JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, January 13, 2023

The Senate convened at 12:30 p.m., with President Miller presiding.

The prayer was offered by Chaplain Bobby GreyEagle, Nations Movement-CRU, Bismarck.

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

A quorum was declared by the President.

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

Pg 187, line 31, remove "and the emergency clause was declared carried"

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

REPORT OF PROCEDURAL COMMITTEE

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

2023 SENATE EMPLOYEES

	Secretary of the Senate	
Shanda Morgan		Baldwin
	Assistant Secretary of the Senate	
Dennis Rodin		Bismarck
	Journal Reporter	
Sonja King		Bismarck
	Calendar Clerk	
Joe Wolf		Bismarck
	Bill and Recording Clerk	
Kim Schneider		Bismarck
	Sergeant-at-Arms	
Wayne Rogstad		Bismarck
	Deputy Sergeant-at-Arms	
Lyle Lauf		Bismarck
	Assistant Sergeant-at-Arms	
Ron Gervig		Grafton
	Assistant Sergeant-at-Arms/Bill Room	
Noreen Steckler		New Salem
	Assistant Sergeant-at-Arms/Supply Room	
John Strand		Bismarck
	Administrative Assistant to the Majority Leader	
Reane Doan		McKenzie
	Staff Assistant to the Majority Leader	
Skyler Strand		Grand Forks
	Administrative Assistant to the Minority Leader	
Kathy Wachter		Bismarck
	Staff Assistant to the Minority Leader	
Denielle Glas		Mandan
	Chief Committee Clerk	
Carie Winings		Bismarck

Quality Assurance Clerk

Gail Schauer	Bismarck

Procedural Committee Clerks

Pat Lahr	Bismarck
Pam Dever	Bismarck
Brenda Cook	Hazen
Rick Schuchard	Bismarck

Technological Committee Clerks

Lynn Wolf	Mandan
Sheila Froehlich	Mandan
Dave Owens	Fargo
Sheldon Wolf	Bismarck
Dawson Dutchak	Grand Forks

Procedural Appropriations Committee Clerk

Kathleen Hall	Washington

Technological Appropriations Committee Clerk

Pamela Fenoff	Bismarck

Assistant Appropriations Procedural Clerk

Carol Thompson	Bismarck
Susan Huntington	Mandan

Assistant Appropriations Technological Clerk

Tucker Paulson	Minot
Clare Schnaible	Bismarck

Chief Page

Linda Lang	Mandan

Legislative Assistants/Pages

Callie Paulson	Minot
Rachael Kannianen	Stanley

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Bosch and Sen. Dever introduced:

HCR 3003: A concurrent resolution designating House and Senate employment positions and fixing compensation.

Was read the first time.

MOTION

SEN. KLEIN MOVED that the rules be suspended, that HCR 3003 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Rep. Bosch and Sen. Dever introduced:

HOUSE CONCURRENT RESOLUTION NO. 3003

A concurrent resolution designating House and Senate employment positions and fixing compensation.

NOW, THEREFORE, BE IT RESOLVED BY THE OF NORTH DAKOTA, THE CONCURRING THEREIN:

That for the Sixty-eighth Legislative Assembly, the following positions are designated as employee positions of the House and Senate and are to be paid the daily wages indicated:

HOUSE

Chief clerk	$217
Assistant chief clerk	193
Journal reporter	207
Calendar clerk	193
Bill and recording clerk	188
Sergeant-at-arms	173
Administrative assistant to majority leader	188
Staff assistant to majority leader	188
Administrative assistant to minority leader	188
Staff assistant to minority leader	188
Administrative assistant to Speaker	188
Deputy chief clerk	200

Quality assurance clerk	188
Procedural appropriations committee clerk	188
Technological appropriations committee clerk	188
Procedural assistant appropriations committee clerk	181
Technological assistant appropriations committee clerk	181
Procedural committee clerk	181
Technological committee clerk	181
Deputy sergeant-at-arms	145
Assistant sergeant-at-arms	135
Chief legislative assistant	146
Legislative assistant - page	124

