

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

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Bismarck, September 2, 2026

The Senate convened at 8:30 a.m., with President Strinden presiding.

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

COMMUNICATION FROM SECRETARY OF STATE MICHAEL HOWE

I hereby certify that I have attached a true and correct copy of Executive Order 2026-04, executed by Governor Kelly Armstrong on August 3, 2026, in which he convenes the North Dakota Legislative Assembly into special session on Wednesday, September 2, 2026.

I hereby certify the attached is a true and correct listing of Senators who were issued Certificates of Election by the State Canvassing Board prior to the beginning of their terms of office and who continue to serve in the respective legislative district to which they were elected.

I hereby certify the attached is a true and correct listing that contains the name of a State Senator to whom I issued a Certificate of Appointment in accordance with Section 44-02-03.1 of the North Dakota Century Code to fill a vacancy in their respective district.

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.

**69th Legislative Assembly of the State of North Dakota
Members of the Senate
September 2, 2026**

MEMBER	DISTRICT NUMBER
Brad Bekkedahl	1
Mark Enget	2
Bob Paulson	3
Chuck Walen	4
Randy Burckhard	5
Paul Thomas	6
Michelle Axtman	7
Jeffery Magrum	8
Richard Marcellais	9
Ryan Braunberger	10
Tim Mathern	11
Cole Conley	12
Judy Lee	13
Jerry Klein	14
Kent Weston	15
David Clemens	16
Jonathan Sickler	17
Scott Meyer	18
Janne Myrdal	19
Randy Lemm	20
Kathy Hogan	21
Mark Weber	22
Todd Beard	23
Mike Wobbema	24
Larry Luick	25
Dale Patten	26
Kristin Roers	27
Robert Erbele	28
Terry Wanzek	29

MEMBER	DISTRICT NUMBER
Diane Larson	30
Donald Schaible	31
Dick Dever	32
Keith Boehm	33
Justin Gerhardt	34
Sean Cleary	35
Desiree Van Oosting	36
Dean Rummel	37
David Hogue	38
Greg Kessel	39
Jose Castaneda	40
Kyle Davison	41
Claire Cory	42
Jeff Barta	43
Jamie Selzler	44
Ronald Sorvaag	45
Michelle Powers	46
Mike Dwyer	47

EXECUTIVE ORDER 2026-04

WHEREAS, kratom, scientific name *Mitragyna speciosa*, is a plant found in southeast Asia that is marketed in North Dakota, despite having no approved uses; and,

WHEREAS, kratom products are widely available at retail stores throughout the state of North Dakota without age restriction or regulation; and,

WHEREAS, kratom leaves contain two major psychoactive ingredients, mitragynine and 7-hydroxymitragynine (7-OH); and,

WHEREAS, the effects of kratom depend on dose, with low doses having stimulant-like effects and high doses having opiate-like effects; and,

WHEREAS, the U.S. Food and Drug Administration (FDA) has warned consumers not to use kratom because of serious adverse events, including liver toxicity, seizures, and substance use disorder (SUD); and,

WHEREAS, the FDA is also aware of cases involving neonatal abstinence syndrome, in which newborns experienced withdrawal signs such as jitteriness, irritability, and muscle stiffness following prolonged exposure to kratom prior to birth; and,

WHEREAS, since 2019, 50 reported deaths in North Dakota have been associated with kratom, including 23 cases where kratom, 7-OH and/or another kratom derivative, pseudoindoxyl mitragynine, were part of the primary cause of death; and,

WHEREAS, the U.S. Drug Enforcement Administration (DEA) has designated kratom as a drug and chemical of concern; and,

WHEREAS, the DEA has filed its intent to temporarily place 7-OH and three related substances into Schedule 1 of the Controlled Substances Act on or after Aug. 5, 2026, to avoid an imminent hazard to public safety, and the temporary scheduling order will remain in effect for two years, with a possible extension of an additional year; and,

WHEREAS, the North Dakota Board of Pharmacy has issued an emergency rule to classify 7-OH as a Schedule 1 controlled substance to mitigate the immediate public health hazard posed by that substance and to be aligned with federal law; and,

WHEREAS, many kratom products currently available in North Dakota will not be affected by classifying 7-OH as a Schedule 1 controlled substance; and,

WHEREAS, lower dose kratom products still pose risks of toxicity, seizures, and SUD, and have been a contributing factor in deaths in North Dakota; and,

WHEREAS, kratom remains a high-risk substance with public health officials and providers

across North Dakota reporting an increase in mental health and public health symptoms associated with kratom usage; and,

WHEREAS, executive orders declaring public health emergencies and administrative emergency rules are intended to serve as immediate, temporary protections, as the long-term enactment of statutory prohibitions, criminal penalties, and regulatory frameworks properly rests with the Legislative Assembly.

