 legislative session.	1	Legislation	
11	Wind	Make permanent the sales and use tax exemptions for building materials, production equipment, and other tangible personal property used in the construction of a wind-powered facility.	1	Legislation	
12	Wind	Extend the 15% investment tax credit (3% for first five years for a total of 15%) on the costs associated with installing a wind, biomass, geothermal, or solar energy device until 2015 and extend the income tax credit carry forward from five to ten years. The income tax credit is currently set to expire in 2011. The proposed extension of the carry forward is supported assuming that the sellable tax credit provisions for wind will sunset in 2011.	1	Legislation	
13	Transmission	(Federal) Encourage Congress to support a tax exempt status for state issued revenue bonds issued by the ND Transmission Authority.		Federal	
14	Transmission	The Transmission Authority will take an active role in working with regional transmission owners, Midwest Independent System Operators (MISO), Integrated System (IS) and Federal Energy Regulatory Commission (FERC).		Executive Branch Action	
15	Transmission	The Transmission Authority will assess the value of any regional transmission initiative and support those that will actually benefit North Dakota.		Executive Branch Action	
16	Transmission	The Transmission Authority will facilitate discussions between energy developers and transmission owners about transmission issues by initiating round table meetings.		Executive Branch Action	
17	Transmission	The Transmission Authority will continue to work with regional transmission owners, MISO, IS and FERC on cost allocation issues.		Executive Branch Action	
18	Lignite	Incorporate the tools already created by the Energy and Environmental Research Center (EERC) and the North Dakota CO ₂ Storage Work Group.		Executive Branch Action	

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19	Lignite	(Federal) Encourage Congress to oppose any cap and trade legislation that fails to recognize the need to time the implementation of law with the development of cost-effective and deployable CO ₂ capture and sequestration technology.		Federal	
20	Lignite	(Federal) Encourage Congress to support pre-emption of state and local regulation of CO ₂ emissions.		Federal	
21	Lignite	(Federal) Encourage Congress to support legislative solutions to global climate change that include equitable funding for each coal type to encourage research, development, demonstration and deployment of CO ₂ capture and sequestration technologies.		Federal	
22	Lignite	Examine the opportunity and funding mechanism for a carbon capture and storage technical fund.	2	Study	
23	Lignite	Support state legislation to direct a portion of any allowances allocated to the state under a federal cap and trade program to the lignite research program.	3	Legislation	
24	Lignite	Seek state financial support to conduct an analysis of the cost/benefits of building a synfuels plant and the cost/benefits of retro-fitting an existing lignite-fired electric generating plant.	2	Funding	
25	Lignite	(Federal) Support a regional demonstration approach to CO ₂ sequestration that can help prove the viability of CO ₂ sequestration across multiple states.		Federal	
26	Lignite	Conduct an evaluation of the traditional tax framework for lignite and electric generation projects and determine which incentives should be expanded to provide for new projects that allow for the future growth of the lignite industry.	2	Study	Informal Study working with industry
27	Lignite	Make the tertiary extraction tax exemption permanent on any projects using CO ₂ for enhanced oil recovery. The sunset may create a disincentive to continue injecting CO ₂ in the long run when the tax rate increases in the future.	1	Legislation	
28	Lignite	Support the long-term sequestration proposals developed by the North Dakota CO ₂ Storage Workgroup.	2	Legislation	
29	Lignite	Support efforts of PCO ₂ R to expedite research efforts on the long-term impacts associated with CO ₂ sequestration.		Executive Branch Action	
30	Lignite	Continue to engage political leaders in other states in discussions regarding the regional economic impact of generation standards on the North Dakota lignite industry and consumers of lignite-based electric generations.		Executive Branch Action	
31	Lignite	Draft legislation to clean up the definition of coal in statute to address the changes in uses of coal.	1	Legislation	
