

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

FORTY-THIRD DAY

St. Paul, Minnesota, Wednesday, April 14, 1999

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Imam Matthew L. Ramadan.

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

Anderson	Higgins	Krentz	Novak	Sams
Belanger	Hottinger	Laidig	Oliver	Samuelson
Berg	Janezich	Langseth	Olson	Scheevel
Berglin	Johnson, D.E.	Larson	Ourada	Scheid
Betzold	Johnson, D.H.	Lesewski	Pappas	Solon
Cohen	Johnson, D.J.	Lessard	Pariseau	Spear
Day	Johnson, J.B.	Limmer	Piper	Stevens
Dille	Junge	Lourey	Pogemiller	Stumpf
Fischbach	Kelley, S.P.	Marty	Price	Ten Eyck
Flynn	Kelly, R.C.	Metzen	Ranum	Vickerman
Foley	Kiscaden	Moe, R.D.	Robertson	Wiener
Frederickson	Kleis	Murphy	Robling	Wiger
Hanson	Knutson	Neuville	Runbeck	Ziegler

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 12, 1999

The Honorable Allan H. Spear
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 117, 727, 1660, 1888, 794 and 1150.

Sincerely,
Jesse Ventura, Governor

April 13, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1999	Date Filed 1999
	183	32	2:05 p.m. April 12	April 12
	413	33	2:06 p.m. April 12	April 12
	492	34	2:09 p.m. April 12	April 12
	766	35	2:10 p.m. April 12	April 12
	1126	36	2:11 p.m. April 12	April 12
	1258	37	2:12 p.m. April 12	April 12
117		38	2:13 p.m. April 12	April 12
	640	39	2:14 p.m. April 12	April 12
727		40	2:14 p.m. April 12	April 12
1660		41	2:20 p.m. April 12	April 12
1888		42	2:21 p.m. April 12	April 12
794		43	2:22 p.m. April 12	April 12
1150		44	2:23 p.m. April 12	April 12
	*414	45	5:28 p.m. April 12	April 12

*Line item veto: Page 2, Section 2, lines 8-23.

Sincerely,
Mary Kiffmeyer
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 673, 1324, 1528 and 1920.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1999

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 778: A bill for an act relating to motor vehicles; requiring release of a security interest in a vehicle to be acted on within seven days if satisfied by a dealer; amending Minnesota Statutes 1998, section 168A.20.

Senate File No. 778 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1999

Senator Sams moved that the Senate do not concur in the amendments by the House to S.F. No. 778, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1470: A bill for an act relating to natural resources; modifying the route of Paul Bunyan state trail; amending Minnesota Statutes 1998, section 85.015, subdivision 15.

Senate File No. 1470 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1999

CONCURRENCE AND REPASSAGE

Senator Samuelson moved that the Senate concur in the amendments by the House to S.F. No. 1470 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1470 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Larson	Olson	Sams
Berg	Higgins	Lesewski	Ourada	Samuelson
Berglin	Hottinger	Lessard	Pappas	Scheevel
Betzold	Johnson, D.E.	Limmer	Pariseau	Spear
Cohen	Johnson, J.B.	Lourey	Piper	Stevens
Day	Kelley, S.P.	Marty	Pogemiller	Stumpf
Dille	Kiscaden	Metzen	Price	Ten Eyck
Fischbach	Kleis	Moe, R.D.	Ranum	Vickerman
Flynn	Knutson	Murphy	Robertson	Wiener
Foley	Krentz	Neuville	Robling	Wiger
Frederickson	Langseth	Oliver	Runbeck	Ziegler

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 510: A bill for an act relating to health occupation; expanding the number of members on the board of dentistry; limiting practice of dentistry under name of certain business organizations; amending Minnesota Statutes 1998, sections 150A.02, subdivision 1; and 150A.11, subdivision 1.

Senate File No. 510 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1999

Senator Hottinger moved that the Senate do not concur in the amendments by the House to S.F. No. 510, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 346:

H.F. No. 346: A bill for an act relating to courts; prohibiting certain contracting arrangements for freelance court reporting services; regulating certain services; proposing coding for new law in Minnesota Statutes, chapter 486.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Smith, Broecker and Leighton have been appointed as such committee on the part of the House.

House File No. 346 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1999

Senator Hottinger moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 346, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 878.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1999

FIRST READING OF HOUSE BILLS

The following bill was read and referred to the committee as indicated.