SENATE

Secretary of the Senate	$217
Assistant secretary of the Senate	193
Journal reporter	207
Calendar clerk	193
Bill and recording clerk	188
Sergeant-at-arms	173
Administrative assistant to majority leader	188
Staff assistant to majority leader	188
Administrative assistant to minority leader	188
Staff assistant to minority leader	188
Chief committee clerk	200
Quality assurance clerk	188
Procedural appropriations committee clerk	188
Technological appropriations committee clerk	188
Procedural assistant appropriations committee clerk	181
Technological assistant appropriations committee clerk	181
Procedural committee clerk	181
Technological committee clerk	181
Deputy sergeant-at-arms	145
Assistant sergeant-at-arms	135
Chief page	146
Legislative assistant - page	124
Legislative assistant - supply room coordinator	135

BE IT FURTHER RESOLVED, that each employee of the Sixty-eighth Legislative Assembly is entitled to an additional $1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed $10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that each majority and each minority leader is entitled to one administrative assistant and two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

BE IT FURTHER RESOLVED, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per-hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

BE IT FURTHER RESOLVED, an employee is entitled to pay for any day the Legislative Assembly is in recess and any employee is required to be present for committee hearings or other legislative business; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution designating House and Senate employment positions and fixing compensation.

The question being on the final adoption of the resolution, which has been read.

HCR 3003 was declared adopted on a voice vote.

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CONSIDERATION OF AMENDMENTS

SB 2043: SEN. ESTENSON (Judiciary Committee) MOVED that the amendments on SJ page 122 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2093: SEN. MYRDAL (Judiciary Committee) MOVED that the amendments on SJ page 129 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 2038: A BILL for an Act to repeal section 65-02-30 of the North Dakota Century Code, relating to the quadrennial performance evaluation of workforce safety and insurance.

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

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

NAYS: Hogan

ABSENT AND NOT VOTING: Dwyer

SB 2038 passed.

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SECOND READING OF SENATE BILL

SB 2039: A BILL for an Act to amend and reenact sections 54-57-09 and 65-05.1-06.3 of the North Dakota Century Code, relating to the office of administrative hearings case tracking report to the legislative management and workforce safety and insurance pilot programs status report to the legislative management; and to repeal sections 65-01-19 and 65-03-05 of the North Dakota Century Code, relating to workforce safety and insurance pilot programs and safety grant programs reports to the legislative management.

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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Braunberger; Mathern; Piepkorn

ABSENT AND NOT VOTING: Dwyer

SB 2039 passed.

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SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to amend and reenact section 65-02-30 of the North Dakota Century Code, relating to quadrennial performance evaluation of workforce safety and insurance; and to repeal section 54-35-22 of the North Dakota Century Code, relating to the workers' compensation review committee.

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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Bekkedahl; Dever; Piepkorn

ABSENT AND NOT VOTING: Dwyer

SB 2040 passed.

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SECOND READING OF SENATE BILL

SB 2104: A BILL for an Act to amend and reenact sections 50-11.1-02, 50-11.1-02.1, 50-11.1-02.3, 50-11.1-03, 50-11.1-04, 50-11.1-06, 50-11.1-06.2, 50-11.1-07, 50-11.1-07.1, 50-11.1-07.2, 50-11.1-07.3, 50-11.1-07.4, 50-11.1-07.5, 50-11.1-07.6, 50-11.1-07.8, 50-11.1-09, 50-11.1-11.1, 50-11.1-12, 50-11.1-14, 50-11.1-14.1, 50-11.1-15, 50-11.1-16, 50-11.1-17, 50-11.1-18, 50-11.1-19, 50-11.1-22, 50-11.1-23, 50-11.1-24, and 50-11.1-26, and subsection 2 of section 50-25.1-11 of the North Dakota Century Code, relating to early childhood services, resource and referral services, workforce development, early childhood inclusion support program, best in class program, and disclosure of child abuse and neglect confirmed decisions involving early childhood services.

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

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

NAYS: Magrum

ABSENT AND NOT VOTING: Dwyer

Engrossed SB 2104 passed.

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SECOND READING OF SENATE BILL

SB 2041: A BILL for an Act to create and enact chapter 32-49 of the North Dakota Century Code, relating to the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act; and to repeal section 32-03-58 of the North Dakota Century Code, relating to the distribution of intimate images without or against consent.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

Engrossed SB 2041 passed.

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SECOND READING OF SENATE BILL

SB 2084: A BILL for an Act to amend and reenact sections 50-06-06.11, 50-33-01, 50-33-06, and 50-33-08 of the North Dakota Century Code, relating to child care assistance payments to providers.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

Engrossed SB 2084 passed.

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SECOND READING OF SENATE BILL

SB 2047: A BILL for an Act to amend and reenact subsection 9 of section 44-04-17.1 of the North Dakota Century Code, relating to the definition of meeting.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

Engrossed SB 2047 passed.

