BY THE NUMBERS

• 76 Days Long (77 in 2017)

• Bills 908 (780 in 2017; 854 in 2015)
  • 546 House 362 Senate

• Resolutions
  • 59 House 18 Senate

• $14.8 Billion Dollar Budget (Biennium) ($13.6 in 2017; $14.2 in 2015)

NDACo BY THE NUMBERS

• 524 Bills Related to Counties

• 100% Successful in Defeating Major County Bills Opposed

• 100% Successful on Top 8 County Legislative Priorities
MAJOR FUNDING PRIORITY

ELECTION EQUIPMENT FUNDING

• **$11.2 MILLION ($3M FED) FOR ELECTION REFORM**

• **NEW VOTING SYSTEM (BALLOT SCANNERS) AND STATEWIDE ELECTRONIC POLLBOOKS**

• **Emergency Clause = equipment can be purchased NOW!**

• **Voting system RFP done in 2018 – Final stages of awarding bid – Expect announcement on system May/June**

• **RFP for electronic pollbooks will be issued**

• **New equipment ready for June 2020 election!**
PUBLIC GUARDIANSHIPS FUNDING

- $1.95 MILLION INCLUDED IN OMB BUDGET
  - INCREASE SLIGHTLY BELOW REQUEST OF $2M
- FUNDING HAS REMAINED FIXED AT $1.3 M SINCE 2013
- PUBLIC GUARDIANS SERVE INDIGENT INDIVIDUALS
- NUMBER OF INDIGENT WARDS FROZEN TWO YEARS AGO
MAJOR FUNDING PRIORITY

LOCAL PUBLIC HEALTH

• State Aid Funding – Successfully restored to 2017-2019 level

• Overall state funding down $1 M from 2015-2017 biennium with tobacco prevention reduction in 2017-2019
MAJOR FUNDING & POLICY PRIORITIES

INFRASTRUCTURE FUNDING & TRANSPORTATION ADMINISTRATION

➢ Operation Prairie Dog ✓
➢ Corridors of Commerce ✓
➢ Defeated: Motor Fuels Tax Increase
➢ Vetoed: Driver’s License Fee Increase
➢ Allows counties to purchase equipment at auction & State Surplus ✓

➢ $5,000 to non-oil townships for extraordinary costs this winter ✓
PROPERTY TAX ADMINISTRATION

SUCCESS MEASURED BY VOLUME OF PROPERTY TAX BILLS ABLE TO DEFEAT

ND COUNTIES ABLE TO CONVINCE LEGISLATURE ON HARMFUL PROPERTY TAX RELATED LEGISLATION

*EDUCATION ON PROPERTY TAX SYSTEM IS NECESSARY

- **DEFEATED**: Three separate bills – to CAP property taxes or property values
- **DEFEATED**: Extend tax foreclosure to 6 yrs
- **DEFEATED**: Private appraiser to supersede local assessment
- **DEFEATED**: Private Appraiser to supersede local assessment & force spot checks for counties
- **AMEND TO STUDY**: Income tax replace prop tax
- **AMEND TO STUDY**: Freeze property taxes for seniors
**PUBLICATION COSTS**

- **FAILED** – Eliminate publishing official election results if online
- **FAILED** – Eliminate publishing list of checks
- **PASSED** – Shifts cost of election notices from CO extension to commodity groups & changes date for notice of financial statement

**BUDGET RELATED**

- **PASSED** – Creates cut off deadline for centrally assessed companies to make changes to counties
  - Any changes after Oct. 1 will be applied to following taxable year
- **PASSED** – Proposed study for uniform chart of accounts
FEEDLOT ZONING

- SB2345 WAS INTRODUCED TO RECODIFY FEEDLOT ZONING AUTHORITY
- INCLUDES A 60-DAY “SHOT CLOCK” ON THE LOCAL ZONING DECISION-MAKING
- HOUSE AMENDED TO REMOVE LOCAL SETBACK AUTHORITY OF 50% OVER STATE MINIMUM
- FINAL BILL RESTORED LOCAL SETBACK, BUT REQUIRES “COMPELLING, OBJECTIVE EVIDENCE” FOR THIS
LOCAL PUBLIC HEALTH

PASSED:

- PROHIBITS SALE OF FLAVORED E-LIQUID OR E-SMOKING DEVICES TO MINORS $500 FINE
- STUDY OF TAXATION OF LIQUID NICOTINE & E-SMOKING DEVICES

FAILED:

- RAISING MIN AGE FOR TOBACCO PRODUCTS TO 19 YRS
- ILLEGAL TO SMOKE IN VEHICLE WITH CHILD UNDER AGE OF 9 YRS
- REQUIRE INGREDIENT LABELING ON NICOTINE LIQUID CONTAINERS
- TAX INCREASE ON CIGARETTES
ELECTION ADMINISTRATION

