

DRC WEEKLY LEGISLATIVE UPDATE

March 6, 2009

Action in the Past Week:

- **HB 1543 Local foods procurement bill.** This bill was introduced at the request of DRC and MVRC. It was amended in the House to read: “Whenever possible, each state agency, institution of higher education under the control of the state board of higher education, and political subdivision having the authority to purchase food products may purchase food products produced in this state.” DRC staff testified before the Senate Agriculture Committee on Friday. A friendly amendment from the state Ag Department pertaining to bidding is on the table. The committee will vote next week.
- **HCR 4015 (Former) Externalities Resolution.** This “hoghoused” resolution passed the Senate with a voice vote. Originally, it called for a study of North Dakota’s outmoded “externalities” law and its impact on North Dakota electricity ratepayers. In its engrossed form it would direct the legislative council to study impacts of federal and regional cap and trade systems and Minnesota’s Next Generation Act. DRC opposes the resolution in its new form.
- **SB 2352 Building code elimination.** This bill was heard by the House Political Subdivisions Committee. The Homebuilders Association pushed for this bill, which eliminates a requirement that state builders follow the American Building Officials Model Energy Code and directs them to follow the state code. The problem is—there is no specific state building conservation code! DRC staff requested an amendment that would require that Building Code Advisory Committee to adopt energy efficient building codes within a set time period.

Action in the coming week:

Two bills dealing with extraterritorial zoning will be heard on Thursday:

- **HB 1554 Extraterritorial Zoning** (Representatives Damschen, D. Johnson, and Wrangham and Senator Klein), would eliminate the extraterritorial authority of cities. Senate Government and Veteran’s Affairs Committee, Missouri River Room, Thursday, March 12, 9 a.m.
- **SB 2027 Extraterritorial Zoning** (Legislation Council—Advisory Commission on Intergovernmental Relations) The bill 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. House Political Subdivisions Committee, **Brynhild Haugland Room**, Thursday, March 12, 2 p.m.

Other hearings:

- **SB 2438 “Sustainably grown” in North Dakota** (Senators Wanzek, Dotzenrod and Flakoll and Representatives Belter, Brandenburg and S. Meyer), would require the Department of Commerce to implement a program to promote North Dakota agriculture commodities under a “sustainable” label. However, the criteria would allow most crops, including genetically modified, and the sustainable ag community has not been involved. House Agriculture Committee, Peace Garden Room, Friday, March 13, 9:30 a.m.
- **SB 2417 Landfill study**, (Senators Fiebiger and Potter). Originally a study about a glass recycling plant, this bill was amended to a study of the reduction of landfill waste and the potential for methane processing. House Natural Resources Committee, Pioneer Room, Thursday, March 12, 2 p.m.
- **HCR 4015 (Former) Externalities Bill** (Senator Mather and Representative Zaiser). In its engrossed form it would ask the legislative council to study impacts of federal and regional cap and trade systems and Minnesota’s Next Generation Act. House Natural Resources Committee, Pioneer Room, Friday, March 13, 10:30 a.m.

- **SCR 4020 Fracking resolution** (Senators O’Connell, Grindberg and Wardner and Representatives Berg, S. Meyer and Skarphol). This is a concurrent resolution to urge Congress to preserve the exemption of hydraulic fracturing from the provisions of the Safe Water Drinking Act and not to enact legislation that removes the exemption for hydraulic fracturing. DRC opposes this bill. House Natural Resources Committee, Pioneer Room, Friday, March 13, 10:30 a.m.
- **SB 2427 Geothermal tax credit**, (Senators Triplett, Grindberg and Schneider), would allow a short form tax credit for geothermal devices. DRC supports this bill. House Finance and Taxation Committee, Fort Totten Room, Wednesday, March 11, 11 a.m.
- **HB 1509 Wind code of conduct** (Introduced by Representatives Nelson, DeKrey and Mueller and Senators Andrist, Klein and Triplett). This bill would create a code of conduct for wind leases. Senate Natural Resources Committee, Fort Lincoln Room, Friday, March 13, 9 a.m.
- **HB 1449 Wind decommissioning** (Introduced by Rep. DeKrey), directs the PSC to establish procedures for decommissioning wind facilities. Senate Natural Resources Committee, Fort Lincoln Room, Friday, March 13, 11:15 a.m.