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SECOND READING OF SENATE BILL

SB 2130: A BILL for an Act to amend and reenact subsection 2 of section 15-10-18.4 of the

North Dakota Century Code, relating to the definition of peace officers.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

SB 2130 passed.

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SECOND READING OF SENATE BILL

SB 2101: A BILL for an Act to provide for a legislative management study of petroleum products and antifreeze regulations.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

SB 2101 passed.

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SECOND READING OF SENATE BILL

SB 2057: A BILL for an Act to amend and reenact subsection 6 of section 38-22-06 of the North Dakota Century Code, relating to the delivery of permit hearing notices.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

SB 2057 passed.

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SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to create and enact subsection 5 of section 32-12.2-15 of the North Dakota Century Code, relating to limitation of liability provisions contained within packaging or click-through agreements for certain products.

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; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Dwyer

SB 2109 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 2049, SB 2113.

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 2029.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3003.

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 1092, HCR 3002.

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., Monday, January 16, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2058: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2058 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 38-08-04 of the North Dakota Century Code, relating to the jurisdiction of commission and adding wellhead and equipment located at or on oil or gas well sites.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

38-08-04. Jurisdiction of commission.

1. The commission has continuing jurisdiction and authority over all persons and property, public and private, necessary to enforce effectively the provisions of this chapter. The commission has authority, and it is its duty, to make such investigations as it deems proper to determine whether waste exists or is imminent or whether other facts exist which justify action by the commission. The commission has the authority:

   a. To require:

      (1) Identification of ownership of oil or gas wells, producing leases, tanks, plants, structures, and facilities for the transportation or refining of oil and gas.

      (2) The making and filing with the industrial commission of all resistivity, radioactivity, and mechanical well logs and the filing of directional surveys, if taken, and the filing of reports on well location, drilling, and production.

      (3) The drilling, casing, operation, and plugging of wells in such manner as to prevent the escape of oil or gas out of one stratum into another, the intrusion of water into oil or gas strata, the pollution of freshwater supplies by oil, gas, or saltwater, and to prevent blowouts, cavings, seepages, and fires.

      (4) The furnishing of a reasonable bond with good and sufficient surety, conditioned upon the full compliance with this chapter, and the rules and orders of the industrial commission, including without limitation a bond covering the operation of any underground gathering pipeline transferring oil or produced water from a production facility for disposal, storage, or sale purposes, except that if the commission requires a bond to be furnished, the person required to furnish the bond may elect to deposit under such terms and conditions as the industrial commission may prescribe a collateral bond, self-bond, cash, or any alternative form of security approved by the commission, or combination thereof, by which an operator assures faithful performance of all requirements of this chapter and the rules and orders of the industrial commission.

      (5) That the production from wells be separated into gaseous and liquid hydrocarbons, and that each be accurately measured by such means and upon such standards as may be prescribed by the commission.

      (6) The operation of wells with efficient gas-oil and water-oil ratios, and to fix these ratios.

      (7) Certificates of clearance in connection with the transportation or delivery of oil, gas, or any product.

      (8) Metering or other measuring of oil, gas, or product related to production in pipelines, gathering systems, storage tanks, barge terminals, loading racks, refineries, or other places, by meters or other measuring devices approved by the commission.

      (9) Every person who produces, sells, purchases, acquires, stores, transports, refines, disposes of, or processes oil, gas, saltwater, or other related oilfield fluids in this state to keep and maintain within this state complete and accurate records of the quantities thereof, which records must be available for examination by the commission or its agents at all reasonable times, and to file with the commission reports as the

commission may prescribe with respect to oil or gas or the products thereof. An oil and gas production report need not be notarized but must be signed by the person submitting the report.

(10) The payment of fees for services performed. The amount of the fee shall be set by the commission based on the anticipated actual cost of the service rendered. Unless otherwise provided by statute, all fees collected by the commission must be deposited in the general fund of this state, according to procedures established by the state treasurer.

(11) The filing free of charge of samples and core chips and of complete cores when requested in the office of the state geologist within six months after the completion or abandonment of the well.

