

February 26, 2021

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 with the process. 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.

We've reached the halfway point of the 67th ND Legislative Assembly. Lawmakers wrapped up work on the first half of the session with the House holding some long days during the last hours. The Session will resume on Wednesday, March 3.

The key bill of interest for the Association offices leading up to crossover was [HB 1464](#). This is the "gas tax" bill. No bill was dissected more times in the first half of the session than this one. After nearly a month of back and forth work on the bill relating to gas tax and electric vehicle fees, the House Finance & Tax Committee amended the original bill, bringing the state gas tax increase recommendation down from \$.06 to \$.03 per gallon. It also adjusted the electric vehicle and plugin hybrid vehicle registration fees from \$250 and \$150 to \$200 and \$100 respectively. The bill was split on the House floor, and both divisions passed as did the full bill. HB 1464 Passed on the House floor by a 62-32 vote. It will be heard in the Senate Finance & Tax Committee following crossover.

Other Bills of note that receiving some action in House and Senate the week of February 22-25:

[HB 1339](#): relating to **dangerous weapons**. This bill removes language from the NDCC declassifying BB guns, air rifles or CO2 guns from the dangerous weapons category. This bill if passed could certainly impact the type of weapons individuals could carry in a retail setting. The House Judiciary Committee has turned this bill into a potential legislative study as well. HB 1339 passed the full House by a 65-28 count.

[HB 1419](#): This is another attempt at charging a **utility fee** in lieu of special assessments. It's supposed to be more business friendly to larger retail properties. This bill had extended discussion in committee this past week. In a nutshell if passed, HB 1419 will essentially allow cities in ND to take to the voters a proposal to replace special assessments with a continuing utility fee to pay for ongoing local street maintenance work. Any city proposal would need 60% approval from local voters to move forward. The bill received a 11-3 "DO PASS" recommendation out of House Political Subdivisions. HB 1419 passed on the House floor by a 75-19 vote.

[HB 1323](#): It prohibits state or local elected officials, the state, or a political subdivision from **mandating masks**. It also includes a provision that prohibits making use of a face mask, shield, or covering a condition for entry, education, employment, or services. This was the last of the mask mandate bills the business community was facing. It passed on the House floor by a 50-44 vote. NDRA/NDPMA/NDPGA will be doing everything possible to make sure this HB 1323 is defeated in the Senate. You as businessowners should still have the right to choose who can and can't enter your stores and whom you choose to serve and not serve.

Your Associations had a strong first half of the session in terms of protecting your business interests. However, we still have a 2nd half to play out. **Please be ready and willing to contact your local legislators should it be needed.** As the 2nd half of the session starts up again next week, the Association will be front and center doing its best to represent all ND retailers. That being said, don't be afraid to MAKE YOUR VOICES HEARD! If there are any bills you need more information about please contact the association office. We can help you prepare testimony to submit online in both written and oral form if you wish. We are here to **help YOU help US engage** your legislative members.

Bills the Associations will be working on and monitoring 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.

[SB 2189](#): relating to licensing requirements for electronic smoking device dealers and distributors.

[HB 1374](#): Relating to income tax deductions for COVID-19 benefits.

[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 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 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.

[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. Not sure how much more needs to be studied regarding natural gas vs. propane.

[HB 1148](#): This bill relates to E-bikes distributed, manufactured and operated in the state.

You can click [here](#) to view all bills NDPMA/NDRA/NDPGA are following at this time. Click here for next weeks hearing schedule.