

STATE OF MINNESOTA

# Journal of the Senate

SEVENTY-NINTH LEGISLATURE

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EIGHTY-FIFTH DAY

St. Paul, Minnesota, Monday, February 26, 1996

The Senate met at 12:00 noon and was called to order by the President.

## CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Marilyn Saure Breckenridge.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators answered to their names:

Anderson	Hanson	Kroening	Murphy	Riveness
Beckman	Hottinger	Laidig	Neuville	Robertson
Belanger	Janezich	Langseth	Novak	Runbeck
Berg	Johnson, D.E.	Larson	Oliver	Sams
Berglin	Johnson, D.J.	Lesewski	Olson	Samuelson
Betzold	Johnson, J.B.	Lessard	Ourada	Scheevel
Cohen	Johnston	Limmer	Pappas	Solon
Day	Kelly	Marty	Pariseau	Spear
Dille	Kiscaden	Merriam	Piper	Stevens
Finn	Kleis	Metzen	Pogemiller	Stumpf
Fischbach	Knutson	Moe, R.D.	Price	Terwilliger
Flynn	Kramer	Mondale	Ranum	Vickerman
Frederickson	Krentz	Morse	Reichgott Junge	Wiener

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

## REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on H.F. 2321. The motion prevailed.

**Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred**

**H.F. No. 1998** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.	S.F. No.
1998	1735

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred**

**H.F. No. 3070** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.	S.F. No.
3070	2793

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred**

**H.F. No. 2284** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.	S.F. No.
2284	1948

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2284 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2284 and insert the language after the enacting clause of S.F. No. 1948, the first engrossment; further, delete the title of H.F. No. 2284 and insert the title of S.F. No. 1948, the first engrossment.

And when so amended H.F. No. 2284 will be identical to S.F. No. 1948, and further recommends that H.F. No. 2284 be given its second reading and substituted for S.F. No. 1948, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred**

**H.F. No. 2282** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.	S.F. No.
2282	2114

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2282 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2282 and insert the language after the enacting clause of S.F. No. 2114, the first engrossment; further, delete the title of H.F. No. 2282 and insert the title of S.F. No. 2114, the first engrossment.

And when so amended H.F. No. 2282 will be identical to S.F. No. 2114, and further recommends that H.F. No. 2282 be given its second reading and substituted for S.F. No. 2114, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred**

**H.F. No. 2478** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2478	2372				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2478 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2478 and insert the language after the enacting clause of S.F. No. 2372, the first engrossment; further, delete the title of H.F. No. 2478 and insert the title of S.F. No. 2372, the first engrossment.

And when so amended H.F. No. 2478 will be identical to S.F. No. 2372, and further recommends that H.F. No. 2478 be given its second reading and substituted for S.F. No. 2372, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred**

**H.F. No. 2672** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2672	2135				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2672 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2672 and insert the language after the enacting clause of S.F. No. 2135, the first engrossment; further, delete the title of H.F. No. 2672 and insert the title of S.F. No. 2135, the first engrossment.

And when so amended H.F. No. 2672 will be identical to S.F. No. 2135, and further recommends that H.F. No. 2672 be given its second reading and substituted for S.F. No. 2135, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.



Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 473.608, is amended by adding a subdivision to read:

Subd. 23. [PARKING PRIVILEGES.] Except as otherwise provided in this subdivision, the commission may not provide free parking at the Minneapolis-Saint Paul international airport terminal. The commission may provide free parking to employees and members of the commission who are at the terminal on official business. The commission may provide free parking at the Minneapolis-Saint Paul international airport terminal for persons who are not employees or members of the commission if those persons are attending a meeting of the commission or performing volunteer work in the terminal. A card or pass issued to provide free parking must have an expiration date of no later than one year after the card or pass is issued. The commission shall require an expired card to be returned to the commission or otherwise accounted for. The commission shall maintain a record of who receives free parking at the terminal, including the person's name and organization, date, the dollar value of the free parking provided, and the purpose for which the free parking was provided.

Sec. 2. [EXISTING PARKING CARDS EXPIRE.]

All cards or passes authorizing free parking at the Minneapolis-Saint Paul international airport terminal issued by the commission before the effective date of this act, expire on the effective date of this act. The commission shall ensure that all free parking cards or passes issued on or after the effective date of this act are distinguishable from any cards or passes previously issued. The commission shall not honor expired free parking cards or passes.

Sec. 3. [APPLICATION.]

Sections 1 and 2 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to the metropolitan airports commission; prohibiting free parking; providing for the expiration of free parking cards; amending Minnesota Statutes 1994, section 473.608, by adding a subdivision."

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Mr. Merriam from the Committee on Finance, to which was re-referred**

**S.F. No. 2167:** A bill for an act relating to the organization and operation of state government; appropriating money and modifying provisions relating to the environment, natural resources, and agriculture; supplementing, reducing, and modifying earlier appropriations; establishing a board; establishing an off-highway vehicle recreation area; providing for reports and fees; amending Minnesota Statutes 1994, sections 17.117, subdivision 3; 17B.15, subdivision 1; 85.052, subdivision 3; 85.054, by adding a subdivision; 85.055, subdivision 1; 94.16, subdivision 3; and 97A.028, subdivision 3; Minnesota Statutes 1995 Supplement, sections 103F.725, subdivision 1a; and 446A.07, subdivision 8; Laws 1995, chapters 207, article 1, section 2, subdivision 7; 220, section 19, subdivisions 4, 6, 10, and 19; and 254, article 1, section 93; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Laws 1995, chapter 224, section 18, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 26 to 33 and insert:

"SUMMARY BY FUND

	1996	1997	TOTAL
General	\$1,795,000	\$ 830,000	\$2,625,000
Solid Waste	150,000	629,000	779,000
Minnesota Future Resources	2,755,000	-0-	2,755,000
Environment and Natural Resources Trust	1,630,000	-0-	1,630,000
Natural Resources	1,350,000	-0-	1,350,000
Taconite Environmental Protection	750,000	-0-	750,000
TOTAL	8,430,000	1,459,000	9,889,000"

