

2025 HOUSE ENERGY AND NATURAL RESOURCES

HCR 3017

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HCR 3017

2/13/2025

Recognizing December 6th as annual "Miner's Day" to honor the hard work and dedication of coal miners, whose critical efforts provide reliable and affordable energy to millions of people, fuel economic growth, and support the energy security of North Dakota and the region.

9:40 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, Ruby,
Conmy, Foss

Discussion Topics:

- State Holidays

9:41 a.m. Representative Novak introduced the bill and submitted testimony, #37584, #37585.

9:44 a.m. Jonathan Fortner, Vice President of Government Relations, Lignite Energy Council, testified in favor and submitted testimony. #37422

9:46 a.m. Zach Smith, Communications and Government Relations Director, ND Association of Rural Electric Cooperatives, testified in favor.

9:47 a.m. Chairman Porter closed the hearing.

9:48 a.m. Representative Novak moved amendment LC#25.3083.01001, #37585.

9:48 a.m. Representative Headland seconded the motion.

9:49 a.m. Voice vote on amendment LC#25.3083.01001, Motion passed.

9:49 a.m. Representative Novak moved a Do Pass as Amended.

9:49 a.m. Representative J. Johnson seconded the motion.

9:50 a.m. Voice Vote on Do Pass as Amended - Motion passed.

Representative Heinert is the bill carrier.

9:51 a.m. Chairman Porter closed the meeting.

Leah Kuball, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

NAT 2/13
1 of 4

HOUSE CONCURRENT RESOLUTION NO. 3017

Introduced by

Representatives Novak, D. Anderson, Dockter, J. Olson, S. Olson, Porter, Tveit

Senators Kessel, Patten, Boehm

1 A concurrent resolution recognizing December 6th as annual "Miner's Day" to honor the hard
2 work and dedication of coal miners, whose critical efforts provide reliable and affordable energy
3 to millions of people, fuel economic growth, and support the energy security of North Dakota
4 and the region.

5 **WHEREAS**, North Dakota's lignite coal industry is a cornerstone of the state's economy,
6 contributing over \$5.5 billion in total business activity, employing 12,000 individuals with some of
7 the highest wages in the state, and generating \$100 million in tax revenue to support schools,
8 infrastructure, and public services; and

9 **WHEREAS**, lignite coal generates 55 percent of North Dakota's electricity, providing
10 affordable and reliable power to more than 2 million families and businesses throughout the
11 upper Midwest while supporting regional energy security; and

12 **WHEREAS**, North Dakota consistently ranks among the states with the lowest residential
13 electricity rates in the nation, with an average rate of 11.44 cents per kilowatt-hour as of 2025,
14 ranking second-lowest in the United States, largely due to coal serving as the dominant source
15 of electricity generation in the state, which ensures reliability and affordability for residents; and

16 **WHEREAS**, North Dakota has an estimated 800-year supply of economically recoverable
17 lignite coal reserves, ensuring long-term energy independence and resource stability for the
18 state and the nation; and

19 **WHEREAS**, recent studies by the North Dakota Geological Survey have confirmed the
20 presence of significant concentrations of rare earth elements in the state's lignite coal deposits,
21 including samples that surpass the United States Department of Energy's economic extraction
22 threshold of 300 parts per million; and

1 WHEREAS, the extraction of critical minerals and rare earth elements from this state's
2 lignite coal seams and associated deposits offers the state an opportunity to diversify its
3 economy, create high-value careers, and establish itself as a leader in this emerging sector; and

4 WHEREAS, value-added uses of lignite coal, such as activated carbon, synthetic graphite,
5 critical mineral and rare earth element extraction, and advanced materials, demonstrate the
6 versatility and economic potential of coal as a resource that extends beyond power generation;
7 and

8 WHEREAS, responsible development of these resources can be achieved by ensuring
9 environmental stewardship, protecting freshwater supplies, and supporting land reclamation
10 practices that align with prior land use and productivity; and

11 **WHEREAS,** advancements in carbon capture technologies have unlocked opportunities to
12 transform carbon dioxide emissions from coal-based energy production into valuable
13 commodities, including fertilizers, industrial chemicals, enhanced oil recovery products, and
14 low-carbon fuels, which benefit North Dakota's agricultural and industrial sectors; and

15 **WHEREAS,** carbon dioxide is critical for plant life and global food production through
16 photosynthesis, and North Dakota's lignite coal industry is well-positioned to support agricultural
17 innovation by converting captured carbon into sustainable agricultural products; and

18 ~~WHEREAS, value-added uses of lignite coal, such as activated carbon, synthetic graphite,~~
19 ~~critical mineral and rare earth element extraction, and advanced materials, demonstrate the~~
20 ~~versatility and economic potential of coal as a resource that extends beyond power generation;~~
21 ~~and~~

22 **WHEREAS,** the development and deployment of lignite coal technologies create economic
23 diversification, expand market opportunities, and ensure the long-term sustainability of coal as a
24 critical resource for North Dakota; and

25 **WHEREAS,** federal regulations have created a de facto ban on the construction of new
26 coal-based power plants by imposing economically unfeasible requirements, jeopardizing the
27 continued operation of existing plants and discouraging private investment; and

