

JOURNAL OF THE SENATE**Sixty-ninth Legislative Assembly**

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Bismarck, January 28, 2025

The Senate convened at 1:00 p.m., with President Strinden presiding.

The prayer was offered by Pastor Rich Wyatt, Living Hope Nazarene Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**REMARKS OF COMMANDER TREY KENNARD
COMMANDING OFFICER OF USS NORTH DAKOTA**

Madame President and Members of the North Dakota Senate, I am Commander Trey Kennard, and as the fifth commanding officer of USS NORTH DAKOTA, the 11th Virginia Class Fast Attack Submarine, I want to express my gratitude from my wardroom, chief's quarters, crew, and our families for having us here today to give you an update on how our ship is doing.

I say OUR ship because every time I speak to a North Dakotan, especially our commissioning committee, the Navy League, or our ship's sponsor, the first question is always "How is OUR boat doing?" When I had the opportunity this past summer to attend Navy Week in Fargo with several crew members, we felt that same love and ownership - a key tenet of being a Submariner - from everyone we met. It is clear to me that the State loves our boat, and it makes us feel like a part of the State as a crew. The support that pours into our boat from our namesake state is the best I have ever seen.

Before I get started on the update, I would like to recognize the two Reapers I brought with me to Bismarck. Sonar Technician Submarines Second Class, qualified in Submarines, Gabriel Andraderuiz is my First Lieutenant. His primary role is to make the boat feel like home for each and every crew member, and to keep her looking her best anytime we are in port. From custom seat covers, to each person's rack curtains, to keeping our paint job fresh and new, he is intimately involved in the finishing touches to give the boat a unique flare and feel. I also have Lieutenant Jack Rinehart, currently the Assistant Engineer Officer, but having had nearly every division or assistant department head job throughout his nearly three-year tour. He earned the Junior Officer of the Year award for our boat this year, and will be rotating to Yokosuka, Japan this summer for shore duty.

For me, our boat held a special place in my heart from the first time I stepped on board in November of 2015 as the third Engineer Officer. As soon as I saw the opportunity to come back, I jumped on the phone with the Detailers to volunteer and take our boat into her first major maintenance availability since 2017. After three deployments and six years operational, NORTH DAKOTA changed homeports to Portsmouth Naval Shipyard in Kittery, Maine for a nearly three-year maintenance period.

During this maintenance period, the boat is receiving much needed repairs, executing periodic inspections, and upgrading to the latest technology from bow to stern. Overall, the availability cost is over \$475 Million, with over 440,000 human-days of work. When the availability is complete, the boat will be the most lethal platform to sail the seas. Our crew continues to hone their skills as Apex Predators - performing rigorous training, supporting several deployments on other boats, and challenging qualifications to be war-ready as soon as we leave the shipyard.

The hard work and dedication from our crew, as well as the phenomenal teaming of our project team, is maintaining the boat on track for an on-time delivery, meeting a Chief of Naval Operations top priority to ensure we have maximum readiness to face our adversaries head on with overwhelming force. The tenacious and flexible nature of the entire team ensures we are ready to execute all repairs, upgrades, and retests on time or ahead of schedule. Upon completion of the availability, scheduled for spring of 2026, we will be

changing homeports yet again, to Pearl Harbor, Hawaii - which may lend itself to more favorable weather conditions for visits and tours.

In addition to the demanding maintenance, training, and qualification workloads, our crew continues their service to the local community, especially our sponsor town of York, Maine. Dozens of Sailors have served thousands of service hours, from town park clean ups, habitat for humanity builds, to speaking with local schools. The Reaper crest is welcome everywhere we go and the local support aids in keeping morale high.

What drove me back to our boat was the phenomenal culture I was a part of my first time, and the hope that it still existed. I can proudly say that in my 17 months in command so far, the ship has continuously improved and is the best I have ever served with in my nearly 19 years of service. What sets us apart from other boats I served on was best captured by Coach Polasek after the Bison won their National Championship this year - It's the Buy-In. While he was speaking about the fact his players stuck with the program, it has an amazing parallel to why we remain successful in the shipyard environment. The daily grind of working major maintenance jobs, standing overnight duty every four days at best, qualifying, attending training, and making time for yourself and family is often more draining than being on deployment. But day in and day out, our crew does just that, and they are doing amazing. I will also admit here that I took another piece of the Bison pride back to the boat after my visit to Fargo, and that was the team motto "Own The Culture" emblazoned on their team shirts. These two seemingly simple, yet direct statements, perfectly sum up what we have on board.

Our crew continues to receive outside recognition for their dedication in Achieving Excellence. In 2023, as the most junior boat in Submarine Squadron TWO, our crew earned the 2023 Engineering Red E, Weapons White W, and Personnel White P for excellence in core areas of execution, and most recently, earned the 2024 Submarine Squadron TWO Battle E for Overall Excellence in execution across all boats in the Squadron - the third time our boat achieved this honor since commissioning. In addition to overall, the crew earned the Engineering Red E for a third consecutive year, Navigation Green and Red N, Electronic Warfare White E, and the Personnel White P for a second consecutive year.

As I complete my time with you today, I want to assure you that the resilient, dedicated, and capable crew of our boat will drive through this maintenance period and continue the legacy built from within to inherit the future of NORTH DAKOTA and our Nation's Navy. I am grateful for the opportunity to travel to Bismarck and speak with you today to provide an update on our boat and crew.

In final closing, I do require one piece of participation, and an opportunity for each of you to Own the Culture on board. At the end of each all-hands event, and sometimes just to motivate, we recite the ship's motto - "Strength from the Soil, Reapers of the Deep!" For this exercise, I will call out "Strength from the Soil," and then request everyone else call out "Reapers of the Deep!" in reply.