(12) The placing of wells in abandoned-well status which have not produced oil or natural gas in paying quantities for one year. A well in abandoned-well status must be promptly returned to production in paying quantities, approved by the commission for temporarily abandoned status, or plugged and reclaimed within six months. If none of the three preceding conditions are met, the industrial commission may require the well to be placed immediately on a single-well bond in an amount equal to the cost of plugging the well and reclaiming the well site. In setting the bond amount, the commission shall use information from recent plugging and reclamation operations. After a well has been in abandoned-well status for one year, the well's equipment, all well-related equipment at the well site, and salable oil at the well site are subject to forfeiture by the commission. If the commission exercises this authority, section 38-08-04.9 applies. After a well has been in abandoned-well status for one year, the single-well bond referred to above, or any other bond covering the well if the single-well bond has not been obtained, is subject to forfeiture by the commission. A surface owner may request a review of the temporarily abandoned status of a well that has been on temporarily abandoned status for at least seven years. The commission shall require notice and hearing to review the temporarily abandoned status. After notice and hearing, the surface owner may request a review of the temporarily abandoned status every two years.

b. To regulate:

(1) The drilling, producing, and plugging of wells, the restoration of drilling and production sites, and all other operations for the production of oil or gas.

(2) The shooting and chemical treatment of wells.

(3) The spacing of wells.

(4) Operations to increase ultimate recovery such as cycling of gas, the maintenance of pressure, and the introduction of gas, water, or other substances into producing formations.

(5) Disposal of saltwater and oilfield wastes.

(a) The commission shall give all affected counties written notice of hearings in such matters at least fifteen days before the hearing.

(b) The commission may consider, in addition to other authority granted under this section, safety of the location and road access to saltwater disposal wells, treating plants, and all associated facilities.

(6) The underground storage of oil or gas.

(7) The location and operation of wellhead and lease equipment, oil and gas separators, emulsion treaters, boilers, electric generators, flares, newly constructed underground gathering pipelines, flare mitigation systems, and all other equipment located at or on an oil or gas well site or underground gathering pipeline facility.

c. To limit and to allocate the production of oil and gas from any field, pool, or area and to establish and define as separate marketing districts those contiguous areas within the state which supply oil and gas to different markets, and to limit and allocate the production of oil and gas for each separate marketing district.

d. To classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter, to classify and determine the status and depth of wells that are stripper well property as defined in section 57-51.1-01, to certify to the tax commissioner which wells are stripper wells as defined in section 57-51.1-01 and the depth of those wells, and to certify to the tax commissioner which wells involve secondary or tertiary recovery operations as defined in section 57-51.1-01, and the date of qualification for the oil extraction tax exemption for secondary and tertiary recovery operations.

e. To adopt and to enforce rules and orders to effectuate the purposes and the intent of this chapter and the commission's responsibilities under chapter 57-51.1. When adopting a rule, issuing an order, or creating a policy, the commission shall give due consideration to the effect of including locations within this state which may also be under the jurisdiction of the federal government or a tribal government. When reporting information resulting from adopting a rule, issuing an order, or creating a policy that affects locations within this state which may also be under the jurisdiction of the federal government or a tribal government, the commission shall provide sufficient information to indicate the effect of including locations that may also be under the regulatory jurisdiction of the federal government or a tribal government.

f. To provide for the confidentiality of well data reported to the commission if requested in writing by those reporting the data for a period not to exceed six months. However, the commission may release:

(1) Volumes injected into a saltwater injection well.

(2) Information from the spill report on a well on a site at which more than ten barrels of fluid, not contained on the well site, was released for which an oilfield environmental incident report is required by law.

2. A person controlling or operating a well, pipeline, receiving tank, storage tank, treating plant, or other receptacle or production facility associated with oil and gas, or with water production, injection, processing, or well servicing, shall report to the commission any leak, spill, or release of fluid. A report to the commission is not required if the leak, spill, or release is crude oil, produced water, or natural gas liquids in a quantity of less than ten barrels cumulative over a fifteen-day time period, remains on the site or facility, and is on a well site where the well was spud after

September 1, 2000, or on a facility, other than a well site, constructed after September 1, 2000.

3. Any written violation notice issued by the commission regarding the notification of a fire, leak, spill, blowout, or leak and spill cleanup must be placed in the well file or facility file and the files must be available for review by the surface owner.

