JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, February 14, 2023

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

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

The roll was called and all members were present except Senators Elkin and Sickler.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

SB 2023: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2023 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, after "system" insert "; to provide a contingent appropriation; and to provide for a report"

Page 1, line 4, after the boldfaced period insert "**APPROPRIATION.**"

Page 1, replace lines 9 through 15 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$7,209,060	$1,262,868	$8,471,928
Operating expenses	2,396,236	147,476	2,543,712
Contingencies	250,000	0	250,000
Defined benefit plan closure	0	1,006,839	1,006,839
Total special funds	$9,855,296	$2,417,183	$12,272,479
Full-time equivalent positions	35.50	6.00	41.50"

Page 1, line 16, after the boldfaced period insert "**ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.**"

Page 1, line 17, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 19 through 21 with:

"Upgrade benefit enrollment system	$104,500	$0
Upgrade PERSLink business system	257,600	125,000
Modify PERSLink business system	0	125,000
Temporary salaries	0	200,000
Staff operating expenses	0	7,000
Total special funds	$362,100	$457,000

SECTION 3. DEFINED BENEFIT PLAN CLOSURE LINE ITEM - CONTINGENT FUNDING AND FULL-TIME EQUIVALENT POSITIONS - ONE-TIME FUNDING. The defined benefit plan closure line item in section 1 of this Act includes the sum of $1,006,839, of which $681,839 is for salaries and wages and related operating expenses for three full-time equivalent positions, $200,000 is for temporary salaries, and $125,000 is for modification of the PERSLink business system. The public employees retirement system may spend funding from this line item only if the sixty-eight legislative assembly closes the main system defined benefit retirement plan to new hires. Of the funding in this line item, $328,000 is considered a one-time funding item.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Public Employees Retirement System - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	$7,209,060	$1,262,868	$8,471,928
Operating expenses	2,396,236	147,476	2,543,712
Contingencies	250,000		250,000
Defined benefit plan closure		1,006,839	1,006,839
Total all funds	$9,855,296	$2,417,183	$12,272,479
Less estimated income	9,855,296	2,417,183	12,272,479
General fund	$0	$0	$0
FTE	35.50	6.00	41.50

Department 192 - Public Employees Retirement System - Detail of Senate Changes

	Adds Funding for Costs to Continue Salaries[1]	Adds Funding for Salary and Benefit Increases[2]	Adds Funding for Salary Equity Increases[3]	Adds Funding for FTE Positions[4]	Adds Funding for Contingent FTE Positions[5]	Adjusts Base Level Funding[6]
Salaries and wages	$53,963	$560,063	$258,000	$501,210		($110,368)
Operating expenses				2,175		16,301
Contingencies						
Defined benefit plan closure		35,412			$643,427	
Total all funds	$53,963	$595,475	$258,000	$503,385	$643,427	($94,067)
Less estimated income	53,963	595,475	258,000	503,385	643,427	(94,067)
General fund	$0	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	3.00	3.00	0.00

	Adds One-Time Funding for Contingent Temporary Staff[7]	Adds Contingent One-Time Funding for the PERSLink Business System[8]	Adds One-Time Funding to Upgrade the PERSLink Business System[9]	Adds One-Time Funding for New FTE Position Operating Expenses[10]	Total Senate Changes
Salaries and wages					$1,262,868
Operating expenses			$125,000	$4,000	147,476
Contingencies					
Defined benefit plan closure	$200,000	$125,000		3,000	1,006,839
Total all funds	$200,000	$125,000	$125,000	$7,000	$2,417,183
Less estimated income	200,000	125,000	125,000	7,000	2,417,183
General fund	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	6.00

[1] Funding is added for the cost to continue salary increases.

[2] The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from $1,429 to $1,648 per month:

	Other Funds
Salary increase	$379,719
Health insurance increase	215,756
Total	$595,475

[3] Funding is added for salary equity increases.