Page 2, delete line 28 and insert:

"Sec. 3. NATURAL RESOURCES	2,640,000	730,000
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Summary by Fund

General	540,000	730,000
Natural Resources	1,350,000	
Taconite Environmental Protection	750,000"	

Page 3, delete line 25 and insert:

"Subd. 4. Trails and Waterways	2,100,000	150,000
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Summary by Fund

General		150,000
Natural Resources	1,350,000	
Taconite Environmental Protection	750,000"	

Page 7, delete line 9 and insert:

"ASSISTANCE		100,000"
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Page 7, line 22, delete "This appropriation is"

Page 7, delete line 23

Page 35, delete lines 21 to 23 and insert:

"(a) Except as provided in paragraph (b), this act is effective the day following final enactment.

(b) Sections 12, 14, 21, and 22 are effective July 1, 1996. Section 16 is effective January 1, 1997. Section 18 is effective for 1997 state park permits."

And when so amended the bill do pass. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2856 and 2167 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 1998, 3070, 2284, 2282, 2478 and 2672 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Larson moved that S.F. No. 1816 be withdrawn from the Committee on Governmental Operations and Veterans and returned to its author. The motion prevailed.

Ms. Lesewski moved that S.F. No. 1822 be withdrawn from the Committee on Metropolitan and Local Government and returned to its author. The motion prevailed.

Ms. Piper moved that S.F. No. 1929, No. 130 on General Orders, be stricken and returned to its author. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2849 a Special Order to be heard immediately.

**SPECIAL ORDER**

**S.F. No. 2849:** A bill for an act relating to education; appropriating money for education and related purposes to the higher education services office, the board of trustees of the Minnesota state colleges and universities, and the board of regents of the University of Minnesota; amending Laws 1994, chapter 643, section 69, subdivision 1.

Ms. Robertson moved to amend S.F. No. 2849 as follows:

Page 3, delete lines 23 to 45

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Beckman	Janezich	Knutson	Metzen	Robertson
Belanger	Johnson, D.E.	Kramer	Moe, R.D.	Runbeck
Berg	Johnson, D.J.	Laidig	Mondale	Sams
Day	Johnson, J.B.	Larson	Murphy	Samuelson
Dille	Johnston	Lesewski	Oliver	Scheevel
Fischbach	Kelly	Lessard	Olson	Stevens
Frederickson	Kiscaden	Limmer	Ourada	Vickerman
Hanson	Kleis	Merriam	Pariseau	Wiener

Those who voted in the negative were:

Anderson	Flynn	Marty	Pogemiller	Solon
Berglin	Hottinger	Morse	Price	Spear
Betzold	Krentz	Novak	Ranum	Stumpf
Cohen	Kroening	Pappas	Reichgott Junge	
Finn	Langseth	Piper	Riveness	

The motion prevailed. So the amendment was adopted.

Mr. Frederickson moved to amend S.F. No. 2849 as follows:

Page 4, delete section 4 and insert:

"Sec. 4. BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA

-0-

14,500,000

(a) Reengineer Health Care  
Education

-0- 5,000,000

This appropriation is for the academic health center to redesign and restructure its health care education programs. These funds may be used for curriculum redesign, to underwrite the development of new or expanded programs, and cover the costs of downsizing programs and retraining faculty and staff. This appropriation is nonrecurring.

(b) Academic Health Center  
Technology

-0- 9,500,000

This appropriation is for the academic health center for the development and purchase of new information technology to improve the delivery of health care education programs."

Correct the subdivision and section totals and the summaries by fund accordingly

Amend the title accordingly

The motion did not prevail. So the amendment was not adopted.

Mr. Morse moved to amend S.F. No. 2849 as follows:

Page 4, line 13, after the period, insert "At least 95 percent of this appropriation must be distributed to campuses, either in money or in kind."

Mr. Morse then moved to amend the Morse amendment to S.F. No. 2849 as follows:

Page 1, line 3, delete the comma

Page 1, line 4, delete "either in money or in kind"

The motion prevailed. So the amendment to the amendment was adopted.

The question was taken on the Morse amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 2849 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Oliver	Sams
Beckman	Hottinger	Langseth	Olson	Samuelson
Belanger	Janezich	Larson	Ourada	Scheevel
Berg	Johnson, D.E.	Lesewski	Pappas	Solon
Berglin	Johnson, D.J.	Lessard	Pariseau	Spear
Betzold	Johnson, J.B.	Limmer	Piper	Stevens
Cohen	Kelly	Marty	Pogemiller	Stumpf
Day	Kiscaden	Metzen	Price	Terwilliger
Dille	Kleis	Moe, R.D.	Ranum	Vickerman
Finn	Knutson	Mondale	Reichgott Junge	Wiener
Fischbach	Kramer	Morse	Riveness	
Flynn	Krentz	Murphy	Robertson	
Frederickson	Kroening	Novak	Runbeck	



Ms. Johnston and Mr. Merriam voted in the negative.

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2857 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2857:** A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government; amending Minnesota Statutes 1994, sections 8.15, by adding a subdivision; 16D.02, subdivision 2; 16D.03, subdivisions 2 and 3; 16D.04, subdivision 2; 16D.09; 69.021, subdivision 4, and by adding subdivisions; 69.031, subdivisions 1 and 5; 144C.03, subdivision 2; 363.071, subdivision 7; and 423A.02, by adding a subdivision; Minnesota Statutes 1995 Supplement, sections 16D.02, subdivision 8; 16D.04, subdivision 1; 16D.06, subdivision 2; 16D.08, subdivision 2; 16D.11, subdivisions 1 and 7; and 16D.12; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1995 Supplement, section 353.65, subdivision 7.

