

JOURNAL OF THE SENATE

Sixty-ninth Legislative Assembly

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Bismarck, January 13, 2025

The Senate convened at 1:00 p.m., with President Pro Tempore Bekkedahl presiding.

The prayer was offered by Pastor Greg Carr, Crisis Care Chaplaincy, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President Pro Tempore.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Beard, Chairman)** has carefully examined the Journal of the Second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 141, line 7, replace "0 ABSENT" with "1 ABSENT"

SEN. BEARD MOVED that the report be adopted, which motion prevailed.

MOTION

SEN. KLEIN MOVED that SB 2162 be returned to the Senate floor from the **Agriculture and Veterans Affairs Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. KLEIN REQUESTED the unanimous consent of the Senate to withdraw SB 2162. There being no objection, it was so ordered by the President.

SECOND READING OF SENATE BILL

SB 2068: A BILL for an Act to amend and reenact sections 49-17.1-02, 49-17.1-03, and 49-17.1-04 of the North Dakota Century Code, relating to rail service assistance.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal; Clemens; Magrum; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2068 passed.

SECOND READING OF SENATE BILL

SB 2061: A BILL for an Act to amend and reenact section 39-10-43 of the North Dakota Century Code, relating to railroad crossings.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal;

Clemens; Magrum; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2061 passed.

SECOND READING OF SENATE BILL

SB 2052: A BILL for an Act to amend and reenact section 54-66-13 of the North Dakota Century Code, relating to restrictions on public officials and lobbyists.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal; Clemens; Magrum; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2052 passed.

SECOND READING OF SENATE BILL

SB 2064: A BILL for an Act to amend and reenact sections 19-03.1-05, 19-03.1-09, and 19-03.1-11 of the North Dakota Century Code, relating to the scheduling of controlled substances; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal; Clemens; Magrum; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2064 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act to amend and reenact sections 6-01-01.1, 6-01-04, 6-01-10, 6-01-11, and 6-01-16 of the North Dakota Century Code, relating to the budget approval process and reports of the department of financial institutions; to provide a continuing appropriation; and to provide for a report.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Klein; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal; Clemens; Magrum; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary;

Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

NAYS: Hogue

SB 2028 passed.

SECOND READING OF SENATE BILL

SB 2086: A BILL for an Act to create and enact a new section to chapter 4.1-33 of the North Dakota Century Code, relating to pesticide certification standards; and to amend and reenact sections 4.1-33-01 and 4.1-33-03, subdivision b of subsection 1 of section 4.1-33-12, section 4.1-33-13, subsection 1 of section 4.1-33-16, and subsection 5 of section 4.1-33-20 of North Dakota Century Code, relating to pesticide control.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal; Clemens; Magrum; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2086 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2038, SB 2047, SB 2050, SB 2053, SB 2054, SB 2055, SB 2056, SB 2067, SB 2072, SB 2074.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1030, HB 1031, HB 1040, HB 1045, HB 1047, HB 1059, HB 1084, HB 1085, HB 1103, HB 1107, HB 1115.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, January 14, 2025, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2033 ([25.0113.02000](#))

Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2033 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2040 ([25.8000.01000](#))

Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2040 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2051

Industry and Business Committee (Sen. Barta, Chairman) recommends **AMENDMENTS** ([25.8022.01001](#)) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0

ABSENT AND NOT VOTING). SB 2051 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2060 ([25.8037.01000](#))**

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2060 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2063 ([25.8047.01000](#))**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2063 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2073**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS ([25.8072.01001](#))** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2073 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2075**

Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS ([25.8076.01001](#))** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2075 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2078 ([25.8088.01000](#))**

Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2078 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2085 ([25.8116.01000](#))**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2085 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2087**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **AMENDMENTS ([25.8121.01001](#))** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Dever, Castaneda, Paulson and Reps. J. Olson, Pyle introduced:

SB 2170: A BILL for an Act to create and enact a new chapter to title 15 of the North Dakota Century Code, relating to the creation of the army forces reserve component scholarship program.

Was read the first time and referred to the **Workforce Development Committee**.

Sens. Mathern, Roers and Reps. Porter, Rohr introduced:

SB 2171: A BILL for an Act to amend and reenact section 25-03.1-26 of the North Dakota Century Code, relating to an emergency mental health petition; and to declare an

emergency.

Was read the first time and referred to the **Human Services Committee**.

Sens. Patten, Cleary, Hogan, Roers and Reps. Dobervich, Frelich introduced:

SB 2172: A BILL for an Act to create and enact a new section to chapter 26.1-45 of the North Dakota Century Code, relating to long-term care insurance policy terms and claim payments.

Was read the first time and referred to the **Industry and Business Committee**.