[4] Funding is added for the following FTE positions:

	Other Funds
One FTE retirement processing position	$215,357
One FTE receptionist position	125,711
One FTE member services representative position	162,317
Total	503,385

[5] Funding is added for the following FTE positions, including $640,352 for salaries and $3,075 of related ongoing operating expenses. This funding is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

	Other Funds
One FTE benefit manager position	$294,451
One FTE counselor position	186,359
One FTE member services representative position	162,617
Total	$643,427

[6] Base level funding is adjusted to add $16,301 for Information Technology Department rate increases and to reduce temporary salaries by $110,368 to provide a total of $150,000 of ongoing funding for temporary salaries during the 2023-25 biennium.

[7] One-time funding of $200,000 is added for temporary salaries, which is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

[8] One-time funding of $125,000 is added to hire a third-party developer to modify the PERSLink business system software, which is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

[9] One-time funding of $125,000 is added to hire a third-party developer to upgrade the PERSLink business system software.

[10] One-time funding of $7,000 purchasing is added for chairs for new FTE positions. Of this amount, $3,000 is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

This amendment also adds a section to identify $1,006,839 appropriated in the defined benefit plan closure line item in Section 1 is available to the Public Employees Retirement System only if the 2023 Legislative Assembly closes the main system defined benefit retirement plan to new hires.

REPORT OF STANDING COMMITTEE

SB 2066, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2066 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, after "reenact" insert "subsection 3 of section 15.1-27-02,"

Page 1, line 2, after the third comma insert "and"

Page 1, line 3, remove ", and section 57-20-07.3"

Page 1, after line 8, insert:

"**SECTION 1. AMENDMENT.** Subsection 3 of section 15.1-27-02 of the North Dakota Century Code is amended and reenacted as follows:

3. On or before December fifteenth, each school district shall file with the superintendent of public instruction the taxable valuation and mill levy certifications, which must be separated by property classification. If a district fails to file the taxable valuation and mill levy certifications by the required date, the superintendent of public instruction may not forward to the district any state aid payments to which the district is entitled, until the taxable valuation and mill levy certifications are filed."

Page 13, line 25, replace "thirty" with "the sum of:

(1) Forty"

Page 13, line 25, after "of" insert "residential, agricultural, and commercial property in"

Page 13, line 26, replace "subdivision" with "paragraph"

Page 13, line 31, after "thereafter" insert "; and

(2) Sixty mills multiplied by the taxable valuation of centrally assessed property in the school district"

Page 15, line 11, after "purposes" insert ", separated by property classification"

Page 15, line 13, after "purposes" insert ", separated by property classification"

Page 15, line 19, overstrike "utilize an amount equal to"

Page 15, line 20, replace "thirty" with "deduct the sum of the following:

1. Forty"

Page 15, line 20, after "valuation" insert "of residential, agricultural, and commercial property"

Page 15, line 21, after "district" insert "; and

2. Sixty mills times twenty percent of the state average valuation of centrally assessed property per student multiplied by the number of weighted student units in the district"

Page 19, line 18, replace "forty" with "fifty"

Page 19, line 18, after the second "of" insert "residential, agricultural, and commercial property in"

Page 19, line 18, after "district" insert "and seventy mills on the dollar of taxable valuation of centrally assessed property in the school district"

Page 20, line 29, after "1." insert "a."

Page 20, line 29, overstrike "not exceeding" and insert immediately thereafter "for the school district's local contribution to the costs of education which may not exceed"

Page 20, line 31, replace "thirty" with ":

(1) Forty"

Page 20, line 31, after the second "of" insert "residential, agricultural, and commercial property in"

Page 20, line 31, overstrike ", for"

Page 21, line 1, remove "the school district's local"

Page 21, line 2, remove "contribution to the costs of education"

Page 21, line 2, replace "subsection" with "paragraph"

Page 21, line 7, after the underscored period insert:

"(2) Sixty mills on the taxable valuation of centrally assessed property in the district.

b."