H.F. No. 878: A bill for an act relating to public administration; making deficiency appropriations for state government operations; imposing certain conditions and directions; providing a sales tax rebate; providing agricultural property tax relief; changing income tax rates and brackets; appropriating money; amending Minnesota Statutes 1998, sections 290.06, subdivisions 2c and 2d; and 290.091, subdivisions 1, 2, and 6.

Referred to the Committee on Education Finance.

REPORTS OF COMMITTEES

Senator Flynn from the Committee on Transportation, to which was referred the following appointment as reported in the Journal for March 16, 1999:

DEPARTMENT OF TRANSPORTATION
COMMISSIONER

Elwyn Tinklenberg

Reports the same back with the recommendation that the appointment be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Metzen moved that the names of Senators Moe, R.D.; Flynn; Larson and Pogemiller be added as co-authors to Senate Resolution No. 66. The motion prevailed.

Senator Vickerman moved that the name of Senator Beckman be stricken and the name of Senator Ziegler be added as a co-author to S.F. No. 946. The motion prevailed.

Senator Novak moved that the name of Senator Betzold be added as a co-author to S.F. No. 1747. The motion prevailed.

Senator Lourey moved that the name of Senator Marty be added as a co-author to S.F. No. 1825. The motion prevailed.

Senator Foley moved that the name of Senator Wiger be added as a co-author to S.F. No. 2114. The motion prevailed.

Senator Kleis moved that the name of Senator Wiger be added as a co-author to S.F. No. 2197. The motion prevailed.

SPECIAL ORDERS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately.

S.F. Nos. 1746, 1715, H.F. No. 7, S.F. Nos. 1404, 411, 2120, 1541, H.F. Nos. 371, 174 and S.F. No. 1204.

SPECIAL ORDER

S.F. No. 1746: A bill for an act relating to occupational regulation; requiring proponents of new or expanded regulation to provide certain information in writing to the chairs of the standing committees; proposing coding for new law in Minnesota Statutes, chapter 214.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Foley	Kelley, S.P.	Lesewski	Neuville
Berglin	Frederickson	Kelly, R.C.	Lessard	Oliver
Betzold	Hanson	Kiscaden	Limmer	Olson
Cohen	Higgins	Kleis	Lourey	Ourada
Day	Hottinger	Knutson	Marty	Pappas
Dille	Johnson, D.E.	Krentz	Metzen	Pariseau
Fischbach	Johnson, J.B.	Langseth	Moe, R.D.	Piper
Flynn	Junge	Larson	Murphy	Pogemiller

Price	Runbeck	Solon	Ten Eyck	Ziegler
Ranum	Sams	Spear	Vickerman	
Robertson	Samuelson	Stevens	Wiener	
Robling	Scheevel	Stumpf	Wiger	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1715: A bill for an act relating to commerce; providing enforcement authority for the commissioner; regulating service of process; regulating residential building contractors and remodelers; providing criminal penalties; amending Minnesota Statutes 1998, sections 45.027, subdivisions 6 and 7; 45.028, subdivision 2; 80A.15, subdivision 2; 155A.03, subdivision 2; 326.83, subdivision 18; 326.89, subdivision 3; 326.94, subdivision 2; and 332.37; repealing Minnesota Statutes 1998, section 326.89, subdivision 3a.

Senator Higgins moved to amend S.F. No. 1715 as follows:

Page 12, line 18, delete the new language

Page 12, line 19, delete the new language and after the period, insert "Cosmetology" does not include hair braiding as defined in subdivision 14."

Page 12, after line 19, insert:

"Sec. 6. Minnesota Statutes 1998, section 155A.03, is amended by adding a subdivision to read:

Subd. 14. [HAIR BRAIDING.] "Hair braiding" means a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device, provided that the service does not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair."