NOW, THEREFORE, Kelly Armstrong, as Governor of North Dakota, by virtue of the authority vested in Article V, Section 1 and Section 7 of North Dakota Constitution and Section 37-17.1-05, North Dakota Century Code, in an effort to limit the fatal overdoses and imminent public health threat caused by kratom, mitragynine, and 7-OH within the entire State:

1. Hereby orders:

- a. That a state of emergency for the state of North Dakota in response to the public health crisis resulting from the sale, possession, and use of kratom, mitragynine, and 7-OH, and products including the same, is declared in order to assist the state, as well as local and tribal communities and officials; to prevent overdoses and save lives; and to implement appropriate enforcement action and mitigation measures.
- b. Effective at 5:00 p.m. on August 5, 2026, a person may not knowingly or intentionally create, manufacture, deliver, distribute, sell, purchase, or possess kratom or a kratom product.
- c. As used in this Executive Order:
 - i. "Kratom" means any part of the *mitragyna speciosa* plant containing the alkaloids mitragynine or 7-hydroxymitragynine; any substance or compound obtained by extraction of the *mitragyna speciosa* leaf; any alkaloid or alkaloid derivative that has been created by chemical synthesis or biosynthetic means that synthetically alters the composition of any kratom alkaloid or alkaloid derivative; any derivative, analog, or other preparation of kratom; and any derivative, analog, or other preparation thereof that is substantially chemically equivalent or identical to kratom.
 - ii. "Kratom product" means a food, dietary supplement, or beverage, or a food or dietary ingredient intended for human consumption, that contains kratom and is manufactured or served in an edible form, including a pill, powder, capsule, beverage, or liquid.
- d. This prohibition is not intended to substantially burden a person's exercise of religion as prohibited by N.D.C.C. § 37-17.1-05(10).
- e. This prohibition and public health emergency remains in effect until rescinded or until such time as the conditions of N.D.C.C. § 37-17.1-05(3)(b) or (c) have been met.
- f. Any person who willfully violates this prohibition is guilty of an infraction under N.D.C.C. § 37-17.1-05(8).

2. Hereby convenes a special session of the North Dakota Legislative Assembly on September 2, 2026, in the legislative chambers at the State Capitol in Bismarck, North Dakota. The special session of the Legislative Assembly is convened to consider and enact a statutory framework to regulate or prohibit the creation, manufacture, delivery, distribution, sale, purchase, possession, and mislabeling of kratom and kratom products, including the establishment of appropriate criminal penalties. This Executive Order is issued based upon the following authority:

- a. The Governor is vested with the executive authority pursuant to Article V, Sections 1 and 7 of the North Dakota Constitution;
- b. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a public health emergency pursuant to N.D.C.C. ch. 37-17.1;
- c. A coordinated and effective effort of state agencies is required to address the impact of emergencies in this state; and
- d. This executive order specifically addresses the mitigation of the declared public health emergency, as required by N.D.C.C. § 37-17.1-05(7).

Executed at Bismarck, North Dakota, this 3rd day of August, 2026.

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort Justice Jared Tufte to the rostrum., which motion prevailed.

APPOINTMENT OF ESCORT COMMITTEE

MADAM PRESIDENT APPOINTED Sens. Sickler and Braunberger as a committee of two to escort Justice Jared Tufte to present the Oath of Office to the newly appointed Senator Jamie Selzler.

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort newly appointed Senator Jamie Selzler to the rostrum, which motion prevailed.

APPOINTMENT OF ESCORT COMMITTEE

MADAM PRESIDENT APPOINTED Sens. Cory and Bekkedahl as a committee of two to escort newly appointed Senator Jamie Selzler to the rostrum to be sworn in.

OATH OF OFFICE

Justice Jared Tufte administered the Oath of Office to newly appointed Senator Jamie Selzler.

The roll was called and all members were present except Sen. Meyer.

A quorum was declared by the President.

