

2021 HOUSE ENERGY AND NATURAL RESOURCES

HB 1455

2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1455

2/4/2021

relating to the retirement of an electric energy conversion facility and site reclamation and bonding; relating to the definition of electric energy conversion facility retirement

Vice Chair Damschen opened the hearing at 9:00 AM.

Present: Representatives Porter, Damschen, Anderson Devlin, Bosch, Lefor, Heinert, Keiser, Marschall, Roers Jones, M Ruby, Zubke, Guggisberg, and Ista.

Discussion Topics:

- Proposed process for owners
- Hoghouse amendment
- Public Service Process
- Civics
- Base load plants
- Midkota Electric
- Carbon capture research at Coal Creek
- CO²
- Wind power-first choice on the power grid
- Pricing determinations

#5429 Rep Dave Nehring, District 8

#5430 Rep Nehring, proposed Amendment changes

No written testimony Ladd Erickson, McLean County States Attorney

No written testimony Anna Novak

#5388 Geoff Simon, executive director, Western Dakota Energy Association

No written testimony Zac Smith ND Association of Rural Electric Cooperatives

#5356 Carlee McLeod, USND

Additional written testimony:

#5329 Levi Andrist, lobbyist, WIND

10:07 AM

Kathleen Davis, Committee Clerk

Good Morning Chairman Porter and members of the committee.

For the record, my name is Dave Nehring, representative from District 8.

I'm bringing House Bill 1455 before you this morning.

The intent of this legislation is to provide a process for owners of electrical generation facilities to follow upon decision of retirement. There was a previous version 1292 that was initially offered. In consultation with the Utilities Working Group on Jan 19, it was apparent that they felt that the bill in it's current form would add additional costs and constraints, and could lead to higher utility costs. We drafted 1455 in an attempt to address those concerns, and held a zoom conference to discuss the differences. On Jan 28, they offered a different amended version – this led to several calls and conferences in an attempt to come to a cooperative plan.

What you will see before you is a compromise, and what I believe is just a starting point, so that we can move forward together to work on meaningful legislation that will provide some reassurances to employees, families, and businesses in

coal country that all options would have been considered ahead of a plant retirement. This amendment does enable the Public Service Commission to accept public comment regarding a pending retirement.

I'll stand for questions.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1455

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code, relating to ten-year plans.

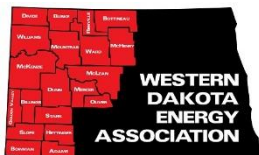
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 49-22-04 of the North Dakota Century Code is amended and reenacted as follows:

49-22-04. Ten-year plans - Contents.

1. Each utility that owns or operates, or plans within the next ten years to own, operate, or start construction on any facility shall develop a ten-year plan as specified in this section and submit the plan to the commission. Each utility shall file an updated plan on or before July first of each even-numbered year after the year of its initial submission. The ten-year plan may be appropriate portions of a single regional plan or may be jointly prepared and submitted by two or more utilities and must contain the following information:
 - ~~1.~~ a. A description of the general location, size, and type of all facilities to be owned or operated by the utility during the ensuing ten years, as well as those facilities to be removed from service during the ten-year period.
 - ~~2.~~ b. An identification of the location of the tentative preferred site for all electric energy conversion facilities and the tentative location of all electric transmission facilities on which construction is intended to be commenced within the ensuing five years and such other information as may be required by the commission. The site and corridor identification shall be made in compliance with the criteria published by the commission pursuant to section 49-22-05.1.
 - ~~3.~~ c. A description of the efforts by the utility to coordinate the plan with other utilities so as to provide a coordinated regional plan for meeting the utility needs of the region.
 - ~~4.~~ d. A description of the efforts to involve environmental protection and land-use planning agencies in the planning process, as well as other efforts to identify and minimize environmental problems at the earliest possible stage in the planning process.
 - ~~5.~~ e. A statement of the projected demand for the service rendered by the utility for the ensuing ten years and the underlying assumptions for the projection, with that information being as geographically specific as possible, and a description of the manner and extent to which the utility will meet the projected demands.
 - ~~6.~~ f. Any other relevant information as may be requested by the commission. Upon receipt of the ten-year plans the commission shall proceed to assess the impact of the development proposed within the state to ensure that energy conversion facilities and transmission facilities will be sited in an orderly manner compatible with environmental preservation and efficient use of resources.
2. If not previously disclosed in a ten-year plan filing pursuant to subdivision a of subsection 1, the utility owner or operator of an electric energy conversion facility shall notify the

