JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, January 10, 2023

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

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

The roll was called and all members were present except Senator K. Roers.

A quorum was declared by the President.

MOTION

SEN. KLEIN MOVED that SB 2066 be returned to the Senate floor from the **Education Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, SB 2066 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2097: SEN. KANNIANEN (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 159 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2083: SEN. BARTA (Energy and Natural Resources Committee) MOVED that the amendments on SJ pages 158-159 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that SB 2029, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. KLEIN MOVED that SB 2051 be moved to the bottom of the Eleventh order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2094: SEN. WEBER (Agriculture and Veterans Affairs Committee) MOVED that the amendments on SJ page 159 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2094 was rereferred to the **Appropriations Committee**.

SECOND READING OF SENATE BILL

SB 2034: A BILL for an Act to amend and reenact section 50-06-43.1 of the North Dakota Century Code, relating to the children's cabinet.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed SB 2034 passed.

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SECOND READING OF SENATE BILL

SB 2074: A BILL for an Act to amend and reenact section 23.1-11-08 of the North Dakota Century Code, relating to ground water monitoring.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed SB 2074 passed.

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SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act to repeal section 4.1-01-11 of the North Dakota Century Code, relating to the advisory committee on sustainable agriculture.

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 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Hogan

ABSENT AND NOT VOTING: Roers, K.

SB 2027 passed.

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SECOND READING OF SENATE BILL

SB 2117: A BILL for an Act to repeal section 37-17.3-11 of the North Dakota Century Code, relating to the statewide seamless base map fees.

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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

SB 2117 passed.

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SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to amend and reenact sections 26.1-02-02, 26.1-03-11, and 26.1-36.4-06, and subsection 2 of section 26.1-36.7-05 of the North Dakota Century Code, relating to the insurance commissioner's red tape reduction.

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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

SB 2056 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 2050, SB 2072, SB 2080, SB 2085, SB 2086, SB 2102.

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 1037, HB 1053, HB 1071, HB 1079, HB 1081.

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, and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, January 11, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2044: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2044 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2045: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2045 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2046: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2046 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2053: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2053 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2054: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2054 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2068: Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2068 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2091: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2091 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2111: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 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 2112: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2112 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2113: Transportation Committee (Sen. Clemens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2113 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 8, after "federal" insert "or state"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2120: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2120 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2121: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2121 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Lee, Axtman, Larsen and Reps. Pyle, M. Ruby, Schreiber-Beck introduced:

SB 2182: A BILL for an Act to amend and reenact section 50-11.1-02 of the North Dakota Century Code, relating to the definition of early childhood services.

Was read the first time and referred to the **Human Services Committee**.

Sens. Wanzek, Klein, Weber and Reps. Brandenburg, Kempenich, Mitskog introduced:

SB 2183: A BILL for an Act to provide an appropriation to the adjutant general for snow removal grants and reimbursements; to provide a transfer; to provide for a report; and to declare an emergency.

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

Sens. Lee, Burckhard, K. Roers and Reps. Mitskog, Weisz introduced:

SB 2184: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to uniform regulation of occupations and professions; to amend and reenact subsection 2 of section 54-10-01 and section 54-10-27 of the North Dakota Century Code, relating to the duties of the state auditor; to provide a penalty; to provide for a legislative management study; and to provide an effective date.

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

Sens. Myrdal, Cleary, Wobbema and Reps. Louser, Weisz introduced:
SB 2185: A BILL for an Act to provide for an appropriation to the department of health and human services for the development of a pregnancy and parenting resource website; and to declare an emergency.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Klein, Vedaa and Reps. Dockter, Nelson, Weisz introduced:
SB 2186: A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-11.1 of the North Dakota Century Code, relating to eligible uses for charitable gaming net proceeds.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Cleary, Hogan, K. Roers and Reps. Porter, D. Ruby, Weisz introduced:
SB 2187: A BILL for an Act to create and enact chapter 43-47.1 of the North Dakota Century Code, relating to adoption of the counseling compact.
Was read the first time and referred to the **Workforce Development Committee**.

