

# Legislative Report

## Hearing Schedule (March 27-31)

Hearings of bills being tracked by the North Dakota Water Users Association for the next week are included in this report. We are tracking these bills because they have a direct or indirect impact on water issues.

### I. This Week at the Legislature

There are a few hearings on next week's schedule as most policy committees finished hearing bills this week. Remaining bills will likely be moved out of policy committees next week with the final deadline of April 6. The heavy lifting remains with the Appropriations Committees as they continue hearings on agency bills and rereferred bills from policy committees, along with significant committee work. Conference committees may start next week.

[SB 2146](#) passed unanimously on the House floor on Monday, March 20. The bill increases the public improvement bidding threshold from \$100,000 to \$150,000. The current bid threshold was last increased in 1997. Last session, the engineering/architect threshold was increased from \$100,000 to \$150,000.

[SB 2236](#) passed on the House floor on Monday, March 20 with a vote of 80-11. The bill instructs the agriculture commissioner to establish a program to provide technical assistance and support to surface owners and surface tenants on pipeline restoration and follow up support to surface owners and surface tenants on pipeline reclamation.

[HB 1054](#) was heard before the Senate Appropriations Committee on Tuesday, March 21. Introduced by Rep. Jeff Delzer, the bill relates to the cancellation of unexpended appropriations. The new language gives clarity to carry over fund authority. The majority leaders of the Senate and House of Representatives and the chairmen of the Senate and House Appropriations Committees with the Office of Budget and Management may continue appropriations or balances in force for not more than two years after the expiration of the biennial period. The Office of Management and Budget must provide the appropriation continuation requests to the legislative council one week prior to the meeting where requests are considered. The committee took no action at the time of the hearing.

[SB 2280](#) failed on the House floor on Monday, March 20 and was later reconsidered and then passed on the House floor on Tuesday, March 21. The bill was reconsidered again, and failed on the House floor on Wednesday, March 22 with a vote of 42-49. The bill would have allowed cities to levy taxes for emergency purposes, such as snow removal, natural disasters and other emergency conditions, based on the population of the city.

[SB 2147](#) passed unanimously on the House floor on Tuesday, March 21. The bill eliminates the double bond issue that faces contractors today. The new bill language makes it explicitly clear that the construction manager would carry a bond that is at least equal to the cost of the guaranteed maximum price of the project. The subcontractors would not be required to carry a bond.

[SB 2270](#) passed on the House floor on Tuesday, March 21 with a 78-14 vote. The bill authorizes

GDCD and LAWA to work with the N.D. Public Finance Authority to finance various projects. The bill also eliminates public hearings if the board receives written consent from each affected landowner to the levy assessments.

[HB 1339](#) passed on the Senate floor on Tuesday, March 21 with a 46-1 vote. Introduced by Rep. Kathy Skroch, the bill relates to notification and appeal process for special assessments levied for water drainage projects. In section one, the bill was amended to change the publication of the assessment from two successive weeks to three successive weeks and the hearing date cannot be scheduled less than 30 days from the mailing notice, opposed to the original 20 day requirement. In section two, the requirement for appeals of assessment projects to the state engineer was decreased from 25 percent to 15 percent. Section three dictates publishing notice of the hearing in the official county newspaper once per week for three consecutive weeks beginning at least three days before the hearing. The notification that is mailed to landowners must be clearly marked as an assessment notice.

[HB 1336](#) passed unanimously on the Senate floor on Tuesday, March 21. The bill defines procedures of environmental or health safety audits.

[HB 1055](#) passed on the Senate floor on Tuesday, March 21 with a 34-13 vote. This bill increases the revenue bond authority of water resource districts from \$10 million to \$50 million.

[HB 1165](#) was heard before the Senate Appropriations Committee on Wednesday, March 22. Introduced by Rep. Toman, the bill relates to transparency of state grants. The committee reported back a unanimous do not pass recommendation.

[HB 1322](#) passed unanimously on the Senate floor on Wednesday, March 21. The bill relates to authority and procedure when financing special improvements and township bonding authority.

[SB 2262](#) passed on the House floor on Wednesday, March 21 with an 82-11 vote. The bill prevents a city, county or township to enact new or enforce existing fertilizer regulations.