commission and the auditor of the county in which the facility is located if it intends to remove an electric energy conversion facility from service. Upon notice of the removal from service, the commission may request the owner or operator of the electric energy conversion facility provide the commission with any applicable reliability study developed with a regional transmission organization in conjunction with the intended removal from service and may accept public comment in a format prescribed by the commission."



WESTERN DAKOTA ENERGY ASSOCIATION

February 4, 2021

EXECUTIVE COMMITTEE

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David Montgomery
Williams County

John Phillips
Coal Conversion
Counties

Supt. Brad Rinas
Washburn PSD
Coal Conversion
Counties

Testimony of:

Geoff Simon, Lobbyist #144
in support of HB 1455
House Energy and Natural Resources Committee

Chairman Porter and Committee members:

On behalf of the city, county and school district members of the Western Dakota Energy Association (WDEA), notably those in the coal-producing counties, we wish to express our support for House Bill 1455 to provide a hearing and public comment process upon the planned closure of a coal-fired power plant, and to establish rules for the reclamation of the site where a plant is closed.

The need for a process to inform the public of the implications of a plant closure was demonstrated last year with the announcement that Great River Energy intended to shut down Coal Creek Station by the end of 2022. The announcement sent shock waves through central North Dakota. The 1,100-megawatt plant and the associated Falkirk Mine are the major employer in McLean County, providing roughly 700 jobs. But the potential blow to the region's economy is only half the story. Citizens have been left wondering what the effect of shutting down a huge baseload coal plant will have on the reliability of the electric grid.

HB 1455 will establish a process to address these public concerns by directing the Public Service Commission (PSC) to gather information about the economic impact of the plant retirement on the affected cities, counties and the state, as well as its impact on electric rates, reliability, and potential options that would allow the plant to remain in operation. Shutting down a massive plant like Coal Creek, leaving the public figuratively (and perhaps literally) in the dark about the future consequences of the decision is unacceptable. The public deserves to have their questions answered, and deserves the opportunity to offer comments that could perhaps lead to alternative solutions to either preserve the plant's operation and ensure grid reliability, or lead to other options to ease the economic damage.

The legislation will also empower the PSC to adopt rules establishing site reclamation requirements and bonding to ensure sites are restored if and when a plant is closed.

WDEA wishes to thank Representative Nehring for introducing this important legislation, and urges the committee to support the passage of HB 1412.

Thank you for the opportunity to submit testimony.

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House Bill 1455—Testimony in Support, if amended as attached

House Energy and Natural Resources, Chairman Porter

February 4, 2021

Chairman Porter, members of the committee, I am Carlee McLeod, President of the Utility Shareholders of North Dakota (USND), and I come before you to testify in support of HB 1455, as amended, on behalf of my members, including ALLETE, Montana Dakota Utilities, Otter Tail Power Company, and Xcel Energy.

Along with our cooperative utility colleagues, our Utility Working Group has worked with the prime sponsor to address our concerns with the bill language as introduced. It is our understanding that the prime sponsor will offer the attached amendments. Though the sponsors and the utilities have worked to address our original concerns of the bill with this amendment, we know the amendment needs tweaking as it pertains to the appropriate method of notice to the county. If this amendment and subsequent bill is approved by this committee and the House, we will work with the sponsor as it crosses to the Senate to find the best solution.

The amendment adds to existing public reporting as listed in NDCC 49-22. Under chapter 49-22, 10-year plans are required to be filed every 2 years with the PSC. These are public documents and require information regarding any facilities, including retirement plans.

These amendments separate the requirements for these plans. Under these amendments, language regarding the retirements would be 49-22-04 (1)(a).