Mr. Stumpf moved to amend S.F. No. 2857 as follows:

Page 19, line 14, before the period, insert ", the University of Minnesota, and the Minnesota state colleges and universities"

The motion prevailed. So the amendment was adopted.

S.F. No. 2857 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kramer	Morse	Runbeck
Beckman	Frederickson	Krentz	Murphy	Sams
Belanger	Hanson	Kroening	Novak	Samuelson
Berg	Hottinger	Laidig	Oliver	Solon
Berglin	Janezich	Larson	Pappas	Spear
Betzold	Johnson, D.E.	Lesewski	Piper	Stumpf
Cohen	Johnson, D.J.	Lessard	Pogemiller	Terwilliger
Day	Johnson, J.B.	Merriam	Price	Vickerman
Dille	Kelly	Metzen	Ranum	Wiener
Finn	Kleis	Moe, R.D.	Reichgott Junge	
Fischbach	Knutson	Mondale	Riveness	

Those who voted in the negative were:

Johnston	Limmer	Ourada	Robertson	Stevens
Kiscaden	Olson	Pariseau	Scheevel	

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2760 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2760:** A bill for an act relating to agriculture; providing an exception to alien ownership of agricultural land for production of timber and forestry products; amending Minnesota Statutes 1994, section 500.221, subdivision 2.

Mr. Lessard moved to amend S.F. No. 2760 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 500.221, subdivision 2, is amended to read:

Subd. 2. [ALIENS AND NON-AMERICAN CORPORATIONS.] Except as hereinafter provided, no natural person shall acquire directly or indirectly any interest in agricultural land unless the person is a citizen of the United States or a permanent resident alien of the United States. In addition to the restrictions in section 500.24, no corporation, partnership, limited partnership, trustee, or other business entity shall directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial or otherwise, in any title to agricultural land unless at least 80 percent of each class of stock issued and outstanding or 80 percent of the ultimate beneficial interest of the entity is held directly or indirectly by citizens of the United States or permanent resident aliens. This section shall not apply:

(1) to agricultural land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise. All agricultural land acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership;

(2) to citizens or subjects of a foreign country whose rights to hold land are secured by treaty;

(3) to lands used for transportation purposes by a common carrier, as defined in section 218.011, subdivision 2;

(4) to lands or interests in lands acquired for use in connection with (i) the production of timber and forestry products by a corporation organized under the laws of Minnesota, the majority of shares of which were acquired by a foreign person prior to May 27, 1981, or (ii) mining and mineral processing operations. Pending the development of agricultural land for mining purposes the land may not be used for farming except under lease to a family farm, a family farm corporation or an authorized farm corporation;

(5) to agricultural land operated for research or experimental purposes if the ownership of the agricultural land is incidental to the research or experimental objectives of the person or business entity and the total acreage owned by the person or business entity does not exceed the acreage owned on May 27, 1977;

(6) to the purchase of any tract of 40 acres or less for facilities incidental to pipeline operation by a company operating a pipeline as defined in section 116I.01, subdivision 3; or

(7) to agricultural land and land capable of being used as farmland in vegetable processing operations that is reasonably necessary to meet the requirements of pollution control law or rules.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Mr. Merriam moved to amend the Lessard amendment to S.F. No. 2760 as follows:

Page 1, line 33, delete from "the" through page 1, line 34, to "1981,"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Finn moved to amend the Lessard amendment to S.F. No. 2760 as follows:

Page 1, line 36, after the first "for" insert "the production of timber and forestry products or"

The motion prevailed. So the amendment to the amendment was adopted.

The question was taken on the adoption of the Lessard amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 2760 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Kroening	Oliver	Runbeck
Belanger	Janezich	Langseth	Olson	Samuelson
Berg	Johnson, D.E.	Larson	Ourada	Scheevel
Berglin	Johnson, D.J.	Lesewski	Pappas	Spear
Betzold	Johnson, J.B.	Lessard	Pariseau	Stevens
Cohen	Johnston	Limmer	Piper	Stumpf
Day	Kelly	Merriam	Pogemiller	Terwilliger
Dille	Kiscaden	Metzen	Price	Wiener
Finn	Kleis	Moe, R.D.	Ranum	
Fischbach	Knutson	Mondale	Reichgott Junge	
Flynn	Kramer	Murphy	Riveness	
Hanson	Krentz	Novak	Robertson	

Those who voted in the negative were:

Beckman	Marty	Morse	Sams	Vickerman
Frederickson				

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2011 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2011:** A bill for an act relating to crime; providing that whoever flees the scene of an accident in which death or injury occurs and who was driving under the influence of alcohol is guilty of criminal vehicular operation; prescribing penalties; amending Minnesota Statutes 1994, sections 169.09, subdivision 14; and 609.21, subdivisions 1, 2, 2a, 3, and 4.

Ms. Wiener moved to amend S.F. No. 2011 as follows:

Amend the title as follows:

Page 1, line 4, delete "and who was driving under the influence of alcohol"

The motion prevailed. So the amendment was adopted.

