

Committee: House Commerce and Energy

Wednesday, March 01, 2023 10:00 AM

Roll Call

Present: Rep. Arlint, Rep. Bahmuller, Rep. Callies, Rep. Donnell, Rep. Duffy,
Rep. Krohmer, Rep. Nelson, Rep. Pinnow, Rep. Schneider, Rep. Shorma,
Rep. Perry, and Rep. Weisgram
Excused: Rep. Mulally

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Weisgram

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 27TH

Moved by: Perry
Second by: Krohmer
Action: Prevailed by voice vote

SB 174 : prohibit the enactment or implementation of an ordinance, resolution, or policy that prohibits the use of an energy utility service.

MOTION: AMEND SB 174

174C

On page 1, line 4, of the Senate Local Government Engrossed bill, after "Dakota:" delete "Section 1.
That chapter 9-35 be amended with a NEW SECTION:

"

On page 1, line 5, of the Senate Local Government Engrossed bill, after "SECTION:" delete "No municipality may enact or implement any ordinance, resolution, or policy that prohibits or has the effect of prohibiting the use of electric, natural gas, propane, or any other energy utility service as a type or class of energy service. This section does not apply to a generally applicable zoning ordinance, building regulation, or fire code if the ordinance, regulation, or code is not used to affect a prohibition on the use of electric, natural gas, propane, or any other energy utility service as a type or class."

On page 1, line 11, of the Senate Local Government Engrossed bill, after "class." delete "Section 2.
That chapter 7-18 be amended with a NEW SECTION:

"

On page 1, line 12, of the Senate Local Government Engrossed bill, after "SECTION:" delete "No county may enact or implement any ordinance, resolution, or policy that prohibits or has the effect of prohibiting the use of electric, natural gas, propane, or any other energy utility service as a type or class of energy service. This section does not apply to a generally applicable zoning ordinance, building regulation, or fire code if the ordinance, regulation, or code is not used to affect a prohibition on the use of electric, natural gas, propane, or any other energy utility service as a type or class."

On page 1, after line 17, of the Senate Local Government Engrossed bill, insert: "

Section 1. That chapter 6-1 be amended with a NEW SECTION:

No local governmental unit, as defined in § 6-1-12, may enact or implement any ordinance, resolution, or policy that prohibits or has the effect of prohibiting the use, production, or transportation of natural gas, propane, or any other fuel gas service as a type or class of service. This section does not apply to a generally applicable zoning ordinance, building regulation, or fire code if the ordinance, regulation, or code is not used to affect a prohibition on the use, production,

or transportation of natural gas, propane, or any other fuel gas service as a type or class of service. "

Moved by: Krohmer

Second by: Shorma

Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Arlint, Bahmuller, Callies, Donnell, Duffy, Krohmer, Nelson, Pinnow, Schneider, Shorma, Perry, and Weisgram

Excused: Mulally

MOTION: DO PASS SB 174 AS AMENDED

Moved by: Duffy

Second by: Callies

Action: Prevailed by Majority Members Elect (11-1-1-0)

Voting Yes: Arlint, Bahmuller, Callies, Donnell, Duffy, Krohmer, Pinnow, Schneider, Shorma, Perry, and Weisgram

Voting No: Nelson

Excused: Mulally

The House Commerce and Energy discussed topics for possible summer studies including:

Financial Relief for counties

Equity on home ownership to assist with unpaid taxes

State Aid to Education formula

Renewable Fuels

Community service providers and mental health

Airport funding

Cyber security for local governments

Accurate estimates for state building project expenditure

Efficiency in Departmental spending

MOTION: ADJOURN

Moved by: Callies

Second by: Bahmuller

Action: Prevailed by voice vote

Jean Denton, Committee Secretary

/s/ MIKE WEISGRAM

Mike Weisgram, Chair