Sens. Lee, Cleary, Larson and Reps. Beltz, Ista, Jonas introduced:

SB 2173: A BILL for an Act to amend and reenact subsection 10 of section 50-25.1-02 and section 50-25.1-11.1 of the North Dakota Century Code, relating to the definition of a children's advocacy center and the confidentiality of communications and records in the possession of a children's advocacy center.

Was read the first time and referred to the **Human Services Committee**.

Sens. Thomas, Conley, Lemm, Weston and Reps. Beltz, Hauck introduced:

SB 2174: A BILL for an Act to amend and reenact section 11-33-02.1, subdivision a of subsection 7 of section 23.1-06-15, and section 58-03-11.1 of the North Dakota Century Code, relating to the regulation of odors in an animal feeding operation and zoning authority over animal feeding operations in counties and townships.

Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

Sens. Axtman, Hogan and Reps. O'Brien, Pyle introduced:

SB 2176: A BILL for an Act to create and enact a new section to chapter 54-07 of the North Dakota Century Code, relating to the children's cabinet and designated working groups; to repeal section 50-06-43.1 of the North Dakota Century Code, relating to the children's cabinet; to provide for a legislative management report; and to provide an appropriation.

Was read the first time and referred to the **Education Committee**.

Sens. Thomas, Conley, Hogue and Reps. Hagert, Schreiber-Beck, Lefor introduced:

SB 2177: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to an animal agriculture facility infrastructure fund; to amend and reenact section 57-39.2-26 of the North Dakota Century Code, relating to the allocation of sales tax revenue; and to provide a continuing appropriation.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Walen, Enget and Reps. Koppelman, Heilman introduced:

SB 2178: A BILL for an Act to amend and reenact sections 16.1-02-12, 16.1-02-15, 16.1-03-21, and 16.1-07-05, subsection 1 of section 16.1-07-06, sections 16.1-11-10, 16.1-11-12, 16.1-11-21, 16.1-11-22, 16.1-11-24, 16.1-11-26, 16.1-11-29, and 16.1-11-30, subsection 2 of section 16.1-11-39, and sections 16.1-11-40, 16.1-11.1-02, and 16.1-12-02 of the North Dakota Century Code, relating to data stored in the central voter file and primary election ballots.

Was read the first time and referred to the **State and Local Government Committee**.

Sens. Thomas, Boehm, Weber and Reps. D. Anderson, Porter, M. Ruby introduced:

SB 2179: A BILL for an Act to amend and reenact section 23.1-13-16 of the North Dakota Century Code, relating to inspection fees.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Paulson, Luick, Weston and Reps. Louser, D. Ruby, D. Johnston introduced:

SB 2180: A BILL for an Act to amend and reenact section 44-04-19 of the North Dakota Century Code, relating to the opportunity to provide public comment at a meeting of a public entity.

Was read the first time and referred to the **State and Local Government Committee**.

Sens. Rummel, Cleary, Hogue and Reps. Lefor, Ista introduced:

SB 2181: A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to posttraumatic stress disorder duration limits; to amend and reenact subsection 11 of section 65-01-02 of the North Dakota Century Code, relating to workers' compensation coverage for posttraumatic stress disorder; to provide for application; and to provide an expiration date.

Was read the first time and referred to the **Industry and Business Committee**.

Sens. Paulson, Klein, Larson, Myrdal and Reps. Pyle, Louser introduced:

SB 2182: A BILL for an Act to amend and reenact section 28-32-18 of the North Dakota Century Code, relating to the amendment of an administrative rule by agreement of the agency and administrative rules committee.

Was read the first time and referred to the **State and Local Government Committee**.

Sens. Rummel, Klein, Conley, Meyer and Reps. O'Brien, Grueneich introduced:

SB 2183: A BILL for an Act to amend and reenact subsection 9 of section 39-06.1-06 of the North Dakota Century Code, relating to a violation of a construction zone speed limit; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

Sens. Clemens, Boehm and Reps. K. Anderson, Frelich, D. Ruby introduced:

SB 2184: A BILL for an Act to amend and reenact section 14-09-06.5 of the North Dakota Century Code, relating to additional parenting time after a false allegation of harm to a child.

Was read the first time and referred to the **Judiciary Committee**.

Sen. Thomas and Reps. D. Anderson, Vollmer introduced:

SB 2185: A BILL for an Act to provide an appropriation to the parks and recreation department for a Lake Metigoshe state park sewer infrastructure replacement grant project.

Was read the first time and referred to the **Appropriations Committee**.

Sens. Clemens, Luick and Reps. Koppelman, Marschall introduced:

SB 2186: A BILL for an Act to amend and reenact section 12.1-18-05 of the North Dakota Century Code, relating to the removal or withholding of a child in violation of a custody decree; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

The Senate stood adjourned pursuant to Senator Klein's motion.

Shanda Morgan, Secretary