28 **WHEREAS,** federal policies and tax incentives have provided subsidies to renewable
29 energy resources for over 30 years, creating market imbalances that place coal at a competitive
30 disadvantage and hinder its ability to contribute to a balanced, reliable, and affordable energy
31 mix; and

1 **WHEREAS**, North Dakota serves as a model for responsible resource development,
2 consistently reclaiming mined land to a condition equal to or better than its original state and
3 meeting all federal ambient air quality standards, one of only four states to have never violated
4 those standards; and

5 **WHEREAS**, affordable, reliable energy is the backbone of established industries in North
6 Dakota, Minnesota, and South Dakota such as agriculture, manufacturing, and energy
7 production is vital for supporting the growth of emerging technologies and innovations across
8 the Upper Midwest; and

9 **WHEREAS**, advancements in energy technologies to offer enormous potential to ensure
10 the continued use of lignite coal while reducing emissions and contributing to environmental
11 sustainability; and

12 **WHEREAS**, President Donald J. Trump declared a national energy emergency in January
13 2025, emphasizing the importance of using domestic energy resources, including lignite coal, to
14 strengthen the reliability and affordability of energy for the United States; and

15 **WHEREAS**, the administration's "unleashing American energy" executive order calls for the
16 expansion of energy exploration and production on federal lands and waters, reducing barriers
17 to development and promoting the use of reliable resources such as coal; and

18 **WHEREAS**, President Donald J. Trump directed the Environmental Protection Agency to
19 review and reconsider the 2009 Endangerment Finding, which classified greenhouse gases as
20 harmful to public health, potentially paving the way for balanced, economically viable
21 regulations that protect both the environment and energy production; and

22 **WHEREAS**, the repeal of the Endangerment Finding would eliminate regulatory barriers
23 that have effectively prevented the construction of new coal-based power plants, allowing for
24 the development of efficient, cost-effective, and environmentally responsible coal technologies;

25 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
26 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

27 That the Sixty-ninth Legislative Assembly recognizes December 6th as "Miner's Day" to
28 honor the hard work and dedication of coal miners, whose critical efforts provide reliable and
29 affordable energy to millions of people, fuel economic growth, and support the energy security
30 of North Dakota and the region; and

1 **BE IT FURTHER RESOLVED**, that the federal government is urged to refrain from enacting
2 regulations that jeopardize the reliability and affordability of electric power in North Dakota,
3 while supporting policies that improve market conditions for base-load electricity, encourage the
4 expansion of generation resources, and accelerate research, development, and deployment of
5 technologies essential to the lignite plant of the future; and

6 **BE IT FURTHER RESOLVED**, that the federal government is urged to review and repeal
7 the 2009 Endangerment Finding to enable a balanced regulatory framework that supports coal-
8 based energy production and economic growth while addressing environmental concerns; and

9 **BE IT FURTHER RESOLVED**, that the federal government is urged to revise policies and
10 regulations that unfairly disadvantage coal-based energy production, ensuring a level playing
11 field that allows all energy resources, including coal, natural gas, nuclear, and renewables, to
12 compete fairly in the electricity marketplace; and

13 **BE IT FURTHER RESOLVED**, that the federal government work collaboratively with the
14 state of North Dakota, the North Dakota Congressional Delegation, and the lignite coal industry
15 to develop regulatory frameworks based on sound science, the status of existing technologies,
16 and economically feasible timelines; and

17 **BE IT FURTHER RESOLVED**, that federal agencies increase their partnership with North
18 Dakota to accelerate technological advancements in critical and rare earth minerals, carbon
19 capture and other innovations to ensure the continued operation of coal-based facilities while
20 reducing emissions; and

21 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
22 to the President of the United States, the Administrator of the United States Environmental
23 Protection Agency, the Secretary of the Department of Energy, the Secretary of the Department
24 of the Interior, and each member of the North Dakota Congressional Delegation.

**REPORT OF STANDING COMMITTEE
HCR 3017**

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS** ([25.3083.01001](#)) and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HCR 3017 was placed on the Sixth order on the calendar.



February 13, 2025

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

Thank you for the opportunity to testify in strong support of House Concurrent Resolution 3017 which recognizes December 6th as "Miner's Day." North Dakota's lignite industry is a cornerstone of our state's economy, contributing over \$5.5 billion in total business activity and supporting 12,000 high-paying jobs. The energy produced from lignite provides 55% of the state's electricity and ensures some of the lowest residential power rates in the nation. This resolution rightfully acknowledges the miners who make this possible, as well as the industry's contributions to energy security, economic growth, and technological advancements.

Beyond traditional power generation, North Dakota's lignite industry is leading in innovation, advancing research and development in carbon capture and the extraction of critical minerals and rare earth elements—resources essential for national security and modern technology. With an 800-year supply of lignite reserves, our state has the potential to not only maintain energy independence but also expand its role in emerging markets. Additionally, North Dakota's commitment to environmental responsibility sets us apart, as we consistently meet or exceed federal air quality standards and reclaim mined lands to a condition equal to or better than their original state. Recognizing the hard work and dedication of coal miners through this resolution underscores their critical role in keeping our energy system affordable, reliable, and sustainable.