After the existing language required under 10-yr plans, these amendments provide the following under a new section 49-22-04 (2):

- If any operator intends to retire a facility (remove from service is the existing language of 49-22-04, so our amendment mirrors that term rather than creating a new, unnecessary definition) outside of what was previously anticipated in the most recent 10-yr plan (updated on a 2-year basis), they must:
 - Provide notice to the PSC;
 - Provide notice to the auditor of the county in which the facility is located;
 - Answer any requests/requirements of the PSC, including:
 - Providing any reliability study conducted with or by the corresponding regional transmission organization. This information is required by each RTO before any retirement is allowed within the

system. Providing this information to the PSC would not create any new costs to the operator.

- At that point, the PSC may take public comment in whatever format they determine appropriate—written, public hearing, etc.
- We believe this provides transparency without adding costs to operators/customers by using the existing framework and expanding it to establish a process for public hearings that the bill sponsors are seeking.
- Ten-year plans are public and filed every 2 years with any updates. Anyone can become well-versed in a utility's plans. However, when something happens to cause deviation from those plans, the PSC, the county in which the facility resides, and the public, will get notice and can react.
- This amendment takes out specific processes that may prove costly while still allowing the PSC a lot of discretion in how to provide the public information and opportunity to be heard.

Thank you for your consideration of this amendment. We support passage of the bill if this amendment is adopted.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1455

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code, relating to ten-year plans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 49-22-04 of the North Dakota Century Code is amended and reenacted as follows:

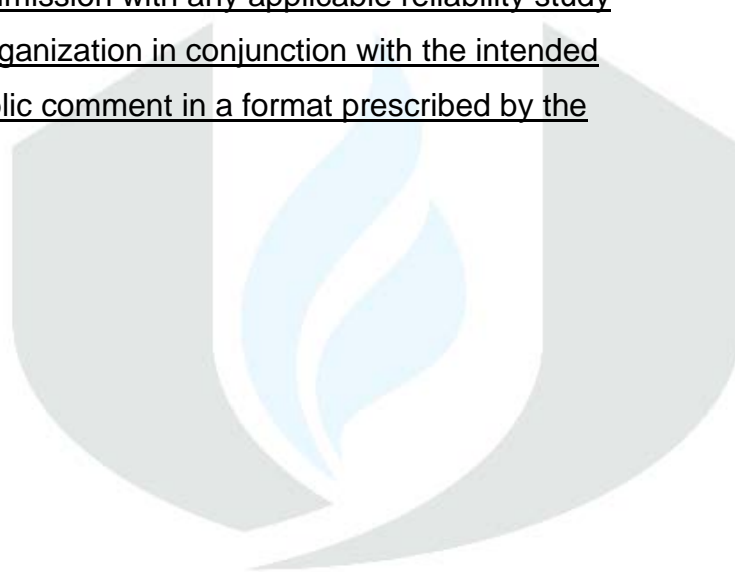
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 2. b. An identification of the location of the tentative preferred site for all electric energy conversion facilities and the tentative location of all electric transmission facilities on which construction is intended to be commenced within the ensuing

five years and such other information as may be required by the commission. The site and corridor identification shall be made in compliance with the criteria published by the commission pursuant to section 49-22-05.1.

- 3. c. A description of the efforts by the utility to coordinate the plan with other utilities so as to provide a coordinated regional plan for meeting the utility needs of the region.
- 4. d. A description of the efforts to involve environmental protection and land-use planning agencies in the planning process, as well as other efforts to identify and minimize environmental problems at the earliest possible stage in the planning process.
- 5. e. A statement of the projected demand for the service rendered by the utility for the ensuing ten years and the underlying assumptions for the projection, with that information being as geographically specific as possible, and a description of the manner and extent to which the utility will meet the projected demands.
- 6. f. Any other relevant information as may be requested by the commission. Upon receipt of the ten-year plans the commission shall proceed to assess the impact of the development proposed within the state to ensure that energy conversion facilities and transmission facilities will be sited in an orderly manner compatible with environmental preservation and efficient use of resources.

2. If not previously disclosed in a ten-year plan filing pursuant to subdivision a of subsection 1, the utility owner or operator of an electric energy conversion facility shall notify the commission and the auditor of the county in which the facility is located if it intends to remove an electric energy conversion facility from service. Upon notice of the removal from service, the commission may request the owner or operator of the electric energy conversion facility provide the commission with any applicable reliability study developed with a regional transmission organization in conjunction with the intended removal from service and may accept public comment in a format prescribed by the commission.





