



Western Dakota Energy Association
Legislative Report, January 21, 2017
[Geoff Simon](#), Executive Director

More than 200 additional pieces of legislation were introduced during the third week of the session, bringing the grand total to 756 bills and resolutions. Among them were several of significant importance to the interests of WDEA members was introduced in the North Dakota House of Representatives this week. At the top of the list is [HB 1366](#), which would adjust the Hub City funding formula to keep pace with expected growth and meet the need to finance existing debt in Williston, Dickinson and Minot. The same legislation would also deliver financial support to growing Hub City schools, as well as provide an appropriation to fulfill previous oil and gas impact grant commitments made during the 2015-17 biennium. The bill's prime sponsor is [Rep. Gary Sukut, R-Williston](#).

WDEA will also be a strong advocate of [HB 1320](#), legislation that would enhance the operation of WDEA's Uniform Truck Permit System. To achieve a truly uniform system, the bill would require townships in counties that participate in the system to also participate in the system. HB 1320 also directs the ND Department of Transportation through its e-permit system for state highways to "allow for the most efficient routing of oversized or overweight loads through the state highway system and take into consideration the impacts on city, county, township, and state roads." Another provision in the bill prohibits local governments from impose additional fees for the use of roads beyond fees in the uniform permit system, unless a separate agreement was made in which a person or company agreed to pay additional costs. The bill's prime sponsor is [Rep. Dan Ruby, R-Minot](#), who chairs the House Transportation Committee.

The association will also lend its support to [HB 1368](#), which would allow a county board of equalization to appeal a decision by the state board of equalization to reduce the valuation of locally assessed taxable property. Several WDEA member counties have been frustrated by recent state decisions that substantially devalued industrial properties. But current law does not allow counties to appeal the state decision to district court. The prime sponsor of the bill is [Rep. Don Longmuir, R-Stanley](#).

The Senate Finance and Taxation Committee heard testimony on SB 2209, Rep. Jessica Unruh, R-Beulah, would re-allocate the taxes paid by large wind farms. Currently the tax revenue is deposited in the electric generation, transmission, and distribution tax fund for eventual redistribution to local governments in which the wind farm is located. But Senator Unruh's legislation would transfer 70 percent of that revenue to the state general fund, leaving a 30 percent share for political subdivisions. Senator Unruh argues that the 70-30 split would be appropriate because it would distribute taxes from wind generation similar to the manner in which oil and gas taxes are now distributed. Senator Unruh indicated she will offer an amendment that would delay the bill's effective date up to 20 years.

The Senate Transportation Committee heard testimony but took no action on [SB 2167](#), a bill that would put all of North Dakota in the central time zone, and eliminate the semi-annual switch between standard and daylight savings time. Sponsor Dave Oehlke, R-Devils Lake, said he'd received a lot of favorable comments about the bill, and believes it would clear up a lot of confusion and allow businesses to function more efficiently. The bill is unlikely to succeed, as it appears people in western North Dakota want to remain in the mountain time zone.

One of the news bills were tracking, [SB 2236](#), would make permanent a pilot program started around 10 years ago that helps landowners work with pipeline companies on reclamation issues. It's administered through the state agriculture department. A new provision in the bill would provide confidentiality to those landowners who use the program.

Next week's committee schedule includes first hearings on several interesting bills. Among them is [HB 1304](#), a bill that prohibits people from wearing a mask to disguise their identify when participating in a public demonstration; [HB 1298](#), that would prohibits counties, cities and townships from hiring a lobbyist unless it was approved by a vote of electors; and a major bill for the counties this session, [SB 2206](#), under which the state would assume responsibility for funding Social Service functions to provide property tax relief.