- DEFEATED – Partisan declaration for County candidates
- DEFEATED – Consult w parties on precinct boundaries & locations
- DEFEATED – 500 words of measures to be printed on ballot
- DEFEATED – Verify absentee signatures amended to study vote by mail
- DEFEATED - Co to hold special election for vote on proposed ETZ expansions
TRAFFIC SAFETY

- DEFEATED: PROHIBITING SOBER CHECKPOINTS
- FAILED: PRIMARY SEAT BELTS
- FAILED: INCREASE TRAFFIC FINES
- FAILED: SPEED LIMIT INCREASE
CIVIL ASSET FORFEITURE

• CONTROVERSIAL ISSUE – WORKED TO IMPROVE BILL – END VERSION HAD SUPPORT FROM LAW ENFORCEMENT COMMUNITY

REFORM ELEMENTS:
• INCREASE LEVEL OF PROOF REQUIRED – FROM CLEAR AND CONVINCING TO BEYOND A REASONABLE DOUBT

• POLITICAL SUBDIVISION MUST ESTABLISH CIVIL ASSET FORFEITURE FUND OR $ GOES TO ATTORNEY GENERAL AF FUND
  • $ TO BE APPROPRIATED BY BOARD

• JUDGE CAN LOOK AT THE PROPORTIONALITY OF THE FORFEITURE

• REQUIRES ANNUAL REPORT (SECTION 4 NDCC § 19-03.1-36.8)
  • FOR CLERKS/PROSECUTORS: EVERY JUDGEMENT MUST CONTAIN CERTAIN FACTS
PUBLIC SAFETY

- **PASSED** – UPDATE TO DWI STATUTE

- **FAILED** - EXPANDED USE OF DEADLY FORCE

- **FAILED** - RESTRICTED LAW ENFORCEMENT SEARCH OF BUILDINGS

- **PASSED** – REMOVES MAN. MIN SENTENCES FOR CERTAIN DRUG-RELATED OFFENSES
GUN RELATED BILLS

- FAILED - Allowed anyone to carry at public events
- FAILED - Created new “CLASS 1 EXEMPT” allowed to carry at public events
- FAILED - Allowed judges, emt’s, congressional members to carry at public events
- FAILED - Prohibited drones with weapons
- FAILED - Liability for property owners if restrict weapons
- PASSED - Permits carrying loaded firearm in vehicle
- PASSED - Infraction to possess weapon at public gathering
- PASSED - Prohibits firearm buyback program
- PASSED - Allows residents to produce digital copy of concealed permit card
- PASSED - Allows armed first responders in schools (approved by local LE)

15+ firearm related bills this session
MARIJUANA

- **FAILED** - DELIVERY OF MJ INFRACTION AND PERSONAL USE NON-CRIMINAL

- **PASSED** - INFRACTIONS DON’T RAISE UNTIL 3 VIOLATION OF SAME OFFENSE
  - MARIJUANA < HALF-OUNCE = INFRACTION
  - HALF-OUNCE - 500 GRAMS = B MISDEMEANOR
  - > 500 GRAMS OF MARIJUANA = A MISDEMEANOR

- **FAILED** – ALLOW FOR EDIBLE MEDICAL MARIJUANA
- **FAILED** – ALLOW FOR HOMEGROW OF MEDICAL MARIJUANA

- 22 states
  - Decriminalized Small Amounts of MJ

- 10 states
  - Legalized Recreational MJ

- 33 states
  - (ND included)
  - Allow for Medical MJ Use
CORRECTIONS

INMATE MEDICAL

• HB 1115: Medicaid program “clean-up” bill
• Removes ability of DHS to process non-Medicaid inmate medical claims
• Now a county responsibility
  • Protects Counties from being charged more than Medicaid rates for inmate medical costs
CORRECTIONS – DOCR BUDGET

DOCR Facilities

• Controversial shifts in facilities proposed

• Final decision: Leg mandated to study DOCR facilities & preferable location for female inmates
  - Report findings & recommendations to 2021 Legislature

Pretrial services Pilot Program

• $755,000 + 7 FTE’s

• Pilot in 3 judicial districts

• DOCR, courts, comm. on legal counsel for indigents & county & regional corrections to develop
STATE AUDITOR BUDGET

• RECEIVED $1.3 M TO ADD TWO LOCAL GOVT AUDITORS
  • ADDITIONAL CAPACITY WILL ALLOW COUNTIES TO USE STATE AUDITORS OFFICE VS PRIVATE AUDIT FIRM