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Rules Committee (Sen. Klein, Chairman)** recommends that the Senate and Joint Rules of the 69th Legislative Assembly, be amended as follows for the special session of the 69th Legislative Assembly:.

SECTION 1. AMENDMENT. Subsection 4 of Senate Rule 318 is amended as follows:

4. The following questions require a two-thirds vote of the members-elect of the Senate:
 - a. Initiated and referred measures amended or repealed within seven years after enactment or approval, as provided in Section 8, Article III, of the Constitution and Senate Rule 339.
 - b. Emergency clauses, as provided in Section 13, Article IV, of the Constitution.
 - c. Vetoed measures, reconsideration, as provided in Section 9, Article V, of the Constitution.
 - d. Adoption of propositions of a divided question if the division would require a two-thirds vote of the members-elect, as provided in Senate Rule 319.
 - e. To recede before a conference in a case where two-thirds governs, as provided in Joint Rule 202.
 - f. ~~Second reading same day as report, as provided in Senate Rule 337.~~
 - g. Reconsideration after the next legislative day or after a previous motion to reconsider, as provided in Senate Rule 348.
 - ~~h.g.~~ Reconsideration after a clincher motion, as provided in Senate Rule 349.
 - ~~i.h.~~ Suspension of requirement that copies of amendments be distributed before acted on, as provided in Senate Rule 601.
 - ~~j.i.~~ Amendment, reconsideration, or suspension of a joint rule, as provided in Joint Rule 105.

SECTION 2. AMENDMENT. Senate Rule 329 is amended as follows:

329. Measures referred to the Joint Appropriations Committee.

1. ~~Every bill providing an appropriation of fifty thousand dollars or more must be referred or rereferred to and acted on by the Appropriations Committee, and every~~

~~bill or resolution proposing a change in the audit or fiscal procedures of a state agency or institution must be originally referred to and acted upon by that committee, before final action by the Senate thereon, unless~~Unless otherwise ordered by a majority vote of the members present:

2. , before final action by the Senate, the following must be referred or rereferred to and acted on by the Joint Appropriations Committee:

- a. Every bill approved for introduction by a two-thirds vote of the members of the Senate present and voting which provides an appropriation of one hundred thousand dollars or more or resolution with~~has~~ a fiscal note stating the measure has an effect of two hundred thousand dollars or more on the appropriation for a state agency or department ~~must be rereferred to and acted on by the Appropriations Committee before final action by the Senate thereon, unless otherwise ordered by a majority vote of the members present;~~
- b. Every bill amended to include an appropriation of one hundred thousand dollars or more or amended in a manner that results in a fiscal note stating the measure has an effect of two hundred thousand dollars or more on the appropriation for a state agency or institution; and
- c. Every bill or resolution proposing a change in the audit or fiscal procedures of a state agency or institution.

- 3-2. A bill or resolution required to be referred or rereferred to the Joint Appropriations Committee which received a do not pass recommendation from committee and which then is passed by the Senate is deemed reconsidered and must be referred to and acted upon by the Joint Appropriations Committee if that measure has not been referred or rereferred to the Joint Appropriations Committee before passage. The Joint Appropriations Committee shall report the measure back to the Senate for action in accordance with these rules.

4. ~~Except for bills approved for introduction after the deadline for introduction of bills, all Senate bills required to be rereferred to the Appropriations Committee must be rereferred not later than the twenty-third legislative day and all House bills required to be rereferred to the Appropriations Committee must be rereferred not later than the fifty-fifth legislative day. If an appropriation bill is not reported to the floor and rereferred as required herein, the bill is deemed rereferred and is under the jurisdiction of the Appropriations Committee at the end of the twenty-third or fifty-fifth legislative day, as appropriate.~~

SECTION 3. AMENDMENT. Senate Rule 337 is amended as follows:

337. Second reading. No bill requiring the approval of the Governor, no resolution proposing a change in the Constitution of North Dakota, and no resolution ratifying an amendment to the Constitution of the United States may be referred, except in the case of a bill or resolution that is prefiled pursuant to Senate Rule 401, or amended until it has been read; nor may any such bill or resolution have its second reading and final passage until at least one day after it ~~has been reported to the Senate by the committee to which it was referred, provided that any such bill or resolution may have its second reading and final passage on the same day it is reported back when so ordered by two-thirds of the members elect of the Senate~~its first reading.

