

What Happened This Week... Déjà Vu

Back in January, after the bill introduction deadline, we reported the number of bills introduced in the House and Senate. As of cross-over, of the 545 House bills introduced, 14 were withdrawn, 180 were defeated and 351 were passed. In the Senate, of the 359 bills introduced, 90 were defeated and 269 were passed. This should make for a busy second half.

It's a short week as the Legislative Assembly reconvened on Wednesday after the crossover break. Post crossover legislative hearings and actions always bring a sense of déjà vu - been there, done that. On Wednesday, standing committees in both the House and Senate began their consideration of bills that originated in the "other" chamber.

Here's what we followed this week.:

SB 2093 – DFI Clean-up Bill

The House Industry Business and Labor Committee heard SB 2093, Wednesday, February 27. SB 2093 relates to the examination of technology service providers, the capital requirement for trust companies, the examination of trust companies, the definition of a financial institution, surety bond requirements for money brokers and collection agencies and notice requirement for deferred presentment. SB 2093 was introduced by the Department of Financial Institutions. Commissioner Kruse explained the various provisions of the bill including credit union technology service providers exam authority; increasing the minimum capital requirement for a trust company; allowing for advance exam notifications; extending privacy and disclosure requirement to institutions located outside North Dakota; increasing the surety bond amount for money brokers; requiring surety bonds for collection agencies; increasing in renewal fees for money transmitters and changing the due date of reports from debt

settlement providers. No one else testified at the hearing; however, Chairman Keiser announced that Representative Beadle had requested the Committee to delay action on the bill as he was working on an amendment to exempt certified development companies from the money broker licensing requirement. Commissioner Kruse commented she was aware of the amendment and was not supportive. The hearing was closed and Chairman Keiser noted the committee will hold another hearing to consider the amendment.

HCR – Health Saving Accounts Eligibility

The Senate Industry Business and Labor Committee heard HCR 3026, Wednesday, February 27. NDBA's Rick Clayburgh explained the resolution on behalf of Representative Keiser. He explained the resolution addresses high deductible health plans (HDHP), HSAs and first-dollar coverage. The purpose of the resolution is to urge Congress and the IRS to allow states to determine health benefit coverage requirements without jeopardizing health savings account eligibility.

First-dollar coverage refers to benefits where the plan's co-pay or co-insurance is available from the start, regardless of the deductible. With an HSA insurance plan, first-dollar coverage is only available for certain preventive care benefits, such as an annual physical. Other than preventive care, individuals have to satisfy a deductible before any co-payment or co-insurance benefits can go into effect.

Rick explained states may require certain services be covered on state health plans. Problems arise when states pass laws requiring health insurers to provide "first-dollar" coverage for non-preventive care treatments. The resolution is asking Congress and the IRS to let states manage health benefit coverage without having to worry about jeopardizing HSA eligibility. The Committee gave the resolution a unanimous "Do Pass" recommendation and on Friday afternoon the resolution passed the full Senate.

*2019 North Dakota
Legislative Session*

HB 1008 – DFI Appropriation

The Senate Appropriations Committee held its initial hearing on the proposed appropriation for the Department of Financial Institutions on Friday, March 1. DFI Commissioner Kruse explained the details underlying Governor Burgum's suggested \$8,978,343 budget for the 2019-2021 biennium. The total budget would fund 31 full-time positions. NDBA, ICBND and the Credit Unions spoke in favor of the department's budget. In addition, the three associations offered an amendment to add \$300,000 to the department's operating line, restoring it to the 2015/2017 biennium level. The committee took no action as it will be assigned to a subcommittee who will review the budget in detail with the commissioner prior to final committee action.

HB 1220 – Ag supplier lien priority notice

The Senate Agriculture Committee heard testimony on HB 1220, Friday March 1. HB 1220 originally was introduced to require agricultural suppliers to give other creditors notice for liens of over \$50,000 within 20 days of when supplies were furnished or services performed. NDBA's Rick Clayburgh introduced the bill on behalf of Representative Keiser, the bill sponsor. He explained the House Agricultural Committee amended the bill into a study resolution to determine if the Secretary of State Central Filing System could be updated to provide automatic notice to the lien holder of record if someone files a priority lien ahead of them. ICBND and Farm Credit testified in support of the study. The Committee gave the bill a unanimous "Do Pass" recommendation and it is now awaiting full Senate action.

