

This Week at the Legislature

Lady Gaga will not be singing for the halftime show. And ABC, NBC, CBS, and ESPN will not be showing the highlights. But legislative “halftime” has now arrived. This is the crossover break when members of the House and Senate get to go home, go to Arizona or go wherever they want for a few days. They’ll be back in session next Wednesday. The good news is they will have fewer bills (591) to deal with than the 847 bills with which they began the session.

The “smilers” will be House committee members who won’t get many bills from the Senate the second half. The Senate committees will be dealing with roughly the same number of bills, after the House defeated 146 bills before cross-over. And so it goes as we head into the second half of the 2021 legislative session.

Bill Breakdown:

503 House bills introduced, 339 passed, 146 failed and 18 were withdrawn.



344 Senate bills introduced, 252 passed, 84 failed and 8 were withdrawn.








The house adjourned on legislative day 35. The constitution allows 80 legislative days every two years, and leaders want to save around 10 days for a redistricting session in the fall. Thus, saving 5 the first half is right on course to save 10 by the end. Perhaps the most pace-setting decision of the second half will be the final revenue forecast of the session, which will occur in early March. That decision—how much money the legislature projects to have in the hopper for the next two years (not an easy decision)—will be the decision that sets the tone for the remainder of the session. Stay tuned!

Hearings and Other Action this Week

There were no Committee Hearings Scheduled this Week.

Hearings Next Week

Date and Time	Bill Number	Short Title	Committee	List
03/03/2021 09:00 AM 	HB 1398	Relating to prohibitions on political subdivisions regulating paid family leave.	Senate Industry, Business and Labor	Tracking
03/03/2021 09:45 AM 	HB 1258	Relating to real estate commission administration and real estate licensing; to repeal chapter 43-23.4 of the North Dakota Century Code, relating to real estate broker trust accounts; and to provide a penalty.	Senate Industry, Business and Labor	Tracking

03/03/2021 10:00 AM 	SB 2048	Relating to the adoption of the Revised Uniform Unclaimed Property Act regarding abandoned and unclaimed property; and to repeal chapter 47-30.1 of the North Dakota Century Code, relating to the uniform unclaimed property act.	House Judiciary	NDBA Priority
03/04/2021 09:00 AM 	SB 2070	Relating to the regulated substance response; to amend and reenact sections 11-33-01, 23.1-10-02, 40-47-01, and 58-03-11 of the North Dakota Century Code, relating to the regulated substance response; to repeal sections 23.1-04-04 and 23.1-10-01 of the North Dakota Century Code, relating to contaminated properties; to provide a continuing appropriation; and to provide for retroactive application.	House Energy and Natural Resources	Tracking
03/04/2021 09:00 AM 	SB 2191	Relating to the disposal of abandoned personal property.	House Political Subdivisions	NDBA Priority
03/04/2021 11:00 AM 	SB 2098	Relating to abandoned vehicles. At the request of the Highway Patrol.	House Transportation	Tracking
03/04/2021 03:15 PM 	HB 1231	Relating to duty of the investment director to consider investing locally.	Senate Government and Veterans Affairs	NDBA Priority
03/05/2021 10:00 AM 	SB 2019	A BILL for an Act to provide an appropriation for defraying the expenses of the department of career and technical education; and to provide a report.	House Appropriations - Education and Environment Division	Tracking
03/05/2021 10:30 AM 	SB 2201	Relating to requiring the state to observe daylight saving time year-round; to repeal section 40-01-20 of the North Dakota Century Code, relating to daylight saving time; and to provide a contingent effective date.	House Political Subdivisions	Tracking

NDBA's High Priorities to Date

Bill	Status	Title
HB 1026	House: PASSED House 89 – 0 Senate: NDBA Supports	Relating to financial criteria for grain buyer, grain broker, grain processor, and warehousemen licenses, and licensing and bonding for grain brokers and grain processors; to definitions of grain brokers and processors, the duties and powers of the commissioner, confidentiality records, scale ticket contents, credit-sale contracts, reports, annual licenses, fees, and bonds for grain buyers, grain brokers, grain processors, and warehousemen.
HB 1050	House: PASSED House 90 – 0 Senate: NDBA Supports	Relating to definitions relating to business incentives, agreements, and reports.
HB 1077	House: PASSED House 92 – 1 Senate: NDBA Supports	Relating to the Uniform Electronic Wills Act; and to provide for application.