S.F. No. 2011 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Oliver	Sams
Beckman	Janezich	Larson	Olson	Scheevel
Belanger	Johnson, D.E.	Lesewski	Ourada	Solon
Berg	Johnson, D.J.	Lessard	Pappas	Spear
Berglin	Johnson, J.B.	Limmer	Pariseau	Stevens
Betzold	Johnston	Marty	Piper	Stumpf
Cohen	Kelly	Merriam	Pogemiller	Terwilliger
Day	Kiscaden	Metzen	Price	Vickerman
Dille	Kleis	Moe, R.D.	Ranum	Wiener
Fischbach	Knutson	Mondale	Reichgott Junge	
Flynn	Kramer	Morse	Riveness	
Frederickson	Krentz	Murphy	Robertson	
Hanson	Kroening	Novak	Runbeck	

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 2008 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2008:** A bill for an act relating to insurance; health; regulating childbirth and postpartum care benefits; proposing coding for new law in Minnesota Statutes, chapter 62A.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Morse	Reichgott Junge
Beckman	Hanson	Kroening	Murphy	Riveness
Belanger	Hottinger	Laidig	Novak	Sams
Berglin	Janezich	Langseth	Oliver	Samuelson
Betzold	Johnson, D.E.	Larson	Olson	Solon
Cohen	Johnson, D.J.	Lessard	Ourada	Spear
Day	Johnson, J.B.	Limmer	Pariseau	Stevens
Dille	Kelly	Marty	Piper	Stumpf
Finn	Kleis	Metzen	Pogemiller	Terwilliger
Fischbach	Knutson	Moe, R.D.	Price	Vickerman
Flynn	Kramer	Mondale	Ranum	Wiener

Those who voted in the negative were:

Berg	Kiscaden	Pappas	Runbeck	Scheevel
Johnston	Merriam	Robertson		

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2332 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2332:** A bill for an act relating to health professions; modifying provisions relating to sexual misconduct; amending Minnesota Statutes 1994, sections 13.99, subdivision 44; 147.01, subdivision 4; and 147.091, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

Mr. Merriam moved to amend S.F. No. 2332 as follows:

Pages 1 and 2, delete section 3

Page 3, line 21, delete "Such" and insert "The"

Page 4, after line 14, insert:

"Sec. 5. [147.092] [PROBABLE CAUSE HEARING; SEXUAL MISCONDUCT.]

(a) In any contested case in which a violation of section 147.091, subdivision 1, paragraph (t), is charged all parties shall be afforded an opportunity for a probable cause hearing before an administrative law judge. The motion for a hearing must be made to the office of administrative hearings within 20 days of the filing date of the contested case and served upon the board upon filing. Any hearing shall be held within 30 days of the motion. The administrative law judge shall issue a decision within 20 days of completion of the probable cause hearing. If there is no request for a hearing, the portion of the notice of and order for hearing relating to allegations of sexual misconduct automatically becomes public.

(b) The scope of the probable cause hearing is confined to a review of the facts upon which the complaint review committee of the board based its determination that there was a reasonable belief that section 147.091, subdivision 1, paragraph (t), was violated. The administrative law judge shall determine whether there is a sufficient showing of probable cause to believe the licensee committed the violations listed in the notice of and order for hearing, and shall receive evidence offered in support or opposition. Each party may cross-examine any witnesses produced by the other. A finding of probable cause shall be based upon the entire record including reliable hearsay in whole or in part and requires only a preponderance of the evidence. The burden of proof rests with the board.

(c) Upon a showing of probable cause, that portion of the notice of and order for hearing filed by the board that pertains to the allegations of sexual misconduct, including the factual allegations that support the charge, become public data. In addition, the notice of and order for hearing may be amended. A finding of no probable cause by the administrative law judge is grounds for dismissal without prejudice. Nothing in this section shall prevent the board from reopening the investigation or filing charges based on the same subject matter at a later date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2332 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Novak	Sams
Beckman	Hottinger	Langseth	Oliver	Samuelson
Belanger	Janezich	Larson	Olson	Scheevel
Berg	Johnson, D.E.	Lesewski	Ourada	Solon
Berglin	Johnson, D.J.	Lessard	Pappas	Spear
Betzold	Johnson, J.B.	Limmer	Pariseau	Stevens
Cohen	Johnston	Marty	Piper	Stumpf
Day	Kelly	Merriam	Pogemiller	Terwilliger
Dille	Kiscaden	Metzen	Price	Vickerman
Finn	Kleis	Moe, R.D.	Ranum	Wiener
Fischbach	Knutson	Mondale	Riveness	
Flynn	Kramer	Morse	Robertson	
Frederickson	Krentz	Murphy	Runbeck	

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2419 a Special Order to be heard immediately.

### **SPECIAL ORDER**

**S.F. No. 2419:** A bill for an act relating to veterans affairs; authorizing the placement of a plaque on the capitol grounds recognizing the service of women veterans from all wars.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Oliver	Samuelson
Beckman	Janezich	Langseth	Olson	Scheevel
Belanger	Johnson, D.E.	Larson	Ourada	Solon
Berg	Johnson, D.J.	Lesewski	Pappas	Spear
Berglin	Johnson, J.B.	Limmer	Pariseau	Stevens
Betzold	Johnston	Marty	Piper	Stumpf
Cohen	Kelly	Merriam	Pogemiller	Terwilliger
Day	Kiscaden	Metzen	Price	Vickerman
Finn	Kleis	Moe, R.D.	Ranum	Wiener
Fischbach	Knutson	Mondale	Riveness	
Flynn	Kramer	Morse	Robertson	
Frederickson	Krentz	Murphy	Runbeck	
Hanson	Kroening	Novak	Sams	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2148 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2148:** A bill for an act relating to utilities; holding members of a team of science advisors to study the effects of stray voltage in the earth immune from suit based on its report; indemnifying members for court costs.

Mr. Murphy moved that S.F. No. 2148 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2296 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2296:** A bill for an act relating to state trails; establishing a new trail in Freeborn and Mower counties; amending Minnesota Statutes 1994, section 85.015, by adding a subdivision.