"Strength From the Soil!"

[Reply] "Reapers of the Deep!"

REQUEST

SEN. KLEIN REQUESTED that his remarks be printed in the Journal, which request was granted.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 239, remove line 27

Page 247, line 25, replace "name" with "names"

Page 247, line 27, after "Conley," insert "and"

Page 247, line 31, replace "name" with "names"

Page 247, line 33, after "Thomas" insert a comma

Page 247, line 37, replace "name" with "names"

Page 247, line 43, replace "name" with "names"

Page 248, line 5, replace "name" with "names"

Page 248, line 11, replace "name" with "names"

Page 248, line 12, remove the colon

Page 258, line 8, replace "and Ninth" with "Ninth, and Thirteenth"

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

MOTION

SEN. KLEIN MOVED that SB 2344 be returned to the Senate floor from the **Transportation Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. KLEIN REQUESTED the unanimous consent of the Senate to withdraw SB 2344. There being no objection, it was so ordered by the President.

MOTION

SEN. KLEIN MOVED that SB 2341 be returned to the Senate floor from the **Education Committee** and be rereferred to the **Workforce Development Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, SB 2341 was rereferred.

MOTION

SEN. HOGUE MOVED that Sen. Van Oosting replace Sen. Luick on the Select Committee to approve the nominee Ryan Norrell to the Gaming Commission, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2137: SEN. LEMM (Agriculture and Veterans Affairs Committee) MOVED that the amendments ([25.0097.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2023: SEN. MEYER (Appropriations Committee) MOVED that the amendments ([25.0190.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2013: SEN. BURCKHARD (Appropriations Committee) MOVED that the amendments ([25.0180.01003](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2199: SEN. GERHARDT (Energy and Natural Resources Committee) MOVED that the amendments ([25.0513.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2155: SEN. BOEHM (Energy and Natural Resources Committee) MOVED that the amendments ([25.0379.02002](#)) be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2152: A BILL for an Act to amend and reenact subsection 6 of section 11-18-02.2 of the North Dakota Century Code, relating to statements of full consideration.

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

YEAS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Lee; Luick; Marcellais; Mathern; Schaible; 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: Sorvaag; Magrum

SB 2152 passed.

SECOND READING OF SENATE BILL

SB 2175: A BILL for an Act to amend and reenact section 16.1-06-15 of the North Dakota Century Code, relating to conducting and reporting postelection audits.

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 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

Engrossed SB 2175 passed.

SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act to create and enact a new section to chapter 11-11, a new subsection to section 11-11-14, a new section to chapter 40-05, a new section to chapter 58-06, a new subsection to section 58-06-01, and a new section to chapter 61-16.2, relating to floodplain management powers and ordinances for counties, cities, and townships; and to amend and reenact subsection 2 of section 11-33-03, subsection 67 of section 40-05-01, subsection 2 of section 40-47-03, and sections 58-03-12 and 61-16.2-02 of the North Dakota Century Code, relating to county, city, and township floodplain management ordinances and to provide definitions.

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 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

Engrossed SB 2027 passed.

SECOND READING OF SENATE BILL

SB 2210: A BILL for an Act to provide for a legislative management study relating to the

management of water based on watershed boundaries.

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

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

SB 2210 passed.

SECOND READING OF SENATE BILL

SB 2161: A BILL for an Act to amend and reenact sections 4.1-02-03, 4.1-02-12, and 4.1-13-15 of the North Dakota Century Code, relating to member districts and the assessments levied by the barley council and wheat commission.

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

NAYS: Magrum; Enget

SB 2161 passed.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to amend and reenact subsection 1 of section 26.1-02-31 and subsection 6 of section 26.1-03-19.4 of the North Dakota Century Code, relating to confidentiality of insurance department records.

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 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

Engrossed SB 2089 passed.

SECOND READING OF SENATE BILL

SB 2169: A BILL for an Act to amend and reenact subsection 6 of section 43-26.1-11 of the North Dakota Century Code, relating to physical therapy patient management.

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 2169 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 2070, SB 2092, SB 2139, SB 2198.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4002.

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 2091, SB 2201.

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 1134, HB 1160, HB 1209, HB 1223, HB 1232, HB 1244, HB 1281, HB 1293, HB 1300.

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 1076, HB 1098.

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., Wednesday, January 29, 2025, which motion prevailed.

**REPORT OF STANDING COMMITTEE
SB 2138**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS** [\(25.0381.02003\)](#) and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2144**

Industry and Business Committee (Sen. Barta, Chairman) recommends **AMENDMENTS** [\(25.0648.01001\)](#) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2144 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2186**

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** [\(25.0805.02001\)](#) and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2186 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2204**

Industry and Business Committee (Sen. Barta, Chairman) recommends **AMENDMENTS** [\(25.0456.01001\)](#) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2204 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2220 [\(25.0955.01000\)](#)**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2220 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2224 [\(25.1099.01000\)](#)**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2224 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2226 [\(25.1188.01000\)](#)**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2226 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2250 [\(25.1103.01000\)](#)**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2250 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2257 [\(25.1219.01000\)](#)**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2257 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2273**

Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS** [\(25.1302.01001\)](#) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2273 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2278**

Education Committee (Sen. Beard, Chairman) recommends **AMENDMENTS** [\(25.0846.02001\)](#) and when so amended, recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2278 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2288 [\(25.1291.01000\)](#)**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2288 was placed on the Eleventh order on the calendar.

This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2310 ([25.1262.01000](#))**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2310 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SCR 4003 ([25.3039.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SCR 4003 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

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

Shanda Morgan, Secretary