

**2021 SENATE HUMAN SERVICES**

**SB 2123**

# 2021 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Sakakawea Room, State Capitol

SB 2123  
1/13/2021

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| A BILL for an Act to amend and reenact subsection 2 of section 23-02.1-27 of the North Dakota Century Code, relating to access to death records. |
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**Madam Chair Lee** opened the hearing on SB 2123 at 10:44 a.m. All members present; Senator Lee, Senator Clemens, Senator O. Larsen, Senator Hogan, Senator Anderson, Senator K. Roers.

**Discussion Topics:**

- Relative definition language (genetic sibling)
- Identification required to access death records
- Genealogy research
- Centralized registration of vital records

**Senator Bekkedahl, District 1.** Introduced SB 2123 and provided testimony #655 in favor. (10:45)

**Darin Meschke, Director, State Registrar, Vital Records, North Dakota Department of Health.** Provided neutral testimony. (10:55)

**Senator Anderson** moved **DO PASS**

**Senator Hogan** seconded

| <b>Senators</b>                 | <b>Vote</b> |
|---------------------------------|-------------|
| Senator Judy Lee                | Y           |
| Senator Kristin Roers           | Y           |
| Senator Howard C. Anderson, Jr. | Y           |
| Senator David A. Clemens        | Y           |
| Senator Kathy Hogan             | Y           |
| Senator Oley Larsen             | Y           |

The motion passed 6-0-0

**Senator Anderson** will carry SB 2123.

**Madam Chair Lee** closed the hearing on SB 2123 at 11:25 a.m.

*Justin Velez, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2123: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2123 was placed on the Eleventh order on the calendar.

**SENATE HUMAN SERVICES COMMITTEE**

Honorable Judy Lee, Chair

SB 2123 Testimony

January 13, 2021

Chair Lee and Committee Members,

My name is Brad Bekkedahl and I am from Williston and represent District 1 in the Senate. I'm here today to introduce and ask for your support for SB 2123. This bill came about through a personal experience I had in requesting a death certificate from my brother that was born in 1955 and passed away from a birth defect at less than 3 months of age. I am at the stage in life where my nephews and nieces are starting families and having children. Several have asked me about my infant brother's specific birth defect to see if this is an issue that they need to consider in their pregnancy decisions or have tests to determine if there are any genetic links to defects in our family. I was surprised when I went to the office of Vital Records in the Capitol to learn that as his brother, I was not eligible under statute to receive a copy of his death certificate that listed his cause of death. I could get a death certificate without this information as his brother, but the only people eligible to get the cause of death certificate would be his parents (both now deceased) or his children (which he had none). The attendant was very polite and helpful and explained

the only way I could now get this information would be through a court order. Not being very legally savvy, I wondered about how difficult this could be for other North Dakotans that may also want this information, for the same or similar circumstances I faced. I decided then to pursue a bill as a corrective measure to statute. Legislative Council staff worked with the Department of Health and they recommended the language amendment you see before you today in SB 2123.

I welcome the committee's review and hearing of the bill to see if there are any objections or unintended consequences to this legislation. Thank you for your consideration. I urge your support and would now stand for any questions you may have.

**2021 HOUSE HUMAN SERVICES**

**SB 2123**

# 2021 HOUSE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Pioneer Room, State Capitol

SB 2123  
3/3/2021

Relating to access to death records

**Chairman Weisz** called the hearing to order at 11:13 a.m.

| <b>Representatives</b>            | <b>Attendance</b> |
|-----------------------------------|-------------------|
| Representative Robin Weisz        | P                 |
| Representative Karen M. Rohr      | P                 |
| Representative Mike Beltz         | P                 |
| Representative Chuck Damschen     | P                 |
| Representative Bill Devlin        | P                 |
| Representative Gretchen Dobervich | P                 |
| Representative Clayton Fegley     | P                 |
| Representative Dwight Kiefert     | P                 |
| Representative Todd Porter        | P                 |
| Representative Matthew Ruby       | P                 |
| Representative Mary Schneider     | P                 |
| Representative Kathy Skroch       | P                 |
| Representative Bill Tveit         | P                 |
| Representative Greg Westlind      | P                 |

## **Discussion Topics:**

- Estate administrator
- Genetic sibling addition

**Sen. Brad Bekkedahl, District 1 (11:14)** introduced the bill and submitted testimony #7172.

**Carmell Barth, Deputy State Registrar Division of Vital Records** answered committee questions.

**Rep. Todd Porter (11:20)** moved to add an emergency clause

**Rep. Matthew Ruby (11:20)** second

Voice Vote – Motion Carried

**Rep. Todd Porter (11:21)** moved Do Pass As Amended

**Rep. Bill Tveit (11:21)** second

| <b>Representatives</b>            | <b>Vote</b> |
|-----------------------------------|-------------|
| Representative Robin Weisz        | Y           |
| Representative Karen M. Rohr      | Y           |
| Representative Mike Beltz         | Y           |
| Representative Chuck Damschen     | Y           |
| Representative Bill Devlin        | Y           |
| Representative Gretchen Dobervich | Y           |
| Representative Clayton Fegley     | Y           |
| Representative Dwight Kiefert     | Y           |
| Representative Todd Porter        | Y           |
| Representative Matthew Ruby       | Y           |
| Representative Mary Schneider     | Y           |
| Representative Kathy Skroch       | Y           |
| Representative Bill Tveit         | Y           |
| Representative Greg Westlind      | Y           |

**Motion Carried Do Pass As Amended 14-0-0**

**Bill Carrier:** Rep. Bill Tveit

**Chairman Weisz** adjourned at 11:22 a.m.

*Tamara Krause, Committee Clerk*

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Adopted by the Human Services Committee

March 3, 2021

DA 3/3/21  
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PROPOSED AMENDMENTS TO SENATE BILL NO. 2123

Page 1, line 2, after "records" insert "; and to declare an emergency"

Page 1, after line 17, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2123: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2123 was placed on the Sixth order on the calendar.

Page 1, line 2, after "records" insert "; and to declare an emergency"

Page 1, after line 17, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**HOUSE HUMAN SERVICES COMMITTEE**

Honorable Representative Weisz, Chairman

SB 2123 Testimony

March 3, 2021

Chairman Weisz and Committee Members,

My name is Brad Bekkedahl from Williston representing District 1. I'm here today to introduce and ask for your support for Senate Bill 2123. This bill came about through a personal experience I had in requesting a death certificate from my brother that was born in 1955 and passed away from a birth defect at less than 3 months of age. I am at the stage in life where my nephews and nieces are starting families and having children. Several have asked me about my infant brother's specific birth defect to see if this is an issue that they need to consider in their pregnancy decisions or have tests to determine if there are any genetic links to defects in our family. I was surprised when I went to the office of Vital Records in the Capitol to learn that as his brother, I was not eligible under statute to receive a copy of his death certificate that listed his cause of death. I could get a death certificate without this information as his brother, but the only people eligible to get the cause of death certificate would be his parents (both now deceased) or his children (which he had none). The attendant was very polite and helpful and explained the only way I could now get this information would be through a court order. Not being very legally savvy, I wondered about how difficult this could be for other North Dakotans that may also need this information, for the same or similar circumstances I faced. I decided then to pursue a bill as a corrective measure to statute. Legislative Council staff worked with the Department of Health and they recommended the language amendment you see before you today in SB 2123.

I welcome the committee's review of the bill to see if there are any objections or unintended consequences to this legislation. Thank you for your consideration. I urge your support and now stand for any questions you may have.