

JOURNAL OF THE SENATE

Sixty-ninth Legislative Assembly

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Bismarck, January 15, 2025

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

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

The roll was called and all members were present.

A quorum was declared by the President.

MOTION

SEN. KLEIN MOVED that SB 2035, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2093: SEN. MARCELLAIS (Finance and Taxation Committee) MOVED that the amendments ([25.0009.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2101: SEN. ROERS (Human Services Committee) MOVED that the amendments ([25.0332.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2081: SEN. WESTON (Human Services Committee) MOVED that the amendments ([25.8095.01002](#)) 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 2111: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-07 and subsection 4 of section 54-23.3-01.1 of the North Dakota Century Code, relating to supervised probation for class B misdemeanors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Hogan; Erbele; Marcellais; Mathern; Wanzek; Davison; Braunberger

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

SB 2111 failed.

SECOND READING OF SENATE BILL

SB 2087: A BILL for an Act to amend and reenact section 4.1-72-05 and subdivision f of subsection 2 of section 36-01-36 of the North Dakota Century Code, relating to the administration of the premises identification program.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

Engrossed SB 2087 passed.

SECOND READING OF SENATE BILL

SB 2080: A BILL for an Act to amend and reenact subsection 3 of section 14-09-08.1, section 14-09-08.2, subsection 2 of section 14-09-08.11, section 14-09-08.21, subsection 2 of section 14-09-09.32, subsection 16 of section 50-09-02, and section 50-09-36 of the North Dakota Century Code, relating to establishment and enforcement of child support; and to repeal section 50-09-32 of the North Dakota Century Code, relating to enforcement of child support.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2080 passed.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact subdivision xx of subsection 2 of section 12-60-24 and section 54-11-16 of the North Dakota Century Code, relating to criminal history record checks by the state treasurer for individuals with access to federal tax information.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

Engrossed SB 2073 passed.

SECOND READING OF SENATE BILL

SB 2051: A BILL for an Act to amend and reenact section 43-30-16 of the North Dakota Century Code, relating to fees charged by the North Dakota private investigative and security board; 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 46 YEAS, 1 NAYS, 0 EXCUSED, 0 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; Thomas; Conley; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

NAYS: Cory

Engrossed SB 2051 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2140: A BILL for an Act to amend and reenact section 50-06-33 of the North Dakota Century Code, relating to the dementia care services program.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2140 passed.

SECOND READING OF SENATE BILL

SB 2075: A BILL for an Act to amend and reenact subsection 5 of section 39-32-02 of the North Dakota Century Code, relating to the exemption from the requirement to maintain a record of duty status for certain intrastate drivers; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

Engrossed SB 2075 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2079: A BILL for an Act to amend and reenact section 25-01-01 of the North Dakota Century Code, relating to the definition of a mental health professional.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2079 passed.

SECOND READING OF SENATE BILL

SB 2076: A BILL for an Act to amend and reenact section 50-24.6-04 of the North Dakota Century Code, relating to prior authorization.

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, 2 NAYS, 0 EXCUSED, 0 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; Weber; Wobbema; Sickler; Braunberger; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

NAYS: Thomas; Conley

SB 2076 passed.

SECOND READING OF SENATE BILL

SB 2058: A BILL for an Act to amend and reenact sections 43-35-21 and 43-35-23 of the North Dakota Century Code, relating to the operations of the board of water well contractors; and to repeal sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14, 43-35-16, and 43-35-17 of the North Dakota Century Code, relating to the operations of the board of water well contractors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Klein; Magrum; Cleary

SB 2058 passed.

SECOND READING OF SENATE BILL

SB 2108: A BILL for an Act to create and enact chapter 43-17.5 of the North Dakota Century Code, relating to the physician assistant licensure compact.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee

recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

NAYS: 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; Axtman; Weston; Beard; Boehm; Cleary; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

SB 2108 failed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2040, SB 2060, SB 2063, SB 2078, SB 2085.

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 1055, HB 1056, HB 1069, HB 1070, HB 1073, HB 1074, HB 1079, HB 1082, HB 1083, HB 1112, HB 1113, HB 1124, HB 1152.

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: HCR 3004.

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 1038, HB 1081.

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., Thursday, January 16, 2025, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2036

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** ([25.0324.02001](#)) and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2036 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2037

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** ([25.0272.02001](#)) and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2037 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2043 ([25.8004.01000](#))

Education Committee (Sen. Beard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2043 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2095 ([25.0050.02000](#))

Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2095 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2122 ([25.0257.03000](#))**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2122 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2123 ([25.0259.03000](#))**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2123 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2124**

Industry and Business Committee (Sen. Barta, Chairman) recommends **AMENDMENTS ([25.8129.01001](#))** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2124 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2126 ([25.0256.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2126 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2127 ([25.0258.01000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2127 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2138 ([25.0381.02000](#))**

Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2145 ([25.0077.02000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2145 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2167 ([25.0823.02000](#))**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2167 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Patten, Marcellais, Walen, Weston and Reps. Brown, Davis introduced:

SB 2207: A BILL for an Act to amend and reenact subsection 2 of section 57-40.3-04 of the North Dakota Century Code, relating to a motor vehicle excise tax exemption for tribal governments; and to provide an effective date.

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

Sens. Patten, Bekkedahl, Erbele, Kessel and Reps. Brandenburg, Porter introduced:

SB 2208: A BILL for an Act to amend and reenact sections 57-51.1-07.7 and 57-51.1-07.8 of the North Dakota Century Code, relating to the municipal infrastructure fund and the county and township infrastructure fund.

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

Sens. Cleary, Larson and Reps. Hanson, O'Brien, Satrom, Schneider introduced:

SB 2209: A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code, relating to the expansion of medical examinations of victims of criminal conduct.

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

Sens. Weber, Dwyer, Luick, Sorvaag and Reps. Brandenburg, Schreiber-Beck introduced:

SB 2210: A BILL for an Act to provide for a legislative management study relating to the management of water based on watershed boundaries.

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

Sens. Bekkedahl, Larson, Hogue and Reps. Ista, Schneider, Klemin introduced:

SB 2211: A BILL for an Act to amend and reenact sections 27-02.2-01, 27-02.2-02, 27-02.2-03, 27-02.2-04, 27-02.2-05, 27-02.2-06, 27-02.2-09, 27-02.2-10, and 27-02.2-11 of the North Dakota Century Code, relating to the attorney recruitment and retention program.

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

Sens. Sickler, Sorvaag and Reps. Sanford, Swiontek introduced:

SB 2212: A BILL for an Act to amend and reenact sections 15-54.1-01, 15-54.1-02, 15-54.1-03, and 15-54.1-04 of the North Dakota Century Code, relating to the university system capital building fund; to repeal section 15-54.1-05 of the North Dakota Century Code, relating to the university system capital building fund pool; to provide for a transfer; and to provide legislative intent.

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

Sens. Schaible, Axtman and Reps. Heinert, Jonas, Richter introduced:

SB 2213: A BILL for an Act to create and enact a new section to chapter 15.1-13 and two new sections to chapter 15.1-21 of the North Dakota Century Code, relating to mathematics curriculum, professional development, screening and intervention, related administrative rules and reporting requirements, and mathematics instructor competency; to provide for a legislative management report; to provide an appropriation; and to provide an effective date.

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

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

Shanda Morgan, Secretary