House Energy & Natural Resources Committee

Thursday, February 4, 2021

Testimony in Opposition to House Bill No. 1455

Wind Industry of North Dakota (WIND) opposes HB 1455 as introduced. WIND is a coalition of wind industry members who believe North Dakota should harness its abundance of wind for the continued benefit of its communities and residents. WIND's members include American Clean Power Association (formerly the American Wind Energy Association), Apex Clean Energy, Capital Power, EDF Renewables, Enel North America, Invenergy, NextEra Energy Resources, and Orsted. WIND shares the goal of a reliable and affordable power grid, along with an all-of-the-above energy strategy. Working with all North Dakota stakeholders, we believe friendly amendments to HB 1455 will achieve this goal.

Section two of the bill, as introduced, creates new regulation relating to the retirement of electric energy conversion facilities, including wind projects. WIND supports the amendments advanced by Utility Working Group, which attempt to take the intentions of section two of the bill and place it into existing law regarding ten-year plans filed with the PSC.

As to section three of the bill, relating to site reclamation and bonding, the legislature and PSC have already passed laws and regulations regarding the decommissioning of wind (and solar) projects in North Dakota. NDCC 49-02-37 delegates rulemaking authority to the PSC to adopt rules governing the decommissioning of wind projects, and the PSC implemented the law in NDAC 69-09-09, including owner responsibilities, timelines for decommissioning, decommissioning specifications, requirements to provide financial assurances, and penalties for failure to decommission a project as required by law. The PSC updated these rules in 2017. It's worth noting that in 2019, the legislature also extended decommissioning rulemaking authority to the PSC for commercial-scale solar projects. The PSC's rules, codified at NDAC 69-09-10, include many of the same and many similar requirements for decommissioning and financial assurance that are required of wind projects.

WIND respectfully urges a DO NOT PASS recommendation as introduced, and it supports the amendments of the Utility Working Group.

Please feel free to contact any of us for continued discussion.

American Clean Power Association

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Apex Clean Energy

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Francesca Martella Kehl

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2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1455

2/5/2021

relating to the retirement of an electric energy conversion facility and site reclamation and bonding; relating to the definition of electric energy conversion facility retirement

9:18 AM

Present: Representatives Porter, Damschen, Anderson Devlin, Bosch, Lefor, Heinert, Keiser, Marschall, Roers Jones, M Ruby, Zubke, and Ista. Absent: Rep Guggisberg,

Rep. Keiser moved to amend .01002 seconded by Rep M. Ruby. Voice vote.
Motion carried.

Rep M Ruby moved a Do Pass as Amended, seconded by Rep. Keiser.

Representatives	Vote
Representative Todd Porter	Y
Representative Chuck Damschen	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Bill Devlin	Y
Representative Ron Guggisberg	AB
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative George Keiser	Y
Representative Mike Lefor	Y
Representative Andrew Marschall	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y
Representative Denton Zubke	Y

Motion carried. 13 – 0 – 1 Rep Keiser is carrier.

9:22 AM

Kathleen Davis, Committee Clerk

February 5, 2021

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2/5/21

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JP
2/5/21

2. If not previously disclosed in a ten-year plan filing pursuant to subdivision a of subsection 1, the utility owner or operator of an electric energy conversion facility shall notify the commission and the auditor of the county in which the facility is located if the owner or operator considers removing an electric energy conversion facility from service. Upon notice of the removal from service, the commission may request the owner or operator provide the commission with any applicable reliability study developed with a regional transmission organization in conjunction with the considered removal from service and may accept public comment in a format prescribed by the commission."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1455: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1455 was placed on the Sixth order on the calendar.

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Renumber accordingly

2021 SENATE ENERGY AND NATURAL RESOURCES

HB 1455

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1455
3/19/2021

A BILL for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code, relating to ten-year plans.

