

Organizational and Orientation Session

JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, December 5, 2022

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

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

**COMMUNICATION FROM SECRETARY OF STATE ALVIN A. JAEGER
December 5, 2022**

As specified in Section 54-03-03 of the North Dakota Century Code, I certify the attached list is a true and correct record of individuals elected to the Office of Senator in the General Election that was held on November 8, 2022.

The results of the election were certified by the State Canvassing Board on November 23, 2022. Then, as authorized in Section 16.1-15-45 of the North Dakota Century Code, Certificates of Election were prepared by the Secretary of State and signed by the Governor, the Clerk of the Supreme Court (as the designated representative of the State Canvassing Board), and the Secretary of State.

A Certificate of Election was issued to each of the newly elected members of the legislative assembly, as directed in Section 16.1-15-46 of the North Dakota Century Code.

In addition, as required by Section 4, Article XI, of the North Dakota Constitution, an Oath of Office (or affirmation) form was provided to each Senator, with instructions to execute the Oath before a Notary Public and file it with the Secretary of State before he or she assumes the duties of their office.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of North Dakota at the Capitol in the City of Bismarck on this date.

**68th Legislative Assembly
Senators Elected - General Election, November 8, 2022**

MEMBER	DISTRICT NUMBER
Brad Bekkedahl	1
Bob Paulson	3
Randy A. Burckhard	5
Shawn Vedaa	6
Michelle Axtman	7
Jeffery J. Magrum	8
Kent Weston	9
Ryan Braunberger	10
Tim Mathern	11
Judy Lee	13
Judy Estenson	15
Jonathan L. Sickler	17
Janne Myrdal	19

MEMBER	DISTRICT NUMBER
Randy D. Lemm	20
Kathy Hogan	21
Todd Beard	23
Larry Luick	25
Dale Patten	26
Kristin Roers	27
Robert (Bob) Erbele	28
Terry M. Wanzek	29
Donald Schaible	31
Keith Boehm	33
Sean Cleary	35
Jay Elkin	36
Dean Rummel	37
Greg Kessel	39
Kyle Davison	41
Jeff Barta	43
Merrill Piepkorn	44
Ronald G. Sorvaag	45
Mike Dwyer	47

COMMUNICATION FROM SECRETARY OF STATE ALVIN A. JAGER
December 5, 2022

In accordance with Section 54-03-03 of the North Dakota Century Code, I hereby certify the enclosed list is a true and correct record of members of the Senate whose terms in office do not expire until midnight on November 30, 2024.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of North Dakota at the Capitol in the City of Bismarck on this date.

68th Legislative Assembly
Members of the North Dakota Senate
Terms expiring November 30, 2024

MEMBER	DISTRICT NUMBER
David S. Rust	2
Jordan Kannianen	4
Cole Conley	12
Jerry Klein	14
David A. Clemens	16
Scott Meyer	18
Mark F. Weber	22
Michael A. Wobbema	24
Diane Larson	30
Dick Dever	32
Doug Larsen	34

MEMBER	DISTRICT NUMBER
David Hogue	38
Karen K. Krebsbach	40
Curt Kreun	42
Jim P. Roers	46

ROLL CALL

The roll was called and all members were present.

A quorum was declared by the President.

MOTION

SEN. KLEIN MOVED a committee of two be appointed to escort Chief Justice Jon J. Jensen to the rostrum to administer the Oath of Office to newly elected members, which motion prevailed. The President appointed Sens. Sickler and Barta.

OATH OF OFFICE

CHIEF JUSTICE JON J. JENSEN ADMINISTERED the Oath of Office to the newly elected Senators.

MOTION

SEN. KLEIN MOVED the Senate adopt as temporary rules the Senate and Joint Rules of the 67th Legislative Assembly, as in effect January 1, 2022.

DISTRIBUTION OF LEGISLATORS' MATERIAL

Mr. John Bjornson, Director, Legislative Council, explained the contents of the packets handed out to the members of the Senate.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 2:20 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sanford presiding.

MOTION

SEN. KLEIN MOVED the nomination of Shanda Morgan for the office of Secretary of the Senate, which motion prevailed.

MOTION

SEN. KLEIN MOVED the nomination of Sonja King for the office of Journal Reporter, which motion prevailed.

MOTION

SEN. KLEIN MOVED the nomination of Wayne Rogstad for the office of Sergeant-at-Arms, which motion prevailed.

OATH OF OFFICE

PRESIDENT SANFORD ADMINISTERED the Oath of Office to the Journal Reporter and the Sergeant-at-Arms.

REMARKS OF SENATOR SORVAAG

Mr. President, I want to move the nomination of Senator Donald Schaible for the office of President Pro Tempore.

Mr. President, Senator Schaible and myself came in together along with two other Senators from our class that are left in this building. So, there are four of us.

I am just going to talk about a few things here quickly about Don Schaible before I knew him.

Senator Schaible represents District 31, which is Mott, North Dakota. Don and his wife Carmen have four kids. His daughter is a research scientist. His son is a paramedical professional and his other two sons are joining him on the farm. Don is the third generation,

his sons with be the fourth generation taking over his farm in Mott.

