

## JOURNAL OF THE SENATE

## Fifty-seventh Legislative Assembly

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Bismarck, March 15, 2001

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

The prayer was offered by Matthew Putz, Century Baptist Church, Bismarck.

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

A quorum was declared by the President.

## MOTION

**SEN. CHRISTMANN MOVED** that Engrossed HB 1065, which is on the Sixth order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, HB 1065 was rereferred.

## MOTION

**SEN. CHRISTMANN MOVED** that the rules be suspended, and after action taken on the Sixth order, HB 1226 and HB 1331 be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**HB 1226, as engrossed: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 808 be adopted and then be placed on the Fourteenth order with **DO PASS**.

## MOTION

**SEN. G. NELSON MOVED** that the Senate stand at ease while server problems are corrected, which motion prevailed.

**THE SENATE RECONVENED**, with President Dalrymple presiding.

## REQUEST

**SEN. COOK REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1226, which request was granted.

## ROLL CALL

The question being on the motion to adopt the amendments to Engrossed HB 1226, the roll was called and there were 28 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Espegard; Every; Fischer; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Krebsbach; Kroepflin; Lee; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Stenehjem; Tallackson; Tollefson; Tomac; Traynor

**NAYS:** Andrist; Christmann; Cook; Dever; Erbele; Flakoll; Freborg; Grindberg; Klein; Kringstad; Lyson; Mutch; Schobinger; Solberg; Thane; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Bowman

The motion to adopt the amendments to Engrossed HB 1226 passed.

## SECOND READING OF HOUSE BILL

**HB 1226:** A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to providing basic health insurance coverage for individuals and small employers.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 33 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch;

Nelson, G.; Nething; O'Connell; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; Polovitz; Robinson; Tomac

**ABSENT AND NOT VOTING:** Bowman

Engrossed HB 1226, as amended, passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**HB 1331: SEN. DEVER (Judiciary Committee) MOVED** that the amendments on SJ page 808 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1331:** A BILL for an Act to amend and reenact section 16.1-01-09 of the North Dakota Century Code, relating to initiative and referendum petitions.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Bowman

HB 1331, as amended, passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1137:** A BILL for an Act to amend and reenact sections 26.1-08-06 and 26.1-08-06.1 of the North Dakota Century Code, relating to minimum benefits and medicare supplement plans of a qualified comprehensive health plan.

#### 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Bowman

HB 1137 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1145:** A BILL for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08 of the North Dakota Century Code or in the alternative to amend and reenact sections 15.1-27-06 and 15.1-27-07 of the North Dakota Century Code, relating to the adjustment of weighting factors for per student state aid payments to school districts.

**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 22 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Christenson; Cook; Dever; Espgaard; Fischer; Flakoll; Grindberg; Holmberg; Kilzer; Krebsbach; Kringstad; Lee; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Stenehjem; Thane; Tollefson; Traynor; Wardner; Watne

**NAYS:** Andrist; Bercier; Christmann; Erbele; Every; Freborg; Heitkamp; Kelsh; Klein; Krauter; Kroeplin; Lindaas; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Tallackson; Tomac; Trenbeath; Urlacher; Wanzek

**ABSENT AND NOT VOTING:** Bowman

Engrossed HB 1145 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1229:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to the payment of signing bonuses by school boards.

**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, 48 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**NAYS:** Andrist; Bercier; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Bowman

Engrossed HB 1229 lost.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR**

**HCR 3055:** A concurrent resolution directing the Legislative Council to study the effectiveness of various economic development incentives and the feasibility and desirability of creating a reporting system that assists in compiling a complete inventory of economic development incentive programs and in evaluating the effectiveness of the programs.

**HCR 3057:** A concurrent resolution directing the Legislative Council to study the technological capacity and needs of the state.

**HCR 3064:** A concurrent resolution directing the Legislative Council to study workers' compensation fraud by employers, employees, attorneys, health care providers, and rehabilitation service providers in order to identify the financial impact of such fraud on the North Dakota workers' compensation fund, the most appropriate method of addressing such fraud, and the cost of addressing such fraud.

The question being on the final adoption of the resolutions, which have been read.

HCR 3055, Engrossed HCR 3057, and Engrossed HCR 3064 were declared adopted on a voice vote, and the titles were agreed to.

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**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on March 14, 2001, I have signed the following: SB 2072, SB 2079, SB 2083, SB 2089, SB 2092, SB 2094, SB 2134, SB 2138, SB 2140, SB 2146, SB 2147, SB 2157, SB 2158, SB 2168, SB 2260, SB 2283, SB 2284, SB 2326, SB 2349, SB 2363, SB 2421, and SB 2428.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on March 14, 2001, I have signed the following: SB 2065, SB 2096, SB 2099, SB 2100, SB 2101, SB 2110, SB 2111, SB 2165, SB 2171, SB 2185, SB 2214, SB 2302, and SB 2350.