Page 22, line 10, overstrike "Provide" and insert immediately thereafter "For tax statements to be mailed to an owner of a residential, agricultural, or commercial parcel of land, provide"

Page 22, line 21, replace "Eighty" with "Seventy"

Page 22, line 22, replace "thirty" with "forty"

Page 22, remove lines 29 and 30

Page 23, remove lines 1 through 28

Page 24, line 1, remove "4,"

Page 24, line 1, replace "8" with "7"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2089, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2089 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 3, replace "an appropriation" with "for a transfer"

Page 1, line 9, remove "onsite"

Page 1, line 9, after "systems" insert "on an oil or gas well site or gathering pipeline facility"

Page 2, line 20, replace "**APPROPRIATION -**" with "**TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO**"

Page 2, line 21, remove "There is appropriated out of any moneys in the general fund in the state"

Page 2, remove line 22

Page 2, line 23, replace "necessary," with "The office of management and budget shall transfer the sum of $7,500,000 from the strategic investment and improvements fund"

Page 2, line 23, remove "for the purpose of"

Page 2, line 24, remove "providing grants"

Page 2, line 24, replace "for" with "during"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Expands the allowable uses for incentives related to capturing or using natural gas to include oil and gas well sites and gathering pipeline facilities.
- Replaces an appropriation of $15 million from the general fund with a transfer of $7.5 million from the strategic investment and improvements fund.

REPORT OF STANDING COMMITTEE

SB 2267: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2267 was placed on the Eleventh order on the calendar. This bill affects workforce development.

MOTION

SEN. KLEIN MOVED that the Senate resolve itself into a Confirmation Session, which motion prevailed.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your **Select Committee (Sen. Dever, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Michael Seminary.

MOTION

SEN. DEVER MOVED that the report be adopted.

ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Michael Seminary to North Dakota Gaming Commission," the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Magrum

ABSENT AND NOT VOTING: Elkin; Sickler

The Senate advises and consents to the appointment of Michael Seminary to North Dakota Gaming Commission.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your **Select Committee (Sen. Davison, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Markus Powell.

MOTION

SEN. DAVISON MOVED that the report be adopted.

ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Markus Powell to North Dakota Gaming Commission," the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

The Senate advises and consents to the appointment of Markus Powell to North Dakota Gaming Commission.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your **Select Committee (Sen. Burckhard, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Blake Krabseth.

MOTION

SEN. BURCKHARD MOVED that the report be adopted.

ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Blake Krabseth to North Dakota Gaming Commission," the roll was called and there were 45

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

The Senate advises and consents to the appointment of Blake Krabseth to North Dakota Gaming Commission.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your **Select Committee (Sen. Rummel, Chairman)** appointed to consider the nomination to State Board of Higher Education, do advise and consent to the appointment of Kevin Black.

MOTION

SEN. RUMMEL MOVED that the report be adopted.

ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Kevin Black to State Board of Higher Education," the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

The Senate advises and consents to the appointment of Kevin Black to State Board of Higher Education.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your **Select Committee (Sen. Paulson, Chairman)** appointed to consider the nomination to State Board of Higher Education, do advise and consent to the appointment of Danita Bye.

MOTION

SEN. PAULSON MOVED that the report be adopted.

ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Danita Bye to State Board of Higher Education," the roll was called and there were 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Hogan; Lee; Roers, J.

ABSENT AND NOT VOTING: Elkin; Sickler

The Senate advises and consents to the appointment of Danita Bye to State Board of Higher Education.

