

DAKOTA RESOURCE COUNCIL



Tim DeChristopher following his trial in Salt Lake City after being found guilty for fraudulently bidding on oil and gas leases to protect Wild Utah.

LEGISLATIVE UPDATE MARCH 4, 2011

Crossover

Wednesday March 2nd marked the beginning of legislative crossover. This means that the bills that were passed in the House of Representatives will be heard in the Senate, and the bills that were passed in the Senate will be heard in the House of Representatives. Crossover gives the public a second chance to testify on bills (which have passed one of the legislative chambers). This is DRC's chance to continue to support bills that we helped pass. In addition, this is DRC's opportunity to stand united in opposition of bills that we lobbied to prevent.

Hearings Attended Week of Feb. 28- March 4

Dual Hearing HCR 3008 and HB 1216 (Resolution and Bill to deem hydraulic fracturing as an acceptable process)

The Senate Natural Resources Committee held a dual hearing for these two pieces of legislation regarding Fracking. Ashley Lauth testified in opposition arguing that the chemicals used in fracking should be disclosed to the public. Testimony in opposition was also heard from the Wildlife Society and Kris Kitko of Bakken Watch.

Lynn Helms and Ron Ness (Petroleum Council) provided testimony in favor of the bill... Rep. Duane DeKrey provided email testimony in support.

Hearings Week of March 7

Natural Resources (Sen. Lyson, Stanley W.) Fort Lincoln Room

THURSDAY 03/10

09:00 AM HB 1241 Relating to notice of oil and gas drilling operations and compensation for loss of agricultural production and income caused by oil and gas production; relating to damage and disruption

payments for damages caused by oil and gas production and the obligation to pay oil and gas royalties. **SURFACE RIGHTS BILL- MAJOR LEGISLATION- STRONGLY SUPPORT**

09:30 AM HB 1462 Relating to compensation for members of the credit review board; relating to the agricultural mediation service; relating to the home-quarter fund; and to provide an appropriation.

SURFACE RIGHTS BILL- MAJOR LEGISLATION- OPPOSE

FRIDAY 03/11

10:00 AM HCR 3007 A concurrent resolution directing the Legislative Management to study eminent domain laws as they relate to pipeline siting. **SUPPORT**

10:30 AM HCR 3019 Urging the United States Army Corps of Engineers to immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River.

ACTIVE TRACKING

10:45 AM HCR 3028 A concurrent resolution urging Congress to adopt legislation prohibiting the Environmental Protection Agency by any means necessary from regulating greenhouse emissions.

STRONGLY OPPOSE

11:00 AM HCR 3031 A concurrent resolution expressing the concern of the Legislative Assembly with the scope, justification, and substances of the Office of Surface Mining Reclamation and Enforcement's

stream protection rule. **STRONGLY OPPOSE**

11:15 AM HCR 3033 A concurrent resolution recognizing the indispensable role of nuclear energy to a comprehensive, integrated United States economic, energy security, and environmental strategy and

supporting a host of federal and state policy initiatives to spur a new wave of nuclear plant development. **OPPOSE**

Energy and Natural Resources (Rep. Porter, Todd) Pioneer Room

THURSDAY 03/10

09:00 AM SB 2234 Relating to mechanisms for improving coordination and consultation regarding federal designation over land or water resources in North Dakota. **UNEXPECTED WIN!- This bill is now a study. OPPOSE**

FRIDAY 03/11

09:00 AM SB 2355 A BILL for an Act to provide for a legislative management study of reduction of the flaring of natural gas. **UNEXPECTED WIN!- This bill is now a study. ACTIVE TRACKING**

09:00 AM SB 2362 Relating to requirements for easements, servitudes, and nonappurtenant restrictions. **WARNING- This bill states that conservation easements shall not exceed 40 years.**

09:00 AM SCR 4002 To provide a legal process to return to the riparian landowner land controlled by the Army Corps of Engineers which is not necessary for authorized purposes.

09:00 AM SCR 4008 For implementation of the Sixth Circuit Court of Appeals ruling in the matter of National Cotton Council of America et al., v. United States Environmental Protection Agency.

Finance and Taxation (Sen. Cook, Dwight) Lewis and Clark Room

MONDAY 03/07

09:00 AM HB 1071 Relating to retention of property tax status as agricultural property for property previously devoted to agricultural uses which is being used for mineral extraction and for which the surface

owner owns none of the subsurface mineral rights

TUESDAY 03/08

09:00 AM HB 1046 relating to a sales tax exemption for potash and byproducts of potash and taxation of potash and byproducts; relating to exemption of minerals subject to in lieu of taxes; to provide for a

legislative management study; to provide a continuing appropriation; to provide a penalty

Finance and Taxation (Rep. Belter, Wesley R.) Fort Totten Room

MONDAY 03/07

09:15 AM SB 2129 Relating to legacy fund deposits of oil and gas tax collections and holding political subdivisions harmless against related allocation reductions and oil and gas gross production and oil

extraction tax deposits in the permanent oil tax trust fund; and to provide an effective date. **ACTIVE TRACKING**

10:15 AM SB 2202 Relating to the sales and use tax exemption for materials used in compressing, processing, gathering, or refining gas, the sales and use tax exemption for materials used in construction or

expansion of an oil refinery, and the use tax on contractors; and to provide an effective date. **STRONGLY OPPOSE**

WEDNESDAY 03/09

10:00 AM SB 2336 Relating to a sales tax exemption for machinery or equipment used to produce coal from a new mine located in this state; and to provide an effective date. **STRONGLY OPPOSE**

Transportation (Sen. Lee, Gary A.) Lewis and Clark Room

THURSDAY 03/10

09:00 AM HB 1089 Relating to the highway tax distribution fund. **BILL OF NOTE**

11:00 AM HCR 3010 A concurrent resolution directing the Legislative Management to study passenger rail service within the state, including options for the implementation of a passenger rail service route in

the southern part of the state. **SUPPORT**

Transportation (Rep. Ruby, Dan) Fort Totten Room

THURSDAY 03/10

09:00 AM SB 2188 A bill relating to exclusions from the certificate of title requirement for vehicles regularly engaged in interstate transportation of persons or property. **BILL OF NOTE**

Agriculture (Sen. Flakoll, Tim) Roosevelt Park Room

THURSDAY 03/10

10:30 AM HB 1378 relating to label requirements for canola seed. **ACTIVE TRACKING**