

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, January 25, 2007

The Senate convened at 1:00 p.m., with President Pro Tem J. Lee presiding.

The prayer was offered by Father Paul Becker, Corpus Christi, Bismarck.

The roll was called and all members were present except Senators Andrist and Bowman.

A quorum was declared by the President Pro Tem.

CONSIDERATION OF AMENDMENTS

SB 2205: SEN. HECKAMAN (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 179 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2036: SEN. HACKER (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 176-177 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2072: SEN. WANZEK (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 177 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2073: SEN. POTTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 177 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2096: SEN. HEITKAMP (Natural Resources Committee) MOVED that the amendments on SJ pages 177-178 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2123: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 178 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2125: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 178-179 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2126: SEN. FIEBIGER (Judiciary Committee) MOVED that the amendments on SJ page 179 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2128: SEN. KLEIN (Agriculture Committee) MOVED that the amendments on SJ page 179 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2152: SEN. DEVER (Human Services Committee) MOVED that the amendments on SJ page 183 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

PRESENTATION OF SIX LIEUTENANT GOVERNORS OF NORTH DAKOTA

President Pro Tem J. Lee introduced six Lieutenant Governors of the State of North Dakota. They are as follows:

Richard Larsen, 1969-1972
 Wayne Sanstead, 1973-1980
 Ernest (Jiggs) Sands, 1981-1984
 Lloyd Omdahl, 1987-1992
 Rosemarie Myrdal, 1992-2000
 Jack Dalrymple, 2000-present

MOTION

SEN. CHRISTMANN MOVED that the remarks of the Majority Leader and the Senator from District 12 be printed in the Journal, which motion prevailed.

REMARKS OF MAJORITY LEADER STENEHJEM

It is a rare occasion when six public servants from the same state office can be gathered together in one place. I'm sure they have had an interesting discussion today comparing their experiences as Lt. Governors. In North Dakota, and throughout the nation for that matter, the role of Lt. Governor has changed a great deal over the years, more than any other state office.

In the busy time of this legislative session, we sometimes forget the many outstanding people who have served our State, not only in the state offices but also in our own legislative assembly. Let us give a heartfelt thank you to all of our past public servants with a round of applause.

REMARKS OF SENATOR NETHING

I am the only one remaining in the Senate who had the privilege of serving with all six Lieutenant Governors. It was an honor to know them and have them preside during my time in this body.

Each of them presided with dignity and impartiality. They were then, and continue to be a credit to this Senate and all of the citizens of the great state of North Dakota.

CONSIDERATION OF AMENDMENTS

SCR 4007: SEN. TAYLOR (Agriculture Committee) MOVED that the amendments on SJ page 180 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Engrossed SB 2060, which is on the Eleventh order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, Engrossed SB 2060 was rereferred.

MOTION

SEN. CHRISTMANN MOVED that SB 2312, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2312 was rereferred.

SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; to provide an appropriation to the department of commerce; and to amend and reenact sections 54-07-04, 54-08-03, 54-62-01, and 54-62-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor and the office of faith-based and community initiatives.

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 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebigler; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Potter

ABSENT AND NOT VOTING: Andrist; Bowman

Engrossed SB 2001 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2026: A BILL for an Act to create and enact chapter 43-56 of the North Dakota Century Code, relating to creation of the allied health professions board; to provide an appropriation; and to provide a penalty.

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

NAYS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

SB 2026 lost.

SECOND READING OF SENATE BILL

SB 2053: A BILL for an Act to amend and reenact section 54-10-29 of the North Dakota Century Code, relating to audits of computer systems performed by the state auditor.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

Engrossed SB 2053 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2097: A BILL for an Act to amend and reenact sections 7 and 8 of chapter 3 of the 2005 Session Laws, relating to state fire marshal fees; and to declare an emergency.

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 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: O'Connell

ABSENT AND NOT VOTING: Andrist; Bowman

SB 2097 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2100: A BILL for an Act to amend and reenact sections 50-25.1-02, 50-25.1-03, 50-25.1-03.1, 50-25.1-04.4, and 50-25.1-05.3 and subsection 4 of section 50-25.1-11 of the North Dakota Century Code, relating to definitions, persons required and permitted to report child abuse, persons allowed access to child fatality review panel records, who may investigate reports of child abuse or neglect when the accused is not a person responsible for the child's health or welfare, and information that may be provided to a person who is the subject of a report alleging child abuse or neglect.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebigler; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

Engrossed SB 2100 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2112: A BILL for an Act to amend and reenact subsection 1 of section 39-06-03.1 and subsection 1 of section 39-06-19 of the North Dakota Century Code, relating to expiration of operator's licenses and nondriver photo identification cards.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebigler; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

Engrossed SB 2112 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2114: A BILL for an Act to amend and reenact section 36-01-08 of the North Dakota Century Code, relating to state board of animal health fees; and to provide a continuing appropriation.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebigler; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

Engrossed SB 2114 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to amend and reenact section 44-04-18.15 of the North Dakota Century Code, relating to records of nonprofit organizations providing support for higher education institutions.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

Engrossed SB 2160 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2162: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an optional income tax contribution for silver-haired education programs; to provide a continuing appropriation; 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 42 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Christmann; Stenehjem

ABSENT AND NOT VOTING: Andrist; Bowman; Pomeroy

SB 2162 passed and the title was agreed to.