4. Nothing in this section may be interpreted to modify or supersede applicable requirements related to oil and gas production under any of the following:

a. Chapter 23.1-06, the federal Clean Air Act [42 U.S.C. 7401 et seq.], as amended, or rules adopted pursuant to either chapter 23.1-06 or the federal Clean Air Act.

b. Chapter 61-28, the federal Clean Water Act [33 U.S.C. 1251 et seq.], as amended, or rules adopted pursuant to either chapter 61-28 or the federal Clean Water Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2059: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2059 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, after "fund" insert "; and to provide an expiration date"

Page 1, after line 11, insert:

"**SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2027, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2062: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2062 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2110: 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 2110 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 12, after "park" insert ", provided the director requests the Theodore Roosevelt national park to seek reimbursement of department costs from the federal government"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2141: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2141 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Burckhard, Hogue, Meyer and Reps. Bellew, Pyle, M. Ruby introduced:

SB 2240: A BILL for an Act to provide an appropriation to the department of commerce for the base retention grant program.

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

Sens. Erbele, Wanzek and Reps. Brandenburg, Kempenich, Porter introduced:
SB 2242: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to the Bank of North Dakota and the administration of the bulk propane storage tank revolving loan fund; to provide an appropriation; and to provide a continuing appropriation.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Dever, Larson, Paulson and Reps. Karls, Kempenich, Louser introduced:
SB 2243: A BILL for an Act to amend and reenact sections 23-10-06.2 and 47-10-28 of the North Dakota Century Code, relating to the transferability of licenses for a mobile home park and required disclosures to tenants residing in a mobile home park; and to provide a penalty.
Was read the first time and referred to the **Industry and Business Committee**.

Sen. Dever and Reps. Heinert, Meier introduced:
SB 2244: A BILL for an Act to amend and reenact subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for certain property owned and occupied as a home by a blind person; and to provide an effective date.
Was read the first time and referred to the **Finance and Taxation Committee**.

Sen. Luick introduced:
SB 2245: A BILL for an Act to amend and reenact subsection 13 of section 53-06.1-01, subsection 3 of section 53-06.1-10.1, and subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to a manufacturer of an electronic device, electronic fifty-fifty raffle tickets, and monthly rent for electronic pull tab devices.
Was read the first time and referred to the **Judiciary Committee**.

Sen. Luick introduced:
SB 2246: A BILL for an Act to amend and reenact subsection 5 of section 4.1-20-18 of the North Dakota Century Code, relating to compensation for soil conservation district board members.
Was read the first time and referred to the **Agriculture and Veterans Affairs Committee**.

Sens. Paulson, Lemm, Wobbema and Reps. Dyk, Satrom, Toman introduced:
SB 2247: A BILL for an Act to create and enact chapter 15-10.6 of the North Dakota Century Code, relating to divisive concepts at institutions of higher education; to provide a report; and to provide an expiration date.
Was read the first time and referred to the **Education Committee**.

Sens. Hogue, Larson, Luick and Reps. Klemin, Louser introduced:
SB 2248: A BILL for an Act to create and enact sections 19-03.1-23.5 and 19-03.1-23.6 of the North Dakota Century Code, relating to a mandatory term of imprisonment for manufacturing or delivering fentanyl and fentanyl reporting; to amend and reenact subsection 2 of section 29-29.5-08 of the North Dakota Century Code, relating to the disposition of cases involving confidential informants; to provide a penalty; and to provide for application.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Hogue, Larsen, Vedaa and Reps. Nathe, Roers Jones, Vetter introduced:
SB 2249: A BILL for an Act to create and enact a new chapter to title 34 of the North Dakota Century Code, relating to the centralization of administration of occupational boards; to provide for a report to the legislative management; and to provide an effective date.
Was read the first time and referred to the **Workforce Development Committee**.

Sens. Davison, Axtman, Rust and Reps. Pyle, Schreiber-Beck introduced:
SB 2250: A BILL for an Act to amend and reenact sections 15.1-18.2-05 and 15.1-18.2-06 of the North Dakota Century Code, relating to the expansion of the teacher support program to include support for teachers in their second, third, and fourth years of teaching; and to provide an appropriation.
Was read the first time and referred to the **Education Committee**.

Sens. Magrum, Boehm, Larsen and Rep. D. Ruby introduced:
SB 2251: A BILL for an Act to amend and reenact section 32-15-06 of the North Dakota Century Code, relating to the surveying process during eminent domain

proceedings; and to declare an emergency.
Was read the first time and referred to the **Judiciary Committee**.

