

## DRC WEEKLY LEGISLATIVE UPDATE FEBRUARY 13, 2009

### Crossover approaching

“Crossover” is the time by which bills must have been acted upon in their house of origin so that they can “cross over” to the other house. Crossover is Friday, February 20. The Legislature will be on crossover break February 20, 23 and 24.

Aside from Appropriations hearings, nearly all the bills have already had hearings. Committees will be engaged in “committee work,” discussing bills and amendments and making a recommendation. There will be a lot of interesting floor action as the House and Senate work to move the bills through, and a lot to report in the next update!

Due to crossover, there are no hearings of interest for the week of February 16-20.

### Spotlight on DRC members at the Capitol

- **Link Reinhiller, Hazen**, testified before the Senate Agriculture Committee in support of **SCR 4019**, a resolution DRC introduced, that would urge Congress to examine the implications of a mandatory National Animal Identification System. He must have done a good job. The committee recommended a 7-0 “do pass”. The bill got slight amendments.
- **Dean Hulse, Jason Schaefer, Fargo** and **Verle Reinicke, Bismarck**, testified before the House Natural Resources Committee in opposition to **HCR 3029** and **HCR 3030**, and **Dean** also testified before the Senate Natural Resources Committee in support of **SCR 4015**, the externalities resolution. For more information on this bill, please see “Action in the past week.”

### Action in the Past Week

- **HB 1322 Energy Policy Commission** would create an energy policy commission; to provide for an energy policy commission study; to provide for a water resources study; and to provide for a legislative council study, was amended by the House Natural Resources Committee to delete the study for the energy policy commission. The water study is still there. It received a 13-0 “do pass.”
- **HB 1338 Landfill siting** Introduced by Rep. Glassheim, was amended to read: “to provide for a legislative council study of solid waste management, with an emphasis on the siting and zoning of landfills on a statewide or regional level while allowing adequate protection for political subdivisions and property owners,” and received a 12-0 “do pass” from the House Political Subdivisions Committee. It now goes to House Appropriations.
- **HB 1352 State Energy Policy** failed the floor of the House 1-92. It would have created goals for a state energy policy, emphasizing fossil fuels, short-shrifting efficiency and renewables and would not allow support for energy mandates.
- **HB 1426 Wind tower setbacks** A bill that would create setbacks for wind towers received a “do pass” recommendation from the House Natural Resources Committee.
- **HB 1466 Remediation** Would have created an Oil and Gas Remediation using tax revenues, but failed the House 11-79.
- **HB 1536 Waste reduction program** Would have would created a state waste reduction fund and program, funded by landfill users that would give grants to poly subs for waste reduction programs. It failed the House 23-69.
- **HB 1543 Local food procurement bill** Was amended to read: “Whenever possible, each state agency, institution of higher education under the control of the state board of higher education, and political

subdivision having the authority to purchase food products may purchase food products produced in this state,” and given a “do pass” by the House Agriculture Committee.

- **SB 2221 Carbon capture credit** would create a tax credit for capturing carbon, received a 13-0 “do pass” from Senate Appropriations.
- **SB 2255 “Quick take” for water districts** Would allow the use of eminent domain for state-funded water projects by water resource districts, passed the House 40-6.
- **SB 2417 Glass recycling plant** The original bill would have provided for a DOT study to see if a glass recycling plant would be feasible and desirable. It was amended to read “for an Act to provide for a legislative council study relating to the state facilitating the reduction of landfill waste and the potential for development of methane processing, “ and received a 7-0 “do pass” from the Senate Industry, Business and Labor Committee.
- **SB 2427 Geothermal tax credit and energy building codes** Would allow a short form tax credit for geothermal devices, and required that the state follow the 2006 edition of the international energy codes and that all cities, counties and townships administer and enforce energy conservation standards for new commercial building construction. All but the tax credit was stripped from the bill, and it received a 7-0 “do pass” from Senate Finance and Taxation.
- **HCR 3029 Oppose CO2 regs** Would urge the EPA not to regulate greenhouse gases under the Clean Air Act. This bill and **HCR 3030 Oppose climate legislation**, which would urge Congress not to enact hasty or ill-conceived climate change legislation were both amended by the sponsor and are much more innocuous. The committee did not take immediate action.
- **HCR 3038 oppose CO2 standards** Would have urged Congress to oppose carbon dioxide emission standards, but the sponsor asked the committee to vote “do not pass” on this bill due to amendments on the previous 2 bills. The committee did not take immediate action.
- **SCR 4015 Externalities resolution** Directs the Legislative Council to study the potential impact on the state's utility ratepayers and to the state's renewable electricity generation potential of the law preventing the PSC from considering the costs of externalities (i.e. carbon dioxide regulations) when siting and setting rates for electrical generation. This resolution was introduced at the request of DRC. The Senate Natural Resources Committee heard testimony in opposition from MDU and the Lignite Energy Council. The LEC asked the committee for a hog house amendment that would call for an Industrial Commission study of how Minnesota’s Next Generation law will impact the economics of the North Dakota coal industry. The committee did not take action.