

DRC WEEKLY LEGISLATIVE UPDATE JANUARY 16, 2008

Hearings in the past week:

- **HB 1033** (Legislative Council at the request of the Energy Development and Transmission Committee), would reduce the Public Service Commission's timeframe for permitting transmission lines from 6 months to only 3 months. DRC testified on opposition to this bill, and the Public Service Commission was unanimous in its opposition. The committee did not take action on this bill.
- **HB 2129** (Agriculture Committee at the request of the Industrial Commission), would allow the Industrial Commission to fund incentive programs relating to biomass production harvest, storage and delivery. No action was taken on this bill.
- **SB 2139 and SB 2095** (Senate Natural Resources Committee, at the request of the Industrial Commission), **SB 2139** would make pore space, which is microscopic pockets in certain layers of earth, the property of the surface owner, and says that it may not be severed from surface ownership. **SB 2095** (Natural Resources Committee at the request of the Industrial Commission), would set up a regulatory structure for the geologic storage of carbon dioxide. There was overwhelming support and no opposition to the bills. The committee did not take immediate action on either bill.

Hearings in the coming week:

House Bills:

- **HB 1212** (Representatives Klein, Ekstrom and Senators Horne, Warner), This bill would require the state Department of Commerce and the Division of Community Services to adopt rules for public building construction standards that are at least as stringent as the requirements for a silver LEED certification. DRC supports this bill. **House Industry Business and Labor Committee, Peace Garden Room, Monday, January 19, 8 a.m.**

Senate Bills:

- **SB 2027** (Legislation Council—Advisory Commission on Intergovernmental Relations), addresses the issue of extraterritorial zoning by proposing that governing bodies in the areas of joint jurisdiction must approve changes. In cases where an agreement cannot be reached, an administrative law judge will make a decision. DRC members will be suggesting amendments to this bill. **Senate Government and Veterans Affairs, BRYNHILD HAUGLAND ROOM, Friday January 23 at 9 a.m.**
- **SB 2193:** (Senators Wardner, Christmann, Robinson and Representatives Hanson, Hofstad and Nottestad) A BILL for an Act to amend and reenact sections 61-24.5-01, 61-24.5-09, and 61-24.5-10 of the North Dakota Century Code, relating to the powers and duties and tax levy of the southwest water authority. It also declares it necessary to study and further develop water resources to provide adequate water supplies for energy, industrial, agriculture, and other opportunities in SW ND. **Senate Finance and Taxation, Lewis and Clark Room, Monday, January 19 at 9:00 a.m.**

Bills of interest introduced with no hearing date:

- **HB 1281** (Representatives Thorpe, Froelich and Klein and Senators Andrist and Warner)
- This bill changes the North Dakota tax code to tax minerals that are filed in a county recorders office. A tax of \$2 per acre or partial acre will be payable annually. This bill only affects those minerals that are severed from the surface estate. **(Referred to the Finance and Taxation Committee)**

- **HB 1322** (Representatives Porter, Brandenburg, S. Kelsh and Senators Flakoll, Triplett and Wardner) A BILL for an Act to create and enact a new chapter to title 17 of the North Dakota Century Code, relating to an energy policy commission; to provide for an energy policy commission study; to provide for a water resources study; and to provide for a legislative council study. **(Referred to House Natural Resources Committee)**

- **HB 1352** (Representatives Porter, Brandenburg, S. Kelsh and Senators Flakoll, Triplett and Wardner)A BILL for an Act to create and enact a new chapter to title 17 of the North Dakota Century code, relating to the state energy policy. **(Referred to House Natural Resources)**

- **HB 1380** (Representatives Onstad, Kempenich, S. Meyer and Senator Lyson)
- This bill creates and enacts a new section of 38-11.1 (Surface owner damage compensation) relating to compensation for loss of agricultural production and income caused by oil and gas production. It makes annual loss payments mandatory and also provides for a mediation panel for those parties who cannot come to terms on surface damages. **(This bill was originally sent to the House Agriculture Committee but on 1-16 it was sent back to the floor and re-referred to the House Natural Resources Committee)**