SECTION 4. AMENDMENT. Senate Rule 347 is amended as follows:

347. Transmittal of measure to House - Notice of intention to reconsider.

1. After the second reading of a bill or resolution, the Secretary of the Senate shall ~~retain the bill or resolution until the end of the next legislative day, unless the bill or resolution has previously been disposed of.~~
2. ~~On the thirty-sixth and thirty-seventh legislative days and after the fifty-seventh legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House immediately upon adjournment of the last session on that day unless action on the bill or resolution is pending as the result of the Senate passing a motion to~~

~~reconsider or unless the Majority or Minority Leader has given notice of intention to move the reconsideration of that bill or resolution.~~

- ~~3. After the sixty-sixth legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House immediately after the second reading of the bill or resolution unless the Majority or Minority Leader has given notice of intention to move the reconsideration of that bill or resolution.~~
- ~~4. When a member in explaining the member's vote states to the Senate that the member's vote is for the purpose of reconsideration, that statement also is notice of such intention.~~
- ~~5. If notice is given by a member other than the Majority or Minority Leader but the motion to reconsider is not made before the end of the next legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House at the end of that next legislative day.~~
2. If notice of intention to move reconsideration is given by the Majority or Minority Leader, the Secretary of the Senate shall retain the bill or resolution until adjournment of that day's session.

SECTION 5. AMENDMENT. Subsection 1 of Senate Rule 401 is amended as follows:

- ~~1. Any bill or resolution that conforms to statutory requirements and these rules, within the number and time prescribed, may be introduced by any member, standing committee, or the Legislative Management, by filing the bill or resolution with the Secretary, who shall number consecutively each bill or resolution.~~

SECTION 6. AMENDMENT. Senate Rule 402 is amended as follows:

402. When introduced.

- ~~1. No member other than the Majority and Minority Leaders may introduce more than three bills as prime sponsor after the eighth legislative day. A bill containing an appropriation clause may not be introduced after the eighth legislative day. No bill or resolution may be introduced after the thirteenth legislative day, and no resolution, except those resolutions described in subsection 3, may be introduced after the sixteenth legislative day, except only upon approval of a majority of the Delayed Bills Committee Legislative Management or upon two-thirds vote of the members of the Senate present and voting.~~
- ~~2. No bill introduced at the request of an executive agency or the Supreme Court may be introduced after the close of business on the day before Thanksgiving Day in even-numbered years, except upon approval of a majority of the Delayed Bills Committee.~~
- ~~3. Resolutions that propose amendments to the Constitution of North Dakota and resolutions directing the Legislative Management to carry out a study may not be introduced after the twenty-seventh legislative day.~~

SECTION 7. AMENDMENT. Senate Rule 501 is amended as follows:

501. StandingProcedural and standing committees.

- ~~1. The Committee on Committees consists of eight members. The Majority Leader, by virtue of office, is a member of the committee and shall serve as its chairman. The Majority Leader shall appoint four other members from the majority party and three members from the minority party to the committee. The committee shall appoint standing committees concerned with matters in the fields as indicated and procedural committeescommittee members to the Joint Policy Committee under Joint Rule 304 and may appoint replacement members to any committee in the event of an absence.~~
- ~~2. The five-day standing committee is Appropriations: (16 members) Bills and resolutions referred or rereferred under Senate Rule 329. Except for the committee chairman, each member of the committee must be appointed to one of the following~~

~~divisions of the committee which, for purposes of North Dakota Century Code Section 54-03-10, are deemed standing committees:~~