## **II. E-mail Version of Weekly Legislative Reports**

If you receive this by mail or fax, but have e-mail, please send your email to Julie at [ndwaterusers@btinet.net](mailto:ndwaterusers@btinet.net), and you can receive it by e-mail.

## **III. How to Contact Your Legislators**

During a legislative session, a legislator can be reached at the State Capitol through e-mail or by leaving a message with the legislative telephone message center at (888) NDLEGIS (635-3447). That number can also be used to obtain information on bills under consideration. A legislator can also be reached by mail or e-mail and address rosters are posted at <http://www.legis.nd.gov/contact-information>.

### Addressing Mail Correspondence

*To a Senator:*  
Honorable (full name)  
State Senator  
600 E Boulevard Ave  
Bismarck, ND 58505  
Dear Senator (last name)

*To a Representative:*  
Honorable (full name)  
State Representative  
600 E Boulevard Ave  
Bismarck, ND 58505  
Dear Representative (last name)

#### IV. 2017 Legislative Deadlines and Dates

Date	Topic
April 14	Good Friday
May 1	Session is limited to 80 legislative days

#### V. HEARING SCHEDULE: March 27-31, 2017

The Senate Appropriations Subcommittee, which consists of Sen. Gary A. Lee, Sen. Ray Holmberg, Sen. Ronald Sorvaag and Sen. Larry J. Robinson, met twice this week and plans to meet again next week to continue work on HB 1020, the State Water Commission appropriation bill. Meeting times are as follows:

Date	Time	Room
Tuesday, March 28	10:00 a.m.	Harvest
Wednesday, March 29	10:00 a.m.	Harvest
Thursday, March 30	10:00 a.m.	Harvest
Friday, March 31	10:00 a.m.	Harvest

#### VI. Legislative Bills Tracked (To Date)

Bill	Short Title	House	Senate
<a href="#">HB 1009</a>	Agriculture Commissioner Appropriation	PASSED	
<a href="#">HB 1017</a>	Game and Fish Department Appropriation	PASSED	
<a href="#">HB 1020</a>	State Water Commission Appropriation	PASSED	
<a href="#">HB 1026</a>	Underground Facilities Before Excavation	PASSED	PASSED
<a href="#">HB 1054</a>	Cancellation of Unexpected Appropriations	PASSED	
<a href="#">HB 1055</a>	Revenue Bond Indebtedness Limit for WRD	PASSED	PASSED
<a href="#">HB 1106</a>	Definitions of Disasters and Emergencies	PASSED	PASSED
<a href="#">HB 1111</a>	Metro Flood Diversion Authority	PASSED	PASSED
<a href="#">HB 1165</a>	Transparency of State Grants	PASSED	
<a href="#">HB 1191</a>	Loans for Political Subdivisions	PASSED	PASSED
<a href="#">HB 1199</a>	Definition of Sovereign Lands	PASSED	
<a href="#">HB 1244</a>	Authority of County Commissioners to Approve Quick Take Eminent Domain	PASSED	
<a href="#">HB 1322</a>	Township Bonding Authority	PASSED	PASSED
<a href="#">HB 1336</a>	Environmental or Health Safety Audits	PASSED	PASSED
<a href="#">HB 1339</a>	Notice, Appeals, and Refunds of Special Assessments	PASSED	PASSED
<a href="#">HB 1345</a>	Open Record and Meeting Laws		PASSED
<a href="#">HB 1361</a>	Limitations of Property Tax Levies	PASSED	
<a href="#">HB 1367</a>	Personal Watercraft and Towing an Individual on Water Skies		PASSED
<a href="#">HB 1374</a>	Contracts & Financial Assistance for Water Projects/Duties of the State Engineer	PASSED	
<a href="#">HB 1385</a>	Municipal Refunding Bonds	PASSED	PASSED
<a href="#">HB 1390</a>	Limitation on County Authority and Subsurface Drains	PASSED	
<a href="#">HB 1409</a>	Well Water Testing	PASSED	PASSED
<a href="#">SB 2047</a>	Quick Take Eminent Domain		PASSED
<a href="#">SB 2134</a>	Pick-Sloan Missouri Basin Project Dams		PASSED
<a href="#">SB 2142</a>	Construction Manager At-Risk Subcontractor Bids	PASSED	PASSED
<a href="#">SB 2146</a>	Public Improvement Bid and Bond Thresholds	PASSED	PASSED

