

## JOURNAL OF THE SENATE

## Sixty-ninth Legislative Assembly

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Bismarck, January 14, 2025

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

The prayer was offered by Rev. Matt Thompson, Holy Cross Lutheran Church, Bismarck and St. John's Lutheran Church, McClusky.

The roll was called and all members were present.

A quorum was declared by the President.

## MOTION

**SEN. KLEIN MOVED** that SB 2176 be returned to the Senate floor from the **Education Committee**, which motion prevailed.

## MOTION

**SEN. KLEIN MOVED** that SB 2176 be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2176 was rereferred.

## MOTION

**SEN. KLEIN MOVED** that SB 2033, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2033 was rereferred.

## CONSIDERATION OF AMENDMENTS

**SB 2087: SEN. LEMM (Agriculture and Veterans Affairs Committee) MOVED** that the amendments ([25.8121.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2073: SEN. CASTANEDA (State and Local Government Committee) MOVED** that the amendments ([25.8072.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2051: SEN. KLEIN (Industry and Business Committee) MOVED** that the amendments ([25.8022.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2075: SEN. PAULSON (Transportation Committee) MOVED** that the amendments ([25.8076.01001](#)) 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 2063:** A BILL for an Act to amend and reenact section 24-02-20 of the North Dakota Century Code, relating to bid delays for construction contracts.

## 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 2063 passed.

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#### SECOND READING OF SENATE BILL

**SB 2085:** A BILL for an Act to create and enact a new chapter to title 4.1 of the North Dakota Century Code, relating to participation in the United States swine health improvement plan by the agriculture commissioner.

#### 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 2085 passed.

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#### SECOND READING OF SENATE BILL

**SB 2060:** A BILL for an Act to amend and reenact section 61-16.2-12 of the North Dakota Century Code, relating to state property constructed in a floodplain.

#### 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 2060 passed.

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#### SECOND READING OF SENATE BILL

**SB 2040:** A BILL for an Act to amend and reenact subsection 2 of section 43-60-02 and subsection 1 of section 43-60-03 of the North Dakota Century Code, relating to the ordering of genetic testing by genetic counselors and examinations required for genetic counseling licensure.

#### 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 2040 passed.

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### SECOND READING OF SENATE BILL

**SB 2078:** A BILL for an Act to amend and reenact sections 25-01.1-07, 25-02-01.1, and 25-02-03 of the North Dakota Century Code, relating to the North Dakota state hospital.

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

**NAYS:** Dwyer

SB 2078 passed.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2028, SB 2052, SB 2061, SB 2068, SB 2086.

### 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 2064.

### 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 1051.

### 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 1090, HB 1091, HB 1092, HB 1093.

### 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 15, 2025, which motion prevailed.

### REPORT OF STANDING COMMITTEE

#### SB 2035 ([25.0280.01000](#))

**Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2035 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

### REPORT OF STANDING COMMITTEE

#### SB 2058 ([25.8035.01000](#))

**Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2058 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

### REPORT OF STANDING COMMITTEE

#### SB 2076 ([25.8085.01000](#))

**Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0

NAYS, 0 ABSENT AND NOT VOTING). SB 2076 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2079 ([25.8090.01000](#))**

**Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2079 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2080 ([25.8093.01000](#))**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2080 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2081**

**Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS ([25.8095.01002](#))** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2081 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2093**

**Finance and Taxation Committee (Sen. Weber, Chairman)** recommends **AMENDMENTS ([25.0009.01001](#))** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2093 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2101**

**Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS ([25.0332.01001](#))** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2101 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2108 ([25.0594.01000](#))**

**Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2108 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2111 ([25.8058.01000](#))**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2111 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE  
SB 2140 ([25.0672.01000](#))**

**Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2140 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**FIRST READING OF SENATE BILLS**

Sens. Roers, Boehm, Castaneda and Reps. Henderson, Hendrix, Satrom introduced:

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

Sens. Roers, Castaneda, Davison and Reps. Heinert, Pyle, Richter introduced:  
**SB 2187:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 and subsection 2 of section 54-03-20 of the North Dakota Century Code, relating to lodging, compensation, and expense reimbursement.  
Was read the first time and referred to the **State and Local Government Committee**.

Sens. Patten, Kessel, Sickler and Reps. Bosch, Novak, Porter introduced:  
**SB 2188:** A BILL for an Act to amend and reenact section 54-63.1-03 of the North Dakota Century Code, relating to the membership of the clean sustainable energy authority; and to provide a transfer.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Lee, Boschee, Klein and Reps. Jonas, Mitskog, Pyle introduced:  
**SB 2189:** A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-03 and subsection 1 of section 53-06.1-11.1 of the North Dakota Century Code, relating to reporting the value of prizes distributed by an organization using a permit to conduct raffles, bingo, sports pools, paddlewheels, twenty-one, and poker.  
Was read the first time and referred to the **Judiciary Committee**.

Sens. Lee, Dever, Hogan and Reps. Stemen, Wagner introduced:  
**SB 2191:** A BILL for an Act to amend and reenact section 12-44.1-24 of the North Dakota Century Code, relating to correctional facility standards and the duties of the department of corrections and rehabilitation.  
Was read the first time and referred to the **Human Services Committee**.