• AUDITOR TO GET LEG. APPROVAL FOR PERFORMANCE AUDITS (STATE AGENCIES)
STATE EMPLOYEE SALARY ISSUES

- 2% INCREASES ON JULY 1, 2019
  $120/MONTH MINIMUM AND $200/MONTH MAXIMUM

- 2.5% INCREASES ON JULY 1, 2020

- HEALTH INSURANCE – STATE CONTINUES TO PROVIDE 100% OF HEALTH PLAN PREMIUMS

NDPERS RETIREMENT

- FAILED - Gov. proposal to bolster fund with $20 million of oil revenue
- FAILED - Proposal to increase employer and employee contribution rate
- Final average salary calculation now includes higher of two options:
  - 1.14% retiree health fund contribution into NDPERS main fund for new employees (1/1/20)
  - Retirement “multiplier” reduces from 2% to 1.75% for new employees (1/1/2019)
OTHER “HOT” ITEMS THIS SESSION

- Criminal trespass – nothing changes – study land access & online database
- Restrictions to eminent domain authority
- Funding for GIS Statewide Land Parcel project
- Theodore Roosevelt Presidential Library
- Ethics bills
- Repeal of Sunday morning shopping law
- Repeal of prohibition to leave car running, unattended
THANK YOU!
YOUR PRESENCE & INPUT WAS VALUABLE!
SIGN UP TODAY!

NDACo Legislative Blog

ndcounties.blogspot.com
QUESTIONS?
Operation Prairie Dog (HB1066)

- Funding for oil & non-oil counties, cities, townships
- House moved $400 million in SIIF funding ahead of non-oil County bucket
- Funding likely available June 2021
- Key Point: Continuing Appropriation – NO SUNSET
INFRASTRUCTURE FUNDING & TRANSPORTATION ADMINISTRATION

Operation Prairie Dog III (HB 2275)

- Allows Bank of ND to bond for up to $500 million to create a low interest loan fund for city and county infrastructure projects
- Bond payback from Legacy earnings
- The maximum loan would be $25 million
- Counties allowed to borrow for up to 20 years
SOCIAL SERVICE FUNDING – SB 2124

Continues legislative efforts to fully fund the direct costs of social services with state resources rather than property taxes

- Creates up to 19 multi-county zones
- Preserves current service access locations
- Local decision-making in zone creation
- Zones implemented by Jan. 1 2021
- Preserves employment & salaries of employees
- Statewide consistency in indigent burial
- Funding formula based on 2018 expenditures
- Zone boards to include: Co comm., legislators, local leaders – hire zone dir.
SOCIAL SERVICE FUNDING

Blue = Existing Multi-County Collaborations
Yellow = Counties that have initiated discussions regarding collaboration
Purple = Counties over the 60,000 threshold
Yellow Circle – Southwest 8 Counties discussing further collaboration

\[\text{Diagram of North Dakota counties with color coding explained.}\]
PROPOSED TIMELINE

July 1, 2019
Bill Enactment

December 1, 2019
Zone Agreements
Zone Board

March 31, 2020
Zone Director
Employed

June 30, 2020
Final Zone Plan
Submittal

January 1, 2021
Approval & Statewide
Implementation
FARM RESIDENCE EXEMPTION

SB 2360 Changes
Eligibility
• Based on 66% of gross income including spouse

SB 2278 Shifts Burden
• Applicant responsible for providing financial records to show eligibility
• Records confidential
MAJOR FUNDING PRIORITIES

LOCAL PUBLIC HEALTH STATE AID
• Executive Budget reduced LPH State Aid by $525,000.
• House restored funding using Tobacco Prevention Control Trust Fund
• State Aid to current biennium level funding of $5.25 million

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE
• House added $450,000 for local roads study

NDSU EXTENSION BUDGET
• House restored funding for extension to current level
  • Does NOT include $4.1 million lost in 2017
STATEWIDE INTEROPERABLE RADIO NETWORK (SIRN)

- $120 million line of credit
  - $.50 9-1-1 fee to pay for project
- $40 million in SIIF removed by House – Senate could amend

Proposed Allocation of costs:
- State – network & core
- Local Govt – consoles (PSAPs)
- All Radios - State Cost Share
EMINENT DOMAIN

- FAILED - Eminent Domain damage calculation changes
- FAILED - Repeal of “quick take” Eminent Domain
- FAILED - County Commission can Veto all Eminent Domain
- Court Costs for Eminent Domain
LIABILITY / INSURANCE

✓ FAILED: Quadrupled liability limits for local govt
✓ FAILED: Liability “hold-harmless” for private person moving snow on section line
✓ FAILED: Liability increase for NOT allowing guns in building
✓ PASSED: Fire & Tornado Fund administration to NDIRF