

JOURNAL OF THE SENATE

Sixty-ninth Legislative Assembly

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Bismarck, January 24, 2025

The Senate convened at 12:30 p.m., with President Pro Tempore Bekkedahl presiding.

The prayer was offered by Pastor Allen Finger, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present except Senator Larson.

A quorum was declared by the President Pro Tempore.

MOTION

SEN. KLEIN MOVED that SB 2311 be returned to the Senate floor from the **Education Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. BARTA REQUESTED the unanimous consent of the Senate to withdraw SB 2311. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SB 2113, as engrossed: SEN. HOGAN (Human Services Committee) MOVED that the amendments ([25.8094.02001](#)) be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Engrossed SB 2113 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

SB 2070: SEN. ROERS (Human Services Committee) MOVED that the amendments ([25.8092.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2207: A BILL for an Act to amend and reenact subsection 2 of section 57-40.3-04 of the North Dakota Century Code, relating to a motor vehicle excise tax exemption for tribal governments; and to provide an effective date.

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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Larson

SB 2207 passed.

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to amend and reenact sections 65-01-02, 65-01-16, and 65-02-27, subsection 1 of section 65-05-17, and subsection 4 of section 65-05-20.1 of the North Dakota Century Code, relating to the definition of disability, the definition

of electronic means, forms and decisions issued by electronic means, requests for rehearing of an administrative order, maximum death benefits, and the scholarship fund; and to provide for application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Magrum; Beard

ABSENT AND NOT VOTING: Larson

Engrossed SB 2109 passed.

SECOND READING OF SENATE BILL

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.

ROLL CALL

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

YEAS: Boschee; Hogan; 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

ABSENT AND NOT VOTING: Larson

Engrossed SB 2173 passed.

SECOND READING OF SENATE BILL

SB 2219: A BILL for an Act to create and enact a new subsection to section 54-24-03 and a new subsection to section 54-24.2-01 of the North Dakota Century Code, relating to disbursement of surplus library materials and the eligibility of public libraries to receive financial aid.

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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boschee; Hogan; 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

ABSENT AND NOT VOTING: Larson

SB 2219 passed.

SECOND READING OF SENATE BILL

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, 16.1-11-02, and 16.1-12-02 of the North Dakota Century Code, relating to data stored in the central voter file and primary election ballots.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Magrum; Beard; Boehm; Walen

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

ABSENT AND NOT VOTING: Larson

SB 2178 failed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4004: A concurrent resolution declaring April 21, 2025, through April 28, 2025, as "North Dakota Dark Sky Week," and urging the residents of North Dakota to partake in this event to observe, ponder, and support the natural dark sky resources of this state.

REQUEST

SEN. BEARD REQUESTED a verification vote on the adoption of SCR 4004, which request was granted.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

SCR 4004 was declared lost on a verification vote.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2039, SB 2163, SB 2195.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4001.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2158.

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 1033, HB 1156, HB 1231, HB 1377.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1166.

MOTION

SEN. KLEIN MOVED that the absent member be excused, which motion prevailed.

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., Monday, January 27, 2025, which motion prevailed.

**REPORT OF STANDING COMMITTEE
SB 2027**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS (25.0338.02002)** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2027 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2089**

Industry and Business Committee (Sen. Barta, Chairman) recommends **AMENDMENTS (25.8123.01001)** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2089 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2091 (25.8130.01000)**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2091 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2092 (25.8133.01000)**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2092 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2139 (25.0581.01000)**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2139 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2148 (25.0570.01000)**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2148 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2168 (25.0493.01000)**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2175**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS (25.0588.02001)** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2175 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2188**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **AMENDMENTS (25.0563.01002)** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2188 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2197 (25.0796.01000)**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2197 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2198 (25.0827.01000)**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2198 was placed on the Eleventh order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2201 (25.0308.05000)**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SCR 4002 (25.3017.02000)**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4002 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Axtman, Boschee, Roers and Reps. Ista, Schreiber-Beck introduced:

SB 2341: A BILL for an Act to create and enact a new chapter to title 15.1 of the North Dakota Century Code, relating to the adoption of the interstate compact for school psychologists.