32	Lignite	Draft legislation to amend the current coal severance tax exemption to include beneficiated coal that ultimately is used in North Dakota agricultural commodity processing facilities.	1	Legislation	
33	Lignite	Ensure coal conversion tax addresses hybrid plants (plants that may be comprised of more than one type of coal conversion facility).	2	Legislation	
34	Lignite	Draft state legislation so these new industries/technologies have "certainty" in tax legislation. Current statutes need to clarify how these new processes will be taxed so these new processes can build their business plans and provide a clear financial picture to potential investors.	2	Legislation	

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35	Lignite	Support state legislation that will address tax issues for repowering generation facilities due to new environmental changes.	1	Legislation	
36	Ethanol	Request the North Dakota Tax Department to analyze existing state tax credits intended to encourage growth of the ethanol industry and associated spin-off industries. Specific issues to address: 1. Identify which incentives are being effectively used to encourage the production and consumption of ethanol. 2. Analyze the livestock investment tax credits and other applicable business tax credits to determine if they have been utilized effectively. 3. Recommend changes in tax policy to improve the state's overall ethanol incentive package.	3	Study	Legislatively sanctioned & funded study
37	Ethanol	Maintain continuing appropriations for the state's innovative Counter-Cyclical Ethanol Production Incentive program that helps producers during adverse times when ethanol prices are unusually low and/or corn prices are unusually high. (The program experienced its first payout in Q4 of 2007 in the amount of \$468,000.)		Continuation	
38	Ethanol	(Federal) Advocate for/support federal legislation that standardizes the labeling of pumps so consumers can clearly identify gasoline that includes ethanol.		Federal	
39	Ethanol	(Federal) If the federal government establishes national renewable fuel standards, those standards need to be consistent and have clearly identified timeframes that allow industry, including the refinery industry which operates on a 10-year capital plan, to make the infrastructure investments needed to support the standards.		Federal	
40	Ethanol	Establish a North Dakota Ethanol Utilization Council for ethanol promotion funded by check-off dollars from ethanol plants.	2	Legislation	
41	Ethanol	Provide cost-sharing grants for retailers to install new pumps (i.e. E85 pumps, blender pumps, etc.) for new kinds of fuels that come into the market.	2	Funding Legislation	
42	Ethanol	(Federal) Support continuation of the federal blender's credit that is set to expire December 31, 2010.		Federal	
43	Ethanol	(Federal) Encourage the building of blending facilities on the East and West Coast to significantly expand the markets for selling ethanol in population-dense areas.		Federal	
44	Ethanol	(Federal) Support increased federal research to improve the transportation of ethanol via pipeline and ensure that North Dakota secures access to ethanol pipelines.		Federal	
45	Ethanol	State institutions should increase research into potential products derived from ethanol byproducts.		Higher Ed Action	
46	Ethanol	Study the permitting process for livestock feeding facilities to evaluate ways to streamline the permitting process and consider ways to expand the use of byproducts from ethanol production as a feedstock.	3	Study	
47	Biodiesel	Initiate a Tax Department analysis of the use of biodiesel tax credits to determine their effectiveness.	2	Study	Legislatively sanctioned & funded study
48	Biodiesel	Develop tax incentives to encourage the purchase of biodiesel by North Dakota consumers.	2	Legislation	
49	Biodiesel	Evaluate and develop alternative incentive programs instead of income tax credits to support infrastructure for blending and transport, retail, and production facilities.	2	Legislation	
50	Biodiesel	Continue the sales tax exemption on biodiesel equipment.		Continuation	

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51	Biodiesel	Develop a Biodiesel Counter Cyclical Production Incentive, similar to the Ethanol Counter Cyclical Production Incentive, to provide a safety net for the producers.	2	Legislation	Funding source needed
52	Biodiesel	<i>(Federal)</i> Lengthen the time-span on federal incentives to provide long-term security for investors in the industry. Support the continuation of the blender's tax credit at the federal level, and the continuation of the Commodity Credit Corporation (CCC) program in the farm bill.		Federal	