<u>HB 1154</u>	House: PASSED House 60 – 34 Senate: NDBA Neutral	Relating to transparency in dental benefits contracting; and to provide a penalty. NDBA's Amendments adopted, now neutral.
<u>HB 1172</u>	House: DEFEATED House 5 – 89 NDBA Opposed	Relating to agricultural mediation and negotiation services.
<u>HB 1175</u>	House: PASSED House 77 – 17 Senate: NDBA Supports	Relating to business immunity from COVID-19 liability claims; to provide for retroactive application; to provide an expiration date; and to declare an emergency.
<u>HB 1187</u>	House: PASSED House 93 – 1 NDBA Supports	Relating to creation of a Bank of North Dakota rebuilders loan program and a rebuilders permanent loan fund; to repeal sections 6-09-46 and 6-09-46.1 of the North Dakota Century Code, relating to a rebuilders loan program, a rebuilders home loan program, and a rebuilders home loan fund; to provide a continuing appropriation; and to provide for a transfer.
<u>HB 1204</u>	House: DEFEATED House 19 – 74 NDBA Neutral	Relating to limitations on requirements to wear a mask at work; to provide an expiration date; and to declare an emergency.
<u>HB 1222</u>	House: PASSED House 87 – 6 Senate: NDBA Neutral	Relating to repairing, replacing, or improving a residential structure that is nonconforming due to zoning changes.
<u>HB 1231</u>	House: PASSED House 94 – 0 Senate: NDBA Supports	Relating to duty of the investment director to consider investing locally. Amended to provide for a legislative management study regarding the benefits of investing legacy fund moneys locally.
<u>HB 1251</u>	House: PASSED House 92- 2 Senate NDBA Neutral	Relating to actions having twenty-year limitations, docketing judgments, renewal of judgments by affidavit, and cancellation of judgment of record. Bill eliminates 10-year judgment renewal requirement and creates a 20-year judgment.
<u>HB 1267</u>	House: DEFEATED House 19 – 75 NDBA Neutral	Relating to the Bank of North Dakota providing custodian services for digital currency and may implement a digital currency exchange. Relating to BND studying the feasibility and desirability of providing digital currency custodian services and of implementing a digital currency exchange.
<u>HB 1268</u>	House: DEFEATED House 36 – 56 NDBA Opposed	Relating to a financial technology sandbox program for innovative financial products and services and criminal history background checks.

<u>HB 1321</u>	House: WITHDRAWN NDBA Neutral	Relating to exemption of recognition of daylight-saving time; and to repeal section 40-01-20 of the North Dakota Century Code, relating to daylight saving time.
<u>HB 1330</u>	House: DEFEATED House 19 – 75 NDBA Neutral	Relating to prohibiting covered entities from selling users' protected data without consent; and to provide a penalty. Not a direct impact on Financial Institutions
<u>HB 1339</u>	House: PASSED House 65 – 28 Senate: NDBA Neutral	Relating to the definition of dangerous weapons. Amended to provide for a legislative management study of the definitions of "dangerous weapon" and "public gathering." NDBA Neutral to the study
<u>HB 1363</u>	House: DEFEATED House 7 - 85	Relating to ante-mortem probate of wills. Ante-mortem is currently used by testators to have their wills declared valid. Bill would allow other persons to challenge the validity of the will. NDBA had concerns with the bill.
<u>HB 1364</u>	House: PASSED House 79 – 15 Senate: NDBA Neutral	Relating to the duties of a personal representative.
<u>HB 1366</u>	House: PASSED House 94 – 0 Senate: NDBA Opposed in part.	Relating to the sale of property subject to a repairman's lien and sale proceeds; and to amend and reenact sections 35-13-01, 35-13-05, and 35-13-06 of the North Dakota Century Code, relating to repairman's liens, notice requirements, and assignments. Adopted NDBA amendments regarding UCC Article 9 – NDBA still opposed to addition of storage fees to liens.
<u>HB 1380</u>	House: PASSED House 71 – 22 Senate: NDBA Supports	Relating to a legacy sinking and interest fund, a legacy earnings fund, and an income tax relief fund; to amend and reenact section 21-10-12 of the North Dakota Century Code, relating to legacy fund definitions. The bill creates a new legacy earnings fund to receive all of the constitutionally mandated legacy fund earnings transfers. It then stipulates the amount available for appropriation out of the new fund and directs the transfer of funding to multiple funds.
<u>HB 1425</u>	House: PASSED House 85 – 8 Senate: NDBA Supports	Relating to the legacy infrastructure loan program and the state investment board; to amend and reenact sections 21-10-02 and 21-10-11 of the North Dakota Century Code, relating to the state investment board and the legacy and budget stabilization fund advisory board; and to provide a continuing appropriation. The bill includes a requirement that the state investment board (SIB) give preference to qualified investment firms with a presence in the state when investing Legacy Fund assets. It also sets specific targets for investing Legacy Fund assets within the state and within specified asset classes.
<u>HB 1499</u>	House: DEFEATED House 9 – 84 NDBA Opposed	Relating to election requirements for bonds. The bill provided that the state may not issue bonds without first being authorized to do so by a vote of two - thirds of the qualified electors in the state. The bill would have restricted the ability of the Housing Finance Agency from issuing bonds on a timely basis without a public vote.
<u>SB 2008</u>	Senate: PASSED Senate 47 – 0 House: NDBA Supports	A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions. DFI's Budget

