



LEGISLATIVE UPDATES



February 21, 2025

Update No. 7

It has been a sad week in Bismarck as the Legislature said goodbye to one of its own – Representative Josh Christy of Fargo’s District 27. Rep. Christy passed away Tuesday and was honored by his colleagues in the House during Wednesday’s floor session. Rep. Christy is survived by his beloved wife Mary and three daughters. He was known as an expert in AI technology and was a member of the House Industry, Business, and Labor Committee. Rep. Jeremy Olson gave a moving speech honoring his friend:

“Throughout his time here, he exemplified what it means to be a true servant leader. Known for his quiet professionalism, Josh was a gentle giant—someone whose presence brought calm and whose intellect shone through in every discussion and decision. His approach was one of humility and service, and he was always willing to lend a helping hand to anyone who asked, regardless of the issue or the challenge...In his time here, Representative Christy worked tirelessly for the people of District 27 and for all of North Dakota. He cared deeply about our state and its citizens, always striving to improve the lives of others. Josh was a man of principle, one who lived by the highest standards of integrity, and his service as a legislator will forever be remembered with respect and admiration.”

Our thoughts and prayers are with Rep. Christy’s family during this incredibly difficult time. District 27 will have 21 days to appoint someone to fill Rep. Christy’s seat.

We have just a few days left before the crossover break. Both bodies are expecting to adjourn on Wednesday of next week and reconvene the following Wednesday. At the start of the week the house needed to be averaging at least 30 bills acted upon on the floor per day to meet that goal. They seem to be on track. We have started to hear the usual refrain of “Appropriations needs a little more time,” as schedules are shifted to allow for last bits of committee work to take place and negotiations to be finalized. Appropriations committees are working through lunch and straight into floor sessions while policy committees don’t have much to do. These are the tell-tale signs that we are very close to wrapping up the first period.

UPDATES FROM ICBND’S PRIORITY TRACKING LIST

There are no hearings on our list next week. Most of the policy committees have completed their work for the first period and are just waiting on the appropriations committees to wrap up theirs before the crossover break. Here is the last bit of work that we wrapped up this week:

HB 1080

HB 1080 was heard by Senate Industry and Business this week. The bill updates the appraisal management company section of the Century Code to better align with federal statutes. Most notably, it defines federally regulated appraisal management companies to clarify their exemption from state regulation. It was brought at the request of the ND Real Estate Appraiser Qualifications and Ethics Board and passed the House 90-0. The appraisers proposed some very messy amendments during the Senate this week. We've worked with the realtors to review them and believe that they're largely cleanup and benign but have not yet seen the final version from legislative council. That will have to come by Monday to meet the crossover deadline

HB 1183

If you are thoroughly reviewing the tracking list this week, you're going to see an unusual status update on **HB 1183**. This is a bill that we are tracking because the original version dealt with gold and silver investments using the general fund and included a study related to the state's economic stability. The bill was amended to exclude the general fund monies, but the process it went through on the floor is what is most worth noting. Last Friday, it failed the House by a vote of 47-33. No, I didn't mistype that – a bill can fail with more yes votes than no votes. In order to pass, a bill must have a “constitutional majority”, or a majority of the seated representatives. There are 94 representatives in the House. That means every single bill must have at least 48 yes votes to pass. So, **HB 1183** was just one vote shy of passing with 14 members absent or not voting at the time it was acted upon. Those of us who have been around for a bit knew what was coming next: during Monday's floor session, Representative Kempenich stood and made a motion to reconsider. Whether a bill passes or fails, the body can reconsider their actions within one legislative day. However, to do so, a member of the prevailing side or a member who was absent must make a motion to do so. Rep. Kempenich was absent on Friday, so he qualified. The body then takes a recorded roll call vote on the motion to reconsider. If it passes, they will debate and vote on the bill all over again. The motion to reconsider **HB 1183** passed 48-41, and after the subsequent debate, the bill passed 54-35. While it's not exactly uncommon for bills to be reconsidered, it doesn't happen every day. Finding someone on the winning side to flip and make the reconsideration motion, or someone who was absent, isn't easy. You also need to be relatively certain you have the votes to flip the outcome if reconsidered. Legislators are looking to move quickly, and voting on bills twice isn't very efficient. However, with 14 members absent and only one vote shy, it was an almost certain outcome.

SB 2028

SB 2028, the bill that shifts DFI's budget to a continuing appropriation process, passed the Senate 43-4 this week. You'll remember that it first passed the Senate weeks ago. After passing the House in the first week of February, it was returned the Senate in a slightly different version than what the Senate had passed. The Senate opted to “concur” or agree with the House's version of the bill. This action requires another vote, which is what took place this week. The bill has already been signed by the Speaker of the House and will now be sent to the Governor for his signature before headed to the

Secretary of State. SB 2028 has been fast tracked so that the Appropriations committees do not have to do work on a budget bill for DFI. It looks like SB 2028 will be the first bill on our list to move into the “new laws” category next week.

SB 2364

After a week of back and forth with committee members regarding potential amendments to **SB 2364**, the bill related to UCC Article 8 and investment securities, the committee finally acted on the bill. Senator Paulson, one of the bill’s sponsors, believed the bill could be amended in a way that would alleviate the banking industry’s concerns with the bill. We disagreed. When it became clear that mutual ground was not going to be found and the committee knew they were up against a deadline due to the crossover break, they decided to amend the bill into a study of the property rights of entitlement holders in Uniform Commercial Code transactions. Legislative management is not required to select the study during the interim. The bill then got a 7-0 Do Pass as Amended recommendation from committee. We’re still waiting for the bill to hit the floor. It looks like that will happen early next week.

NEXT WEEK’S HEARING SCHEDULE

Monday, February 24

No hearings scheduled at this time.

Tuesday, February 25

No hearings scheduled at this time.

Wednesday, February 26

No hearings scheduled at this time.

Thursday, February 27

No hearings scheduled at this time.

Friday, February 28

No hearings scheduled at this time.

LEGISLATIVE DEADLINES

February 28	Crossover date for bills
March 3-4	Recess
March 5	Reconvene from crossover break.
March 12	Crossover date for resolutions
May 2	Session limited to 80 legislative days.

Legislator contact information can be found at <https://ndlegis.gov/contact-my-legislators>, and you can check on any legislative activities through the Legislative Council’s web page at ndlegis.gov.

Thank you for your participation in the legislative process. Please call, email, or text me with any questions or concerns. If you’d like to be taken off this distribution list or if there are others in your organization that should be receiving these updates, please let me know.

Sincerely,

Alexis D. Baxley

alexisb@icbnd.com

701.258.7121 (office) | 701.870.4167 (cell)