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

Sen. Beard introduced:

SB 2351: A BILL for an Act to amend and reenact subsection 1 of section 15.1-12-05 of the North Dakota Century Code, relating to providing notice to affected property owners of a petition for the annexation of property to a school district.

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

Sens. Dever, Hogan, Magrum, Mathern introduced:

SB 2352: A BILL for an Act to create and enact a new subsection to section 54-23.3-04 of the North Dakota Century Code, relating to authorization for children of inmates to reside at the Heart River correctional center; and to amend and reenact section 32-12.2-02 of the North Dakota Century Code, relating to limitation of liability for children residing at the Heart River correctional center.

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

Sens. Davison, Bekkedahl, Rummel and Rep. Bosch introduced:

SB 2353: A BILL for an Act to amend and reenact sections 15.1-09.1-02.1 and 54-44.4-02 of the North Dakota Century Code, relating to regional education associations.

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

Sens. Axtman, Cleary, Sickler, Thomas and Reps. Bosch, O'Brien introduced:

SB 2354: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school district wireless communication device policies.

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

Sens. Dwyer, Beard, Hogue and Reps. Schreiber-Beck, Lefor, Rohr introduced:

SB 2355: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to intelligent design in science content standards for elementary and secondary students.

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

Sens. Meyer, Lee and Reps. Louser, Meier introduced:

SB 2356: A BILL for an Act to amend and reenact section 47-19-03.1 of the North Dakota Century Code, relating to the contents of a legal description for a deed and a contract for deed.

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

Sens. Roers, Axtman, Wobbema and Reps. Richter, Louser, O'Brien introduced:

SB 2357: A BILL for an Act to create and enact chapter 43-56 of the North Dakota Century Code, relating to the composite mental health licensing board; to amend and reenact subsection 2 of section 12-60-24, subsections 1, 2, and 7 of section 43-32-01, sections 43-32-10, 43-32-16, 43-32-17, and 43-32-26, subsection 1 of section 43-41-01, sections 43-41-02, 43-41-03, subsection 1 of section 43-41-04, sections 43-41-05.1, 43-41-07, 43-41-09, and 43-41-11.1, subsection 2 of section 43-45-01, sections 43-45-04 and 43-45-05.1, subsection 2 of section 43-45-05.2, section 43-45-07.1, subsection 1 of section 43-45-07.2, subsection 1 of section 43-47-01, section 43-47-03, subsection 1 of section 43-47-06, sections 43-47-06.1, 43-47-06.3, 43-47-07, and 43-47-07.1, subsections 1 and 4 of section 43-47-08, section 43-47-09, subsections 3 and 4 of section 43-53-01, sections 43-53-02, 43-53-03, and 43-53-05, subsection 1 of section 43-53-06, subsection 1 of section 43-53-07, and section 43-53-12 of the North Dakota Century Code, relating to the state board of psychologist examiners, board of social work examiners, board of addiction counseling examiners, board of counselor examiners, and marriage and family therapy licensure board; to repeal sections 43-32-02, 43-32-03, 43-32-04, 43-32-05, 43-32-06, 43-32-07, 43-32-08, 43-32-11, 43-32-13, 43-32-14, 43-41-08, 43-41-12, 43-45-02, 43-45-03, 43-45-05, 43-45-07, 43-47-02, 43-47-03.1, 43-47-06.2, and 43-53-04 of the North Dakota Century Code, relating to the state board of psychologist examiners, board of social work examiners, board of addiction counseling examiners, board of counselor examiners, and marriage and family therapy licensure board; to provide a penalty; to provide for a transfer; and to provide for application.

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

FIRST READING OF HOUSE BILL

HB 1038: A BILL for an Act to provide an appropriation to the department of commerce for an uncrewed aerial vehicle replacement program and a state radar data pathfinder program; to provide for a report; and to declare an emergency.

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

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

Shanda Morgan, Secretary