

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

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Bismarck, September 3, 2026

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

The prayer was offered by Pastor Bruce Irwin, Gospel Home Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 27 YEAS, 20 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING.

YEAS: Barta; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Erbele; Hogan; Hogue; Kessel; Klein; Larson; Lee; Marcellais; Mathern; Patten; Rummel; Schaible; Selzler; Sickler; Sorvaag; Weber; Wobbema

NAYS: Axtman; Beard; Braunberger; Castaneda; Cory; Enget; Gerhardt; Lemm; Luick; Magrum; Meyer; Myrdal; Paulson; Powers; Roers; Thomas; Walen; Wanzek; Weston; van Oosting

SB 2405 passed.

CONSIDERATION OF AMENDMENTS

SB 2408: SEN. ROERS (Joint Policy Committee) MOVED that the amendments ([25.1431.01003](#)) be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. MAGRUM REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2408, the roll was called and there were 45 YEAS, 2 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING.

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

NAYS: Magrum; Powers

The proposed amendments to SB 2408 were adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

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 kratom alkaloids and kratom alkaloid 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 kratom alkaloids and kratom alkaloid derivatives; to provide a penalty; and to provide an effective date.

ROLL CALL

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

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

NAYS: Magrum

Engrossed SB 2408 passed.

REPORT OF STANDING COMMITTEE SB 2407

Joint Appropriations Committee (Sen. Bekkedahl, Co-Chairman) recommends **AMENDMENTS (25.1421.02011)** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2407 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 11:00 a.m., which motion prevailed.

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

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 First Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1356, replace lines 18 through 20 with:

"MADAM PRESIDENT: Your procedural **Rules Committee** (Sen. Klein, Chairman) recommends that the Senate and Joint Rules of the 69th Legislative Assembly, in effect upon the adjournment of the January 2026 extraordinary session, be reconsidered and amended as follows for the September 2026 extraordinary session of the 69th Legislative Assembly, with the exception of the amendment to Joint Rule 208, as reflected in Section 12, which becomes effective upon the conclusion of the September 2026 extraordinary session of the 69th Legislative Assembly:"

Page 1364, replace lines 7 through 19 with:

"JOINT POLICY COMMITTEE

SEN. HOGUE APPOINTED the following Senate members to the Joint Policy Committee: Sens. Senator Klein, Chairman, Sens. Axtman, Braunberger, Cory, Dever, Roers, Rummel, and Weber.

SEN. HOGUE APPOINTED the following Senate members to the Joint Appropriations Committee: Senator Bekkedahl, Chairman, Sens. Burckhard, Castaneda, Cleary, Conley, Davison, Dwyer, Erbele, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, and Wanzek."

Page 1364, line 22, remove ", which request was granted"

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

CONSIDERATION OF AMENDMENTS

SB 2407: SEN. SORVAAG (Joint Appropriations Committee) MOVED that the amendments ([25.1421.02011](#)) 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 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 repeal subsection 3 of section 6 of chapter 17 of the 2025 Session Laws, relating to a donation pledge requirement to access funding from the strategic investment and improvements fund; to provide a statement of legislative intent; to authorize a line of credit; to provide for a report; and to provide an effective date.

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 39 YEAS, 8 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Castaneda; Conley; Cory; Davison; Dever; Dwyer; Enget; Erbele; Gerhard; Hogan; Hogue; Kessel; Klein; Larson; Lee; Lemm; Luick; Marcellais; Meyer; Patten; Paulson; Powers; Roers; Rummel; Schaible; Sorvaag; Thomas; Walen; Wanzek; Weber; Weston; Wobbema; van Oosting

NAYS: Braunberger; Cleary; Clemens; Magrum; Mathern; Myrdal; Selzler; Sickler

Engrossed SB 2407 passed.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Josh Boschee of Fargo.

CONSIDERATION OF AMENDMENTS

SB 2406: SEN. KLEIN (Joint Policy Committee) MOVED that the amendments ([25.1425.02004](#)) 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 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.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 32 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING.

YEAS: Axtman; Boehm; Braunberger; Cleary; Clemens; Davison; Enget; Hogan; Magrum; Marcellais; Mathern; Selzler; Sorvaag; Weber; van Oosting

NAYS: Barta; Beard; Bekkedahl; Burckhard; Castaneda; Conley; Cory; Dever; Dwyer; Erbele; Gerhard; Hogue; Kessel; Klein; Larson; Lee; Lemm; Luick; Meyer; Myrdal; Patten; Paulson; Powers; Roers; Rummel; Schaible; Sickler; Thomas; Walen; Wanzek; Weston; Wobbema

Engrossed SB 2406 failed.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Twelfth, Thirteenth and Fifteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Friday, September 4, 2026, which motion prevailed.

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 1628.

FIRST READING OF HOUSE BILL

HB 1628: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and chapter 51-38 of the North Dakota Century Code, relating to criminal history record checks and the regulation of kratom products; to amend and reenact section 12.1-31-03 of the North Dakota Century Code, relating to the sale of kratom to individuals under twenty-one years of age; to provide a penalty; to provide an appropriation; and to provide an effective date.

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

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2405, SB 2407, SB 2408.

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

MR. SPEAKER: The Senate has failed to pass: SB 2406.

REPORT OF STANDING COMMITTEE**HB 1628**

Joint Policy Committee (Sen. Klein, Co-Chairman) recommends **AMENDMENTS (25.1453.03001)** and when so amended, recommends **DO PASS** (7 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1628 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