Ms. Piper moved that S.F. No. 2296 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2272 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2272:** A bill for an act relating to health; extending the repealer of the prohibition on exclusive relationships; amending Minnesota Statutes 1994, section 62Q.09, subdivision 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Finn	Johnson, J.B.	Langseth	Mondale
Beckman	Fischbach	Johnston	Larson	Morse
Belanger	Flynn	Kelly	Lesewski	Murphy
Berg	Frederickson	Kiscaden	Lessard	Neuville
Berglin	Hanson	Kleis	Limmer	Olson
Betzold	Hottinger	Knutson	Marty	Ourada
Cohen	Janezich	Kramer	Merriam	Pappas
Day	Johnson, D.E.	Krentz	Metzen	Pariseau
Dille	Johnson, D.J.	Laidig	Moe, R.D.	Piper

Pogemiller  
Price  
Ranum  
Reichgott Junge

Riveness  
Robertson  
Runbeck

Sams  
Samuelson  
Scheevel

Spear  
Stevens  
Stumpf

Terwilliger  
Vickerman  
Wiener

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2188 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2188:** A bill for an act relating to economic development; clarifying local conflict of interest provisions; amending Minnesota Statutes 1994, sections 13.99, subdivision 97a; 469.174, subdivision 2; and 471.88, subdivision 14; Minnesota Statutes 1995 Supplement, section 216B.161, subdivision 1; repealing Minnesota Statutes 1994, sections 13.99, subdivision 97; and 469.150.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Mondale	Reichgott Junge
Beckman	Hottinger	Kroening	Morse	Riveness
Belanger	Janezich	Laidig	Murphy	Robertson
Berglin	Johnson, D.E.	Langseth	Neuville	Runbeck
Betzold	Johnson, D.J.	Larson	Olson	Sams
Cohen	Johnson, J.B.	Lesewski	Ourada	Scheevel
Day	Johnston	Lessard	Pappas	Solon
Dille	Kelly	Limmer	Pariseau	Spear
Finn	Kiscaden	Marty	Piper	Stevens
Fischbach	Kleis	Merriam	Pogemiller	Terwilliger
Flynn	Knutson	Metzen	Price	Vickerman
Frederickson	Kramer	Moe, R.D.	Ranum	Wiener

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2149 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2149:** A bill for an act relating to employment; modifying provisions relating to payment of wages; reducing the age requirement for newspaper carriers under the children labor law; amending Minnesota Statutes 1994, sections 181.032; 181.13; 181.14; and 181A.07, subdivision 3.

Ms. Kiscaden moved to amend S.F. No. 2149 as follows:

Page 2, line 2, before "fails" insert "knowingly"

The motion prevailed. So the amendment was adopted.

S.F. No. 2149 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Murphy	Robertson
Beckman	Hottinger	Laidig	Neuville	Runbeck
Belanger	Janezich	Langseth	Oliver	Sams
Berg	Johnson, D.E.	Larson	Olson	Samuelson
Berglin	Johnson, D.J.	Lesewski	Ourada	Scheevel
Betzold	Johnson, J.B.	Lessard	Pappas	Solon
Cohen	Johnston	Limmer	Pariseau	Spear
Day	Kelly	Marty	Piper	Stevens
Dille	Kiscaden	Merriam	Pogemiller	Stumpf
Finn	Kleis	Metzen	Price	Terwilliger
Fischbach	Knutson	Moe, R.D.	Ranum	Vickerman
Flynn	Kramer	Mondale	Reichgott Junge	Wiener
Frederickson	Krentz	Morse	Riveness	

So the bill, as amended, was passed and its title was agreed to.

Ms. Piper moved that S.F. No. 2296 be taken from the table. The motion prevailed.

**S.F. No. 2296:** A bill for an act relating to state trails; establishing a new trail in Freeborn and Mower counties; amending Minnesota Statutes 1994, section 85.015, by adding a subdivision.

Mr. Scheevel moved to amend S.F. No. 2296 as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1995 Supplement, section 85.015, subdivision 7, is amended to read:

Subd. 7. [BLUFFLANDS TRAIL SYSTEM, FILLMORE, OLMSTED, WINONA, AND HOUSTON COUNTIES.] (a) The Root River trail shall originate at Chatfield in Fillmore county, and thence extend easterly in the Root river valley to the intersection of the river with Minnesota trunk highway No. 26 in Houston county, and extend to the Mississippi river.

(b) Additional trails shall be established that extend the Blufflands Trail System to include La Crescent, Hokah, Caledonia, and Spring Grove in Houston county; Preston, Harmony, Fountain, Wykoff, Spring Valley, Mabel, Canton, and Ostrander in Fillmore county; Dover, Eyota, Stewartville, Byron, and Chester Woods county park in Olmsted county; and Winona, Minnesota City, Rollingstone, Altura, Lewiston, Utica, St. Charles, and Elba in Winona county. In addition to the criteria in section 86A.05, subdivision 4, these trails must utilize abandoned railroad rights-of-way where possible.

(c) The trails shall be developed primarily for nonmotorized riding and hiking."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, before the period, insert "; Minnesota Statutes 1995 Supplement, section 85.015, subdivision 7"

The motion prevailed. So the amendment was adopted.

S.F. No. 2296 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Flynn	Johnson, D.E.	Kleis
Beckman	Cohen	Frederickson	Johnson, D.J.	Knutson
Belanger	Day	Hanson	Johnson, J.B.	Kramer
Berg	Finn	Hottinger	Kelly	Krentz
Berglin	Fischbach	Janezich	Kiscaden	Kroening



Laidig	Metzen	Olson	Reichgott Junge	Spear
Larson	Moe, R.D.	Ourada	Riveness	Stevens
Lesewski	Mondale	Pariseau	Runbeck	Stumpf
Lessard	Morse	Piper	Sams	Terwilliger
Limmer	Murphy	Pogemiller	Samuelson	Vickerman
Marty	Neuville	Price	Scheevel	Wiener
Merriam	Oliver	Ranum	Solon	

Mses. Johnston and Robertson voted in the negative.

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 2411 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2411:** A bill for an act relating to game and fish; prohibiting trespassing on agricultural land for outdoor recreation; prohibiting trespassing on certain private land for outdoor recreation; modifying posting requirements; modifying provisions for retrieving dogs and wounded game; prohibiting hunting in certain areas; providing civil penalties; establishing an appeals procedure; directing the disposition of penalty amounts; amending Minnesota Statutes 1994, section 94B.001, subdivisions 2, 3, 4, 5, 6, 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97B.