- ~~a. Education and Environment.~~
 - ~~b. Government Operations.~~
 - ~~c. Human Resources.~~
3. The three-day standing committees are:
- ~~a. Education: (6 members)~~
~~Public Schools; Libraries; Institutions of Higher Learning.~~
 - ~~b. Finance and Taxation: (6 members)~~
~~Public Debt; Taxes and Tax Laws.~~
 - ~~c. Human Services: (6 members)~~
~~Human Services; Public Health; Public Safety.~~
 - ~~d. Industry and Business: (5 members)~~
~~Banks and Banking; Corporations; Insurance; Matters pertaining to Private Business and Industry.~~
 - ~~e. Judiciary: (7 members)~~
~~Elections and Election Privileges; Judiciary.~~
4. The two-day standing committees are:
- ~~a. Agriculture and Veterans Affairs: (6 members)~~
~~Agriculture; Livestock; Drainage and Irrigation; Warehouse and Grain Grading; Military and Veterans Affairs.~~
 - ~~b. Energy and Natural Resources: (6 members)~~
~~Game and Fish; Public Lands; Mines and Mining; Gas and Oil; Forestry.~~
 - ~~c. State and Local Government: (6 members)~~
~~Cities; Counties; Townships; Park Districts; Apportionment; State and Federal Affairs; Government Pensions and Benefits; Industrial Commission and institutions under its supervision; State Historical Society and State Parks.~~
 - ~~d. Transportation: (5 members)~~
~~Highways and Bridges; Railroads; Motor Vehicles; Airlines and Airports.~~
 - ~~e. Workforce Development: (6 members)~~
~~Occupations and Professions; Population; Workforce; Job Service North Dakota; Department of Commerce; Workforce Safety and Insurance; Workers' Compensation; Unemployment Compensation; Labor Laws and kindred subjects.~~
5. The procedural committees are:
- a. Arrangements for Senate Committee Rooms, to consist of three members.
 - b. Correction and Revision of the Journal, to consist of three members.

- c. ~~Delayed Bills, to consist of five members.~~
 - d. ~~Employment, to consist of five members.~~
 - e. ~~Inaugural Planning, to consist of three members.~~
 - f.d. Rules, to consist of eight members.
6. ~~When an executive nomination is received, the Committee on Committees shall appoint a select committee to consider it. The select committee shall meet and consider the nominee forthwith, and shall report its recommendations to the Senate.~~

SECTION 8. AMENDMENT. Senate Rule 504 is amended as follows:

504. Committee meetings.

- 1. ~~The Appropriations Committee meets on Monday, Tuesday, Wednesday, Thursday, and Friday of each week.~~
- 2. ~~The three day committees meet on Monday, Tuesday, and Wednesday of each week.~~
- 3. ~~The two day committees meet on Thursday and Friday of each week.~~
- 4. The chairman of any committee, or a majority of that committee, may call meetings at times and on other days as deemed necessary.

SECTION 9. AMENDMENT. Senate Rule 601 is amended as follows:

601. Report of committees.

- 1. The report of a committee must provide for one or more of the following recommendations with respect to the bill or resolution: do pass, do not pass, be amended, be rereferred to another committee, or be placed on the calendar without recommendation. Additionally, the report of the committee must provide a statement of whether the bill or resolution affects workforce development.
- 2. During the fifth order of business, the Secretary shall announce that committee reports have been received, if such is the case, and shall list the bill or resolution number, or other identifier, and state the accompanying committee recommendation. If the committee report is divided pursuant to Senate Rule 602, the Secretary shall announce the majority and minority report, or reports, as well.
- 3.
 - a. If the committee report is for amendment, the proposed amendment must be placed on the calendar ~~for the next legislative day on the sixth order of business. After the fifty-third legislative day, the proposed amendment must be placed on the calendar on the sixth order of business immediately after the report of the committee is received.~~
 - b. No action may be taken on an amendment until a verbatim copy of the amendment has been distributed to each member; provided, that on a two-thirds vote of the members-elect, this may be suspended, and the amendment acted on immediately after the report of the committee.
 - c. If the amendment is adopted by a majority vote of the members present, the amended measure must then be placed on the calendar ~~for the next legislative day~~ under the applicable order of business for second reading and final passage except as provided in subdivision e ~~or g~~.
 - d. If the amendment is rejected, the measure without amendment must be placed on the calendar ~~for the next legislative day~~ under the applicable order of business for second reading and final passage except as provided in subdivision e ~~or g~~.