Also, on March 15, 2001, I have signed the following: SB 2161, SB 2178, SB 2189, and SB 2199.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 15, 2001: SB 2046, SB 2059, SB 2060, SB 2062, SB 2126, SB 2136, SB 2164, SB 2174, SB 2211, SB 2231, SB 2341.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2151, SB 2154, SB 2206, SB 2212, SB 2215, SB 2254, SB 2334, SB 2372, SCR 4018, SCR 4019.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: SB 2046, SB 2059, SB 2060, SB 2062, SB 2126, SB 2136, SB 2164, SB 2174, SB 2211, SB 2231, SB 2341.

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1193, HB 1302, HB 1329, HB 1342, HB 1422, HB 1424, HCR 3012, HCR 3029, HCR 3031, HCR 3060, HCR 3062.

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

**MR. SPEAKER:** The Senate has failed to pass: HB 1107.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1182, HB 1398, HCR 3034.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2063, SB 2073, SB 2148, and SB 2172.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1027, HB 1031, HB 1033, HB 1044, HB 1047, HB 1059, HB 1071, HB 1074, HB 1075, HB 1084, HB 1089, HB 1091, HB 1118, HB 1154, HB 1167, HB 1170, HB 1175, HB 1185, HB 1186, HB 1198, HB 1199, HB 1205, HB 1225, HB 1236, HB 1239, HB 1252, HB 1266, HB 1271, HB 1277, HB 1284, HB 1324, HB 1327, HB 1356, HB 1378, HB 1392, HB 1405, HB 1453.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HCR 3010, HCR 3023, HCR 3024, HCR 3047, HCR 3052.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed unchanged: SB 2129, SB 2160, SB 2196.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2082, SB 2120, SB 2142, SB 2192, SB 2208, SB 2210, SB 2318, SB 2443.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2082**

Page 7, line 17, replace "Member interest groups approved by the board, limited to information concerning" with "The member's spouse or former spouse, that person's legal representative, and the judge presiding over the member's dissolution proceeding for purposes of aiding the parties in drafting a qualified domestic relations order under section 54-54-17.6. The information disclosed is limited to information necessary for drafting the order."

Page 7, remove line 18

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2120**

Page 1, line 1, after "reenact" insert "subsection 7 of section 38-08-09.4 and"

Page 1, line 2, after "to" insert "dissolution of units and to"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subsection 7 of section 38-08-09.4 of the North Dakota Century Code is amended and reenacted as follows:

7. The time when and conditions under which and the method by which the unit ~~shall~~ must or may be dissolved and its affairs wound up; however, the unit may be dissolved ten years after the unit agreement becomes effective upon a petition to the commission by the royalty owners who are credited with at least eighty percent of the production and proceeds thereof or for units established after the effective date of this Act, upon a petition to the commission by the royalty owners who are credited with at least sixty percent of the production and proceeds thereof, and a subsequent hearing and order by the commission. The commission may not dissolve any unit if the dissolution would be likely to result in waste or the violation of the correlative rights of any owner. This provision does not limit or restrict any other authority which the commission has."

ReNUMBER accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2142**

Page 5, line 12, overstrike "solely"

Page 13, line 21, overstrike "or renewal registration"

ReNUMBER accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2192**

Page 1, line 1, after "to" insert "create and enact a new subsection to section 26.1-38.1-05 of the North Dakota Century Code, relating to the powers and duties of a life and health insurance guaranty association; and to"

Page 1, line 12, overstrike "it" and insert immediately thereafter "the portion of the policy or contract" and after "based" insert "or to the extent that the rate of interest, crediting of a rate of interest, or similar factor determined by using an index or other external reference stated in the policy or contract which is employed in calculating returns or changes in value"

Page 3, after line 24, insert:

**"SECTION 2.** A new subsection to section 26.1-38.1-05 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Subject to approval of the receivership court, the association, in carrying out association duties in connection with guaranteeing, assuming, or reinsuring policies or contracts under subsections 2 and 3, may issue substitute coverage for a policy or contract that provides a rate of interest, crediting of a rate of interest, or similar factor determined by using an index or other external reference stated in the policy or contract which is employed in calculating returns or changes in value by issuing an alternative policy or contract if:

- a. Instead of the index or other external reference provided in the replaced policy or contract, the alternative policy or contract provides for a fixed interest rate, payment of dividends with minimum guarantees, or different method for calculating interest or changes in value;
- b. There is no requirement for evidence of insurability, a waiting period, or other exclusion that would not have applied under the replaced policy or contract; and
- c. The alternative policy or contract is substantially similar to the replaced policy or contract in all other material terms."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2208**

Page 1, line 16, remove "actually" and remove the overstrike over "~~or should have known~~"

Page 1, line 24, after "agent" insert "of another real estate brokerage firm"

Page 2, line 1, replace "the" with "another"

