

JOURNAL OF THE SENATE

Sixty-third Legislative Assembly

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Bismarck, February 7, 2013

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

The prayer was offered by Pastor Donna Dohrmann, Lutheran Church of the Cross, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**JANUARY 23, 2013**

Pursuant to North Dakota Century Code § 53-06.1-01.1, I am hereby nominating Blake Krabseth, Lois Altenburg, Sandi Frenzel and Charles Axtman for reappointment to the North Dakota Gaming Commission.

Reappointments to the North Dakota Gaming Commission:

Charles Axtman (July 1, 2012 – June 30, 2015)

Sandi Frenzel (July 1, 2012 – June 30, 2015)

Lois Altenburg (July 1, 2013 – June 30, 2016)

Blake Krabseth (July 1, 2013 – June 30, 2016)

Pursuant to Article V, Section 8 of the North Dakota Constitution, I ask the Senate to make these confirmations during the 2013 Legislative Session.

Thank you for your consideration.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**JANUARY 23, 2013**

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Donald Morton, Kathleen Neset and Kari Reichert for appointment and Kathleen Neset and Kari Reichert for reappointment to the State Board of Higher Education.

Appointments to the State Board of Higher Education:

Donald Morton (July 1, 2012 – June 30, 2016)

Kari Reichert (August 3, 2012 – June 30, 2013)

Kathleen Neset (June 20, 2012 – June 30, 2013)

Reappointments to the State Board of Higher Education:

Kari Reichert (July 1, 2013 – June 30, 2017)

Kathleen Neset (July 1, 2013 – June 30, 2017)

Mr. Morton, Ms. Reichert and Ms. Neset's names have been submitted in accordance with the NDCC 15-10-02. They meet the requirements of Article VIII, Section 6 of the North Dakota Constitution and NDCC 15-10. Therefore, I ask the Senate to confirm Donald Morton, Kari Reichert and Kathleen Neset for these positions within the first 30 days of the 2013 Legislative Session.

Thank you for your consideration.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Wardner, Chairman)** respectfully submits the following names for your **Select Committee** to approve nominees Kathleen Neset, Donald Morton, and Kari Reichert to the North Dakota Board of Higher Education: Sens. Klein, Schaible, Krebsbach, Heckaman, Triplett.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Wardner, Chairman)** respectfully submits the following names for your **Select Committee** to approve nominees Blake Krabseth and Lois Altenburg to the North Dakota Gaming Commission: Sens. G. Lee, Laffen, Carlisle, and Marcellais.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Wardner, Chairman)** respectfully submits the following names for your **Select Committee** to approve nominees Charles Axtman and Sandi Frenzel to the North Dakota Gaming Commission: Sens. Lyson, Armstrong, Burckhard, and Grabinger.

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

CONSIDERATION OF AMENDMENTS

SB 2160: SEN. HECKAMAN (Education Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that after action taken on the Sixth order, SB 2160 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to repayment notes from participants in professional student exchange programs.

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: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2160 passed.

SECOND READING OF SENATE BILL

SB 2305: A BILL for an Act to amend and reenact subsection 1 of section 14-02.1-04 of the North Dakota Century Code, relating to limitations on physicians and abortion facilities.

MOTION

SEN. NELSON MOVED that Engrossed SB 2305 be amended as follows.

Page 1, line 7, remove "All"

Page 1, remove lines 8 through 10

Page 1, line 11, replace "the abortion procedures the physician will be performing at abortion facilities." with "This subsection does not expand a physician's scope of practice. A physician who practices outside the physician's scope of practice is subject to disciplinary action by the state board of medical examiners under chapter 43-17."

Renumber accordingly

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2305, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2305, the roll was called and there were 16 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Axness; Dotzenrod; Grabinger; Heckaman; Krebsbach; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Sinner; Triplett; Warner

NAYS: Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Lyson; Miller; O'Connell; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

The proposed amendments to Engrossed SB 2305 failed on a recorded roll call vote.

MOTION

SEN. TRIPLETT MOVED that Engrossed SB 2305 be amended as follows.