However, ongoing federal regulations continue to place undue burdens on coal-based energy production, threatening its future viability. While renewable energy sources have received subsidies for decades, lignite remains at a competitive disadvantage due to policies that discourage investment in new coal technologies. This resolution serves as an important statement that North Dakota stands with its coal miners and supports a balanced energy approach that values all sources of reliable power.

The Lignite Energy Council fully supports HCR 3017 and urges the committee to pass this resolution in recognition of the essential contributions of our coal workforce and industry to the state and the region.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations
Lignite Energy Council



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Anna Novak

District 33
1139 Elbowoods Drive
Hazen, ND 58545-4923
anovak@ndlegis.gov

COMMITTEES:

Education
Energy and Natural Resources (Vice Chair)

February 13, 2025

Thank you, Mr. Chairman and members of the committee.

Chairman and members of the committee, thank you for the opportunity to testify in support of House Concurrent Resolution 3017. For the record, my name is Anna Novak, representative from district 33 which is Coal Country!

As many of you know, I have a deep connection to the coal industry and a soft spot for coal miners. My dad was a coal miner, my brother was a coal miner and my husband is a coal miner. House Concurrent Resolution recognizes December 6th as "Miner's Day" in honor of the hardworking men and women in North Dakota's coal industry, many of which live in my district. This resolution is a testament to the vital role coal miners play in ensuring affordable, reliable energy for millions of people while supporting our state's economy, energy security, and technological advancements in energy production.

North Dakota's lignite industry contributes over \$5.5 billion in economic activity annually, supports 12,000 high-paying jobs, and generates \$100 million in tax revenue, funding our schools, infrastructure, and essential services. Beyond electricity generation, advancements in carbon capture, rare earth mineral extraction, and value-added uses of lignite demonstrate the industry's ongoing innovation and potential for economic diversification. At a time when federal regulations threaten to undermine domestic energy production, this resolution serves as a call to support policies that ensure a level playing field for coal and base-load electricity resources. By officially recognizing Miner's Day, we not only honor those who power our homes and businesses but also reinforce our commitment to preserving a reliable energy future for North Dakota and beyond.

With that, I'll stand for any questions you might have for me. Thank you, Mr. Chairman and members of the committee.

25.3083.01001
Title.

Prepared by the Legislative Council
staff for Representative Novak
February 5, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE CONCURRENT RESOLUTION NO. 3017

Introduced by

Representatives Novak, D. Anderson, Dockter, J. Olson, S. Olson, Porter, Tveit

Senators Kessel, Patten, Boehm

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23 Protection Agency, the Secretary of the Department of Energy, the Secretary of the Department
24 of the Interior, and each member of the North Dakota Congressional Delegation.

2025 SENATE ENERGY AND NATURAL RESOURCES

HCR 3017

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Peace Garden Room, State Capitol

HCR 3017

3/13/2025

A concurrent resolution recognizing December 6th as annual "Miner's Day" to honor the hard work and dedication of coal miners, whose critical efforts provide reliable and affordable energy to millions of people, fuel economic growth, and support the energy security of North Dakota and the region.

10:00 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Contributions of North Dakota's lignite Industry
- Economic impact of coal mining

10:00 a.m. Representative Novak, District 33, introduced the bill and submitted testimony in favor #41292.

10:02 a.m. Jonathan Fortner, VP of Government Relations, Lignite Energy Council, testified in favor and submitted testimony #41236.

10:04 a.m. Zack Smith, Relations Director, NDARECs, testified in favor.

10:05 a.m. Chairman Patten closed the hearing.

10:06 a.m. Senator Van Oosting moved a Do Pass.

10:06 a.m. Senator Enget seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	Y
Senator Desiree Van Oosting	Y

Motion Passed 7-0-0.

10:06 a.m. Senator Van Oosting will carry the bill.

Senate Energy and Natural Resources Committee
HCR 3017
3/13/2025
Page 2

10:06 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED HCR 3017 ([25.3083.02000](#))**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HCR 3017 was placed on the Fourteenth order on the calendar. This resolution does not affect workforce development.



March 13, 2025

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

Thank you for the opportunity to testify in strong support of House Concurrent Resolution 3017 which recognizes December 6th as "Miner's Day." North Dakota's lignite industry is a cornerstone of our state's economy, contributing over \$5.5 billion in total business activity and supporting 12,000 high-paying jobs. The energy produced from lignite provides 55% of the state's electricity and ensures some of the lowest residential power rates in the nation. This resolution rightfully acknowledges the miners who make this possible, as well as the industry's contributions to energy security, economic growth, and technological advancements.

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The Lignite Energy Council fully supports HCR 3017 and urges the committee to pass this resolution in recognition of the essential contributions of our coal workforce and industry to the state and the region.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations
Lignite Energy Council



North Dakota House of Representatives

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Representative Anna Novak

District 33
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COMMITTEES:

Education
Energy and Natural Resources (Vice Chair)

March 13, 2025

Thank you, Mr. Chairman and members of the committee.

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