Hearing called to order all Senators Present: **Roers, Bell, Schaible, Piepkorn, Patten, and Kreun.** [11:10]

Discussion Topics:

- Oil sustainability initiatives
- Energy Market Volatility

[11:10:19] **Rep Dave Nehring** - Testimony in Favor

[11:12:43] **Zac Smith** - NDAREC - Testimony in Favor

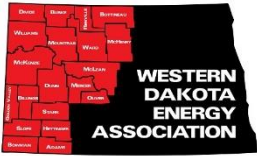
[11:14:00] **Geoff Simon** - WDEA - Testimony in Favor #10104

[11:15:10] **Carlee McLeod** - USND - Testimony in Favor #10088

[11:16:07] **Randy Christmann** - PSC - Neutral Testimony #10136

Hearing Adjourned [11:20]

Sheila Froehlich, Committee Clerk



WESTERN DAKOTA ENERGY ASSOCIATION

March 19, 2021

EXECUTIVE COMMITTEE

Shannon Holter
President
City of Bowbells

Trudy Ruland
Vice President
Mountrail County

Supt. Leslie Bieber
Alexander PSD

Daryl Dukart
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Testimony of:

Geoff Simon, Lobbyist #144
in support of HB 1455
Senate Energy and Natural Resources Committee

Chairman Kreun and Committee members:

On behalf of the city, county and school district members of the Western Dakota Energy Association (WDEA), notably those in the coal-producing counties, we wish to express our support for the original intent of House Bill 1455 to provide a hearing and public comment process upon the planned closure of a coal-fired power plant, and to establish rules for the reclamation of the site where a plant is closed.

As has happened with every bill this session aimed at addressing growing electric reliability concerns, HB 1455 was “watered down” to simply require utilities to include notice in their 10-year plans if they are considering a plant closure. The PSC would also be empowered to request any reliability study developed with its regional transmission organization to determine the impact of the plant closure. This is hardly adequate to address the scenario we witnessed last year with the announcement that Great River Energy intended to shut down Coal Creek Station by the end of 2022.

The announcement sent shock waves through central North Dakota. The 1,100-megawatt plant and the associated Falkirk Mine are the major employer in McLean County, providing roughly 700 jobs. But the potential blow to the region’s economy is only half the story. Citizens were left wondering what the effect of shutting down a huge baseload coal plant will have on the reliability of the electric grid. The original language of HB 1455 would establish a process to address these public concerns by directing the Public Service Commission to gather information about the economic impact of the plant retirement on the affected cities, counties and the state, as well as its impact on electric rates, reliability, and most importantly, potential options that would allow the plant to remain in operation. Shutting down a massive plant like Coal Creek, leaving the public figuratively (and perhaps literally) in the dark about the future consequences of the decision is unacceptable. The public deserves to have their questions answered, and deserves the opportunity to offer comments that could perhaps lead to alternative solutions to either preserve the plant’s operation and ensure grid reliability, or lead to other options to ease the economic damage.

WDEA wishes to thank Representative Nehring for introducing this important legislation, and urges the committee to restore some semblance of the original intent of HB 1455.

Thank you for the opportunity to submit testimony.

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House Bill 1455—Testimony in Support
Senate Energy and Natural Resources, Chairman Kreun
March 19, 2021

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This bill adds to existing public reporting requirements as listed in NDCC 49-22. Under chapter 49-22, 10-year plans are required to be filed every 2 years with the PSC. These are public documents and require information regarding any facilities, including retirement plans. Under this bill, language regarding the retirements would be 49-22-04 (1)(a). After the existing language required under 10-yr plans, this new language provides the following under a new section 49-22-04 (2):

- If any operator intends to retire a facility outside of what was previously anticipated in the most recent 10-yr plan (updated on a 2-year basis), they must:
 - Provide notice to the PSC;
 - Provide notice to the auditor of the county in which the facility is located;
 - Answer any requests/requirements of the PSC, including:
 - Providing any reliability study conducted with or by the corresponding regional transmission organization. This information is required by each RTO before any retirement is allowed within the system. Providing this information to the PSC would not create any new costs to the operator.
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- Ten-year plans are public and filed every 2 years with any updates. Anyone can become well-versed in a utility's plans. However, when something happens to cause deviation from those plans, the PSC, the county in which the facility resides, and the public, will get notice and can react.
- Although retirements have been rare, companies have held their own meetings for employees and communities when retirements are considered or announced, and nothing in this bill would preclude them from continuing this practice.

