

## **Renewable Energy Bill Killed In House**

By Brenden Timpe

Feb. 18 – BISMARCK – The state House of Representatives on Thursday voted down a bill that would establish a fund to support renewable energy projects and encourage state agencies to use renewable fuels. “Every other bill of any significance has gone down, and it’s just a sorry state to see that we can’t pass responsible proactive public policy supporting renewable energy in this state it’s just very sad,” said Roger Johnson, state Agriculture Commissioner. “It’s discouraging.”

Lawmakers killed the bill, 39-52, saying they feared that its language requiring North Dakota to get 10 percent of its energy from renewable sources – wind, ethanol and biodiesel – amounted to a mandate.

The issue sparked controversy when debate was cut off before several of the bill’s supporters, including primary sponsor Rep. Jon Nelson, R-Wolford, were able to make their case. Nelson’s bill, HB1308, originally established a renewable energy commission, required state agencies to get 10 percent of fuel from renewable sources and appropriated \$12 million in state funds to help jump-start new renewable energy projects.

Before the House voted, two committees watered down the bill’s language, eliminating the creation of the new commission and encouraging agencies to buy renewable fuel, rather than requiring it. The committees also stripped all but \$2 million of the funding from the bill.

On the House floor, several lawmakers expressed concern that the watered-down language still amounted to a mandate. The bill read that the state “shall attempt to ensure” that its energy comes from renewable sources.

“‘Shall attempt to ensure’ implies a mandate,” said Rep. Wesley Belter, R-Bismarck. “This looks like a bureaucratic nightmare to me.”

Rep. Robin Weisz, R-Hurdsfield, said the language, which was drafted in the committee he chairs, was not meant to require state agencies to purchase renewable energy when it’s not practical. “This language merely says that the state should make an attempt,” he said.

Rep. Dorvan Solberg, D-Ray, said the bill was premature because the state doesn't yet have enough wind energy to provide 10 percent of the state’s electricity.

Rep. Jim Kasper, R-Bismarck, took issue with a provision stating it is the policy of the state “to stimulate the development of renewable energy.” “I’d like to remind everyone here that we have coal energy in the state of North Dakota that has multi-billions of dollars invested in those areas,” he said.

Rep. Arlo Schimdt, D-Maddock, said the bill would send a positive message to an Oregon company that’s considering building a wind energy farm near Rugby. “North Dakota can be the power capital of the world if we work together,” Schimdt said.

The debate raised the ire of some legislators when one of them made a motion to end debate on the issue. Though Nelson had responded to several questions, he had not yet been able to make his full argument in favor of the bill. That's a violation of House protocol, said Rep. Merle Boucher, D-Rolette.

Nelson said he was "subjected to ridicule," and that he's never seen an instance where a bill's sponsor was not able to make a case for his or her legislation. "I thought it was probably the lowest point of my legislative career as far as letting debate take place," he said. "We should be ashamed of our action today. I'm ashamed to be part of this right now."

House Majority Leader Rick Berg, R-Fargo, said he believes in allowing as much debate as possible. It is also important to move forward and follow parliamentary rules, he said.

Nelson said he wouldn't try to reconsider the bill, and no one moved to do so Thursday. He said he will try to resurrect some elements of the bill's provisions later in the session.

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