REQUEST

SEN. POMEROY REQUESTED that the record show he intended to vote "YEA" on SB 2162, which request was granted.

SECOND READING OF SENATE BILL

SB 2176: A BILL for an Act to create and enact section 6-03-02.3 of the North Dakota Century Code, relating to parity of state and national bank powers; to amend and reenact sections 6-01-01 and 6-03-38 of the North Dakota Century Code, relating to the exclusivity of state regulation of financial institutions and credit unions and the uses of bank assets; and to provide a penalty.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

SB 2176 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2182: A BILL for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code, relating to bank operations in the case of an epidemic or other emergency.

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

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Bowman

SB 2182 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2304: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to coordinators of English language learner services; and to provide appropriations.

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 21 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Triplett; Warner

NAYS: Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Stenehjem; Tollefson; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Andrist; Bowman

SB 2304 lost.

SECOND READING OF SENATE BILL

SB 2306: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to matching grants for endowed scholarships by the state board of higher education; to provide for a transfer; and to provide an appropriation.

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 25 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Fiebiger; Freborg; Grindberg; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Triplett; Wanzek; Warner

NAYS: Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Oehlke; Olafson; Stenehjem; Tollefson; Urlacher; Wardner

ABSENT AND NOT VOTING: Andrist; Bowman

SB 2306 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2306 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2306 was rereferred.

POINT OF ORDER

SEN. NETHING REQUESTED a ruling by the President Pro Tem about the rereferral of SB 2306, which request was granted.

RULING BY THE PRESIDENT PRO TEM

PRESIDENT PRO TEM J. LEE RULED that SB 2306 is deemed reconsidered and must be referred to the **Appropriations Committee** under Senate Rule 329(3).

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 2011, SB 2025, SB 2030, SB 2045, SB 2050, SB 2066, SB 2117, SB 2135, SB 2145, SB 2163, SCR 4005.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2109, SB 2167.

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 1052, HB 1081.

MOTION

SEN. CHRISTMANN MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. CHRISTMANN 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 12:15 p.m., Friday, January 26, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2063: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2063 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2129: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2129 was placed on the Sixth order on the calendar.

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

Page 1, line 8, after "enforcement" insert "; and to declare an emergency"

Page 5, line 9, remove "- Recovery from obligor"

Page 8, line 13, replace "fnsurer" with "insurer"

Page 8, line 14, replace "data" with "information" and replace "public authority" with "state agency"

Page 8, line 15, after the underscored period insert "An insurer shall provide the health insurance information required in this section to the state agency or its agent not more frequently than twelve times in a year. The insurer shall provide the information required in this section at no cost if the information is in a readily available structure or format. If the state agency requests the information in a structure or format that is not readily available, the insurer may charge a reasonable fee for providing the information, not to exceed the actual cost of providing the information. The state agency and its agents may not use or disclose any information provided by the insurer under this section except to establish or enforce a child support or medical support obligation, or

as otherwise permitted or required by law. An insurer may not be held liable for the release of health insurance information to the state agency or its agents under this section.

SECTION 17. EMERGENCY. Section 16 of this Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2131: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2131 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "individual or group accident and health insurers,"

Page 1, line 15, remove "as a condition of doing"

Page 1, line 16, remove "business in the state"

Page 2, line 27, replace "the" with "a"

Page 3, after line 12, insert:

- "4. A health insurer is prohibited, in enrolling an individual or on the individual's behalf, from taking into account that the individual is eligible for or is provided medical assistance.
5. The department may not use or disclose any information provided by the insurer other than as permitted or required by law. The insurer may not be held liable for the release of insurance information to the department or a department agent if the release is authorized under this section.

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2133: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2133 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "adult or minor child" with "individual", after the underscored comma insert "and", replace "the adult's or minor child's" with "is based upon the determination of a", and replace "determines" with "which concludes that the individual is medically stable and is competent to direct the care provided"

Page 1, line 15, remove "can be safely performed" and remove "under the direction of a competent"

Page 1, line 16, remove "adult who resides in the home"

Page 1, line 22, replace "a person" with "an individual"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2144: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2144 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2148: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2148 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2158: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2158 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "the" with "that"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2165: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2165 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2171: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2171 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2195: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2204: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2204 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2216: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2216 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2226: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2226 was placed on the Sixth order on the calendar.

Page 2, line 5, replace "university instruction" with "research activities"

Page 2, line 9, remove "educational"

Page 2, line 13, replace "Promote and support university and public instruction in" with "Provide research results and other outreach programs promoting"

Page 2, line 15, remove "education and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2231: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2231 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2235: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2235 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2242: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2242 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2274: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2274 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2280: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2280 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2289: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2289 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4003: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4003 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Lyson, Fischer, Krebsbach and Reps. Charging, Drovdal, Sukut introduced:

SCR 4016: A concurrent resolution urging Congress to direct the United States Army Corps of Engineers to address and rectify the problems caused by the accumulation of sediment in the Missouri River main stem reservoirs.

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

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

William R. Horton, Secretary