

DRC WEEKLY LEGISLATIVE UPDATE JANUARY 23, 2009

Please note: There are several important bills that will be heard Thursday and Friday, the 29th and 30th. Please contact any DRC staff if you are planning to come to Bismarck and we should be able to find home hospitality for you with area members.

Actions in the past week:

- **HB 1212** (Representatives Klein, Ekstrom and Senators Horne, Warner), DRC staff testified in support of this bill, which 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. The House Industry, Business and Labor Committee did not take action.
- **HB 1277** (Introduced by Representatives Porter, S. Kelsh and Weiler and Senators Cook, Triplett and Wardner) Would allow individuals filing the short form a tax credit for geothermal energy devices.
- **SB 2027** (Legislation Council—Advisory Commission on Intergovernmental Relations) Several members of GFC3 testified in support of this bill with amendments. 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. The Senate Government and Veterans Affairs Committee did not take action.
- **SB 2141** (Senate Natural Resources Committee, at the request of the Industrial Commission), This bill adds language to the century code to provide for surface owner protections, inspections, fines and water protections for mineral development, such as uranium mining. The Senate Natural Resources Committee adopted amendments from the North Dakota State Health Department that would restrict the ability to request a site visit to investigate a concern to another state agency, a landowner or adjacent landowner, but it did not make a recommendation on this bill.

Hearings in the coming week:

- **HB 1322** (Representatives Porter, Brandenburg, S. Kelsh and Senators Flakoll, Triplett and Wardner) A bill that would create a new energy policy commission made up largely of industry reps, which would perform a study largely focused on advancing the state's lignite industry. The bill also directs the state water commission to study the state's water resources in order to maximize water use for energy growth. DRC objects to these provisions. House Natural Resources, Peace Garden Room, Friday, January 30 at 10 a.m.
- **HB 1352** (Representatives Porter, Brandenburg, S. Kelsh and Senators Flakoll, Triplett and Wardner) A sweeping bill that would create goals for a state energy policy. It emphasizes fossil fuels, short-shrifts efficiency and renewables and includes a provision to NOT support state mandates. DRC objects to the aforementioned provisions. House Natural Resources, Peace Garden Room, Thursday, January 29 at 3 p.m.
- **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. DRC supports this bill. House Natural Resources, Peace Garden Room, Thursday, January 29 at 10 a.m.

- **HB 1509** (Introduced by Representatives Nelson, DeKrey and Mueller and Senators Andrist, Klein and Triplett) This bill would create a code of conduct for wind leases. House Natural Resources Committee, Pioneer Room., Thursday January 29, 9:30 a.m.
- **HB 1527** (Introduced by Representative Brandenburg), would require anyone planting organic seed to obtain a certificate of purity by submitting a sample to the state for testing. House Agriculture Committee, Peace Garden Room, Thursday January 29, 10:30 a.m.
- **HB 1532** (Representatives Zaiser, Hawken, S. Kelsh, Schneider and Senators Bakke and Potter), would require all state property and facilities to have a recycling infrastructure. DRC supports this bill. House Government and Veterans Affairs Committee, Fort Union Room. Thursday, January 29 at 10:45 a.m.
- **HB 1536** (Representatives Zaiser, S. Kelsh, Mock and Schneider), would create a state waste reduction fund and program, funded by charges to landfills of \$1/ton, which can be passed on to landfill users. Grants would go out to poly subs for waste reduction programs. DRC supports this bill. House Political Subdivisions Committee, Prairie Room, Friday January 30, 9 a.m.
- **HB 1543** (Representatives Vig, D. Johnson and Senators Flakoll and Taylor) DRC introduced this bill, which would allow state institutions and agencies to purchase locally-produced food even if it costs a bit more, as long as they can stay within their budgets. House Agriculture Committee, Peace Garden Room, Thursday 11 a.m.
- **SB 2292** (Introduced by Sen. Mathern, Potter Introduced by Rep. Drovdal, S. Meyer, Mock, Onstad) DRC introduced this bill, which says that water permit applications must include, depth and the name of the impacted aquifer. It expands notice to two miles. Senate Natural Resources Committee, Fort Lincoln Room, Thursday January 29, 9:30 a.m.
- **SB 2352** (Introduced by Senators Wardner, Holmberg and Horne and Representatives Carlson, Klein and S. Meyer), eliminates a requirement that state builders follow the American Building Officials Model Energy Code and directs them to follow the state code, however there is no specific state building conservation code. DRC opposes this bill. Senate Political Subdivisions, Red River Room, Thursday, January 29, 9 a.m.