Sens. Lee, Sickler and Reps. Jonas, Sanford, Schreiber-Beck introduced:  
**SB 2193:** A BILL for an Act to create and enact two new sections to chapter 25-13 of the North Dakota Century Code, relating to the certification and sale of assistance animals; to amend and reenact section 25-13-01.1 of the North Dakota Century Code, relating to definitions associated with assistance animals; and to provide a penalty.  
Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

Sens. Lee, Dever, Hogan and Reps. Mitskog, Schreiber-Beck introduced:  
**SB 2194:** A BILL for an Act to create and enact a new subsection to section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks; to provide an appropriation; to provide for application; and to provide an effective date.  
Was read the first time and referred to the **Workforce Development Committee**.

Sen. Lee introduced:  
**SB 2195:** A BILL for an Act to create and enact a new section to chapter 19-21 of the North Dakota Century Code, relating to requirements for selling aerosol dusters containing difluoroethane; to amend and reenact subsection 2 of section 19-03.1-22.1 of the North Dakota Century Code, relating to the classification of difluoroethane as a volatile chemical; and to provide a penalty.  
Was read the first time and referred to the **Human Services Committee**.

Sens. Roers, Axtman, Gerhardt and Reps. Dobervich, Heinert, Novak introduced:  
**SB 2196:** A BILL for an Act to amend and reenact subsection 3 of section 15.1-19-16 of the North Dakota Century Code, relating to student self-administration of asthma or anaphylaxis medication.  
Was read the first time and referred to the **Human Services Committee**.

Sens. Schaible, Patten, Weber introduced:  
**SB 2197:** A BILL for an Act to amend and reenact section 20.1-01-34 of the North Dakota Century Code, relating to deer hunting with a crossbow.  
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Boschee, Cleary, Meyer and Reps. Pyle, Satrom, Schneider introduced:  
**SB 2198:** A BILL for an Act to amend and reenact section 37-01-25 of the North Dakota Century Code, relating to national guard or federal service leave of absence for state and political subdivision employees.

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

Sens. Wobbema, Luick, Paulson, Weston and Reps. D. Johnston, J. Olson introduced:

**SB 2199:** A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to disabled veteran deer hunting licenses.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Hogan, Axtman, Lee and Reps. Dobervich, Frelich introduced:

**SB 2200:** A BILL for an Act to create and enact a new section to chapter 50-06 and chapter 57-40.7 of the North Dakota Century Code, relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee; to provide for a legislative management report; to provide an appropriation; to provide a continuing appropriation; and to provide an effective date.

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

Sens. Weber, Bekkedahl, Hogue and Reps. Headland, Lefor, Vigesaa introduced:

**SB 2201:** A BILL for an Act to amend and reenact section 57-02-08.9 of the North Dakota Century Code, relating to the primary residence credit; to provide for application; to provide a retroactive effective date; to provide an expiration date; and to declare an emergency.

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

Sens. Schaible, Boehm, Magrum and Reps. Hauck, Nelson introduced:

**SB 2202:** A BILL for an Act to create and enact three new sections to chapter 4.1-03 of the North Dakota Century Code, relating to the creation of districts, district commission member nomination and election procedures, and the costs of elections of district representative commission members; to amend and reenact sections 4.1-03-01, 4.1-03-02, 4.1-03-03, and 4.1-03-04 of the North Dakota Century Code, relating to the definition of a cattle industry representative, the election and terms of members to the North Dakota beef commission, commission vacancies, and requiring livestock auction markets and livestock dealers to forward names of cattle sellers; to provide a penalty; and to provide an effective date.

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

Sens. Lee, Barta, Braunberger and Reps. Dobervich, M. Ruby, Schreiber-Beck introduced:

**SB 2203:** A BILL for an Act to amend and reenact subsection 1 of section 43-33-01, subsection 1 of section 43-33-06, subsection 3 of section 43-37-02, and section 43-37-05 of the North Dakota Century Code, relating to the consolidation of the board of hearing aid specialists and the board of examiners on audiology and speech-language pathology; and to repeal sections 43-33-15 and 43-33-17 related to the board of hearing aid specialists.

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

Sens. Barta, Boschee, Dever and Reps. Conmy, Schauer introduced:

**SB 2204:** A BILL for an Act to create and enact a new section to chapter 47-10 of the North Dakota Century Code, relating to the required disclosure of radon hazards by a seller.

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

Sens. Luick, Dever, Myrdal and Reps. Brown, Klemin introduced:

**SB 2205:** A BILL for an Act to amend and reenact section 53-06.1-11.2 of the North Dakota Century Code, relating to the charitable gaming operating fund.

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

Sens. Conley, Rummel, Clemens and Reps. K. Anderson, Grueneich, Hauck introduced:

**SB 2206:** A BILL for an Act to create and enact a new subsection to section 28-01-18, a new section to chapter 32-03, and a new section to chapter 39-21 of the North Dakota Century Code, relating to civil actions having two-year limitations, limiting noneconomic damages against a commercial motor carrier, and evidence of safety belt usage in civil actions; and to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to requiring safety belts in certain motor vehicles; and to provide a penalty.

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

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Sens. Conley, Hogue, Thomas, Wanzek and Reps. Headland, Lefor introduced:

**SCR 4002:** A concurrent resolution urging Congress to enact legislation allowing a landowner to terminate a perpetual easement owned by the United States Fish and Wildlife Service within the state.

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

Sens. Mathern, Rummel and Reps. Foss, Hanson, Murphy introduced:

**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.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

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

**Shanda Morgan, Secretary**

