



3-5-21

Legislative Update

Please take the time to regularly and carefully review this very important document.

Your voices are more important than ever during this legislative session as procedures have been altered due to the pandemic. If you wish to testify on a bill, the association office will be glad to help you figure out how the process works. If you are going to testify, please let the association office know so we can work with the chairperson of the committees to get you on the docket.

The 2nd half of the 67th ND Legislative Assembly began this week. The Association had a number of bills to monitor during this 3-day period. There have been some questions asked of the Association office relating to HB 1420. This bill would **legalize the sale of recreational marijuana**. If you recall in 2018, the Association office joined a large group of businesses in opposing an initiated measure to make recreational marijuana legal in ND. That measure was defeated.

Late last year, another initiated measure was brought forward by supporters of recreational marijuana. The ND Secretary of State has approved the language and now the proponents of the measure are seeking the needed signatures. I think the reason HB 1420 was drafted legislatively was to have a law on the books in case the latest initiated measure passes. [HB 1420](#) has very specific rules and regulations related to the sale, purchasing options and possession limits. The initiated measure language does not. Whether you agree with marijuana usage or not, having some clear, concise enforcement laws in place if HB 1420 passes might discourage ND residents from supporting a potential initiated measure.

Your Association office hasn't taken a formal position on this bill. Your input would be welcome.

Bills the Associations addressed the week of March 3-5:

[HB 1398](#): relating to prohibitions on political subdivisions regulating paid family leave. This bill would stop any cities or counties from mandating private employers provide paid family leave. NDPMA/NDRA and NDPGA testified in support of this bill

[SB 2189](#): relating to licensing requirements for electronic smoking device dealers and distributors. NDPMA supports the reduced harm study language in the bill. NDPMA is working with committee to get all additional reporting and licensing requirements removed from the bill. Bill is still in House Finance and Tax Committee.

[HB 1374](#): Relating to income tax deductions for COVID-19 benefits. HB 1374 was heard in Senate Finance and Tax Committee. Association supports this bill.

[SB 2070](#): relating to the regulated substance response by DEQ. This is the mini superfund cleanup bill the DEQ is seeking. NDPMA Tank Fund Advisory Board Members met with the DEQ officials during first half of session and had all concerns addressed regarding the bill's language. SB 2070 was Heard in House Energy and Natural Resources this week. NDPMA will continue monitoring this Bill.

[SB 2065](#): This is a bill Relating to the authority of the board of university and school lands to lease lands under its control for the underground storage of oil or gas and the jurisdiction of the industrial

commission to regulate the permitting and amalgamation of the underground storage of oil or gas. In a nutshell, this bill has the potential to allow for the development of some underground PROPANE storage caverns in western ND. SB 2065 was heard in House Energy and Natural Resources. NDPGA testified in support of this bill. The bill is still in committee.

[SB 2091](#): This bill is relating to an exclusion from the definition of public utility and rural electric cooperative. In a nutshell, this bill would allow a retail business to resell electricity to a consumer at their stores. In other words, if a retailer opts to set up recharging stations for EVS they would be able to charge a fee for the electricity. This bill was heard in House Energy and Natural Resources. NDPMA testified in support of this bill. NDPMA stressed the need for these recharging stations preferably be located at convenience store sites. Bill is still in committee.

[HB 1159](#): This bill provides for a potential legislative management study regarding nat gas and propane infrastructure. This bill initially would have given The ND Industrial Commission 100 MILLION DOLLARS to develop grants for natural gas development in ND. NDPGA opposed and HB 1159 has been reduced to a potential study. NDPGA will continue to monitor this bill as it passed out of the Senate Political Subdivisions with a 7-0 "DO PASS" recommendation. HB 1159 passed the full Senate floor on a 44-3 vote.

[HB 1148](#): This bill relates to E-bikes distributed, manufactured and operated in the state. NDRA supports this bill. The bill is still in committee.

Bills the Associations will be testifying/monitoring the week of March 8-12:

[SB 2166](#): Relating to retail theft offenses and to provide a penalty and declare emergency

[HB 1082](#): relating to electronic filing and payment regarding income tax payments and withholding returns

[HB 1441](#): Provide for legislative management study regarding paid family leave medical program

[SB 2252](#): Regulation of purified retail water dispensers

[HB 1196](#) and [HB 1335](#): Relating to sealing of criminal records

[HB 1175](#): Business immunity from COVID 19 liability claims

[SB 2012](#): Department of Transportation Budget

[HB 1310](#): Relating to exception to the payment of sales and use taxes

[SB 2058](#): Biodiesel partnership in assisting community expansion

[SB 2230](#): Relating to use of strategic investment and improvement fund

You can click [here](#) to view all bills NDPMA/NDRA/NDPGA are following at this time. You will also find a [hearing schedule](#) for the upcoming week.