- e. If the committee report is for amendment and then rereferral to another committee, the measure must be rereferred to the appropriate committee after adoption or rejection of the amendment. If, after adoption or rejection of the amendment, a measure is subject to rereferral under Senate Rule 329, the measure must be rereferred to the Joint Appropriations Committee, regardless of whether the report provides for rereferral.
 - f. If the committee report does not recommend rereferral to another committee but recommends that the measure pass, do not pass, or makes no recommendation, the measure must be placed on the calendar ~~for the next legislative day~~ under the applicable order of business for second reading and final passage ~~except as provided in subdivision g.~~
 - g. ~~On motion~~ Except as provided under subdivision e, a measure must be placed on the calendar for second reading and final passage immediately after action is taken on the amendment. ~~If the committee report recommends that the measure be placed on the calendar for second reading and final passage immediately after action is taken on the amendment, the measure must be placed on the calendar for second reading and final passage immediately after the amendment is adopted. After the thirtieth legislative day all Senate bills, and after the fifty-third legislative day all measures, must be placed on the calendar for second reading and final passage immediately after action is taken on the amendment. Without objection a measure placed on the calendar under this subdivision must be acted on immediately after placement on the calendar.~~
 - h. A report for amendment must be approved as to form and style by the Legislative Council staff. When a report for amendment is received by the Secretary without a notation that the report was approved as to form and style by the Legislative Council staff, the Secretary immediately shall cause that report to be delivered to the Legislative Council office with a request that the report be examined and receive a notation approving its form and style.
- 4. If the committee report is divided as provided in Senate Rule 602, the reports must be placed on the calendar ~~for the next legislative day~~ on the seventh order of business. The presiding officer shall receive and announce a motion that the report of the minority be substituted for the majority committee report. If the minority report is adopted, that report is substituted for the majority report and must be placed on the calendar on the eleventh or fourteenth order of business. If the minority report is not adopted, the majority report is deemed adopted and must be placed on the calendar on the eleventh or fourteenth order of business. If a "do not pass" report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business. If no report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business unless the measure is subject to rereferral under Senate Rule 329.
 - 5. ~~The~~ If practicable, the Secretary shall ensure that the daily calendar contains appropriate notation of committee reports.

SECTION 10. AMENDMENT. Joint Rule 202 is amended as follows:

202. Receding before conference. Either house may recede from any subject matter of difference existing between the two houses at any time before a conference whether the papers on which the difference has arisen are before the house receding formally or informally, and a majority of the members-elect governs, except in a case where two-thirds of the members-elect is required by the Constitution, and the question having been put and lost, may ~~not~~ be again put the same day, and the consideration thereof in other respects is regulated by the rules of the respective houses.

SECTION 11. AMENDMENT. Joint Rule 207 is amended as follows:

207. Consideration of items on consent calendar.

1. ~~No item on the consent calendar may be considered for adoption on the same legislative day it is placed on the consent calendar.~~
2. Bills or resolutions on the consent calendar are not debatable, except that the presiding officer shall allow a reasonable time for questions from the floor and shall permit the proponents of the bills or resolutions to answer the questions.
- ~~3-2.~~ 2. The question of the final passage of more than one item contained on the consent calendar may be voted on in a single vote if the vote is on either bills or resolutions and not on any combination thereof in the same vote.
- ~~4-3.~~ 3. Immediately before voting on the first consent calendar bills or resolutions, the presiding officer shall call to the attention of the members the fact that the next vote will be the vote on the bills or resolutions on the consent calendar. A recorded roll call vote is necessary on items on the consent calendar only if a recorded roll call vote is required under Senate or House Rule 341.

SECTION 12. AMENDMENT. Joint Rule 208 is amended as follows:

208. Introduction of executive agency and Supreme Court bills.

1. Each executive agency and the Supreme Court shall file with the Legislative Council those bills, other than bills making appropriations, ~~they wish~~the agency or Supreme Court wishes to have introduced no later than the close of business on the day ~~after the adjournment of the organizational session~~before Thanksgiving in even-numbered years.
2. Each filed bill is deemed introduced by the standing committee of the House or Senate with general jurisdiction over the subject matter of the bill; ~~but, However,~~ if the filing entity receives the approval of a legislator to sponsor the bill, that bill is ~~to~~must be introduced by the legislator rather than by the standing committee. A bill sponsored by a legislator may not have more sponsors than ~~the number allowed~~permitted under Senate and House Rules 401. The
3. ~~As required under North Dakota Century Code Section 54-44.1-07, the director of the budget, the Supreme Court, and the Legislative Council shall deliver to the Legislative Council bill drafts making appropriations to implement the budget recommended by the Governor no later than the close of business on the seventh day after the adjournment of the organizational session, as required by North Dakota Century Code Section 54-44.1-07; however, those~~ The bill drafts are not deemed ~~to be~~ introduced but must be provided to the appropriations committees and printed in the journals of the Senate and House of Representatives.
4. The Legislative Council shall number and deliver bills introduced under this rule to the appropriate house for recording. Each bill introduced under this rule must ~~be identified by noting~~identify the name of the agency or the court under the name of the sponsoring committee or legislator. The identification of a bill introduced by a standing committee may include the names of not more than five entities authorized to file bills under this rule.