Mr. Merriam moved to amend H.F. No. 2411, the unofficial engrossment, as follows:

Page 1, delete section 1

Page 3, line 4, delete "term" and insert "terms"

Page 3, line 6, after "(3)" insert "either:

(i)" and reinstate the stricken "are signed by" and delete "include the legible name and phone"

Page 3, line 7, delete the new language and after the semicolon, insert "or

(ii) include the legible name and telephone number of the owner, occupant, lessee, or authorized manager;"

Page 3, line 9, after "(4)" insert "either:

(i)" and reinstate the stricken language

Page 3, line 10, reinstate the stricken language

Page 3, line 11, reinstate the stricken language and after the reinstated "less" insert "; or

(ii)"

Page 3, lines 15 to 18, delete the new language

Page 5, line 14, delete everything after the comma

Page 5, line 15, delete everything before "except"

Page 5, after line 23, insert:

"Sec. 9. [APPLICABILITY.]

Section 8 applies to violations committed on or after August 1, 1996."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Kramer moved to amend H.F. No. 2411, the unofficial engrossment, as follows:

Page 4, line 33, delete from "every" through page 1, line 36, to "violation,"

Mr. Murphy moved that S.F. No. 2411 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 2365 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2365:** A bill for an act relating to natural resources; modifying open burning restrictions; empowering the commissioner to declare an emergency; modifying provisions relating to timber sales; amending Minnesota Statutes 1994, sections 88.171, subdivisions 4 and 10; 90.031, subdivision 4; 90.041, by adding a subdivision; 90.101, subdivision 1; 90.121; and 90.191, subdivision 1; Minnesota Statutes 1995 Supplement, section 88.171, subdivision 2.

Mr. Lessard moved to amend H.F. No. 2365, as amended pursuant to Rule 49, adopted by the Senate February 23, 1996, as follows:

(The text of the amended House File is identical to S.F. No. 2384.)

Page 2, delete section 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2365 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Neuville	Runbeck
Beckman	Hottinger	Langseth	Oliver	Sams
Belanger	Johnson, D.E.	Larson	Olson	Samuelson
Berg	Johnson, D.J.	Lesewski	Ourada	Scheevel
Berglin	Johnson, J.B.	Lessard	Pappas	Solon
Betzold	Johnston	Limmer	Pariseau	Spear
Cohen	Kelly	Marty	Piper	Stevens
Day	Kiscaden	Merriam	Pogemiller	Stumpf
Dille	Kleis	Metzen	Price	Terwilliger
Finn	Knutson	Moe, R.D.	Ranum	Vickerman
Fischbach	Kramer	Mondale	Reichgott Junge	Wiener
Flynn	Krentz	Morse	Riveness	
Frederickson	Kroening	Murphy	Robertson	

So the bill, as amended, was passed and its title was agreed to.

Mr. Murphy moved that S.F. No. 2148 be taken from the table. The motion prevailed.

**S.F. No. 2148:** A bill for an act relating to utilities; holding members of a team of science advisors to study the effects of stray voltage in the earth immune from suit based on its report; indemnifying members for court costs.

Mr. Murphy moved to amend S.F. No. 2148 as follows:

Page 1, line 24, before the period, insert "unless the person is found liable for negligent or intentional misconduct"

The motion prevailed. So the amendment was adopted.

S.F. No. 2148 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Neuville	Runbeck
Beckman	Hottinger	Laidig	Oliver	Sams
Belanger	Janezich	Larson	Olson	Samuelson
Berg	Johnson, D.E.	Lesewski	Ourada	Scheevel
Berglin	Johnson, D.J.	Lessard	Pappas	Solon
Betzold	Johnson, J.B.	Limmer	Pariseau	Spear
Cohen	Johnston	Marty	Piper	Stevens
Day	Kelly	Merriam	Pogemiller	Stumpf
Dille	Kiscaden	Metzen	Price	Terwilliger
Finn	Kleis	Moe, R.D.	Ranum	Vickerman
Fischbach	Knutson	Mondale	Reichgott Junge	Wiener
Flynn	Kramer	Morse	Riveness	
Frederickson	Krentz	Murphy	Robertson	

So the bill, as amended, was passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1796 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 1796:** A bill for an act relating to crime; increasing the penalty for intentionally discharging a firearm under dangerous circumstances; expanding the scope of the transit vehicle crime; amending Minnesota Statutes 1994, sections 609.66, subdivision 1a; and 609.855, subdivision 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Murphy	Runbeck
Beckman	Hottinger	Laidig	Neuville	Sams
Belanger	Janezich	Langseth	Oliver	Samuelson
Berg	Johnson, D.E.	Larson	Olson	Scheevel
Berglin	Johnson, D.J.	Lesewski	Ourada	Solon
Betzold	Johnson, J.B.	Lessard	Pappas	Spear
Cohen	Johnston	Limmer	Pariseau	Stevens
Day	Kelly	Marty	Piper	Stumpf
Dille	Kiscaden	Merriam	Pogemiller	Terwilliger
Finn	Kleis	Metzen	Price	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Riveness	
Frederickson	Krentz	Morse	Robertson	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1938 a Special Order to be heard immediately.

**SPECIAL ORDER**

**S.F. No. 1938:** A bill for an act relating to juvenile justice; authorizing continued detention of juveniles in jails and lockups under certain circumstances; amending Minnesota Statutes 1994, section 260.171, subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Murphy	Runbeck
Beckman	Hottinger	Laidig	Neuville	Sams
Belanger	Janezich	Langseth	Oliver	Samuelson
Berg	Johnson, D.E.	Larson	Olson	Scheevel
Berglin	Johnson, D.J.	Lesewski	Ourada	Solon
Betzold	Johnson, J.B.	Lessard	Pappas	Spear
Cohen	Johnston	Limmer	Pariseau	Stevens
Day	Kelly	Marty	Piper	Stumpf
Dille	Kiscaden	Merriam	Pogemiller	Terwilliger
Finn	Kleis	Metzen	Price	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Riveness	
Frederickson	Krentz	Morse	Robertson	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2552 a Special Order to be heard immediately.