Don graduated from NDSU with a degree in agriculture. And what's Don been doing since becoming a farmer? He has been very committed to his community and his area. He served 18 years on the Mott school board, four of those years he was also part of the State School Board Association. Don's been involved in his local volunteer fire department for 25 years and the ambulance service for 26 years. And that's just a little touch of a very busy man that has shown a very dedicated life. And that experience and that dedication is the strength that Don brought when he came to this chamber as a Senator in 2011. It was our first session. That's really where I got to know him.

Sitting where Senator Cleary is, I sat there, and Senator Schaible was right behind me. Then we sat side-by-side, and going into our fifth session sitting side-by-side, we've always been seatmates. You really get to know someone when you go through all these sessions and the things that, especially you new ones will realize, go on. There are certain times that are contentious. There are certain times, to be honest, you have no idea what is going on.

To be able to have the trust of somebody you know that well, that is confident and has this type of background - because Don's background has been education, and he's been doing that since he came in here. He's one of the leaders throughout the whole State of North Dakota. He's well respected. This area, you'll see, and those that have been here know, there is always somebody sitting here looking for Don's advice.

He's been a leader, a true leader for the State of North Dakota and one of the true leaders of the Senate. Important for me is not only the fact we're seatmates, but he is my friend; and he's a very good friend, and he's a very good person.

So with that, it is a tremendous honor that I was given the opportunity to nominate him to be the President Pro Tempore for the 68th ND Legislative Regular Session. Thank you.

REMARKS OF SENATOR PIEPKORN

Mr. President, it is my honor to put forth the name of state Senator Tim Mathern for the position of President Pro Tempore.

Now unlike Senator Sorvaag in the previous speech, no one came into the Senate at the same time as my nominee, Senator Mathern. I don't even know if they are still around anymore.

At any rate he is our Senate's longest serving member and my math is a little fuzzy, but I believe this is his 19th Legislative Session.

The one time in the past when he was eligible - because, well, his turn came up as it does in these sorts of things - to be President Pro Tempore, he was not available because he was the Minority Leader at the time. So, in all of those years of service, this is his first nomination for President Pro Tempore. And thank you for allowing us to put your name in, Senator Mathern.

Now if you want to read all of his accomplishments, I just ask you to go to the Legislative website or Google him and his political and community work. He's been especially involved in Human Services for many years, and anybody who's been around him knows Senator Mathern's dedication to people.

Now for you newcomers, when you see somebody coming down (I suppose with computers this may change) from Legislative Council with the red envelopes, those contain, normally during the session, amendments. A lot of those end up on his desk. He is known as the great "amendinator." There's never been a bill that Senator Mathern hasn't looked at and has not said, "this is a good bill, but I think this amendment will make it better." So, look for those envelopes landing on Senator Mathern's desk.

Senator Mathern is respectful of all life - of course he works in the people business - but with that in mind, he is also a vegan. As Senator Mathern puts it, he is reluctant to eat anything that has eyes or a mother. He has been known to eat, however, a piece or two or three of Wishek sausage when put on his plate.

He's an outstanding member of this Senate, a great public servant to the people of North

Dakota, and I proudly put forth the name of Senator Mathern to the position of President Pro Tempore.

MOTION

SEN. MATHERN MOVED the Senate cast a unanimous ballot for Senator Donald Schaible as President Pro Tempore, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED a committee of two be appointed to escort the newly elected President Pro Tempore to the rostrum, which motion prevailed. The President appointed Sens. Elkin and Sorvaag.

OATH OF OFFICE

PRESIDENT SANFORD ADMINISTERED the Oath of Office to President Pro Tempore Schaible.

REMARKS OF PRESIDENT PRO TEMPORE SCHAIBLE

Well first of all, thank you. I would like to thank Ron for his kind words, and of course his friendship all these years. I guess I would have to acknowledge my wife and family that allowed me to step into the Senate and serve. Their commitment and their sacrifice for me have made this possible.

It's quite an honor, you know. I have sat in this chamber, and at the beginning of our seventh session, it seems like you have had a lot of time and have seen a lot of stuff go on. And the quality of the people that have been here is just tremendous. I certainly have not agreed with everybody, but I have certainly respected everybody. For I believe that everybody here is doing this for the right reasons and all really believe in what they are doing. Going forward, I hope that's what we can do. I believe that we are going to have an opportunity to accomplish some really good things this year, and going forward for the state, I do believe everybody here believes they are doing the right thing for the right reasons. If we always keep the people of North Dakota first in our minds, then good things will happen. I believe that's what is going to go on.

Ron did say something: that there is always somebody looking for me. Well, when he made a sign one time that said, "I don't know where he is," it was time to do something else. It was really good to get credit for that.

I spent a lot of time on education, and you know a long time ago I was on the school board. Well, I had 243 kids, and they were all mine. Now I have the same thing, there's 120,000 kids, and they are all ours. And the same with the people of North Dakota, 700 some thousand, they're all ours. So, I guess what we have to keep straight in our minds is that we do this for them, and hopefully we do a good job.

