

JOURNAL OF THE SENATE

Sixty-ninth Legislative Assembly

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Bismarck, January 10, 2025

The Senate convened at 12:30 p.m., with President Pro Tempore Bekkedahl presiding.

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

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

A quorum was declared by the President Pro Tempore.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Beard, Chairman)** has carefully examined the Journal of the First Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 111, remove lines 33 through 52

Page 112, remove lines 2 through 30

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

REPORT OF STANDING COMMITTEE**SB 2038 ([25.0095.01000](#))**

Finance and Taxation Committee (Sen. Weber, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2038 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE**SB 2047 ([25.8016.01000](#))**

Finance and Taxation Committee (Sen. Weber, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE**SB 2050 ([25.8020.01000](#))**

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2050 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE**SB 2053 ([25.8025.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2053 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE**SB 2054 ([25.8027.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2054 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2055 ([25.8029.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2055 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2056 ([25.8030.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2056 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2067 ([25.8059.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2067 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2072 ([25.8071.01000](#))**

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2072 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2074 ([25.8074.01000](#))**

Finance and Taxation Committee (Sen. Weber, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2074 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

POINT OF PERSONAL PRIVILEGE

SEN. SORVAAG rose on a point of personal privilege.

REMARKS OF SENATOR SORVAAG

MR. PRESIDENT: Congratulations to the NDSU football team on their victory against Montana State, securing their tenth FCS championship since 2011! NDSU secured their victory with a 35-32 victory, in a hard-fought game between two great football teams.

During this historic game:

Quarterback Cam Miller accounted for 320 yards and four touchdowns and was named the game's Most Outstanding Player.

Bryce Lance caught nine passes for 107 yards, including a key one-yard touchdown reception with 12 seconds left in the first half.

Linebacker Nick Kubitz made a team-high nine tackles.

It's important to acknowledge and celebrate our wins. This is not just a win for the Bison, but a win for our state. This achievement showcases the hard work, discipline, and determination that defines our state and our academic institutions and tradition of excellence.

Bison set a standard both on the field and in the classroom, with twenty student athletes across five sports earning the prestigious NCAA Elite 90 award for the highest GPA at national championships. In addition, over 57% or 253 student athletes have earned a cumulative GPA of 3.5 or higher and 83 of those have a perfect 4.0.

Congratulations again to NDSU on great success in winning their tenth FCS National Championship and their 18th overall National title.

REQUEST

SEN. KLEIN REQUESTED that the remarks of Sen. Sorvaag be printed in the Journal, which request was granted.

SECOND READING OF SENATE BILL

SB 2054: A BILL for an Act to amend and reenact section 27-09.1-05 of the North Dakota Century Code, relating to the master jury list; and to provide a contingent effective date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Axtman

SB 2054 passed.

SECOND READING OF SENATE BILL

SB 2067: A BILL for an Act to amend and reenact subsection 2 of section 12.1-32-06.1 of the North Dakota Century Code, relating to the commencement date of supervised probation if an alternative to incarceration is court ordered.

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

ABSENT AND NOT VOTING: Axtman

SB 2067 passed.

SECOND READING OF SENATE BILL

SB 2055: A BILL for an Act to amend and reenact subsection 1 of section 27-20.2-23 of the North Dakota Century Code, relating to release of juvenile records.

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

ABSENT AND NOT VOTING: Axtman

SB 2055 passed.

SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to amend and reenact section 29-06.1-02 of the North Dakota Century Code, relating to tribal arrest warrants.

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

ABSENT AND NOT VOTING: Axtman

SB 2056 passed.

SECOND READING OF SENATE BILL

SB 2038: A BILL for an Act to amend and reenact subsection 17 of section 57-01-02 of the North Dakota Century Code, relating to the ability of the tax commissioner to make disclosures regarding taxpayers receiving tax incentives; and to provide an effective date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Axtman

SB 2038 passed.

SECOND READING OF SENATE BILL

SB 2074: A BILL for an Act to amend and reenact subsection 1 of section 57-51.1-07.7 of the North Dakota Century Code, relating to municipal infrastructure fund reporting requirements.

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

ABSENT AND NOT VOTING: Axtman

SB 2074 passed.

SECOND READING OF SENATE BILL

SB 2047: A BILL for an Act to amend and reenact section 57-38-59 of the North Dakota Century Code, relating to withholding from wages of employees; and to provide an effective date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Axtman

SB 2047 passed.

SECOND READING OF SENATE BILL

SB 2053: A BILL for an Act to amend and reenact section 27-11-17 of the North Dakota Century Code, relating to the state bar admission fee.

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

NAYS: Magrum

ABSENT AND NOT VOTING: Axtman

SB 2053 passed.