**SPECIAL ORDER**

**S.F. No. 2552:** A bill for an act relating to workers' compensation; modifying provisions governing calculation of premiums; modifying provisions relating to independent contractors; exempting certain rules from expiration; changing terms of a pilot program; making technical changes; amending Minnesota Statutes 1995 Supplement, sections 79.53, subdivision 1; 79.55, subdivision 5; 176.136, subdivision 1a; 176.1812, subdivisions 1 and 6; and 176.261; proposing coding for new law in Minnesota Statutes, chapter 176.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Neuville	Sams
Beckman	Janezich	Langseth	Oliver	Samuelson
Belanger	Johnson, D.E.	Larson	Olson	Scheevel
Berglin	Johnson, D.J.	Lesewski	Ourada	Solon
Betzold	Johnson, J.B.	Lessard	Pappas	Spear
Cohen	Johnston	Limmer	Pariseau	Stevens
Day	Kelly	Marty	Piper	Stumpf
Dille	Kiscaden	Merriam	Pogemiller	Terwilliger
Finn	Kleis	Metzen	Price	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Riveness	
Frederickson	Krentz	Morse	Robertson	
Hanson	Kroening	Murphy	Runbeck	

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2088 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2088:** A bill for an act relating to the environment; authorizing the use of certain incinerators; expanding the eligible installation dates; amending Laws 1995, chapter 87, section 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Janezich	Langsteh	Neuville	Robertson
Beckman	Johnson, D.E.	Larson	Oliver	Runbeck
Belanger	Johnson, D.J.	Lesewski	Olson	Sams
Berg	Johnson, J.B.	Lessard	Ourada	Samuelson
Betzold	Kelly	Limmer	Pappas	Scheevel
Cohen	Kiscaden	Marty	Pariseau	Solon
Day	Kleis	Merriam	Piper	Spear
Dille	Knutson	Metzen	Pogemiller	Stevens
Fischbach	Kramer	Moe, R.D.	Price	Stumpf
Frederickson	Krentz	Mondale	Ranum	Terwilliger
Hanson	Kroening	Morse	Reichgott Junge	Vickerman
Hottinger	Laidig	Murphy	Riveness	Wiener

Ms. Berglin, Mr. Finn, Mses. Flynn and Johnston voted in the negative.

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

#### Mr. Merriam from the Committee on Finance, to which was re-referred

**S.F. No. 2702:** A bill for an act relating to transportation; appropriating money for metropolitan area and transportation purposes; amending Minnesota Statutes 1995 Supplement, section 168.1296, subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 16 and 17 and insert:

"General	\$	6,700,000
Trunk Highway		43,525,000
County State-Aid Highway		100,000"

Page 1, line 22, delete "42,629,000" and insert "44,604,000"

Page 1, delete lines 23 to 27 and insert:

"Summary by Fund

	1997
General	1,875,000
Trunk Highway	42,629,000
County State-Aid Highway	100,000

The amounts that may be spent from this appropriation for each purpose are specified in the following paragraphs."

Page 2, delete lines 1 to 5

Page 2, after line 23, insert:

"For the purpose of Laws 1995, chapter 254, article 1, section 93, paragraph (a), "contracts for highway construction or maintenance" includes contracts for design engineering and construction engineering."

Page 2, line 25, delete "...," and insert "1,565,000"

Page 2, line 26, delete "\$..." and insert "\$1,565,000"

Page 2, line 30, after the first comma, insert "chapter 265,"

Page 2, line 50, after "of" insert "\$100,000 of"

Page 3, line 1, delete "general fund" and insert "town road account in the county state-aid highway fund before the apportionment otherwise required to be made under Minnesota Statutes, section 162.081, subdivisions 2 and 3,"

Page 3, delete lines 17 to 19 and insert:

"Sec. 3. METROPOLITAN COUNCIL 4,595,000

This appropriation is from the"

Page 3, line 25, delete "1,126,200" and insert "1,126,000"

Page 3, delete lines 26 to 29 and insert:

"Summary by Fund

	1997
General	230,000
Trunk Highway	896,000

The amounts that may be spent from this appropriation for each purpose are specified in the following paragraphs."

Page 3, line 31, delete "131,200" and insert "131,000"

Page 3, line 32, delete "\$131,200" and insert "\$131,000"

Page 3, lines 37 and 38, delete "from the general fund"

Page 3, line 39, after the period, insert "\$230,000 is from the general fund and \$765,000 is from the trunk highway fund. These appropriations are added to the appropriations in Laws 1995, chapter 265, article 7, section 5, subdivision 2."

Pages 3 and 4, delete sections 5 and 6 and insert:

"(c) Critical Habitat Matching

The commissioner of public safety shall determine whether the fees collected under Minnesota Statutes, section 168.1296, for critical habitat license plates have been sufficient to cover the costs of handling and manufacturing the license plates during the biennium ending June 30, 1997. If the fees have been deficient, the amount of the deficiency is appropriated from the Minnesota critical habitat private sector matching account in the reinvest in Minnesota resources fund for transfer to the highway user tax distribution fund."

Page 4, line 10, before "The" insert "Section 1."

Page 4, line 11, delete everything after "the" and insert "trunk highway fund"

Page 4, line 14, delete "act" and insert "article"

Page 4, delete lines 16 and 17 and insert:

"Sec. 2. FACILITY PROJECTS

21,715,000

This appropriation is from the trunk highway fund to the commissioner of transportation for the purposes specified in paragraphs (a) and (b)."