SECTION 13. Joint Rule 303 is created as follows:

303. Joint Appropriations Committee.

1. A Joint Appropriations Committee must be appointed during a special session.
2. The committee consists of thirty-nine members, the twenty-three members from the House who served on the Appropriations Committee during the most recent legislative session and the sixteen members from the Senate who served on the Appropriations Committee during the most recent legislative session. In the event a member who served on the Appropriations Committee during the most recent legislative session is no longer a member of the Legislative Assembly, the respective house's Majority Leader may appoint a substitute member to serve on the committee. The first-named member from each house is co-chairman of the committee.

3. The presiding officer shall refer to the committee all bills and resolutions that serve primarily to provide an appropriation. The committee shall meet at the call of the co-chairmen. For each bill under consideration by the committee, the co-chairman from the house of introduction of the bill shall preside. Members of the committee are excused from attending a meeting of any other committee while the members are attending a meeting of the Joint Appropriations Committee.
4. The committee shall issue joint reports on the measures referred to it, with a report first being presented to the house having possession of the measure, and later presented to the other house if appropriate. A majority of each house's committee members must approve a recommendation before the committee may issue a joint report.
5. If there is a successful division or floor amendment in the house of introduction after the joint report is reported out of the joint committee, a bill messaged to the second house must be rereferred to the joint committee by the second house.

SECTION 14. Joint Rule 304 is created as follows:

304. Joint Policy Committee.

1. A Joint Policy Committee must be appointed during a special session.
2. The committee consists of eighteen members, ten from the House and eight from the Senate, appointed by the Majority Leader in each house. The first-named member from each house is co-chairman of the committee.
3. The presiding officer shall refer all bills and resolutions not referred to the Joint Appropriations Committee to the Joint Policy Committee. The committee shall meet at the call of the co-chairmen. For each bill under consideration by the committee, the co-chairman from the house of introduction of the bill shall preside. Members of the committee are excused from attending a meeting of any other committee while the members are attending a meeting of the Joint Policy Committee.
4. The committee shall issue joint reports on the measures referred to it, with a report first being presented to the house having possession of the measure, and later presented to the other house if appropriate. A majority of each house's committee members must approve a recommendation before the committee may issue a joint report.
5. If there is a successful division or floor amendment in the house of introduction after the joint report is reported out of the joint committee, a bill messaged to the second house must be rereferred to the joint committee by the second house.

SECTION 15. Joint Rule 305 is created as follows:

305. Remote testimony and participation. The Joint Appropriations Committee and the Joint Policy Committee shall allow remote testimony during committee meetings. Committee members may participate remotely upon approval from the Majority Leader of the Senate or the Speaker of the House.

SECTION 16. AMENDMENT. Subsection 4 of Joint Rule 501 is amended as follows:

4. a. The agency or department preparing the fiscal note for a bill or resolution as introduced shall complete and return the fiscal note to the Legislative Council not later than ~~five days~~one day from the date of the request. The agency or department preparing the fiscal note for an amended bill or resolution shall complete and return the fiscal note to the Legislative Council not later than one day from the date of the request.
- b. The Legislative Council shall provide an electronic copy of the fiscal note to the Office of Management and Budget and the Governor. The Legislative Council shall make an electronic or paper copy of the fiscal note available to the Secretary of the Senate or the Chief Clerk of the House.

SECTION 17. SUSPENSION. Senate Rules 338, 403, 502, and 509 are suspended.

SECTION 18. EFFECTIVE DATE. The amendment to Joint Rule 208, in Section 12 of this rules amendment, becomes effective upon the conclusion of the 69th special session of the Legislative Assembly, convening on September 2, 2026.

SEN. KLEIN MOVED that the report be adopted, which motion prevailed on a voice vote.

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Rules Committee (Sen. Klein, Chairman)** respectfully submits the following names for the 2026 Senate special session Joint Policy Committee with a vote of 8 yeas, 0 nays and 0 not voting: Senator Klein, Chairman, Sens. Axtman, Braunberger, Cory, Dever, Roers, Rummel, and Weber..

SEN. KLEIN MOVED that the report be adopted, which motion prevailed on a voice vote.

