

2021 SENATE POLITICAL SUBDIVISIONS

SB 2195

2021 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Sakakawea, State Capitol

SB 2195
1/28/2021

A BILL for an Act to amend and reenact section 37-17.1-03 of the North Dakota Century Code, relating to limiting or restricting the operation of a private business.

Chairman Burckhard opened the hearing on SB 2195 at 10:00 a.m. All members present: Senator Burckhard, Senator Anderson, Senator Lee, Senator D. Larson, Senator Oban, Senator Kannianen, Senator Heitkamp.

Discussion Topics:

- Declaration of emergency within a political subdivision
- Governor executive order / rule of law
- Home rule

[10:00] Senator David Clemens, District 16. Introduced SB 2195 and provided testimony #4041 in favor.

Additional written testimony: N/A

Chairman Burckhard closed the hearing on SB 2195 at 10:25 a.m.

Patricia Lahr, Committee Clerk

January 28, 2021

Senate Political Subdivisions Committee

Senate Bill 2195

Chair Senator Burckhard and Committee, I am David Clemens, Senator from District 16 in West Fargo and Fargo. I am here to introduce Senate Bill 2195.

I have provided a proposed amendment to Senate Bill 2195.

The purpose of the bill, as amended, is to remove any business from a statewide Emergency Declaration and to leave that decision to a political subdivision or local official. As we have witnessed during the last several months, a statewide emergency declaration can limit the businesses of North Dakota across the state. This can place businesses under restrictions that may not be necessary due to the location of the business in the state.

I ask for your support of SB2195 and am free for any questions.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2195

Page 2, line 3, after "business" insert ", except a business may be subject to restrictions imposed by a political subdivision or local official during a declared disaster or emergency"

Renumber accordingly

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SB 2195
2/4/2021

relating to limiting or restricting the operation of a private business.

Chairman Burckhard opened the committee discussion on SB 2195 at 2:43 p.m.
Senators present: Burckhard, Lee, Larson, Kannianen, Oban, Heitkamp. Absent: Anderson

Discussion Topics:

- Home rule status
- Limitations

Senator Lee moved for a **DO NOT PASS**

Senator Oban Seconded the motion

Roll Call Vote

Motion carried 5-1-1

Senator Lee will carry SB 2195.

Senators	Vote
Senator Randy A. Burckhard	Y
Senator Howard C. Anderson, Jr.	A
Senator Jason G. Heitkamp	Y
Senator Jordan Kannianen	N
Senator Diane Larson	Y
Senator Judy Lee	Y
Senator Erin Oban	Y

Additional written testimony: N/A

Chairman Burckhard closed the discussion on SB 2195 at 2:52 p.m.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2195: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2195 was placed on the Eleventh order on the calendar.