SB 2014	Senate: PASSED Senate 47 – 0 House: NDBA Supports	A BILL for an Act to provide an appropriation for defraying the expenses of the industrial commission and the agencies under its control; to provide contingent funding; to provide for a transfer; and to provide an exemption. BND's and Housing Finance's Budget
SB 2020	Senate: PASSED Senate 47 – 0 House: NDBA Supports	A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota state university extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide for a report; and to provide an exemption.
SB 2048	Senate: PASSED Senate 47 – 0 House: NDBA Supports	Relating to North Dakota adopting the Revised Uniform Unclaimed Property Act. NDBA Amendments adopted – NDBA supports
SB 2098	Senate: PASSED Senate 47 – 0 House: NDBA Neutral	Relating to abandoned vehicles. Bill introduced by the Highway Patrol – intended to streamline their administrative process.
SB 2101	Senate: PASSED Senate 47 – 0 House: NDBA Supports	Relating to credit union loans; to amend and reenact subsection 3 of section 6-01-01.1, sections 6-01-04.3, 6-01-09, and 6-01-17, subsection 1 of section 6-03-05, sections 6-03-11, 6-03-13.3, and 6-03-15.1, subsection 1 of section 6-03-47.2, sections 6-03-49.1, 6-05-15.4, and 6-06-06, subsection 4 of section 6-06-08, and sections 6-06-11 and 6-08-08.1 of the North Dakota Century Code, relating to the regulatory fund, assessment of civil money penalties, appointment of receivers, supervision and examinations, assessments, real estate loans, bank mergers, bank branches, bank investments, trust branches, credit union powers, credit union board notice, and sale or purchase of banking institutions or holding companies; to repeal section 6-06-14 of the North Dakota Century Code, relating to credit union loans; and to provide a penalty.
SB 2102	Senate: PASSED Senate 47 – 0 House: NDBA Supports	Relating to dissolution, insolvency, suspension, emergency receivership, and liquidation of institutions under the department of financial institutions' supervision; to amend and reenact subsection 4 of section 6-01-04.2 and sections 6-01-04.4, 6-02-05, 6-03-12, 6-03-57, 6-03-67, 6-05-34, and 6-06-08.4 of the North Dakota Century Code, relating to financial institutions cross references, cease and desist orders, and prompt corrective action; and to repeal chapter 6-07 of the North Dakota Century Code, relating to dissolution, insolvency, suspension, emergency receivership, and liquidation of institutions under the department of financial institutions' supervision.
SB 2191	Senate: PASSED Senate 46 – 0 House: NDBA Supports	Relating to the disposal of abandoned personal property.
SB 2197	Senate: PASSED Senate 47 – 0 House: NDBA Supports	Relating to confidentiality of facts and information obtained or created by the commissioner of financial institutions and the department of financial institutions. NDBA's Bill

<u>SB 2203</u>	Senate: DEFEATED Senate 8 – 39 NDBA Opposed	Relating to surcharges paid by employers for employees who receive unemployment insurance benefits; and to provide an effective date.
<u>SB 2223</u>	Senate: DEFEATED Senate 2 – 45 NDBA Opposed	Relating to a deed in lieu of foreclosure.
<u>SB 2261</u>	Senate: PASSED Senate 46 – 0 House: NDBA 's Bill	Relating to irrevocable itemized funeral contracts and Medicaid assets exempt for funeral expenses; and to declare an emergency. NDBA's Bill
<u>SB 2292</u>	Senate: PASSED Senate 47 – 0 House: NDBA's Bill	Relating to mortgage modifications; and to amend and reenact sections 35-03-14 and 35-03-15 of the North Dakota Century Code, relating to the expiration and extension of real estate mortgages. NDBA's Bill

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>



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!