Sens. Clemens, Boehm and Reps. Henderson, Kasper, Marschall introduced:
SB 2188: A BILL for an Act to create and enact two new sections to chapter 14-09, and two new sections to chapter 15.1-09 of the North Dakota Century Code, relating to requiring parental consent for minors' health care services, fundamental parental rights, a school district's obligation to notify parents of their rights related to education, and data collection; and to provide a penalty.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Weber, Dever, Rummel and Reps. Grueneich, Mitskog, Swiontek introduced:
SB 2189: A BILL for an Act to amend and reenact section 39-10-21.1 of the North Dakota Century Code, relating to entering a closed road; and to provide a penalty.
Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

Sens. Hogan, Braunberger and Reps. Dakane, Dobervich, Schreiber-Beck introduced:
SB 2190: A BILL for an Act to amend and reenact sections 50-33-02 and 50-33-07 of the North Dakota Century Code, relating to the child care assistance program; and to provide a statement of legislative intent.
Was read the first time and referred to the **Human Services Committee**.

Sens. Burckhard, Axtman, Barta and Reps. Ista, Karls introduced:
SB 2191: A BILL for an Act to amend and reenact subsection 4 of section 39-01-15 of the North Dakota Century Code, relating to adding physical therapists as health care professionals who can sign statements for applications for mobility-impaired parking certificates; and to provide a penalty.
Was read the first time and referred to the **Transportation Committee**.

Sens. Hogue, Cleary and Reps. Lefor, Vigesaa introduced:
SB 2192: A BILL for an Act to provide for a legislative management study relating to the impact of term limits on the legislative assembly.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Paulson, K. Roers, Wanzek and Reps. Nathe, Steiner, Weisz introduced:
SB 2193: A BILL for an Act to amend and reenact section 39-22-14 of the North Dakota Century Code, relating to motor vehicle dealer licenses; and to provide a penalty.
Was read the first time and referred to the **Transportation Committee**.

Sens. Patten, Bekkedahl, Kannianen and Reps. Longmuir, J. Olson, Timmons introduced:
SB 2194: A BILL for an Act to create and enact a new section to chapter 15-02 of the North Dakota Century Code, relating to a post-production royalty oversight program; and to provide an appropriation.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Clemens, Hogue, Mathern and Reps. Meier, Rohr, D. Ruby introduced:
SB 2195: A BILL for an Act to provide an appropriation to the department of commerce for a grant for pregnancy resource services.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Patten, Beard, Bekkedahl, Kannianen and Reps. J. Olson, Richter introduced:

SB 2196: A BILL for an Act to create and enact two new sections to chapter 61-40 of the North Dakota Century Code, relating to the infrastructure revolving loan fund and accrued and unpaid interest in western area water supply authority loans; to amend and reenact section 61-02-79, subsection 13 of section 61-40-05, and sections 61-40-09, 61-40-10, and 61-40-11 of the North Dakota Century Code, relating to the oversight of the western area water supply authority and the authorized line of credit.

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

Sen. Krebsbach introduced:

SB 2197: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the re-energize North Dakota scholarship; to provide an appropriation; and to provide an expiration date.

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

Sens. Dever, K. Roers introduced:

SB 2198: A BILL for an Act to amend and reenact sections 54-52.4-02, 54-52.4-04, and 54-52.4-05 of the North Dakota Century Code, relating to state employee family medical leave.

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

Sens. Clemens, Vedaa, Weston and Reps. K. Anderson, Schauer, Tveit introduced:

SB 2199: A BILL for an Act to amend and reenact section 1-01-34 of the North Dakota Century Code, relating to gender usage in the North Dakota Century Code; and to provide a penalty.

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

Sens. Sorvaag, Luick, Meyer and Reps. Mock, Pyle, Swiontek introduced:

SB 2200: A BILL for an Act to provide an appropriation to the department of public instruction for North Dakota governor's schools.

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

Sens. Meyer, Cleary, K. Roers and Reps. Dockter, Mock, O'Brien introduced:

SB 2201: A BILL for an Act to amend and reenact sections 19-24.1-15 and 19-24.1-16 and subsection 2 of section 19-24.1-18 of the North Dakota Century Code, relating to medical marijuana certification and application fees.

Was read the first time and referred to the **Human Services Committee**.

Sens. Cleary, Larson, Lee, Myrdal, Sickler and Rep. Hanson introduced:

SB 2202: A BILL for an Act to provide an appropriation to the attorney general for a domestic violence forensic medical examination grant program.

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

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

Shanda Morgan, Secretary