Sen. Magrum and Reps. Klemin, Rios introduced:
SB 2252: A BILL for an Act to create and enact a new section to chapter 27-05 of the North Dakota Century Code, relating to judicial referees; to amend and reenact subsection 1 of section 11-18-03, subsection 21 of section 12.1-01-04, subsection 2 of section 14-02.1-03.1, subsection 2 of section 14-05-24.2, subsection 1 of section 27-10-01.1, section 27-10-01.2, section 27-10-09, subsection 1 of section 27-20.2-05, subsection 2 of section 27-20.2-21, subsection 1 of section 27-20.3-04, section 27-20.3-10, subsection 1 of section 27-20.4-04, subsection 3 of section 27-20.4-09, subsection 5 of section 27-23-01, sections 28-25-03, 28-25-10, and 28-25-16, subsection 1 of section 28-26-06, sections 28-26-08, 28-26-13, and 28-26-17, subsection 3 of section 29-01-14, sections 29-01-15, 32-15-22, and 32-34-11, subsection 1 of section 44-04-18.3, section 54-12-01.3, and subdivision n of subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to the abolition of the position of judicial referee; to repeal sections 27-05-30 and 27-08.1-08 of the North Dakota Century Code, relating to judicial referees; and to provide an effective date.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Klein, Magrum, Myrdal, Vedaa and Reps. Nelson, Weisz introduced:
SB 2253: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to regulation of onsite wastewater treatment system installers; to amend and reenact section 23-35-02.2 of the North Dakota Century Code, relating to the onsite wastewater recycling treatment technologies guide, permits for installation of an onsite wastewater treatment system, and investigation of onsite wastewater treatment systems; to repeal section 23-35-02.3 of the North Dakota Century Code, relating to the onsite wastewater recycling technical committee; to provide a penalty; and to provide an effective date.
Was read the first time and referred to the **Industry and Business Committee**.

Sens. Kreun, Beard, Weber and Reps. O'Brien, Richter, Schreiber-Beck introduced:
SB 2254: A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, relating to intervention by the superintendent of public instruction for a chronically low-performing school or school district; and to provide a report.
Was read the first time and referred to the **Education Committee**.

Sens. Magrum, Boehm and Rep. S. Olson introduced:
SB 2255: A BILL for an Act to amend and reenact subsection 20 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment.
Was read the first time and referred to the **Industry and Business Committee**.

Sens. Lee, Dever and Reps. Fegley, Meier, Nelson introduced:
SB 2256: A BILL for an Act to amend and reenact subsection 1 of section 23-35-02.3 of the North Dakota Century Code, relating to the composition of the onsite wastewater recycling technical committee.
Was read the first time and referred to the **Industry and Business Committee**.

Sens. Clemens, Myrdal and Reps. Satrom, Schneider, Strinden introduced:
SB 2257: A BILL for an Act to amend and reenact section 1 of chapter 398 of the 2019 Session Laws, relating to a task force on prevention of sexual abuse of children; and to provide for a legislative management report and a report to the governor.
Was read the first time and referred to the **Judiciary Committee**.

Sens. Paulson, Beard and Reps. Heilman, Hoverson, Louser introduced:
SB 2258: A BILL for an Act to create and enact section 15-39.1-19.3 of the North Dakota Century Code, relating to retired teachers benefits if returning to teach in a critical shortage area.
Was read the first time and referred to the **Education Committee**.

Sens. Klein, Luick, Myrdal and Reps. D. Johnson, Schreiber-Beck, Thomas introduced:
SB 2259: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 54-10-01 of the North Dakota Century Code, relating to audit fees charged by the

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

Sens. Paulson, Lemm, Wobbema and Reps. Dyk, Heilman, Novak introduced:
SB 2260: A BILL for an Act to create and enact a new section to chapter 14-09, a new section to chapter 15.1-09, and a new section to chapter 23-12 of the North Dakota Century Code, relating to fundamental parental rights, parental involvement in education, and parental right to consent to medical treatment of the parent's child.
Was read the first time and referred to the **Industry and Business Committee**.

Sens. Kannianen, Kreun, Rust and Reps. B. Anderson, Fegley, Longmuir introduced:
SB 2261: A BILL for an Act to amend and reenact section 17-04-07 of the North Dakota Century Code, relating to wind energy facility liens.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Magrum, Clemens, Hogue, Vedaa and Rep. Rohr introduced:
SB 2262: A BILL for an Act to amend and reenact section 50-06-01.3 of the North Dakota Century Code, relating to appointment and confirmation of the executive director of the department of health and human services; and to provide for application.
Was read the first time and referred to the **Judiciary Committee**.

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

Shanda Morgan, Secretary