Page 1, line 2, after "facilities" insert "; and to provide an appropriation"

Page 1, after line 14, insert:

"SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the attorney general for the purpose of defraying legal expenses incurred in defending section 1 of this Act, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2305, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2305, the roll was called and there were 19 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axness; Cook; Dotzenrod; Flakoll; Grabinger; Heckaman; Krebsbach; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

NAYS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Dever; Erbele; Grindberg; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

The proposed amendments to Engrossed SB 2305 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 has committee recommendation of DO PASS, the roll was called and there were 30 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Mathern; Miller; O'Connell; Poolman; Robinson; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Anderson; Axness; Dotzenrod; Grabinger; Heckaman; Holmberg; Krebsbach; Lee, J.; Lyson; Marcellais; Murphy; Nelson; Oehlke; Schneider; Sinner; Triplett; Warner

Engrossed SB 2305 passed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4009: A concurrent resolution to create and enact a new section to article I of the Constitution of North Dakota, relating to the inalienable right to life of every human being at every stage of development.

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the adoption of Engrossed SCR 4009, which request was granted.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 26 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Anderson; Axness; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Krebsbach; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

Engrossed SCR 4009 was declared adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2303: A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota Century Code, relating to the application of sections in chapter 12.1-17 to certain medical procedures; and to amend and reenact sections 12.1-01-04 and 12.1-16-06 of the North Dakota Century Code, relating to the definition of human being and the application of sections in chapter 12.1-16 to certain medical procedures.

MOTION

SEN. MATHERN MOVED that Engrossed SB 2303 be amended as follows.

Page 1, line 3, remove the first "and"

Page 1, line 5, after "procedures" insert "; and to provide directives to the department of human services regarding medicaid and other coverage for pregnant women"

Page 6, after line 21, insert:

"SECTION 4. DEPARTMENT OF HUMAN SERVICES TO SEEK APPROVAL TO EXPAND MEDICAID COVERAGE. The department of human services shall expand medicaid coverage for pregnant women to the maximum allowed under federal law. The department shall seek approval for the federal share of the expenditures related to this expansion.

SECTION 5. DEPARTMENT OF HUMAN SERVICES TO PROVIDE COVERAGE FOR PREGNANCY AND DELIVERY COSTS. The department of human services shall provide coverage equivalent to the coverage provided under medicaid to pregnant women who exceed the maximum allowed, as established in section 4 of this Act. This coverage must be available to pregnant women who do not have private insurance to cover the cost of pregnancy-related care and delivery."

Renumber accordingly

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2303, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2303, the roll was called and there were 30 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Axness; Bowman; Campbell; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Lee, G.; Lyson; Marcellais; Mathern; Miller; Nelson; O'Connell; Robinson; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wanzek; Warner

NAYS: Armstrong; Berry; Burckhard; Carlisle; Cook; Dever; Kilzer; Laffen; Larsen; Lee, J.; Luick; Murphy; Oehlke; Poolman; Schaible; Unruh; Wardner

The proposed amendments to Engrossed SB 2303 were adopted on a recorded roll call vote.

MOTION

SEN. TRIPLETT MOVED that Reengrossed SB 2303 be amended as follows.

Page 1, line 3, remove the first "and"

Page 1, line 5, after "procedures" insert "; and to provide an appropriation"

Page 6, after line 21, insert:

"SECTION 4. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the attorney general for the purpose of defraying legal expenses incurred in defending sections 1 through 3 of this Act, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Reengrossed SB 2303, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Reengrossed SB 2303, the roll was called and there were 19 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axness; Cook; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Krebsbach; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schaible; Schneider; Sinner; Warner

NAYS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Dever; Erbele; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Oehlke; Poolman; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

The proposed amendments to Reengrossed SB 2303 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 has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Berry; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Marcellais; Mathern; Miller; O'Connell; Robinson;

Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Anderson; Andrist; Armstrong; Axness; Bowman; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Krebsbach; Lee, J.; Lyson; Murphy; Nelson; Oehlke; Poolman; Schneider; Sinner; Triplett; Warner

Reengrossed SB 2303 passed.

REQUEST

SEN. MURPHY REQUESTED that the record reflect he intended to vote YEA on the proposed amendments (13.8250.03001) to Engrossed SB 2303, which request was granted.

REQUEST

SEN. J. LEE REQUESTED that the record reflect she intended to vote YEA on the Proposed Amendments (13.8250.03001) to Engrossed SB 2303, which request was granted.

DEEMED RECONSIDERED AND REREFERRED

PRESIDENT WRIGLEY STATED that pursuant to Senate Rule 329(3) Reengrossed SB 2303 is deemed reconsidered and must be rereferred to the **Appropriations Committee**.