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. 1715 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	Higgins	Larson	Ourada	Solon
Belanger	Hottinger	Lesewski	Pappas	Spear
Berg	Janezich	Lessard	Pariseau	Stevens
Berglin	Johnson, D.E.	Limmer	Piper	Stumpf
Betzold	Johnson, J.B.	Lourey	Pogemiller	Ten Eyck
Cohen	Junge	Marty	Price	Vickerman
Day	Kelley, S.P.	Metzen	Ranum	Wiener
Dille	Kelly, R.C.	Moe, R.D.	Robertson	Wiger
Fischbach	Kiscaden	Murphy	Robling	Ziegler
Flynn	Kleis	Neuville	Runbeck	
Foley	Knutson	Novak	Sams	
Frederickson	Krentz	Oliver	Samuelson	
Hanson	Langseth	Olson	Scheevel	

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

SPECIAL ORDER

H.F. No. 7: A bill for an act relating to motor vehicles; modifying the motor vehicle emissions inspection program and providing for termination of inspection by January 1, 2000, or earlier if redesignated to attainment for carbon monoxide before January 1, 2000; amending Minnesota Statutes 1998, sections 116.60, subdivision 1, and by adding a subdivision; 116.61, subdivision 1, and by adding a subdivision; 116.62, subdivisions 2, 3, 5, and by adding a subdivision; and 116.63, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 116.63; and 116.64.

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 9, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Langseth	Novak	Sams
Berg	Johnson, D.H.	Larson	Oliver	Samuelson
Betzold	Johnson, D.J.	Lesewski	Olson	Scheevel
Cohen	Junge	Lessard	Ourada	Solon
Day	Kelley, S.P.	Limmer	Pappas	Stevens
Dille	Kelly, R.C.	Lourey	Pariseau	Stumpf
Fischbach	Kiscaden	Marty	Piper	Ten Eyck
Foley	Kleis	Metzen	Price	Vickerman
Hanson	Knutson	Moe, R.D.	Robertson	Wiener
Hottinger	Krentz	Murphy	Robling	Wiger
Janezich	Laidig	Neuville	Runbeck	Ziegler

Those who voted in the negative were:

Anderson	Flynn	Higgins	Pogemiller	Spear
Berglin	Frederickson	Johnson, J.B.	Ranum	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1404: A bill for an act relating to crime; providing criminal penalties for possessing and disseminating pornographic work depicting a minor; including computer-generated or computer-altered images within the definition of pornographic work; amending Minnesota Statutes 1998, sections 617.246, subdivisions 1, 2, 3, 4, and by adding a subdivision; and 617.247, subdivisions 1, 2, 3, 4, and by adding a subdivision.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Oliver	Samuelson
Belanger	Hottinger	Langseth	Olson	Scheevel
Berg	Janezich	Larson	Ourada	Solon
Berglin	Johnson, D.E.	Lesewski	Pappas	Spear
Betzold	Johnson, D.H.	Lessard	Pariseau	Stevens
Cohen	Johnson, D.J.	Limmer	Piper	Stumpf
Day	Junge	Lourey	Pogemiller	Ten Eyck
Dille	Kelley, S.P.	Marty	Price	Vickerman
Fischbach	Kelly, R.C.	Metzen	Ranum	Wiger
Flynn	Kiscaden	Moe, R.D.	Robertson	Ziegler
Foley	Kleis	Murphy	Robling	
Frederickson	Knutson	Neuville	Runbeck	
Hanson	Krentz	Novak	Sams	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 411: A bill for an act relating to crime; imposing criminal penalties for manufacturing, distributing, selling, or possessing with intent to sell or distribute counterfeited intellectual property; providing for forfeiture of these items; amending Minnesota Statutes 1998, sections 609.531, subdivision 1; and 609.902, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609.

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 0, as follows:

Those who voted in the affirmative were:

Belanger	Hottinger	Langseth	Olson	Scheevel
Berg	Johnson, D.E.	Larson	Ourada	Solon
Berglin	Johnson, D.H.	Lesewski	Pappas	Spear
Betzold	Johnson, D.J.	Lessard	Pariseau	Stevens
Cohen	Johnson, J.B.	Limmer	Piper	Stumpf
Day	Junge	Lourey	Pogemiller	Ten Eyck
Dille	Kelley, S.P.	Marty	Price	Vickerman
Fischbach	Kelly, R.C.	Metzen	Ranum	Wiener
Flynn	Kiscaden	Moe, R.D.	Robertson	Wiger
Foley	Kleis	Murphy	Robling	Ziegler
Frederickson	Knutson	Neuville	Runbeck	
Hanson	Krentz	Novak	Sams	
Higgins	Laidig	Oliver	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2120: A bill for an act relating to crime prevention; classifying Gamma Hydroxybutyrate as a controlled substance; amending Minnesota Statutes 1998, section 152.02, subdivision 4.