Page 4, delete lines 20 and 21 and insert:

"The amounts that may be spent from this appropriation for each purpose are specified in paragraphs (1) to (21)."

Page 5, line 45, after "in" insert "paragraphs (2) to (20) of"

Page 5, line 47, before the period, insert ", subdivision 3"

Amend the title as follows:

Page 1, line 3, delete the semicolon and insert a period

Page 1, delete lines 4 and 5

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Merriam from the Committee on Finance, to which was re-referred**

**S.F. No. 2347:** A bill for an act relating to human services; proposing reform measures; making changes to the Minnesota family investment plan program; case management services to caregivers; defining "intensive ESL"; requiring family support agreement for some families on assistance; providing recovery of AFDC due to an ATM error; defining case manager and two-parent families; adding provisions for employment and training services; adding provisions to food stamp employment and training program; establishing the MNJOBS program; requiring the commissioner to take steps to prevent assistance recipients from obtaining assistance via an ATM or cashing assistance checks at gambling establishments; providing injury protection for tribal JOBS programs; appropriating money to the sliding fee child care program; appropriating money for the AFDC child care entitlement program; amending Minnesota Statutes 1994, sections 53A.09; 256.031, by adding a subdivision; 256.033, by adding a subdivision; 256.034, by adding a

subdivision; 256.035, subdivisions 1 and 6a; 256.73, subdivision 1, and by adding subdivisions; 256.736, subdivisions 1a, 3b, 4, and 12; 256D.06, by adding a subdivision; 256D.10; 256D.49, subdivision 3; 256E.08, subdivision 8; and 336.3-206; Minnesota Statutes 1995 Supplement, sections 256.0475, by adding a subdivision; 256.048, subdivisions 1, 4, 6, and 13; 256.73, subdivision 8; 256.736, subdivisions 10, 10a, 14, and 16; 256.737, subdivision 7; 256.76, subdivision 1; 256.81; 256D.02, subdivision 12a; 256D.03, subdivisions 2, 2a, and 3; 256D.05, subdivision 1; 256D.051, subdivisions 1 and 6; 256D.055; and 256D.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1994, section 256.736, subdivisions 10b and 11; Minnesota Statutes 1995 Supplement, section 256.736, subdivision 13.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, line 6, before "All" insert "(a)"

Page 5, line 17, before "Caretakers" insert "(b)"

Page 5, line 19, before "The" insert "(c) Except as provided in paragraph (a),"

Page 11, line 16, delete "EMPLOYABILITY DEVELOPMENT PLAN" and insert "DEFERRAL FROM JOB SEARCH REQUIREMENT"

Page 13, after line 16, insert:

"Sec. 10. [APPROPRIATION.]

\$102,000 is appropriated from the general fund to the commissioner of human services for the fiscal year ending June 30, 1997, for purposes of applying for necessary federal waivers to implement the program, and administering the MNJOBS program."

Page 14, line 18, delete "and" and insert:

"(2) any evaluation or other information regarding the results of the work focused, work first, MNJOBS, and STRIDE programs;

(3) evaluations from any programs which have increased income disregards for working recipient families; and"

Page 14, line 19, delete "(2)" and insert "(4)"

Page 14, after line 29, insert:

"(4) establish asset limits which appropriately reflect the needs of working families;

(5) provide for flexibility in establishing grant standards which can be adapted to different needs of assistance units and to different work and training requirements in order to maximize successful outcomes;

(6) use of wage subsidies to increase employment opportunities;

(7) development of individual asset accounts;

(8) expansion of employment and training options to include the option of small business training;

(9) establishment of a loan or grant fund for transition to work needs not covered under the grant;"

Renumber the clauses in sequence

Page 18, line 12, delete "the other" and insert "that"

Page 20, line 33, delete "the other" and insert "that"



Page 74, line 17, delete the first comma and insert "and" and delete ", and 28"

Page 74, line 19, before "28" insert "or" and delete ", or 43"

Page 74, line 24, delete "\$....." and insert "\$450,000"

Page 74, line 25, after "services" insert "for the fiscal year ending June 30, 1997,"

Page 74, after line 28, insert:

"\$265,000 is appropriated from the general fund to the commissioner of human services for the fiscal year ending June 30, 1997, for purposes of applying for necessary federal waivers in order to implement the 30-day residency requirement, and any resulting legal costs."

Page 74, line 34, delete "28" and insert "29"

Page 75, line 2, delete "\$....." and insert "\$5,000,000"

Page 75, line 6, after the period, insert "This appropriation shall not become part of the base appropriation."

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2702 and 2347 were read the second time.

## MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Pappas moved that S.F. No. 2850 be withdrawn from the Committee on Governmental Operations and Veterans and returned to its author. The motion prevailed.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

### Ms. Anderson introduced--

**S.F. No. 2858:** A bill for an act relating to peace officers; extending peace officer discipline procedures to include correctional officers employed by the department of corrections; amending Minnesota Statutes 1994, section 626.89, subdivisions 1 and 2.

Referred to the Committee on Crime Prevention.

### Mr. Berg introduced--

**S.F. No. 2859:** A bill for an act relating to education; appropriating money for a collaborative planning process for telecommunications in region 6W.

Referred to the Committee on Education.

### Ms. Pappas introduced--

**S.F. No. 2860:** A bill for an act relating to transportation; requiring metropolitan council to study coordination and regulation of certain transit services and report to legislature.

Referred to the Committee on Metropolitan and Local Government.

### **MEMBERS EXCUSED**

Messrs. Chandler and Chmielewski were excused from the Session of today. Mr. Neuville was excused from the Session of today from 12:00 noon to 3:45 p.m. Ms. Reichgott Junge was excused from the Session of today from 4:30 to 4:45 p.m.

### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Tuesday, February 27, 1996. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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