

JOURNAL OF THE SENATE

Sixty-ninth Legislative Assembly

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Bismarck, January 23, 2025

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

The prayer was offered by Pastor Paul Letvin, Submerge Church, Fargo.

The roll was called and all members were present.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 233, line 33, after "**Appropriations**", remove "**-Education and Environment Division**"

Page 233, line 35, after "**Appropriations**", remove "**-Education and Environment Division**"

Page 239, line 25, after "be" replace "**REREFERRED to the Appropriations Committee WITHOUT RECOMMENDATION,**" with "placed on the Eleventh order **WITHOUT RECOMMENDATION,**"

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following name for your **Select Committee** to approve the nominee Lisa Kruse to the Department of Financial Institutions: Senators Dwyer, Mrydal, Magrum, Conley, Hogan..

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following name for your **Select Committee** to approve the nominee Ryan Norrell to the Gaming Commission: Senators Axtman, Luick, Meyer, Thomas and Braunberger..

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following name for your **Select Committee** to approve the nominee Jamie McLean to the Gaming Commission: Senators Mathern, Dever, Conley, Roers, and Weston..

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following name for your **Select Committee** to approve the nominee Michael Seminary to the Gaming Commission: Senators Gerhardt, Enget, Wanzek, Wobbema, and Castaneda..

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following name for your **Select Committee** to approve the nominee Tim Karsky to the Department of Securities: Senators Weston, Lee, Beard, Burckhard, and Marcellais..

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following name for your **Select Committee** to approve the nominee Hope Hogan to the Office of: Administrative Hearings: Senators Cory, Cleary, Dwyer, Boehm, and Boschee..

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural **Committee on Committees (Sen. Hogue, Chairman)** respectfully submits the following names for your **Select Committee** to the Senate Memorial Committee: Senators Erbele, Weber, Axtman, and Hogan..

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

MOTION

SEN. KLEIN MOVED that SB 2256 be returned to the Senate floor from the **Education Committee** and be rereferred to the **Workforce Development Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, SB 2256 was rereferred.

MOTION

SEN. KLEIN MOVED that SB 2222 be returned to the Senate floor from the **Industry and Business Committee** and be rereferred to the **Agriculture and Veterans Affairs Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, SB 2222 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2109: SEN. KLEIN (Industry and Business Committee) MOVED that the amendments ([25.8012.01002](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2173: SEN. LEE (Human Services Committee) MOVED that the amendments ([25.0814.01001](#)) 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 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.

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 2163 passed.

SECOND READING OF SENATE BILL

SB 2158: A BILL for an Act to amend and reenact section 15.1-12-29 of the North Dakota Century Code, relating to the distribution of the unobligated cash balance of a dissolved school district; and to declare an emergency.

MOTION

SEN. POWERS MOVED that Engrossed SB 2158 be amended ([25.0300.03001](#)).

REQUEST

SEN. MAGRUM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2158, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2158, the roll was called and there were 12 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Hogue; Klein; Clemens; Magrum; Cory; Thomas; Weber; Beard; Boehm; Cleary; Walen; Powers

NAYS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Lee; Luick; Marcellais; Mathern; Schaible; Sorvaag; Wanzek; Bekkedahl; Davison; Myrdal; Meyer; Roers; Paulson; Patten; Dwyer; Lemm; Conley; Wobbema; Sickler; Braunberger; Axtman; Weston; Rummel; Kessel; Barta; Gerhardt; Enget; Van Oosting; Castaneda

The proposed amendments to Engrossed SB 2158 failed on a recorded roll call vote.

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 38 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Klein; Wanzek; Clemens; Magrum; Cory; Weber; Boehm; Walen; Powers

Engrossed SB 2158 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2195: A BILL for an Act to create and enact a new section to chapter 19-21 of the North Dakota Century Code, relating to requirements for selling aerosol dusters containing difluoroethane; to amend and reenact subsection 2 of section 19-03.1-22.1 of the North Dakota Century Code, relating to the classification of difluoroethane as a volatile chemical; 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 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; 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

NAYS: Meyer

Engrossed SB 2195 passed.