<a href="#"><u>SB 2147</u></a>	Bond Requirements for Public Improvements	PASSED	PASSED
<a href="#"><u>SB 2168</u></a>	Public Improvements	PASSED	
<a href="#"><u>SB 2178</u></a>	Infrastructure Revolving Loan Fund	PASSED	PASSED
<a href="#"><u>SB 2236</u></a>	Pipeline Restoration and Reclamation Oversight Program	PASSED	PASSED
<a href="#"><u>SB 2239</u></a>	Annual Inspections for Watercraft for Hire	PASSED	
<a href="#"><u>SB 2245</u></a>	Listing Parcels Under Control of Certain State Entities Use as Wetlands Mitigation		PASSED
<a href="#"><u>SB 2262</u></a>	Fertilizer Regulation by Cities, Counties, or Townships	PASSED	
<a href="#"><u>SB 2263</u></a>	Subsurface Drainage Permits		PASSED
<a href="#"><u>SB 2269</u></a>	Powers of LAWA & GDCD	PASSED	PASSED
<a href="#"><u>SB 2270</u></a>	Financing Options for the GDCD	PASSED	
<a href="#"><u>SB 2308</u></a>	Identification of Ice Fish houses and Coyote Snares	PASSED	
<a href="#"><u>SB 2327</u></a>	Creation of the Department of Environmental Quality		PASSED
<a href="#"><u>HCR 3019</u></a>	Exercise nondiscrimination in public land management and return the land no longer required for the Pick-Sloan Missouri Basin Project dam at Lake Sakakawea to the citizens of the United States.	PASSED	
<a href="#"><u>HCR 3021</u></a>	Allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, and not deauthorize or repurpose any part of the Garrison Diversion Unit and to allow the Continuation of the Garrison Diversion project canal system to aid in the delivery of water to the Red River Valley.		PASSED

### **VIII. Legislative Bills Failed (To Date)**

<b>Bill</b>	<b>Short Title</b>	<b>House</b>	<b>Senate</b>
<a href="#"><u>HB 1114</u></a>	License Fees for Plumbers and Sewer and Water Installers	FAILED	
<a href="#"><u>HB 1162</u></a>	Competition between the Government and Private Industry	PASSED	FAILED
<a href="#"><u>HB 1168</u></a>	Reimbursement for Public Employees	FAILED	
<a href="#"><u>HB 1298</u></a>	Prohibiting Contracting Lobbyists	FAILED	
<a href="#"><u>HB 1326</u></a>	Local Property Tax Incentives from Impacted Municipalities	FAILED	
<a href="#"><u>HB 1331</u></a>	Inspection of Septic Systems	FAILED	
<a href="#"><u>HB 1349</u></a>	Pipeline Leak Detection Equipment Depreciation Expenses	FAILED	
<a href="#"><u>HB 1351</u></a>	Approval of Special Assessments by Elected Governing Bodies	PASSED	FAILED
<a href="#"><u>HB 1393</u></a>	Assessments by Water Resource Districts	FAILED	
<a href="#"><u>HB 1416</u></a>	Definition of Cleaning Out and Repairing of Drain	FAILED	
<a href="#"><u>SB 2227</u></a>	Nonresident Waterfowl Hunting Licenses	FAILED	
<a href="#"><u>SB 2229</u></a>	Appointments to the Red River Basin Commission	FAILED	
<a href="#"><u>SB 2259</u></a>	Nonresident Waterfowl Hunting Licenses	FAILED	PASSED
<a href="#"><u>SB 2280</u></a>	City Levy Authority for Emergency Purposes	FAILED	PASSED
<a href="#"><u>SB 2331</u></a>	Protecting Groundwater & Mineral Developer Responsibilities		FAILED
<a href="#"><u>SB 2332</u></a>	Valuation of Property for Just Compensation		FAILED
<a href="#"><u>HCR3020</u></a>	Allow the Continuation of the Garrison Diversion project canal system to aid in the delivery of water to the Red River Valley.	PASSED	FAILED