



**Western Dakota Energy Association  
Legislative Report #17, May 1, 2021  
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Some might wonder why a lobbyist would hang around past midnight to observe the conclusion of the legislative session. It's pictures like this that make it all worthwhile, with House and Senate Majority Leaders Chet Pollert and Rich Wardner flanking Governor Doug Burgum. The 2021 Legislature officially ended Friday morning at 12:26 a.m. when the Senate adjourned sine die. The House had adjourned moments earlier after members joined in a long-standing tradition of singing Auld Lang Syne. Some long-serving legislators said this was their most difficult session ever, at least partly because of the coronavirus pandemic and the extra precautions taken to prevent the spread of the virus. The final week was busy and sometimes contentious, as many of the major spending issues were resolved.

The last bill to pass was [HB 1015](#), the budget of the Office of Management and Budget, which is traditionally used as a catch-all to correct mistakes made earlier in the session, to take care of occasional oversights, and sometimes one or two special spending items gets tossed into the bill. Among the bill's 46 sections is one that could prove hugely important to the state's lignite industry. The bill provides a \$250 million line of credit from the Bank of North Dakota to the Clean Sustainable Energy Fund, which was created by [HB 1452](#). The fund is intended to support high-tech energy projects that reduce emissions or enhance production. It is generally thought one of the first projects that may tap into the line of credit is Project Tundra, a CO2 capture and sequestration project at Milton R. Young Station near Center.

The OMB bill also contains money for townships, most of which – \$20 million – is directed to non-oil townships, aiming to support those in eastern North Dakota that experienced flooding last year. Another \$10 million in the bill would be available to townships in oil-producing counties on a competitive basis. It is part of a \$100 million appropriation derived from anticipated Legacy Fund earnings, which the NDDOT hopes to leverage with additional federal dollars. Another \$70 million in the bill is directed to career and technical education centers. The money will be used to set up a grant program for CTE construction, expansion, maintenance and equipment. Grants of up to \$10 million would be available to school districts, with preference given to those that collaborate on establishment of a regional CTE facility. The OMB bill also provides \$5.9 million for a children's science center in Minot; \$4 million to Dickinson State University for Pulver Hall, and \$17.5 million for repayment of a Bank of North Dakota loan associated with the Theodore Roosevelt Presidential Library.

The final bill of the "trifecta," as Senator Rich Wardner has called them, was approved on the final day of the session. [HB 1380](#), known as the streams bill, provides direction for future uses of Legacy Fund earnings. The other bills in the trifecta are [HB 1425](#), which directs that a portion of Legacy Fund principal be invested in North Dakota, and [HB 1431](#), a \$680 million bonding bill that funds flood control projects in Fargo and Minot, and provides funding for roads and bridges. Senate members were not happy with the outcome of the conference committee on HB 1380. They accepted a House version that left much of the Legacy earnings decision to the discretion of future legislatures.

Education funding issues were finally resolved in the final week. Senate Education Committee Chairman Don Schaible insisted that the budget of the Department of Public Instruction ([HB 1013](#)) include an increase in the per-pupil payment so that districts would have money to provide an increase in teacher salaries. The House Appropriations Committee had taken out a one percent increase each year of the biennium, arguing that districts would receive sufficient funding from the federal Elementary and Secondary Schools Emergency Relief fund (ESSER) that would allow them to free up other resources to provide a pay raise. The House came up with a way to offset the cost of the 1-and-1, which added \$34 million to the DPI budget, by temporarily reducing payments to "transition maximum" school districts. The districts receive a per pupil amount that is larger than the standard \$10,036 per student, because they have little taxable property to raise revenue. Policy provisions that apply to DPI and K-12 schools are found in [HB 1388](#).



There were several bill signing ceremonies during the final week, and HB 1452 was among them. The week also featured a ceremonial gathering for [HB 1412](#), a bill that reduces the coal conversion tax by 85% for five years. The event was an opportunity for legislative supporters to celebrate passage of the bill, which had actually been signed into law the previous week at the annual meeting of the Lignite Energy Council. Also signed during the week was [SB 2319](#), which establishes a tax sharing agreement between the state and the MHA Nation for revenue from oil wells around the perimeter of the Ft. Berthold Reservation. A large group of sportsmen and landowners converged for the signing of an electronic posting bill, [SB 2144](#). But undoubtedly the largest crowd of the week – more than 50 teachers, students and other supporters – gathered for the signing of [SB 2304](#), which requires education in Native American history. Click [here](#) for a larger image.