So with that, thank you very much.

SELECTION OF SEATS

PRESIDENT SANFORD ANNOUNCED the Senate seats would be selected according to the following Seniority Table:

**2023
SENATE SENIORITY TABLE**
(2023 session not included)

Name	Sessions Served	Total Senate Sessions	Total Legislative Sessions
Mathern, Tim	1987-89-91-93-95-97-99-01-03-05-07-09-11-13-15-17-19-21	18	18
Krebsbach, Karen K.	1989-91-93-95-97-99-01-03-05-07-09-11-13-15-17-19-21	17	17
Lee, Judy	1995-97-99-01-03-05-07-09-11-13-15-17-19-21	14	14

Klein, Jerry	1997-99-01-03-05-07-09-11-13-15-17-19-21	13	13
Wanzek, Terry M.	(House 1993)-95-97-99-01-07-09-11-13-15-17-19-21	12	13
Dever, Dick	2001-03-05-07-09-11-13-15-17-19-21	11	11
Erbele, Robert	2001-03-05-07-09-11-13-15-17-19-21	11	11
Hogue, David	2009-11-13-15-17-19-21	7	7
Burckhard, Randy A.	2011-13-15-17-19-21	6	6
Luick, Larry	2011-13-15-17-19-21	6	6
Schaible, Donald	2011-13-15-17-19-21	6	6
Sorvaag, Ronald	2011-13-15-17-19-21	6	6
Rust, David S.	(House 2009-11-13)-15-17-19-21	4	7
Bekkedahl, Brad	2015-17-19-21	4	4
Davison, Kyle	2015-17-19-21	4	4
Roers, Jim P.	2017-19-21	3	3
Larson, Diane	(House 1989-13-15)-17-19-21	3	6
Kreun, Curt	(House 2011-13)-17-19-21	3	5
Clemens, David A.	2017-19-21	3	3
Kannianen, Jordan L.	2017-19-21	3	3
Meyer, Scott	2017-19-21	3	3
Myrdal, Janne	2017-19-21	3	3
Piepkorn, Merrill	2017-19-21	3	3
Vedaa, Shawn	2017-19-21	3	3
Hogan, Kathy	House (2009-11-13-15-17)-19-21	2	7
Dwyer, Michael	2019-21	2	2
Elkin, Jay	2019-21	2	2
Patten, Dale	2019-21	2	2
Roers, Kristin	2019-21	2	2
Lemm, Randy D.	2021	1	1
Conley, Cole	2021	1	1
Larsen, Doug	2021	1	1
Weber, Mark F.	2021	1	1
Wobbema, Michael A.	2021	1	1
Sickler, Jonathan		0	0
Magrum, Jeffery J.	(House 2017-19-21)	0	3
Paulson, Bob	(House 2019-21)	0	2
Axtman, Michelle		0	0
Barta, Jeff		0	0
Beard, Todd		0	0
Boehm, Keith		0	0
Braunberger, Ryan		0	0
Cleary, Sean		0	0
Estenson, Judy		0	0

Kessel, Greg	0	0
Rummel, Dean	0	0
Weston, Kent	0	0

MOTION

SEN. KLEIN MOVED a committee of three be appointed to notify the Governor and the House that the Senate is organized and ready to transact business, which motion prevailed. The President announced the appointment of Sens. Cleary, Axtman, and Magrum.

PROCEDURAL COMMITTEES

SEN. KLEIN MOVED a committee of seven be appointed to form, with the Majority Leader, Senator Hogue, the **Committee on Committees**, which motion prevailed. The President announced the appointment of Sens. Hogue, Meyer, Burckhard, Dwyer, Vedaa, Hogan, Piepkorn, and Mathern.

SEN. KLEIN MOVED a committee of five be appointed to act as the **Delayed Bills Committee**, which motion prevailed. The President announced the appointment of Sens. Myrdal, Meyer, Klein, Conley, and Mathern.

SEN. KLEIN MOVED a committee of three be appointed to act as the **Committee on Arrangements for the Senate Committee Rooms**, which motion prevailed. The President announced the appointment of Sens. Axtman, Estenson, and Davison.

SEN. KLEIN MOVED a committee of five be appointed to act as the **Employment Committee**, which motion prevailed. The President announced the appointment of Sens. Dever, Burckhard, Axtman, Barta, and Piepkorn.

SEN. KLEIN MOVED a committee of three be appointed to act as the **Committee on Correction and Revision of the Journal**, which motion prevailed. The President announced the appointment of Sens. Beard, Cleary, and Weston.

SEN. KLEIN MOVED a committee of eight to be appointed to act as the **Rules Committee**, which motion prevailed. The President announced the appointment of Sens. Klein, Bekkedahl, Davison, Dwyer, Larson, Kannianen, Hogan, and Piepkorn.

MOTION

SEN. KLEIN MOVED that the Senate stand adjourned until 8:30 a.m., Tuesday, December 6, 2022, which motion prevailed.

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

Shanda Morgan, Secretary

