

Stuhr for her time and trouble in working with us on this. And I would ask if this is proper procedure that the Legislature adopt AM1579 as published in the Journal as an amendment or rewrite of AM1518. I'd be happy to answer any questions if there are any.

PRESIDENT ROBAK: Thank you, Senator Matzke. Senator Witek.

SENATOR WITEK: Madam President and members of the body, Senator Matzke, would you yield to some questions?

PRESIDENT ROBAK: Senator Matzke.

SENATOR MATZKE: Yes, I'd be happy to.

SENATOR WITEK: First, I'd like to know some of the reasoning behind changing the language under 5 of Section 22, on changing it from the department shall develop to the department may develop. We're making it permissive now instead of demanding that they develop information about the registry. I guess I was under the impression that if we had a good, solid registry going, if we would make more people aware that there was a registry there would be less problems possibly later on through the adoptions of publication and those kinds of things that we're talking about.

SENATOR MATZKE: Well, I would agree with you that the stronger a registry it is, the better it would be. Now there's a technical problem with using the word shall. Originally this amendment said shall give notice quarterly. And we were advised by legal counsel that that might lay the basis for somebody to attack the constitutionality of the legality of the bill on the grounds that maybe the Department of Social Services missed the quarterly announcement or missed putting the publication out, and that rather than making it mandatory with shall we should make it permissive and then insist that they do the job.

SENATOR WITEK: So this is permissive in the strongest possible terms, the Department of Social Services will carry out the...expanding the notification and having people aware of the registry.

SENATOR MATZKE: Right.

SENATOR WITEK: Okay.