Page 2, line 4, after "agent" insert "of another real estate brokerage firm" and after "subagent" insert "of another real estate brokerage firm"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2210**

Page 1, line 7, replace "fifty" with "fifty-one", after "more" insert "eligible", and after "employees" insert "or upon termination of health insurance coverage for any employer, the employer"

Page 1, line 19, after "payments" insert "for each employee covered" and replace "employer" with "employer's health insurance plan"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2318**

Page 1, line 1, after "contracts" insert "; to amend and reenact sections 26.1-40-18 and 26.1-40-22 of the North Dakota Century Code, relating to automobile warranties; and to repeal sections 26.1-40-19, 26.1-40-20, and 26.1-40-21 of the North Dakota Century Code, relating to automobile warranty insurance"

Page 1, line 3, underscore "**Property service contracts - Exemption.**"

Page 1, underscore lines 4 through 11

Page 1, line 12, underscore "property service contract may include" and insert immediately thereafter "motor vehicle;" and underscore "residential appliances; residential systems,"

Page 1, underscore lines 13 through 18

Page 1, after line 18, insert:

**"SECTION 2. AMENDMENT.** Section 26.1-40-18 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-40-18. Automobile warranties construed.** ~~An automobile dealer or a third-party administrator who issues an automobile warranty issued by anyone other than the automobile manufacturer or dealer is a contract of insurance and all warranties must be on a contract form prescribed or approved by the commissioner, automobile mechanical breakdown contract, or automobile service contract shall maintain a policy of insurance which provides coverage for the dealer's or administrator's contractual obligation.~~

**SECTION 3. AMENDMENT.** Section 26.1-40-22 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-40-22. Penalty.** Any person violating ~~sections~~ section 26.1-40-18 ~~through 26.1-40-21~~ is guilty of a class A misdemeanor.

**SECTION 4. REPEAL.** Sections 26.1-40-19, 26.1-40-20, and 26.1-40-21 of the North Dakota Century Code are repealed."

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2443**

Page 2, line 9, after "section" insert ", or the personal representative of the decedent's estate, if any."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has failed to pass: SB 2080, SB 2139, SB 2218.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1031, HB 1047, HB 1059, HB 1170, and HB 1405.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1099 and HB 1294 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1099:** Reps. Grande; Skarphol; Kroeber

**HB 1294:** Reps. Jensen; L. Thoreson; Grumbo

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1058 and HB 1363 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1058:** Reps. Nelson; Bellew; Mueller

**HB 1363:** Reps. Maragos; Disrud; Delmore

**MOTION**

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

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 16, 2001, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1108, as engrossed: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1108 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1115, as reengrossed: Human Services Committee (Sen. Lee, 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). Reengrossed HB 1115 was placed on the Sixth order on the calendar.

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

Page 1, after line 9, insert:

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

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1153: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1153 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1159: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1159 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1161: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1161 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1162: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1162 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "pay to" with "determine on an annual basis, for"

Page 1, line 18, remove "subsequent annual"

Page 1, line 19, replace "benefits" with "benefit increases"

Page 2, line 7, replace "pay to" with "determine on an annual basis, for", replace "subsequent annual" with an underscored comma, and replace "benefits" with "benefit increases"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1221, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1221 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1222, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1222 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1223, as reengrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed HB 1223 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1228, as engrossed: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1228 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1260: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1260 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1281, as reengrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed HB 1281 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1282, as engrossed: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1282 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**HB 1360, as engrossed: Human Services Committee (Sen. Lee, 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). Engrossed HB 1360 was placed on the Sixth order on the calendar.

Page 1, line 22, after the period insert "May apply for, solicit, accept, and expend any contribution, grant, or gift made available from public or private sources for the purpose of implementing this section.

7."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1379, as engrossed: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1379 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1400, as reengrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Reengrossed HB 1400 was placed on the Sixth order on the calendar.

Page 2, line 1, after the period insert "For purposes of this section, a business that provides essential services does not include a public utility."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1407, as reengrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1407 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1414, as reengrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1414 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1415: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1415 was placed on the Sixth order on the calendar.

Page 1, line 3, after "facility" insert "or group home"

Page 1, line 17, after "**facility**" insert "or group home"

Page 1, line 20, after "facility" insert "or a group home"

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1427, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 7, after "services" insert "paid for by the consumer from proceeds of an insurance policy that provides coverage for physical damage to automobiles"

Page 1, line 8, remove "as an incentive" and overstrike ", paid for by"

Page 1, overstrike line 9

Page 1, line 10, overstrike "for physical damage to automobiles, and to" and insert immediately thereafter "as an incentive."

Page 1, line 11, after "deductible" insert an underscored comma and overstrike the first "to"

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1448, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1448 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3020, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3020 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3021, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS,

0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3021 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3022, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3022 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3059: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3059 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3066, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3066 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "there is not" with "we encourage"

Renumber accordingly

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

**WILLIAM R. HORTON, Secretary**