53	Biodiesel	<i>(Federal)</i> Eliminate the loophole that allows foreign produced biodiesel to take advantage of the domestic biodiesel tax credit.		Federal	
54	Biomass	<i>(Federal and State)</i> Continue federal and state programs that promote biomass energy development.		Continuation	
55	Biomass	Increase funding for the Renewable Energy Development Fund and the Biomass Incentive Research Fund.	2	Funding	
56	Biomass	Encourage market studies on the development possibilities of biomass.	2	Legislation	Renewable Energy Council
57	Biomass	Ensure language in the North Dakota Century Code includes cellulosic ethanol in existing ethanol tax incentives.	1	Legislation	May already be covered
58	Biomass	<i>(Federal)</i> Encourage Congress to authorize the Secretary of Agriculture to allow Conservation Reserve Program (CRP) lands to be harvested for biomass, including the possibility of planting new, perennial grasses in CRP land for future biomass feedstock.		Federal	
59	Biomass	<i>(Federal)</i> Continue Clean Renewable Energy Bonds for biomass.		Federal	
60	Efficiency	Develop a state energy building code.	1	Legislation	IECC
61	Efficiency	Develop a North Dakota state government carpooling program.		Executive Branch Action	
62	Efficiency	Promote the use of public transportation.		Executive Branch Action	
63	Efficiency	Recommend that the Resource Trust Fund, originally created for water and energy conservation projects, be used to promote energy conservation while maintaining a priority for water projects. Today this fund is used only for water projects. To preserve the priority for water, perhaps a trigger could be placed on the balance of the fund such that water projects receive 100% of the fund below the trigger, and a split allocation of the fund above the trigger.	2	Legislation	
64	Efficiency	Initiate a statewide education plan to teach consumers how to save energy and consider providing financial incentives for businesses and individuals who adapt successful energy efficiency efforts.	2	Legislation	
65	Efficiency	Promote energy efficiency education in high school and higher education construction programs.	2	Executive Branch Action	
66	Efficiency	Recommend the Public Service Commission secure the necessary authority to approve energy efficiency programs that are cost effective and initiated by the utilities. The plan should include cost recovery and a return on investment comparable to supply side investment.	2	Legislation	
67	Efficiency	Consider putting the North Dakota geothermal tax credit on the ND-1 short form.	2	Legislation	
68	Efficiency	<i>(Federal)</i> Continue and enhance federal programs that promote energy efficiency and increase federal energy efficiency tax incentives.		Federal	

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69	Refining	Continue sufficient funding for the Industrial Commission research programs.		Continuation	
70	Refining	Continue the sales tax exemption for new or expanded refining capacity.		Continuation	
71	Refining	Continue the sales tax exemption for environmental upgrades.		Continuation	
72	Oil & Gas	Examine the taxation of the oil and gas industry and consider a flatter tax that is more competitive on the high-end and provides more revenue to the state on the low end. Any new tax structure should provide for stability, predictable state revenue, a competitive business climate, and help sustain long-term oil development in North Dakota. A flatter tax structure might include fewer rates ranging between 7% to 9.5% rather than the current range of 5% to 11.5% and would make budgeting and planning easier for both the industry and the state.	3	Study	Legislatively sanctioned & funded study
73	Oil & Gas	Streamline the permitting process for upgrading oil and gas pipelines to eliminate the need for completing a full-scale permitting or siting process on an upgrade of an existing facility.	2	Legislation	
74	Oil & Gas	Clarify the sales tax exemption (HB 1462) to include gas gathering systems from oil wells in order to encourage the connection of more gas and eliminate flaring.	1	Legislation	
75	Oil & Gas	Examine the impact of the Bakken formation tax incentive on the first 75,000 barrels produced during the first 18 months. This exemption expires July 1, 2008. Consider the value of this type of exemption to stimulate new wells in any underperforming areas of the state.	2	Study	