MOTION

SEN. KLEIN MOVED that the Confirmation Session be dissolved, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2136, as engrossed: SEN. KANNIANEN (Appropriations Committee) MOVED that the amendments on SJ page 549 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2066, as engrossed: SEN. WEBER (Appropriations Committee) MOVED that the amendments on SJ page 571 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

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

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2066, the roll was called and there were 24 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Bekkedahl; Burckhard; Cleary; Davison; Dever; Dwyer; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Roers, J.; Roers, K.; Sorvaag; Vedaa

NAYS: Barta; Beard; Boehm; Braunberger; Clemens; Conley; Erbele; Estenson; Hogan; Larsen; Larson; Magrum; Paulson; Piepkorn; Rummel; Rust; Schaible; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

The proposed amendments to Engrossed SB 2066 were adopted on a recorded roll call vote.

CONSIDERATION OF AMENDMENTS

SB 2023: SEN. DEVER (Appropriations Committee) MOVED that the amendments on SJ pages 567-571 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2089, as engrossed: SEN. SCHAIBLE (Appropriations Committee) MOVED that the amendments on SJ page 571 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4009: SEN. HOGAN (Human Services Committee) MOVED that the amendments on SJ page 550 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 2350: A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to traffic signs.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2350 passed.

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SECOND READING OF SENATE BILL

SB 2207: A BILL for an Act to create and enact a new subsection to section 43-07-07 of the North Dakota Century Code, relating to license fees and license renewal fees for nonprofit construction contractors; and to amend and reenact section 43-07-08 of the North Dakota Century Code, relating to contractor licensing exceptions.

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 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Magrum; Meyer

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2207 passed.

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SECOND READING OF SENATE BILL

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.

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 35 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Erbele; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Lee; Luick; Mathern; Meyer; Patten; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Weber; Weston

NAYS: Cleary; Estenson; Larsen; Larson; Lemm; Magrum; Myrdal; Paulson; Piepkorn; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2197 passed.

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SECOND READING OF SENATE BILL

SB 2297: A BILL for an Act to amend and reenact subsection 25 of section 20.1-02-05 of the North Dakota Century Code, relating to a lifetime combination license.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2297 passed.

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SECOND READING OF SENATE BILL

SB 2076: A BILL for an Act to amend and reenact subdivision vv of subsection 2 of section 12-60-24 and section 23.1-01-11.1 of the North Dakota Century Code, relating to environmental compliance background reviews of applicants for a radioactive materials license or solid waste permit.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2076 passed.

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SECOND READING OF SENATE BILL

SB 2010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the salary of the insurance commissioner; and to provide a transfer.

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 31 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Braunberger; Burckhard; Cleary; Conley; Dever; Dwyer; Erbele; Hogan; Hogue; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Mathern; Meyer; Patten; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Weber

NAYS: Beard; Boehm; Clemens; Davison; Estenson; Kannianen; Larsen; Lemm; Luick; Magrum; Myrdal; Paulson; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2010 passed.

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SECOND READING OF SENATE BILL

SB 2008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; to amend and reenact sections 57-43.2-19 and 49-01-05 of the North Dakota Century Code, relating to the salaries of the public service commissioners and the transfer and distribution of funds in the highway tax distribution fund; and to provide for a report.

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 31 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bekkedahl; Braunberger; Burckhard; Cleary; Conley; Dever; Dwyer; Erbele; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Luick; Magrum; Mathern; Meyer; Patten; Roers, J.; Roers, K.; Rummel; Rust; Sorvaag; Vedaa; Wanzek; Weber; Weston

NAYS: Axtman; Barta; Beard; Boehm; Clemens; Davison; Estenson; Larsen; Lemm; Myrdal; Paulson; Piepkorn; Schaible; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2008 passed.

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SECOND READING OF SENATE BILL

SB 2219: A BILL for an Act to amend and reenact section 14-08.1-07, subsection 6 of section 39-06-19, section 39-06-32, subsection 4 of section 39-06-33, subdivision i of subsection 2 of section 39-06-49, subsection 5 of section 39-06.1-11, and subsection 2 of section 39-16-03.1 of the North Dakota Century Code, relating to suspension of an operator's license for nonpayment of child support, the issuance of a temporary permit, authority to suspend an operator's license for failure to pay a fine, hearings on suspension or revocation of license, license reinstatement fees, temporary restricted licenses, and entries on driver's record abstract; to provide for a legislative management study; and to provide a penalty.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2219 passed.