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	Higgins	Laidig	Oliver	Scheevel
Belanger	Hottinger	Langseth	Olson	Solon
Berg	Johnson, D.E.	Larson	Ourada	Spear
Berglin	Johnson, D.H.	Lesewski	Pariseau	Stevens
Betzold	Johnson, D.J.	Lessard	Piper	Stumpf
Cohen	Johnson, J.B.	Limmer	Pogemiller	Ten Eyck
Day	Junge	Lourey	Price	Vickerman
Dille	Kelley, S.P.	Marty	Ranum	Wiger
Fischbach	Kelly, R.C.	Metzen	Robertson	Ziegler
Flynn	Kiscaden	Moe, R.D.	Robling	
Foley	Kleis	Murphy	Runbeck	
Frederickson	Knutson	Neuville	Sams	
Hanson	Krentz	Novak	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1541: A bill for an act relating to the environment; modifying and making permanent the environmental improvement pilot program; amending Minnesota Statutes 1998, sections 114C.20; 114C.21, subdivisions 1, 4, and by adding subdivisions; 114C.22; 114C.24, subdivisions 2, 3, 4, and 5; 114C.25; 114C.26; 114C.27; and 114C.28; repealing Minnesota Statutes 1998, sections 114C.21, subdivisions 9 and 11; 114C.29; 114C.30; and 114C.31.

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	Higgins	Krentz	Neuville	Robling
Belanger	Hottinger	Laidig	Novak	Runbeck
Berg	Johnson, D.E.	Langseth	Oliver	Sams
Berglin	Johnson, D.H.	Larson	Olson	Samuelson
Betzold	Johnson, D.J.	Lesewski	Ourada	Solon
Cohen	Johnson, J.B.	Lessard	Pappas	Spear
Day	Junge	Limmer	Pariseau	Stevens
Dille	Kelley, S.P.	Lourey	Piper	Stumpf
Fischbach	Kelly, R.C.	Marty	Pogemiller	Ten Eyck
Flynn	Kiscaden	Metzen	Price	Vickerman
Foley	Kleis	Moe, R.D.	Ranum	Wiger
Hanson	Knutson	Murphy	Robertson	Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 371: A bill for an act relating to local government; removing the limit on the amount a local government may contribute for historical work; permitting local governments to make contributions to public or private, nonprofit senior citizen centers or youth centers; amending Minnesota Statutes 1998, section 471.93; proposing coding for new law in Minnesota Statutes, chapter 471.

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	Higgins	Langseth	Olson	Scheevel
Belanger	Hottinger	Larson	Ourada	Solon
Berg	Johnson, D.E.	Lesewski	Pappas	Spear
Berglin	Johnson, D.J.	Lessard	Pariseau	Stevens
Betzold	Johnson, J.B.	Limmer	Piper	Stumpf
Cohen	Junge	Lourey	Pogemiller	Ten Eyck
Day	Kelley, S.P.	Marty	Price	Vickerman
Dille	Kelly, R.C.	Metzen	Ranum	Wiger
Fischbach	Kiscaden	Moe, R.D.	Robertson	Ziegler
Flynn	Kleis	Murphy	Robling	
Foley	Knutson	Neuville	Runbeck	
Frederickson	Krentz	Novak	Sams	
Hanson	Laidig	Oliver	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 174: A bill for an act relating to the Paynesville area hospital district; authorizing the district to annex the city of Richmond to the district.

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	Langseth	Ourada	Scheid
Belanger	Johnson, D.E.	Larson	Pappas	Solon
Berg	Johnson, D.H.	Lesewski	Pariseau	Spear
Berglin	Johnson, D.J.	Lessard	Piper	Stevens
Betzold	Johnson, J.B.	Limmer	Pogemiller	Stumpf
Cohen	Junge	Lourey	Price	Ten Eyck
Day	Kelley, S.P.	Marty	Ranum	Vickerman
Dille	Kelly, R.C.	Metzen	Robertson	Wiger
Fischbach	Kiscaden	Moe, R.D.	Robling	Ziegler
Flynn	Kleis	Murphy	Runbeck	
Foley	Knutson	Neuville	Sams	
Hanson	Krentz	Oliver	Samuelson	
Higgins	Laidig	Olson	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1204: A bill for an act relating to the state building code; clarifying the supervision of the state fire marshal; amending Minnesota Statutes 1998, section 16B.61, subdivision 2.

