

JOURNAL OF THE SENATE

Sixty-ninth Legislative Assembly

* * * * *

Bismarck, February 6, 2025

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

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

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

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 Seventeenth, Eighteenth, and Twentieth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 318, line 14, remove the second period

Page 318, line 14, after "**PASS**" insert ", which motion prevailed on a voice vote"

Page 336, line 38, replace "SB" with "Engrossed SB"

Page 357, line 18, after "technology" insert "project"

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

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. Gerhardt, Chairman)** appointed to consider the nomination to Gaming Division, do advise and consent to the appointment of Michael Seminary.

MOTION

SEN. CASTANEDA MOVED that the report be adopted.

ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Michael Seminary to Gaming Division," the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kessel

The Senate advises and consents to the appointment of Michael Seminary to Gaming Division.

MOTION

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

CONSIDERATION OF AMENDMENTS

SB 2179: SEN. WANZEK (Appropriations Committee) MOVED that the amendments ([25.1036.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2387: SEN. VAN OOSTING (Human Services Committee) MOVED that the amendments ([25.1369.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2305: SEN. HOGAN (Human Services Committee) MOVED that the amendments ([25.0909.02001](#)) be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2305 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

SB 2049: SEN. BRAUNBERGER (State and Local Government Committee) MOVED that the amendments ([25.8019.01002](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2191: SEN. HOGAN (Human Services Committee) MOVED that the amendments ([25.0104.01001](#)) be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2399: SEN. LEE (Human Services Committee) MOVED that the amendments ([25.1375.01001](#)) be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2399 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

SB 2271: SEN. ROERS (Human Services Committee) MOVED that the amendments ([25.1225.01001](#)) be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2271 was rereferred to the **Appropriations Committee**.

SECOND READING OF SENATE BILL

SB 2282: A BILL for an Act to create and enact a new section to chapter 57-38 and new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for child care contributions provided by qualified employers; 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: Axtman; Barta; Beard; Bekkedahl; Boehm; Boschee; Braunberger; Burckhard; Castaneda; Cleary; Clemens; Conley; Cory; Davison; Dever; Dwyer; Enget; Erbele; Gerhardt; Hogan; Hogue; Klein; Larson; Lee; Lemm; Luick; Magrum; Marcellais; Mathern; Meyer; Myrdal; Patten; Paulson; Powers; Roers; Rummel; Schaible; Sickler; Sorvaag; Thomas; Van Oosting; Walen; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Kessel

SB 2282 passed.

SECOND READING OF SENATE BILL

SB 2316: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to long-term care services for patients with ventilator or psychiatric needs.

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 5 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boschee; Braunberger; Cleary; Marcellais; Mathern

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

ABSENT AND NOT VOTING: Kessel

SB 2316 failed.

SECOND READING OF SENATE BILL

SB 2295: A BILL for an Act to create and enact a new section to chapter 15.1-27 of the North Dakota Century Code, relating to state education funding for all students in the state; to amend and reenact sections 15.1-27-02 and 57-15-01.1, subsection 1 of section 57-15-14, section 57-15-14.2, and subdivision c of subsection 1 of section 57-20-07.1 of the North Dakota Century Code, relating to required reports, school district levy authority, and information displayed on property tax statements; to repeal sections 15.1-27-04.1, 15.1-27-04.2, 15.1-27-04.3, 15.1-27-15.1, 15.1-27-20.2, and 15.1-29-15 of the North Dakota Century Code, relating to adjustments to state aid payments and a property tax levy for tuition payments; 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 NOT PASS, the roll was called and there were 4 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cory; Larson; Magrum; Walen

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

ABSENT AND NOT VOTING: Kessel

SB 2295 failed.

SECOND READING OF SENATE BILL

SB 2320: A BILL for an Act to amend and reenact section 57-06-17.1 of the North Dakota Century Code, relating to the carbon dioxide pipeline tax exemption; 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 NOT PASS, the roll was called and there were 10 YEAS, 36 NAYS,

0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Clemens; Enget; Gerhardt; Luick; Magrum; Mathern; Paulson; Powers; Van Oosting; Walen

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Boschee; Braunberger; Burckhard; Castaneda; Cleary; Conley; Cory; Davison; Dever; Dwyer; Erbele; Hogan; Hogue; Klein; Larson; Lee; Lemm; Marcellais; Meyer; Myrdal; Patten; Roers; Rummel; Schaible; Sickler; Sorvaag; Thomas; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Kessel

SB 2320 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 2010, SB 2244, SB 2285, SB 2290, SB 2324.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2171.

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 1118, HB 1123, HB 1219, HB 1345, HB 1355, HB 1368, HB 1397, HB 1398, HB 1432, HB 1509, HB 1554, HB 1558, HB 1599.

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 3006.

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 1520.

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, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 7, 2025, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2009

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS** ([25.0176.01001](#)) and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2009 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2029

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** ([25.0224.02002](#)) and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2029 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

SB 2106 ([25.0494.01000](#))

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO**

PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2106 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2128**

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** ([25.8109.01002](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2128 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2170 ([25.0522.01000](#))**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2170 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2176 ([25.1017.02000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2176 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2183 ([25.0663.01000](#))**

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2183 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2190 ([25.0084.03000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2190 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2194 ([25.0357.01000](#))**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2194 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](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2205 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2211 ([25.0941.01000](#))**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2211 was placed on the Eleventh order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE
SB 2218 ([25.1151.01000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16

YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2218 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2221 ([25.0638.02000](#))**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2221 was placed on the Eleventh order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE
SB 2226 ([25.1188.01000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2226 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2234 ([25.1169.01000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2234 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2238**

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** ([25.0519.01002](#)) and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2238 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2239**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **AMENDMENTS** ([25.0612.02001](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 was placed on the Sixth order on the calendar. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE
SB 2242**

Education Committee (Sen. Beard, Chairman) recommends **AMENDMENTS** ([25.0971.01001](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2242 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2245 ([25.1167.01000](#))**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2245 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2248 ([25.0547.02000](#))**

Human Services Committee (Sen. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2248 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2253 ([25.1025.02000](#))**

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2253 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2256 ([25.0792.02000](#))**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2256 was rereferred to the **Appropriations Committee**. This bill affects workforce development.

**REPORT OF STANDING COMMITTEE
SB 2262**

Education Committee (Sen. Beard, Chairman) recommends **AMENDMENTS** ([25.1173.01001](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2262 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2286**

Education Committee (Sen. Beard, Chairman) recommends **AMENDMENTS** ([25.1218.03001](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2345 ([25.0832.01000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2345 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2371 ([25.1359.01000](#))**

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2371 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
SB 2372 ([25.1346.01000](#))**

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (3 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2372 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

**REPORT OF STANDING COMMITTEE
AMENDED HB 1038 ([25.0329.06000](#))**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Mathern, Hogue, Bekkedahl and Reps. Koppelman, Lefor introduced:

SCR 4024: A concurrent resolution directing the Legislative Management to consider

studying using dedicated funds in the capitol building fund to build a legislative office building.

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

FIRST READING OF HOUSE BILLS

HB 1107: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for a segal Americorps education award; and to provide an effective date.

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

HB 1174: A BILL for an Act to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to educational and community outreach programs established by the game and fish department.

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

HB 1563: A BILL for an Act to provide for a legislative management study related to tribal land taxation.

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

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

Shanda Morgan, Secretary