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SECOND READING OF SENATE BILL

SB 2380: A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code, relating to administrative cost-sharing for cooperating districts and special education units; and to provide an appropriation.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Reengrossed SB 2380 passed.

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SECOND READING OF SENATE BILL

SB 2264: A BILL for an Act to amend and reenact sections 49-22-08.1, 49-22-08.2, 49-22.1-06, and 49-22.1-07, and 49-22.1-08 of the North Dakota Century Code, relating to notification to landowners.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 37 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Axtman; Dever; Erbele; Kessel; Meyer; Patten; Roers, K.; Rummel

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2264 passed.

****

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the tax commissioner and for payment of state reimbursement under the homestead tax credit and disabled veterans' tax credit; to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales tax exemption for materials used to construct, expand, or upgrade a facility that refines renewable feedstock into sustainable aviation fuel; to amend and reenact section 57-01-04 and subsection 3 of section 57-40.2-03.3 of the North Dakota Century Code, relating to the salary of the state tax commissioner and use tax exemptions; to provide an exemption; to provide for a transfer; 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; 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; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2006 passed.

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SECOND READING OF SENATE BILL

SB 2007: A BILL for an Act to provide an appropriation for defraying the expenses of the department of labor and human rights.

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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens;

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

NAYS: Beard; Larsen; Magrum

ABSENT AND NOT VOTING: Elkin; Sickler

Engrossed SB 2007 passed.

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SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance; to provide an exemption; and to provide for a report.

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 40 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Beard; Boehm; Larsen; Magrum

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2021 passed.

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SECOND READING OF SENATE BILL

SB 2208: A BILL for an Act to amend and reenact section 54-12-01 of the North Dakota Century Code, relating to mandating the attorney general to issue opinions requested by individual members of the legislative assembly.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2208 passed.

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SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act to provide an appropriation for defraying the expenses of the protection and advocacy project.

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 44 YEAS, 0

NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2014 passed.

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SECOND READING OF SENATE BILL

SB 2247: A BILL for an Act to create and enact chapter 15-10.6 of the North Dakota Century Code, relating to specified concepts at institutions of higher education; to provide a report; 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 PASS, the roll was called and there were 38 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Braunberger; Hogan; Lee; Mathern; Piepkorn; Weber

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2247 passed.

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SECOND READING OF SENATE BILL

SB 2276: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to legally responsible individuals providing Medicaid waiver 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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2276 passed.

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SECOND READING OF SENATE BILL

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.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2242 passed.

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SECOND READING OF SENATE BILL

SB 2201: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 19-24.1-03, subsection 3 of section 19-24.1-04, subdivision a of subsection 1 of section 19-24.1-14, sections 19-24.1-15 and 19-24.1-16, subsection 2 of section 19-24.1-18, subdivision a of subsection 3 of section 19-24.1-18, and subsection 1 of section 19-24.1-24 of the North Dakota Century Code, relating to medical marijuana certification and application fees; and to provide for a legislative management study regarding the administrative costs of medical marijuana compassion center certification and the impact of those costs on patients.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2201 passed.

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SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to the creation of an office of immigration; to provide an appropriation; and to provide for a report.

REQUEST

SEN. MYRDAL REQUESTED that the Senate divide Engrossed SB 2142, which request was granted.

DIVISION A: Section 1 and 2

DIVISION B: Section 3

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 3:35 p.m., which motion prevailed.

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

REQUEST

SEN. MYRDAL REQUESTED a recorded roll call vote on Division A of Engrossed SB 2142,

which request was granted.

ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2142, the roll was called and there were 36 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Braunberger; Burckhard; Cleary; Conley; Davison; Dever; Dwyer; Erbele; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Mathern; Meyer; Paulson; Piepkorn; Roers, J.; Roers, K.; Rummel; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Beard; Boehm; Clemens; Estenson; Lemm; Luick; Magrum; Myrdal

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Division A of Engrossed SB 2142 was adopted on a recorded roll call vote.

REQUEST

SEN. MYRDAL REQUESTED a recorded roll call vote on Division B of Engrossed SB 2142, which request was granted.

ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2142, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Magrum

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Division B of Engrossed SB 2142 was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 39 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Beard; Boehm; Clemens; Magrum; Myrdal

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2142 passed.

****

SECOND READING OF SENATE BILL

SB 2293: A BILL for an Act to amend and reenact subdivision g of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for military pay; 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 40 YEAS, 4 NAYS, 0

EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Larsen; Magrum; Mathern; Weber

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

SB 2293 passed.

****

SECOND READING OF SENATE BILL

SB 2140: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employee insulin drug and supplies benefits; to amend and reenact subsection 2 of section 26.1-36.6-03 of the North Dakota Century Code, relating to self-insurance health plans; to provide for a report; to provide for application; to provide an expiration date; and to declare an emergency.

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 38 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Clemens; Kannianen; Larsen; Meyer; Roers, K.; Schaible

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2140 passed and the emergency clause was declared carried.

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SECOND READING OF SENATE BILL

SB 2288: A BILL for an Act to create and enact section 15-10-48.2 of the North Dakota Century Code, relating to nursing program matching grants; and to provide an appropriation.

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

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

NAYS: Magrum

ABSENT AND NOT VOTING: Elkin; Patten; Sickler

Engrossed SB 2288 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 2071, SB 2163, SB 2181, SB 2205, SB 2215, SB 2328, SB 2331, SB 2338.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4007.

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 1002, HB 1005, HB 1006, HB 1008, HB 1009, HB 1017, HB 1022, HB 1023, HB 1225, HB 1233, HB 1288, HB 1364, HB 1386, HB 1422, HB 1445, HB 1494, HB 1521.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1242, HB 1411.

MOTION
SEN. KLEIN MOVED that the absent members be excused, which motion prevailed.

MOTION
SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, February 15, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE
SB 2131, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2131 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE
SB 2227: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2227 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE
SB 2241: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2241 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 32-03-30 of the North Dakota Century Code, relating to damages for wrongful injuries to timber.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 32-03-30 of the North Dakota Century Code is amended and reenacted as follows:

32-03-30. Damages for ~~wrongful~~intentional injuries to timber.

For ~~wrongful~~intentional injuries to timber, trees, or underwood upon the land of another, or removal thereof, the measure of damages is three times such a sum as would compensate for the actual detriment~~, except when the trespass was casual and involuntary or committed under the belief that the land belonged to the trespasser, or when the wood was taken by the authority of highway officers for the purposes of a highway. In such a case the damages are a sum equal to the actual detriment~~."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2265: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2265 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 11, after "**APPROPRIATION**" insert "**- DEPARTMENT OF HEALTH AND HUMAN SERVICES - DUAL SPECIAL NEEDS PLAN**"

Page 1, line 12, replace "$356,269" with "$237,516"

Page 1, line 14, after "funding" insert "a"

Page 1, line 14, replace "positions" with "position"

Page 1, line 16, remove "and one-half"

Page 1, line 16, replace "positions" with "position"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the number of FTE positions authorized to administer the Medicaid and Medicare dual special needs plan from 1.5 to 1.0 and reduces the amount of salary funding provided from $356,269 to $237,516.

REPORT OF STANDING COMMITTEE

SB 2321: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2321 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 provide for a legislative management study regarding open adoption policies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - OPEN ADOPTION POLICIES REVIEW. During the 2023-24 interim, the legislative management shall consider studying the state's policies and relevant case law regarding open adoptions to determine the feasibility and desirability for legislation relating to clarifying communication and the rights of biological parents.