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Rules Committee (Sen. Klein, Chairman)** respectfully submits the following names for the 2026 Senate special session Joint Appropriations Committee with a vote of 8 yeas, 0 nays and 0 not voting: Senator Bekkedahl, Chairman, Sens. Burckhard, Castaneda, Cleary, Conley, Davison, Dwyer, Erbele, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, and Wanzek.

SEN. KLEIN MOVED that the report be adopted, which motion prevailed on a voice vote.

REQUEST

SEN. HOGAN REQUESTED the Senate be on the Eighth Order of Business for the purpose of introducing a bill, which request was granted.

OBJECTION

SEN. HOGUE OBJECTED to Sen. Hogan's request.

VOTE

PRESIDENT STRINDEN CALLED for a vote on sustaining the objection of Sen. Hogue. The Senate sustained Sen. Hogue's objection on a voice vote.

FIRST READING OF SENATE BILLS

Sens. Rummel, Patten and Reps. Dockter, Headland introduced:

SB 2405: A BILL for an Act to amend and reenact subsection 1 of section 57-02-08.9, section 57-20-09, and subsection 1 of section 57-55-03 of the North Dakota Century Code, relating to the order of application of the primary residence credit and discount for early payment of tax; and to provide an effective date.

Was read the first time and referred to the **Joint Policy Committee**.

Sens. Mathern, Sorvaag and Reps. Heilman, Warrey, C. Brown introduced:

SB 2406: A BILL for an Act to create and enact chapter 44-04.1 of the North Dakota Century Code, relating to prohibiting agencies from entering nondisclosure agreements concerning data centers and industrial projects; to provide a penalty; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Joint Policy Committee**.

Sens. Hogue, Bekkedahl and Reps. Lefor, Vigasaa introduced:

SB 2407: A BILL for an Act to provide an appropriation to the state historical society for the North Dakota military museum project; to amend and reenact section 55-01-02.1 of the North Dakota Century Code, relating to jurisdiction of the heritage center; to authorize a line of credit; to provide for a report; and to provide an effective date.

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

Sen. Axtman introduced:

SB 2408: A BILL for an Act to create and enact subdivision III of subsection 3 of section 19-03.1-05 of the North Dakota Century Code, relating to the scheduling of mitragynine synthetic derivatives as a schedule I controlled substance; to amend and reenact section 19-03.1-22.3 and subsection 7 of section 19-03.1-23 of the North Dakota Century Code, relating to penalties for the use and possession of mitragynine synthetic derivatives; to provide a penalty; and to provide an effective

date.

Was read the first time and referred to the **Joint Policy Committee**.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 10:00 a.m., at which time the Senate will reconvene in the House Chambers for a joint session, and reconvene at 4:00 p.m., motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Employment (Sen. Dever, Chairman)** recommends the following Senate employees for the special session of the Sixty-ninth Legislative Assembly:

2026 SPECIAL SESSION SENATE EMPLOYEES

	<u>Secretary of the Senate</u>	
Shanda Morgan		Baldwin
	<u>Journal Reporter</u>	
Sonja King		Bismarck
	<u>Calendar Clerk</u>	
Dennis Rodin		Bismarck
	<u>Bill Clerk/Recording Clerk</u>	
Kim Schneider		Bismarck
	<u>Sergeant-at-Arms</u>	
Wayne Rogstad		Bismarck
	<u>Legislative Assistant</u>	
Carrie Paulson		Minot
	<u>Administrative Assistant to the Majority Leader</u>	
Renaë Doan		McKenzie
	<u>Administrative Assistant to the Minority Leader</u>	
Kathy Wachter		Bismarck

SEN. KLEIN MOVED that the report be adopted, which motion prevailed on a voice vote.

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, Ninth, Thirteenth, and Fifteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:30 a.m., Thursday, September 3, 2026, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2405 ([25.1447.02000](#))

Joint Policy Committee (Sen. Klein, Co-Chairman) recommends the measure **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (8 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2405 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2406

Joint Policy Committee (Sen. Klein, Co-Chairman) recommends **AMENDMENTS ([25.1425.02004](#))** and when so amended, recommends **DO NOT PASS** (6 YEAS, 2 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2406 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2408

Joint Policy Committee (Sen. Klein, Co-Chairman) recommends **AMENDMENTS**

[\(25.1431.01003\)](#) and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2408 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

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

Shanda Morgan, Secretary