SECOND READING OF SENATE BILL

SB 2072: A BILL for an Act to amend and reenact subsection 5 of section 32-12.2-15 of the North Dakota Century Code, relating to contracts limiting liability to the state.

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

ABSENT AND NOT VOTING: Axtman

SB 2072 passed.

SECOND READING OF SENATE BILL

SB 2050: A BILL for an Act to amend and reenact subsection 1 of section 54-12-24 of the North Dakota Century Code, relating to the director of the state crime laboratory.

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

ABSENT AND NOT VOTING: Axtman

SB 2050 passed.

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 13, 2025, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2028 ([25.0060.02000](#))

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2028 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2052 ([25.8024.01000](#))

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2052 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2061 ([25.8045.01000](#))

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2061 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2064 ([25.8048.01000](#))

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2064 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2068 ([25.8063.01000](#))

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (6 YEAS,

0 NAYS, 0 ABSENT AND NOT VOTING). SB 2068 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2086 ([25.8120.01000](#))**

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2086 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Hogue, Kessel, Patten and Reps. D. Anderson, Hagert, Porter introduced:

SB 2159: A BILL for an Act to amend and reenact section 15-11-40 of the North Dakota Century Code, relating to projects the state energy research center is permitted to pursue.

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

Sens. Davison, Bekkedahl, Sorvaag and Reps. Bosch, Stemen introduced:

SB 2160: A BILL for an Act to amend and reenact sections 54-52.1-01, 54-52.1-02, and 54-52.1-03.1 of the North Dakota Century Code, relating to health insurance benefits coverage provided by the uniform group insurance program; and to provide an effective date.

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

Sens. Kessel, Wanzek, Weber and Reps. Brandenburg, Kempenich introduced:

SB 2161: A BILL for an Act to amend and reenact sections 4.1-02-03, 4.1-02-12, and 4.1-13-15 of the North Dakota Century Code, relating to member districts and the assessments levied by the barley council and wheat commission.

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

Sens. Kessel, Thomas, Weber and Reps. Hagert, Kempenich introduced:

SB 2162: A BILL for an Act to amend and reenact section 4.1-13-15 of the North Dakota Century Code, relating to the assessment levied by the wheat commission.

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

Sens. Kessel, Barta, Klein and Reps. Christy, Koppelman, Warrey introduced:

SB 2163: A BILL for an Act to amend and reenact subsection 1 of section 43-07-10 of the North Dakota Century Code, relating to contractor reporting thresholds for single projects.

Was read the first time and referred to the **Industry and Business Committee**.

Sens. Dever, Cleary, Lee, Roers and Reps. Klemin, Karls introduced:

SB 2164: A BILL for an Act to amend and reenact section 6-08.1-03 of the North Dakota Century Code, relating to the duty of confidentiality and disclosure to the North Dakota protection and advocacy project.

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

Sens. Rummel, Cory, Sickler, Larson and Rep. Heinert introduced:

SB 2165: A BILL for an Act to amend and reenact subsection 2 of section 12-63-04 and sections 12-63-05 and 12-63-12 of the North Dakota Century Code, relating to the powers and duties of the peace officer standards and training board and peace officer licensing fees.

Was read the first time and referred to the **State and Local Government Committee**.

Sens. Myrdal, Cleary, Davison and Rep. Grueneich introduced:

SB 2166: A BILL for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to a property tax information portal; to provide a report; and to provide an appropriation.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Myrdal, Larson, Luick and Reps. Christianson, Hatlestad, Steiner introduced:

SB 2167: A BILL for an Act to create and enact a new section to chapter 29-26 and a new section to chapter 54-12 of the North Dakota Century Code, relating to the cost of digital forensic examinations and the establishment of an internet crime investigation fund; to provide a continuing appropriation; and to provide a penalty.

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

Sens. Schaible, Lemm, Myrdal and Reps. Brandenburg, Hauck, Holle introduced:

SB 2168: A BILL for an Act to amend and reenact section 20.1-01-21 of the North Dakota Century Code; relating to hunting near buildings, occupied structures, or storage structures.

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

Sens. Burckhard, Barta, Boschee and Rep. Karls introduced:

SB 2169: A BILL for an Act to amend and reenact subsection 6 of section 43-26.1-11 of the North Dakota Century Code, relating to physical therapy patient management.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Clemens, Conley and Reps. D. Johnston, Hoverson introduced:

SCR 4003: A concurrent resolution to rescind all extant applications by the North Dakota Legislative Assembly to call a convention to propose amendments to the United States Constitution under Article V of the United States Constitution.

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

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

Shanda Morgan, Secretary