1. The study must include:

   a. Existing state policies regarding open adoptions;

   b. The current practices of collection and storage of personal, contact, and medical information of biological parents;

   c. Benefits and consequences of adopting legislation that would extend legal enforceability to open adoption agreements;

   d. Best practices for keeping birth children and their adoptive parents aware of health complications in biological family members over time;

   e. Any information relevant to open adoption or open adoption agreements that the legislative management deems important in understanding the totality of the issue;

   f. The potential financial costs to adoptive families, adoption agencies, and the court system; and

g. Any barriers to extending legal enforceability to open adoption agreements in the state of North Dakota.

2. The legislative management may seek the assistance of the department of health and human services and adoption agencies that partner with the state of North Dakota.

3. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2330: Industry and Business Committee (Sen. Larsen, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2330 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2347: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2347 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 10, overstrike "a" and insert immediately thereafter ":

a. A"

Page 1, line 11, replace "one million" with "five hundred thousand"

Page 1, line 11, overstrike the period and insert immediately thereafter "; and

b."

Page 1, line 12, remove "not subject to the requirements for procuring plans, drawings, and"

Page 1, line 13, replace "specifications from an architect or engineer under this section" with "one million dollars"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2363: Industry and Business Committee (Sen. Larsen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2363 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 16, replace the second "the" with ":

(1) The brewer taproom is connected to or contracts with an establishment, including a mobile food unit, at which food is prepared and available for purchase to be consumed in the brewer taproom and which is connected to or located at the brewer taproom and receives the majority of its gross sales from the sale of food; and

(2) The"

Page 1, line 17, replace "(1)" with "(a)"

Page 1, line 17, replace "a" with "the individual's"

Page 1, line 18, replace "(2)" with "(b)"

Page 1, line 19, replace "(3)" with "(c)"

Page 1, line 19, after "p.m." insert "or during any time that food is not available for consumption as provided in paragraph 1."

Page 2, after line 3, insert:

"d. For purposes of this subsection, "mobile food unit" means a vehicle-mounted food service establishment designed to be readily movable from which a vendor prepares, cooks, sells, or serves food or beverages for immediate consumption."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2371: Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2371 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, after line 9 insert "1."

Page 1, line 13, remove "Any ordinance previously adopted by a county which is contrary to this section is"

Page 1, replace line 14 with "2. This section does not apply to a foreign adversary defined under subsection 1 possessing an interest in real property if the foreign adversary:

a. Is a duly registered business and has maintained a status of good standing with the secretary of state for seven years or longer before the effective date of this Act;

b. Has been approved by the committee for foreign direct investment in the United States; and

c. Maintains an active national security agreement with the federal government."

Page 1, after line 17 insert "1."

Page 1, line 21, remove "Any ordinance previously adopted by a city which is contrary to"

Page 1, replace line 22 with "2. This section does not apply to a foreign adversary as defined in subsection 1 possessing an interest in real property if the foreign adversary:

a. Is a duly registered business and has maintained a status of good standing with the secretary of state for seven years or longer before the effective date of this Act;

b. Has been approved by the committee for foreign direct investment in the United States; and

c. Maintains an active national security agreement with the federal government."

Page 2, line 6, remove "individuals,"

Page 2, line 6, remove the third underscored the comma

Page 2, remove line 16

Page 2, line 17, after "3." insert "This section does not apply to an entity possessing an interest in real property under subsection 2 if the entity:

a. Is a duly registered business and has maintained a status of good standing with the secretary of state for seven years or longer before the effective date of this Act;

b. Has been approved by the committee for foreign direct investment in the United States; and

c. Maintains an active national security agreement with the federal government.

4."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2379: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2379 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SCR 4011: Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Eleventh order on the calendar. This resolution affects workforce development.

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

Shanda Morgan, Secretary