SECOND READING OF SENATE BILL

SB 2302: A BILL for an Act to provide for the ethical treatment of human embryos; and to provide a penalty.

MOTION

SEN. MATHERN MOVED that Engrossed SB 2302 be amended as follows.

Page 1, line 1, remove "and"

Page 1, line 2, after "penalty" insert "; and to provide directives to the department of human services regarding medicaid and other coverage for pregnant women"

Page 4, after line 31, insert:

"SECTION 9. DEPARTMENT OF HUMAN SERVICES TO SEEK APPROVAL TO EXPAND MEDICAID COVERAGE. The department of human services shall expand medicaid coverage for pregnant women to the maximum allowed under federal law. The department shall seek approval for the federal share of the expenditures related to this expansion.

SECTION 10. DEPARTMENT OF HUMAN SERVICES TO PROVIDE COVERAGE FOR PREGNANCY AND DELIVERY COSTS. The department of human services shall provide coverage equivalent to the coverage provided under medicaid to pregnant women who exceed the maximum allowed, as established in section 9 of this Act. This coverage must be available to pregnant women who do not have private insurance to cover the cost of pregnancy-related care and delivery."

ReNUMBER accordingly

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2302, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2302, the roll was called and there were 21 YEAS, 26 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Axness; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Krebsbach; Marcellais; Mathern; Murphy; Nelson; O'Connell; Poolman; Robinson; Schneider; Sinner; Sorvaag; Triplett; Warner

NAYS: Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Oehlke; Schaible; Sitte; Unruh; Wanzek; Wardner

The proposed amendments to Engrossed SB 2302 failed on a recorded roll call vote.

MOTION

SEN. TRIPLETT MOVED that Engrossed SB 2302 be amended as follows.

Page 1, line 1, remove "and"

Page 1, line 2, after "penalty" insert "; and to provide an appropriation"

Page 4, after line 31, insert:

"SECTION 9. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the attorney general for the purpose of defraying legal expenses incurred in defending sections 1 through 8 of this Act, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2302, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2302, the roll was called and there were 18 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axness; Cook; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Krebsbach; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Sinner; Triplett; Warner

NAYS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Dever; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; O'Connell; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

The proposed amendments to Engrossed SB 2302 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 has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Berry; Burckhard; Campbell; Carlisle; Dever; Erbele; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Miller; Sitte; Unruh; Wanzek; Wardner

NAYS: Anderson; Andrist; Armstrong; Axness; Bowman; Cook; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Krebsbach; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sorvaag; Triplett; Warner

Engrossed SB 2302 failed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2163, SB 2209.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1068, HB 1287.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1070, HB 1133.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HCR 3015.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HCR 3015.

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 8, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2005: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2005 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2010: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2010 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2011: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2011 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2016: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2016 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2023: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2023 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2035: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2035 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2075, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2075 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2079: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2079 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2144: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2144 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2152: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2152 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2185: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2185 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2186: Education Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2186 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2189: Education Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2189 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2195: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2214: Education Committee (Sen. Flakoll, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2214 was referred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2218: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2218 was placed on the Sixth order on the calendar.

Page 3, line 24, replace "\$10,000,000" with "\$5,000,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2223: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2223 was placed on the Sixth order on the calendar.

Page 1, line 7, after the period insert "The study must include consideration of making additional space available in the judicial wing of the state capitol for space needs of the judicial branch."

Page 1, line 10, replace "\$100,000" with "\$75,000"

Page 1, line 14, replace "\$100,000" with "\$75,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2235: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2235 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2251: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2251 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2269: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2269 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; to provide for a health care consortium; and to provide an appropriation"

Page 1, remove lines 12 through 23

Page 2, remove lines 1 through 18

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2281: Education Committee (Sen. Flakoll, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2281 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2311: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2311 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2322: Agriculture Committee (Sen. Miller, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2322 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2360: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2360 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2361: Education Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2361 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2375: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2375 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of home and community-based services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - HOME AND COMMUNITY-BASED SERVICES. The legislative management shall consider studying, during the 2013-14 interim, home and community-based services in the state, including the need to expand the home and community-based services medicaid waiver to cover twenty-four hour emergency assistance, adult companion service, behavioral programming, chore services, customized living services, environmental modifications, and transition modification support. The legislative management shall report its findings and recommendations, together with any

legislation necessary to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

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

William R. Horton, Secretary