Senator Anderson moved to amend S.F. No. 1204 as follows:

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1998, section 16B.745, subdivision 3, is amended to read:

Subd. 3. [MINIMUM REQUIREMENTS.] No person, firm, or corporation may construct, install, alter, remove, or repair an elevator that does not meet the minimum requirements of this chapter, adopted rules, or national codes adopted by rule. Notwithstanding any provision of rule or national code adopted by rule to the contrary, however, a stairway chair lift that is not hard-wired to the building's electrical system, but is instead plugged into an electrical outlet, may be installed in a private residence for the use of its occupants.

Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1204 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	Belanger	Berg	Berglin	Betzold
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Cohen	Johnson, J.B.	Limmer	Pariseau	Solon
Day	Junge	Lourey	Piper	Spear
Fischbach	Kelley, S.P.	Marty	Pogemiller	Stevens
Flynn	Kelly, R.C.	Metzen	Price	Stumpf
Foley	Kiscaden	Moe, R.D.	Ranum	Ten Eyck
Frederickson	Kleis	Murphy	Robertson	Vickerman
Hanson	Knutson	Neuville	Robling	Wiger
Higgins	Krentz	Novak	Runbeck	Ziegler
Hottinger	Laidig	Oliver	Sams	
Johnson, D.E.	Larson	Olson	Samuelson	
Johnson, D.H.	Lesewski	Ourada	Scheevel	
Johnson, D.J.	Lessard	Pappas	Scheid	

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

RECESS

Senator Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Senator Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 346: Senators Hottinger, Kiscaden and Spear.

S.F. No. 778: Senators Sams, Flynn and Belanger.

S.F. No. 510: Senators Hottinger, Lourey and Fischbach.

Senator Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Kelley, S.P. introduced--

S.F. No. 2215: A bill for an act relating to taxation; providing that sales of milk, milk products, juice, and juice products sold through vending machines are exempt from the sales tax; amending Minnesota Statutes 1998, section 297A.01, subdivision 3.

Referred to the Committee on Taxes.

Senators Pappas, Olson, Kleis, Wiener and Langseth introduced--

S.F. No. 2216: A bill for an act relating to education; providing for teacher recruitment and retention; appropriating money; amending Minnesota Statutes 1998, sections 122A.09, subdivision 4; 122A.18, by adding subdivisions; and 122A.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 122A; and 127A.

Referred to the Committee on Children, Families and Learning.

Senators Johnson, J.B.; Langseth; Johnson, D.E. and Flynn introduced--

S.F. No. 2217: A bill for an act relating to transportation; appropriating money for the department of transportation and other agencies; exempting from registration taxes vehicles owned by a commercial driving school and used exclusively in driver education and training; allowing payment of prorated license fee following transfer of vehicle from dealer; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable postcard to be provided in a vehicle's certificate of title and completed; increasing fees paid to deputy registrars for vehicle registration applications; establishing 25-mile per hour speed limit in school zones; allowing certain lighting devices mounted on delivery vehicles; requiring adult driver license applicant to hold instruction permit for six months; changing definition of "directional signs"; requiring commissioner of transportation to be responsible for design, construction, and operation of commuter rail; requiring adoption of commuter rail system plan; establishing design approval process for commuter rail; creating commuter rail corridor coordinating committee; modifying provisions relating to motor carriers of passengers; modifying provisions relating to regional rail authorities; requiring commissioner to study feasibility of extending Northstar commuter rail corridor from St. Cloud to Little Falls; requiring report of metropolitan radio board; extending existence of metropolitan radio board; establishing priority for construction of light rail transit; requiring metropolitan council and others to develop regional master transit plan; requiring commissioner of transportation to study restoration of Amtrak rail passenger service; requiring commissioner of public safety to make recommendations concerning allowable vehicle lighting; requiring office of strategic and long-range planning to establish state development strategy and report to legislature concerning I-94 corridor; extending life of radio board and requiring a report; proposing an amendment to the Minnesota Constitution, article XIV, by adding a section to dedicate proceeds of sales tax on motor vehicles; amending Minnesota Statutes 1998, sections 168.011, subdivision 35; 168.012, subdivision 1; 168.013, subdivisions 2 and 6; 168.17; 168.301, subdivisions 3 and 4; 168.33, subdivision 7; 168A.05, subdivision 5; 168A.10, subdivisions 1, 2, and 5; 168A.30, subdivision 2; 169.01, by adding a subdivision; 169.122, subdivision 5; 169.14, subdivisions 2, 4, 5, and 5a; 169.55, subdivision 1; 169.58, by adding a subdivision; 171.04, subdivision 1; 171.05, subdivision 1a; 171.061, subdivision 4; 173.02, subdivision 6; 174A.02, subdivision 4; 174A.06; 221.011, subdivisions 15, 37, 38, and by adding subdivisions; 221.021; 221.022; 221.025; 221.0251; 221.026, subdivision 2; 221.031, subdivisions 1, 2, and 6; 221.036, subdivisions 1 and 3; 221.091; 221.122, subdivision 1; 221.124; 221.131, subdivision 2; 221.141, subdivision 1; 221.172, subdivision 10; 221.185, subdivisions 1, 2, 3, 4, 9, and by adding a subdivision; 221.221, subdivision 3; 221.291, subdivision 4; 221.55; 297B.09, subdivision 1; 360.531, subdivision 3; 360.55, subdivision 4; 368.01, subdivision 12; 398A.04, subdivision 2; 412.221, subdivision 20; 458A.06, subdivision 5; 473.399; 473.3993, subdivision 3; 473.3994, subdivisions 3, 4, and 10; and 609.671, subdivision 5; Laws 1995, chapter 195, article 1, section 18; Laws 1997, chapter 159, article 1, sections 2, subdivision 7; and 4, subdivision 3; and Laws 1998, chapter 404, section 17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; 221; and 473; repealing Minnesota Statutes 1998, sections 168.011, subdivision 36; 168.1281; 221.011, subdivisions 7, 9, 20, 21, 32, and 34; 221.041; 221.051; 221.061; 221.071; 221.081; 221.121, subdivisions 6b and 6h; 221.172, subdivision 9; 221.281; 221.85; and 473.3998.

Referred to the Committee on State Government Finance.

Senator Day introduced--

S.F. No. 2218: A bill for an act relating to tax increment financing; changing certain provisions as they apply to the city of Medford.

Referred to the Committee on Local and Metropolitan Government.

Senator Ten Eyck introduced--

S.F. No. 2219: A bill for an act relating to economic development; providing funding for planning a convention center and ice arena complex in the city of Bemidji; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Langseth introduced--

S.F. No. 2220: A bill for an act relating to natural resources; appropriating money to mitigate flood damage in Cromwell township.

Referred to the Committee on Environment and Natural Resources.

Senators Kelly, R.C.; Spear; Neuville; Knutson and Ten Eyck introduced--

S.F. No. 2221: A bill for an act relating to crime prevention and judiciary finance; appropriating money for the judicial branch, public safety, corrections, public defense, human rights, crime victims, and related purposes; establishing grant programs, task forces, and pilot projects; requiring reports and studies; increasing the number of judges; transferring the office of drug policy and violence prevention; increasing the membership and expanding the duties of the criminal and juvenile justice policy group; authorizing a lease-purchase agreement for a northern satellite laboratory facility and additional work related to a new facility in St. Paul for the bureau of criminal apprehension; clarifying and expanding certain criminal and civil penalties; establishing a work program for certain repeat DWI offenders and repealing the existing work program for nonviolent offenders; requiring counties to pay the costs of placing juvenile females at Minnesota correctional facility-Sauk Centre; requiring the department of corrections to submit an annual performance report; requiring the issuance of a request for proposals to operate the new Rush City prison; privatizing the educational program at Minnesota correctional facility-Red Wing; making certain changes related to part-time peace officers; requiring policies and training and making certain other changes related to police pursuits; increasing the state's fiscal responsibility for certain persons prior to civil commitment; establishing requirements relating to out-of-home placements of juveniles; providing for state funding of certain programs and personnel; providing for state funding of court administration costs in specified judicial districts; requesting further study; establishing collective bargaining provisions for court employees; imposing taxes; requiring a study of correctional staffing; establishing a critical incident stress management grant program; amending Minnesota Statutes 1998, sections 2.722, subdivision 1; 3.739, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.31, subdivision 3; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 169.121, subdivisions 3, 3e, and by adding subdivisions; 169.129, subdivision 2; 179A.03, subdivisions 7, 14, 15, and by adding a subdivision; 179A.06, subdivision 2; 179A.10, subdivision 4; 179A.12, subdivision 4; 179A.22, subdivisions 2 and 3; 241.016; 242.192; 243.50; 253B.185, by adding a subdivision; 253B.23, subdivisions 1 and 8; 256.01, subdivision 2; 257.69, subdivision 2; 260.151, subdivision 3; 260.161, subdivision 1; 260.181, by adding a subdivision; 260.185, by adding a subdivision; 260.251, subdivisions 2 and 5; 260.56; 299C.65, subdivisions 2, 5, and by adding subdivisions; 340A.415; 340A.703; 466.01, subdivision 6; 480.181, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2 and 6; 485.03; 485.27; 487.02, subdivision 2; 487.10, subdivision 4; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 609.035, subdivisions 1, 2, and by adding a subdivision; 609.135, subdivision 2; 609.531, subdivision 1; 609.5315, by adding a subdivision; 611.33, subdivision 3; 626.5532, subdivision 1; 626.845, subdivision 1; 626.8462; 626.8463, subdivision 1; and 626.8465, subdivision 2; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 179A; 241; 260; 299A; 299L; 480; and 626; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; 241.277; 256D.05, subdivisions 3 and 3a; 357.021, subdivision 2a; 563.01, subdivision 1; 609.113; 626.5532, subdivision 2; and 626.8463, subdivision 2; Laws 1997, chapter 238, section 4.

Referred to the Committee on Human Resources Finance.

Senators Piper, Lourey, Higgins, Lesewski and Janezich introduced--

S.F. No. 2222: A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, self-sufficiency and lifelong learning, and resources and referral programs; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405,

subdivision 2; 119A.45; 119B.01, subdivisions 1, 2, 10, 12, 13, 15, 16, 17, and by adding a subdivision; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.07; 119B.075; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, 5, 7, and by adding subdivisions; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.19, subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 6, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 124D.19, subdivision 11; 124D.22; 124D.23, by adding a subdivision; 124D.53, subdivision 3; 124D.54, subdivision 1; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, chapter 162, article 2, section 28, subdivision 6; and Laws 1997, chapter 248, section 46, as amended; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 12a; 119B.03, subdivision 7; 119B.05, subdivision 6; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; and 124D.14.

Referred to the Committee on Education Finance.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 854: A bill for an act relating to land use; precluding the termination of lawful land uses by amortization; authorizing the city of St. Louis Park to continue to enforce a certain ordinance; amending Minnesota Statutes 1998, sections 394.21, by adding a subdivision; and 462.357, by adding a subdivision.

Senate File No. 854 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1999

CONCURRENCE AND REPASSAGE

Senator Langseth moved that the Senate concur in the amendments by the House to S.F. No. 854 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 854 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 45 and nays 19, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Larson	Olson	Scheid
Berg	Johnson, D.H.	Lesewski	Ourada	Solon
Day	Johnson, D.J.	Lessard	Pariseau	Stevens
Dille	Johnson, J.B.	Limmer	Robertson	Stumpf
Fischbach	Kiscaden	Metzen	Robling	Ten Eyck
Flynn	Kleis	Murphy	Runbeck	Vickerman
Foley	Knutson	Neuville	Sams	Wiener
Frederickson	Laidig	Novak	Samuelson	Wiger
Hanson	Langseth	Oliver	Scheevel	Ziegler

Those who voted in the negative were:

Anderson	Higgins	Kelly, R.C.	Moe, R.D.	Price
Berglin	Hottinger	Krentz	Pappas	Ranum
Betzold	Junge	Lourey	Piper	Spear
Cohen	Kelley, S.P.	Marty	Pogemiller	

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

MEMBERS EXCUSED

Senator Terwilliger was excused from the Session of today. Senator Novak was excused from the Session of today from 8:00 to 8:40 a.m. Senator Junge was excused from the Session of today from 8:00 to 8:45 a.m. Senators Anderson; Johnson, D.H.; Johnson, D.J. and Laidig were excused from the Session of today from 8:00 to 9:00 a.m. Senator Janezich was excused from the Session of today from 8:00 to 9:00 and from 9:15 to 9:45 a.m. Senator Scheid was excused from the Session of today from 8:00 to 9:30 a.m. Senator Wiener was excused from the Session of today from 9:15 to 9:45 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Thursday, April 15, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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