76	Oil & Gas	Maintain the state's stripper well tax provisions as vital to the long-term health of the industry.		Continuation	
77	Oil & Gas	Support research of horizontal drilling, completion and production techniques through the Oil and Gas research fund.		Executive Branch Action	
78	Oil & Gas	Consider raising the biennial cap on the Oil and Gas Research Fund. Additional funds could be used to develop a public education program to increase understanding of oil and gas exploration and refining; how oil and gas gets to markets; and the barriers involved in the process. Additional funds could also be used to create an Oil and Gas program similar to the Lignite Vision 21 program to advance economically feasible projects.	2	Legislation	
79	Natural Gas	Clarify the sales tax exemption (HB 1462) to include gas gathering systems from oil wells in order to encourage the connection of more gas and eliminate flaring.	1	Legislation	
80	Natural Gas	Continue to promote and provide tax incentives for shallow-well gas production.		Continuation	
81	Natural Gas	Streamline the permitting process for upgrading petroleum and natural gas pipelines to eliminate the need for completing a permitting or siting process on an upgrade when the footprint of infrastructure doesn't change.	2	Legislation	
82	Natural Gas	Encourage research and development through the Oil and Gas Research Council for shallow natural gas exploration and production in Eastern North Dakota. Possibilities include connecting wells to ethanol plants, to other commercial facilities, or communities or farms for use in heating homes or facilities.		Executive Branch Action	
83	Petroleum Marketers	Provide grants for retailers to install infrastructure for new kinds of fuels that come into the market.	2	Funding Legislation	
84	Petroleum Marketers	Consider authorizing legislation to allow petroleum marketing to access Industrial Commission research funds to enhance innovation in safety, environment, and education.	2	Legislation	
85	Workforce	Support the continued development and implementation of a comprehensive state workforce strategy, including potential recommendations of the Interim Workforce Committee.	2	Legislation	Workforce Committee Recommendations

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86	Workforce	Consider increased funding for workforce marketing efforts in the next biennium.	2	Funding	
87	Workforce	(Federal) Simplify and streamline requirements for recruiting international workers.		Federal	
88	Workforce	(Federal) Simplify and streamline requirements for states to provide the necessary workforce marketing tools.		Federal	
89	Workforce	Develop an industry-led task force to recommend improvement to state workforce recruitment strategies and streamline jobsnd.com process for energy related jobs.		Executive Branch Action	
90	Workforce	Support federal and state funding for the establishment of and maintenance of dynamic workforce recruitment tools.	2	Funding	
91	Workforce	Continue, enhance and fund state career promotion efforts that direct students to both vocational and degree programs.	2	Funding	
92	Workforce	Continue, enhance and fund Operation Intern.	2	Funding	
93	Workforce	Continue, enhance and fund demand-driven education and training programs at two-year post-secondary institutions.	2	Funding	
94	Infrastructure	Direct the State Water Commission and the EmPower North Dakota Commission to study the effect energy development is having on North Dakota's water resources and to recommend ways to minimize this impact and maximize the available water supply to support future energy growth.	3	Study	
95	Infrastructure	Support initiatives to provide economic tools that enhance the development of energy related infrastructure.	2	Legislation	
96	Infrastructure	Update the formula used for Energy Impact Grants to reflect newer technologies such as heavier trucks and equipment being used for oil development.	2	Legislation	
97	Infrastructure	Establish a fund managed by the Emergency Commission to appropriate funds to counties based on current drilling activities to alleviate some of the up-front infrastructure needs and better correlate road repair funds. The purpose of the fund would be to fill the funding gap until oil taxes revenues are received by the local governments. As oil taxes come in, those revenues would be used to replenish the fund.	2	Legislation	
98	Infrastructure	Create an up-front funding mechanism for roads and other infrastructure needs associated with energy development in other segments of the energy industry.	2	Legislation	