SECOND READING OF SENATE BILL

SB 2039: A BILL for an Act to amend and reenact subsection 1 of section 57-02-01 of the North Dakota Century Code, relating to the definition of agricultural property; 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 33 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Larson; Erbele; Hogue; Klein; Luick; Marcellais; Schaible; Sorvaag; Wanzek; Myrdal; Clemens; Magrum; Meyer; Paulson; Dwyer; Lemm; Cory; Thomas; Conley; Weber; Wobbema; Braunberger; Weston; Beard; Boehm; Kessel; Barta; Gerhardt; Enget; Van Oosting; Walen; Castaneda; Powers

NAYS: Boschee; Hogan; Burckhard; Dever; Lee; Mathern; Bekkedahl; Davison; Roers; Patten; Sickler; Axtman; Cleary; Rummel

SB 2039 passed.

SECOND READING OF SENATE BILL

SB 2189: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-03 and subsection 1 of section 53-06.1-11.1 of the North Dakota Century Code, relating to reporting the value of prizes distributed by an organization using a permit to conduct raffles, bingo, sports pools, paddlewheels, twenty-one, and poker.

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

YEAS: Lee; Wanzek

NAYS: Boschee; Hogan; Larson; Burckhard; Dever; Erbele; Hogue; Klein; Luick; Marcellais; Mathern; Schaible; Sorvaag; 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 2189 failed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4001: A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4001 was declared adopted on a voice vote.

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

SB 2110, SB 2117, SB 2132, SB 2154, SB 2172, SB 2196.

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 1122, HB 1170, HB 1354, HB 1420, HB 1440.

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 12:30 p.m., Friday, January 24, 2025, which motion prevailed.

**REPORT OF STANDING COMMITTEE
SB 2070**

Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS (25.8092.01001)** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2070 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2113**

Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS (25.8094.02001)** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2113 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2178 (25.0733.01000)**

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2178 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2205 (25.0784.02000)**

Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2205 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2207 (25.0457.01000)**

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2207 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2219 (25.0943.01000)**

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2219 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SCR 4004 (25.3032.01000)**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

FIRST READING OF SENATE BILLS

Sens. Rummel, Klein, Cory and Reps. Dressler, O'Brien introduced:

SB 2253: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 39-06.1-06, and a new section to chapter 39-21 of the North Dakota Century Code, relating to the use of an engine compression brake device; to amend and reenact section 39-06.1-09 of the North Dakota Century Code, relating to the definition of a moving violation; and to provide a penalty.

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

Sens. Burckhard, Barta, Roers and Reps. Berg, Satrom introduced:

SB 2260: A BILL for an Act to amend and reenact sections 47-20.2-01, 47-20.2-02, 47-20.2-05, and 47-20.2-06 of the North Dakota Century Code, relating to the North Dakota coordinate system zones.

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

Sen. Magrum and Reps. S. Olson, Hendrix introduced:

SB 2315: A BILL for an Act to create and enact a new section to chapter 54-05.1 of the North Dakota Century Code, relating to restrictions on legislative lobbyists; to amend and reenact section 54-05.1-07 of the North Dakota Century Code, relating to penalties for legislative lobbyists; and to provide a penalty.

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

Sens. Castaneda, Cory, Hogue and Reps. Louser, M. Ruby introduced:

SB 2349: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to limitations on the introduction of legislative bills prepared by executive branch agencies and the judicial branch.

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

Sens. Paulson, Burckhard, Castaneda and Reps. Fisher, D. Johnston, Louser introduced:

SB 2350: A BILL for an Act to amend and reenact section 44-04-18.1 of the North Dakota Century Code, relating to an exemption from open records for employee performance and discipline records contained in personnel records.

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

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

Shanda Morgan, Secretary