Hearings for the Week of March 4

Date and Time	Bill Number	Short Title	Committee	Room
03/04/2019 09:00 AM 	HB 1014	Industrial Commission: Housing Finance, BND, Mill & Elevator Budgets	Senate Appropriations	Harvest
NDBA High Priority				
03/04/2019 10:15 AM 	HB 1106	Relating to the establishment of an invisible reinsurance pool for the individual health insurance market; relating to premium taxes and credits for insurance companies; to provide for a legislative management study; to provide an expiration date; and to declare an emergency.	Senate Industry, Business and Labor	Roosevelt Park
03/04/2019 02:00 PM 	HB 1014	Industrial Commission: Housing Finance, BND & Mill & Elevator	Senate Appropriations	Harvest
03/04/2019 02:30 PM 	SB 2115	Relating to child support; relating to child support; and to provide a continuing appropriation.	House Human Services	Fort Union
03/05/2019 08:00 AM 	SB 2098	Bank of North Dakota residential mortgage loan program.	House Industry, Business and Labor	Peace Garden
NDBA High Priority				
03/05/2019 09:00 AM 	HB 1066	Relating to infrastructure funds, relating to oil and gas tax revenue allocations; to provide a continuing appropriation; to provide for a report; and to provide an effective date. Prairie Dog Bill	Senate Finance and Taxation	Lewis and Clark
03/05/2019 09:15 AM 	HB 1251	Relating to property disclosure requirements.	Senate Industry, Business and Labor	Roosevelt Park
03/05/2019 09:30 AM 	SB 2039	A bill relating to the development and implementation of a skilled workforce scholarship program; to provide a continuing appropriation; and to provide for a transfer	House Education	Coteau A

03/05/2019 02:00 PM 	SB 2099	Medical facility infrastructure loan fund.	House Industry, Business and Labor	Peace Garden
03/05/2019 02:00 PM 	SB 2296	Bank of North Dakota loan guarantee program.	House Industry, Business and Labor	Peace Garden
03/06/2019 08:00 AM  NDBA High Priority	SB 2205	Foreclosure of real estate.	House Industry, Business and Labor	Peace Garden
03/06/2019 08:00 AM  NDBA High Priority	SB 2262	Use & possession of re-encoders & scanning devices; unauthorized use of personal identifying information & unlawful skimming of credit, debit or other electronic payment cards. NDBA Bill	House Industry, Business and Labor	Peace Garden
03/06/2019 09:30 AM 	HB 1513	Relating to individual income tax credits that may be claimed by a taxpayer; relating to the family care tax credit, internship employment tax credit, and workforce recruitment tax credit; and to provide an effective date.	Senate Finance and Taxation	Lewis and Clark
03/06/2019 02:30 PM 	HB 1045	Relating to electronic transaction def., blockchain tech. and smart contracts, number of shareholders, and series limited liability companies; electronic transactions, filing of an annual report by corporations engaged in farming or ranching, Business Corporation Act def. knowledge and notice, share certs.	Senate Industry, Business and Labor	Roosevelt Park
03/07/2019 08:30 AM 	HB 1097	Relating to Sunday closing laws.	Senate Political Subdivisions	Red River
03/07/2019 09:30 AM 	HB 1048	Relating to the use of distributed ledger technologies and a pilot program.	Senate Government and Veterans Affairs	Sheyenne River
03/07/2019 10:15 AM 	HB 1193	Relating to a living wage mandate prohibition for political subdivisions; and to provide for application.	Senate Political Subdivisions	Red River
03/07/2019 02:15 PM  NDBA High Priority	SB 2357	A BILL for an Act to provide for a Bank of North Dakota loan guarantee program for federal workers affected by the federal shutdown; and to declare an emergency.	House Government and Veterans Affairs	Fort Union
03/08/2019 09:30 AM 	HB 1135	Relating to parking spaces for the mobility impaired; and to provide a penalty.	Senate Political Subdivisions	Red River
03/08/2019 09:30 AM  NDBA High Priority	HB 1467	Relating to the definition of agriculture commissioner; relating to moving the authority over grain, grain buyers, warehousing, deposits, and warehousemen from the public service commission to the agriculture commissioner; to provide a penalty; and to provide a continuing appropriation.	Senate Agriculture	Roosevelt Park
03/08/2019 10:30 AM 	HB 1055	A bill relating to motor vehicle body damage disclosure.	Senate Transportation	Lewis and Clark
03/08/2019 11:00 AM 	HB 1407	A bill relating to the issuance of certificates of vehicle title.	Senate Transportation	Lewis and Clark

How to Contact Your Legislators

During a legislative session, a legislator can be reached at the State Capitol through:



[Contact My Legislators](http://www.legis.nd.gov/contact-my-legislators)

<http://www.legis.nd.gov/contact-my-legislators>



or by leaving a message with the legislative telephone message center at
1-888-NDLEGIS (635-3447)
or **701-328-3373** (local).

Otherwise, a legislator can be reached by mail, telephone or email at the address listed in the legislator's biography, or one of the lists provided below. Individual legislator contact information is listed here:



Senate

<http://www.legis.nd.gov/files/resource/miscellaneous/senateroster.pdf?20150106101229>



House

<http://www.legis.nd.gov/files/resource/miscellaneous/houseroster.pdf?20150106101310>

Over the course of the session, NDBA may ask you to call your Senator or Representative to talk to them about a particular bill or to ask them to support or oppose a particular bill.

Legislator contacts from local bankers are extremely important, so, please, if we ask, contact your legislators!

Also, local legislative forums are great to attend because they inform you about issues beyond banking and let you get to know your legislators at home where they are most responsive to your interests and concerns.

Don't be a stranger; get to know your representatives in Bismarck!