Thank you.

House Bill 1455

Presented by: Randy Christmann, Commissioner
Public Service Commission

Before: Senate Energy and Natural Resources Committee
The Honorable Curt Kreun, Chairman

Date: March 19, 2021

TESTIMONY

Mr. Chairman and committee members, I am Randy Christmann, Commissioner with the Public Service Commission. We appreciate the opportunity to provide comments today.

In its current format, this bill requires all electric generation facilities to notify the commission and the auditor of the county if an owner considers removing the electric energy conversion facility. This would include dozens of wind farms and natural gas peaking plants, as well as large baseload generation facilities like the Coal Creek station. The vast majority of them are not under the Commission's jurisdiction.

To the extent that a facility is jurisdictional to the commission, we would already be aware of its upcoming closure through the IRP process which is being significantly enhanced in HB 1067. However, this bill does not grant the Commission any additional authority to take any action regarding planned closures.

If the intent is to address the closures of coal plants, most of the current coal plants within the state are not under the Commission's jurisdiction. It would be very misleading for us to accept public comments on something that is non-jurisdictional and will give the public the perception that the Commission has jurisdiction it does not have.

The Commission requests that you amend this bill by removing the PSC and instead requiring the owner of the generation facility to hold a public hearing or meeting to provide information regarding the closure to the public and receive comments.

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1455
4/1/2021

Relating to ten year plans

Hearing called to order [10:56], all senators are present: **Bell, Schaible Piepkorn, Roers, Patten, and Kreun.**

Discussion Topics:

- Committee work to add amendment 21.0922.02002

Senator Bell [10:57] moved a DO PASS on amendment 21.0922.02002 on HB
Senator Piepkorn [10:58] seconded the motion

Senators	Vote
Senator Merrill Piepkorn	Y
Senator Dale Patten	Y
Senator Jim Roers	Y
Senator Donald Schaible	Y
Senator Jessica Unruh Bell	Y
Senator Curt Kreun	Y

The motion passes 6-0-0

Senator Bell [10:58] moved a DO PASS on HB 1455 as amended
Senator Piepkorn [10:59] seconded the motion

Senators	Vote
Senator Merrill Piepkorn	y
Senator Dale Patten	Y
Senator Jim Roers	Y
Senator Donald Schaible	Y
Senator Jessica Unruh Bell	Y
Senator Curt Kreun	Y

The motion passes 6-0-0

Senator Bell [11:00] will carry

Hearing adjourned [11:00]

Sheila Froehlich, Committee Clerk

April 1, 2021

1 of 1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1455

Page 1, line 2, after "plans" insert "; and to provide for a legislative management study"

Page 2, after line 25, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - COAL CONVERSION FACILITIES. During the 2021-22 interim, the legislative management shall consider studying the need, cost, effect, and appropriate process for bonding and ensuring reclamation of coal conversion facilities. The study must include an examination and assessment of the methods and amounts of financial assurance and schedules, the interaction of economics and the statutes, rules, and policies relating to the remaining useful life and early retirement of coal conversion facilities, the role of the public service commission in all electrical generation retirement, and the appropriate involvement of the public and local communities and political subdivisions in the retirement process. The study also must evaluate the effectiveness of government programs and incentives relating to energy production, reliability, and the state's role in that process. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1455, as engrossed: Energy and Natural Resources Committee (Sen. Kreun, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1455 was placed on the Sixth order on the calendar.

Page 1, line 2, after "plans" insert "; and to provide for a legislative management study"

Page 2, after line 25, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - COAL CONVERSION FACILITIES. During the 2021-22 interim, the legislative management shall consider studying the need, cost, effect, and appropriate process for bonding and ensuring reclamation of coal conversion facilities. The study must include an examination and assessment of the methods and amounts of financial assurance and schedules, the interaction of economics and the statutes, rules, and policies relating to the remaining useful life and early retirement of coal conversion facilities, the role of the public service commission in all electrical generation retirement, and the appropriate involvement of the public and local communities and political subdivisions in the retirement process. The study also must evaluate the effectiveness of government programs and incentives relating to energy production, reliability, and the state's role in that process. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly