

## EIGHTY-FIRST DAY

St. Paul, Minnesota, Friday, March 30, 1990

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. Larry Shostrom.

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

Adkins	Davis	Knaak	Metzen	Reichgott
Anderson	Decker	Knutson	Moe, D.M.	Renneke
Beckman	Dicklich	Kroening	Moe, R.D.	Samuelson
Belanger	Diessner	Laidig	Morse	Schmitz
Benson	Flynn	Langseth	Novak	Solon
Berg	Frank	Lantry	Olson	Spear
Berglin	Frederick	Larson	Pariseau	Storm
Bernhagen	Frederickson, D.J.	Lessard	Pehler	Stumpf
Bertram	Frederickson, D.R.	Luther	Peterson, R.W.	Vickerman
Brandl	Freeman	Marty	Piepho	Waldorf
Brataas	Gustafson	McGowan	Piper	
Chmielewski	Hughes	McQuaid	Pogemiller	
Cohen	Johnson, D.E.	Mehrkens	Purfeerst	
Dahl	Johnson, D.J.	Merriam	Ramstad	

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.

March 28, 1990

The Honorable Robert E. Vanasek  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1990 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 1990	Date Filed 1990
	1895	360	1553 hours March 27	March 28
	2188	361	1555 hours March 27	March 28

Sincerely,

Joan Anderson Growe  
Secretary of State

March 29, 1990

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1663 and 2353.

Sincerely,

Rudy Perpich, Governor

### 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. 2355 and 2541.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 29, 1990

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. 2299: A bill for an act relating to agriculture; establishing the Minnesota natural wild rice promotion advisory council; proposing coding for new law in Minnesota Statutes, chapter 30.

Senate File No. 2299 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 29, 1990

Mr. Dicklich moved that the Senate do not concur in the amendments by the House to S.F. No. 2299, 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. 2421: A bill for an act relating to elections; presidential primary; changing the primary date; providing procedures for conducting the primary; changing the requirements for being a candidate at the primary; allowing voters to prefer uncommitted delegates; allowing write-in votes; providing for voter receipt of ballots; eliminating the provision that the primary winner is the party's endorsed candidate; changing the apportionment of party delegates; requiring provision of certain information to interested persons; amending Minnesota Statutes 1988, sections 204B.06, by adding a subdivision; 204B.11, subdivision 2; Minnesota Statutes 1989 Supplement, sections 207A.01; 207A.02; 207A.03; 207A.04; and 207A.06, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 207A; repealing Minnesota Statutes 1989 Supplement, section 207A.05.

Senate File No. 2421 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 29, 1990

Mr. Moe, R.D. moved that S.F. No. 2421 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2365 and 2666.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 29, 1990

### FIRST READING OF HOUSE BILLS

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

H.F. No. 2365: A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private and nonpublic; clarifying access to data on decedents; changing classification nomenclature as it relates to medical examiner's data; amending Minnesota Statutes 1988, sections 13.03, subdivision 3; 13.10, subdivision 3; 13.41, subdivision 2; 13.46, subdivision 4; 13.83, subdivisions 4, 5, 7, and 9; Minnesota Statutes 1989 Supplement, sections 13.46, subdivision 2; 13.83, subdivision 8; 13.84, subdivision 5a; 171.06, subdivision 3; 270B.14, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1988, section 13.641.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2200, now on Special Orders.

H.F. No. 2666: A bill for an act relating to elections; limiting campaign

expenditures by congressional candidates who choose to receive a public subsidy for their campaigns; limiting certain contribution receipts by congressional candidates; clarifying and modifying certain exceptions to multicandidate political party expenditure limitations; modifying lobbyist reporting requirements; expanding certain reports by certain political committees and political funds; discontinuing the state ethical practices board's responsibility for developing and furnishing certain forms; providing an income tax credit for contributions to state candidates and political parties; limiting contributions and solicitations during a regular legislative session; providing a public subsidy for legislative candidates in special elections; requiring candidates to match funds received from the state elections campaign fund; requiring deer licenses to include an application for absentee ballots; requiring county auditors to provide a sample ballot for classroom use; specifying a time period for preparing a candidate's affidavit; providing penalties; amending Minnesota Statutes 1988, sections 10A.01, subdivisions 7 and 10b; 10A.02, subdivision 1; 10A.04, subdivisions 2, 4, and 4a; 10A.05; 10A.20, subdivision 3; 10A.24; 10A.25, subdivision 10, and by adding a subdivision; 10A.255, by adding a subdivision; 10A.27, subdivisions 1 and 4; 10A.275; 10A.28, subdivision 1; 10A.30, subdivision 2; 10A.33; 97A.485, by adding a subdivision; 204B.09, subdivision 1; 204D.03, subdivision 1; 290.06, by adding a subdivision; and 383B.055, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 10A; and 204D; repealing Minnesota Statutes 1988, sections 10A.27, subdivision 5; 10A.32, subdivisions 1, 2, 3, and 4; and 211B.11, subdivision 2; Minnesota Statutes 1989 Supplement, section 10A.32, subdivision 3a.

Referred to the Committee on Finance.

### 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. 1798: A bill for an act relating to health; providing limited prescription privileges for physician assistants; amending Minnesota Statutes 1988, section 151.37, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

“Section 1. [147.35] [PHYSICIAN ASSISTANTS; DELEGATED AUTHORITY TO PRESCRIBE AND ADMINISTER DRUGS AND MEDICAL DEVICES.]

*Subdivision 1. [DELEGATION OF AUTHORITY TO PRESCRIBE AND ADMINISTER DRUGS AND MEDICAL DEVICES.] (a) A supervising physician may delegate to a physician assistant who is registered with the board of medical examiners and certified by the National Commission on Certification of Physician Assistants and who is under the supervising physician's supervision, the authority to prescribe and administer legend drugs and medical devices, subject to the requirements in this section and other requirements established by the commissioner of health in rules.*

(b) *The agreement between the physician assistant and supervising physician and any alternate supervising physicians must include a statement by the supervising physician regarding delegation or nondelegation of the functions of prescribing and administering of legend drugs and medical devices to the physician assistant. The statement must include a protocol indicating categories of drugs for which the supervising physician delegates prescriptive authority. The delegation must be appropriate to the physician assistant's practice and within the scope of the physician assistant's training. The commissioner of health shall identify categories of drugs, if any, for which delegated prescribing is inappropriate. Physician assistants who have been delegated the authority to prescribe and administer legend drugs and medical devices shall provide evidence of current certification by the National Commission on Certification of Physician Assistants when registering or reregistering as physician assistants. Supervising physicians shall retrospectively review, on a daily basis, the prescribing and administering of legend drugs and medical devices by physician assistants, when this authority has been delegated to the physician assistant as part of the delegation agreement between the physician and the physician assistant. During each on-site visit required under Minnesota Rules, the supervising physician shall document by signature and date that the prescriptive practice of the physician assistant has been reviewed.*

(c) *The commissioner of health shall establish by rule:*

- (1) *a system of identifying physician assistants eligible to prescribe drugs and medical devices;*
- (2) *a method of determining the categories of prescription drugs and medical devices that each physician assistant is allowed to prescribe; and*
- (3) *a system of transmitting to pharmacies a listing of physician assistants eligible to prescribe prescription drugs and medical devices and the types of drugs and medical devices they are allowed to prescribe.*

*Subd. 2. [AUTHORITY TO ADOPT RULES.] The commissioner of health may adopt or amend rules to implement this section, including the amendment of rules previously adopted under section 214.13. The commissioner may delegate to the board of medical examiners the authority to implement and enforce the rules.*

*Sec. 2. Minnesota Statutes 1988, section 151.37, is amended by adding a subdivision to read:*

*Subd. 2a. A supervising physician may delegate to a physician assistant who is registered with the board of medical examiners and certified by the National Commission on Certification of Physician Assistants and who is under the supervising physician's supervision, the authority to prescribe and administer legend drugs and medical devices, subject to the requirements in section 1 and other requirements established by the commissioner of health in rules.*

*Sec. 3. [PERMANENT REGISTRATION OF PHYSICIAN ASSISTANTS.]*

*The board of medical examiners shall register those physician assistants who were granted temporary registration under Minnesota Rules, part 5600.2640, subpart 1, but who have been unable to meet the requirements of Minnesota Rules, part 5600.2640, subpart 2, within the designated time due to a change in certification examination eligibility requirements made by the National Commission on Certification of Physician Assistants. These*

*individuals shall be allowed to reregister under Minnesota Rules, part 5600.2645, without having to meet the requirements of Minnesota Rules, part 5600.2640, subpart 2.*

Sec. 4. [EFFECTIVE DATE.]

*Section 1, subdivision 1, paragraphs (b) and (c), are effective June 1, 1991. Section 1, subdivision 2, and section 3, are effective the day following final enactment.*

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring permanent registration for certain physician assistants;"

Page 1, line 5, after "subdivision" insert "; proposing coding for new law in Minnesota Statutes, chapter 147"

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. 1520: A bill for an act relating to human services; creating a technology assistance review panel; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Page 3, line 24, after "*organization*" insert ", *except binding arbitration,*"

Pages 4 and 5, delete section 2

Page 5, line 5, delete "3" and insert "2"

Page 5, line 6, delete "*Sections*" and insert "*Section*" and delete "*and are*" and insert "*is*"

Amend the title as follows:

Page 1, line 3, delete "appropriating money;"

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

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

S.F. No. 2382: A bill for an act relating to energy conservation; appropriating oil overcharge money for energy conservation projects that directly serve low-income Minnesotans; amending Minnesota Statutes 1988, section 4.071; and Laws 1989, chapter 338, section 11; repealing Laws 1989, chapter 338, section 11, subdivisions 1 and 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

S.F. No. 1994: A bill for an act relating to revenue bonds and notes; stating the intent of the legislature not to appropriate money from the general fund to pay for revenue bonds or notes; amending Minnesota Statutes 1988, sections 16B.16, by adding a subdivision; 41A.03, subdivision

5; 136.31, subdivision 1; 136A.35; 462A.14; and 462A.22, subdivision 8; Minnesota Statutes 1989 Supplement, sections 136A.176; and 298.2211, subdivision 4.

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

Pages 4 and 5, delete sections 7 and 8

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the second semicolon, insert "and" and delete "462A.14; and"

Page 1, line 8, delete "462A.22, subdivision 8;"

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. 1903: A bill for an act relating to health; providing programs and incentives for persons to volunteer as bone marrow donors; requiring the commissioner of health to educate residents about the need for volunteer bone marrow donors; requiring paid leave for employees to donate bone marrow; requiring a bone marrow donor drive to encourage state employees to volunteer as bone marrow donors; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 145 and 181.

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

Page 3, line 9, delete "\$ . . . . ." and insert "\$40,000"

Page 3, line 13, delete "\$ . . . . ." and insert "\$15,000"

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 environmental protection; approving state membership in the Great Lakes Protection Fund; proposing coding for new law as Minnesota Statutes, chapter 116Q.

Reports the same back with the recommendation that the bill do pass. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2621, 1798, 1520, 2382, 1994, 1903 and 2347 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Vickerman moved that the name of Mr. Morse be added as a co-author to S.F. No. 1831. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Marty be added as a co-author to S.F. No. 1847. The motion prevailed.

Mr. Larson introduced—

Senate Resolution No. 176: A Senate resolution congratulating the Fergus Falls High School Boys Basketball Team for winning Fourth Place in the 1990 State High School Class AA Boys Basketball Tournament.

Referred to the Committee on Rules and Administration.

Messrs. Ramstad; Benson; Moe, R.D.; Pogemiller and McGowan introduced—

Senate Resolution No. 177: A Senate resolution honoring the 1989-1990 University of Minnesota Men's Basketball Team and Coach Clem Haskins for reaching the Final Eight in the 1990 NCAA Basketball Tournament.

Referred to the Committee on Rules and Administration.

Mr. Luther moved that S.F. No. 2421 be taken from the table. The motion prevailed.

S.F. No. 2421: A bill for an act relating to elections; presidential primary; changing the primary date; providing procedures for conducting the primary; changing the requirements for being a candidate at the primary; allowing voters to prefer uncommitted delegates; allowing write-in votes; providing for voter receipt of ballots; eliminating the provision that the primary winner is the party's endorsed candidate; changing the apportionment of party delegates; requiring provision of certain information to interested persons; amending Minnesota Statutes 1988, sections 204B.06, by adding a subdivision; 204B.11, subdivision 2; Minnesota Statutes 1989 Supplement, sections 207A.01; 207A.02; 207A.03; 207A.04; and 207A.06, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 207A; repealing Minnesota Statutes 1989 Supplement, section 207A.05.

Mr. Luther moved that the Senate do not concur in the amendments by the House to S.F. No. 2421, 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.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

## **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Brandl introduced—

S.F. No. 2622: A bill for an act relating to taxation; exempting residential security and alarm system services from the sales tax; amending Minnesota Statutes Second 1989 Supplement, section 297A.01, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Lantry, Messrs. Pehler, Langseth and Piepho introduced—

S.F. No. 2623: A bill for an act relating to motor carriers; providing rules exemptions for certain private and agricultural carriers; amending Minnesota Statutes 1988, section 221.031, subdivision 3; Minnesota Statutes 1989 Supplement, section 221.031, subdivisions 2 and 2a.

Referred to the Committee on Transportation.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Peterson, R.W. moved that S.F. No. 1032, No. 6 on General Orders, be stricken and returned to its author. The motion prevailed.

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Pogemiller moved that the following members be excused for a Conference Committee on H.F. No. 1846 at 2:00 p.m.:

Messrs. Belanger, McGowan, Mses. Flynn, Reichgott and Mr. Pogemiller. The motion prevailed.

### SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 2621 and that the rules of the Senate be so far suspended as to give S.F. No. 2621, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 2621: A bill for an act relating to the organization and operation of state government; appropriating money for human services and health and other purposes with certain conditions; amending Minnesota Statutes 1988, sections 13.46, subdivision 5; 144A.073, by adding a subdivision; 245A.07, subdivision 3; 245A.08, subdivision 3; 245A.16, subdivision 4; 254B.04, subdivision 1; 254B.08; 256.736, subdivision 3a; 256.936, by adding a subdivision; 256B.04, subdivisions 15 and 16; 256B.055, subdivisions 3, 5, 6, and 12; 256B.056, subdivisions 2 and 7, and by adding a subdivision; 256B.0625, subdivisions 4, 5, 9, and by adding subdivisions; 256B.091, subdivisions 4 and 6; 256B.092, subdivisions 1a and 1b, and by adding subdivisions; 256B.15; 256B.19, by adding a subdivision; 256B.431, subdivision 3e, and by adding subdivisions; 256B.48, subdivision 2, and by adding a subdivision; 256B.49, by adding a subdivision; 256B.50, subdivisions 1 and 1b; 256B.501, subdivision 3e, and by adding a subdivision; 256B.69, subdivision 3; 256D.03, subdivision 7; 256E.06, subdivisions 2 and 7; 256H.01, by adding subdivisions; 518.171, subdivisions 1, 3, 4, and 7; 518.54, by adding subdivisions; 518.551, subdivisions 1 and 5; 518.611, subdivisions 1, 2, 8, and 8a, and by adding a subdivision; 518C.02, by adding subdivisions; 518C.03; 518C.05; 518C.09; 518C.12; and 518C.27, subdivision 1; Minnesota Statutes 1988, section 252.27, as amended by Laws 1989, chapter 282, article 2, section 92; Minnesota Statutes 1989 Supplement, sections 144.50, subdivision 6; 245.470, subdivision 1; 245.488, subdivision 1; 245A.02, subdivision 6a; 245A.03, subdivision 2; 245A.04, subdivisions 3, 3a, and 3b; 245A.12; 245A.13; 245A.16, subdivision 1; 252.46, subdivisions 1, 2, 3, 4, and 12; 254B.03, subdivision 4; 256.736, subdivision 16; 256.74, subdivision 1;

256.936, subdivision 1; 256.969, subdivisions 2c and 6a; 256.9695, subdivisions 1 and 3; 256B.055, subdivision 7; 256B.056, subdivisions 3 and 4; 256B.057, subdivisions 1 and 2, and by adding subdivisions; 256B.0575; 256B.059, subdivisions 4 and 5; 256B.0595, subdivisions 1, 2, and 4; 256B.0625, subdivision 13; 256B.091, subdivision 8; 256B.14; 256B.431, subdivision 2b; 256B.495, subdivision 1; 256B.69, subdivision 16; 256D.03, subdivisions 3, 4, and 6; 256D.425, subdivision 3; 256H.03, subdivisions 2, 2a, and 2b; 256H.05, subdivisions 1b, 1c, 2, and 5; 256H.08; 256H.15, subdivisions 1 and 2; 256I.05, subdivisions 1 and 7; 257.57, subdivision 1; 518.551, subdivision 10; 518.611, subdivision 4; and 518.613, subdivision 2; Laws 1988, chapter 689, article 2, section 256; Laws 1989, chapter 282, article 3, section 98, subdivisions 4 and 5; proposing coding for new law in Minnesota Statutes, chapters 60A; 144; 245A; 252; 254A; 256; and 256B; repealing Minnesota Statutes 1988, sections 256.736, subdivision 8; 256B.0625, subdivision 2; 256B.431, subdivisions 3, 3b, 3c, and 3d; and 256B.50, subdivision 2; Minnesota Statutes 1989 Supplement, sections 256.736, subdivision 15; 256B.055, subdivision 8; and 256B.431, subdivisions 3a and 3f.

Mr. Benson moved to amend S.F. No. 2621 as follows:

Page 3, line 1, delete "(1,100,000)" and insert "(2,200,000)"

Page 3, line 2, delete "two" and insert "four"

Page 4, line 18, delete "\$43,880,000" and insert "\$44,980,000"

Page 4, line 22, delete "15" and insert "30"

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 25 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Johnson, D.E.	McQuaid	Pehler
Beckman	Decker	Knaak	Mehrkens	Piepho
Benson	Diessner	Knutson	Morse	Ramstad
Bernhagen	Frederick	Laidig	Olson	Storm
Bertram	Frederickson, D.R.	Larson	Pariseau	Vickerman

Those who voted in the negative were:

Adkins	Davis	Johnson, D.J.	Marty	Purfeerst
Berg	Dicklich	Kroening	Merriam	Samuelson
Berglin	Frank	Langseth	Moe, R.D.	Spear
Brandl	Frederickson, D.J.	Lantry	Novak	Stumpf
Chmielewski	Freeman	Lessard	Peterson, R.W.	Waldorf
Dahl	Hughes	Luther	Piper	

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

Mr. Storm moved to amend S.F. No. 2621 as follows:

Page 3, line 1, delete "(1,100,000)" and insert "(2,200,000)"

Page 3, line 2, delete "two" and insert "four"

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

Page 78, delete lines 26 to 29

### CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate for the balance of the proceedings on S.F. No. 2621. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Storm amendment.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Frederickson, D.R.	Larson	Pariseau
Beckman	Decker	Gustafson	McGowan	Piepho
Belanger	Diessner	Johnson, D.E.	McQuaid	Ramstad
Benson	Flynn	Knaak	Mehrkens	Storm
Bernhagen	Frederick	Knutson	Morse	Vickerman
Brataas	Frederickson, D.J.	Laidig	Olson	

Those who voted in the negative were:

Adkins	Dicklich	Lantry	Peterson, R.W.	Solon
Berg	Frank	Lessard	Piper	Spear
Bertram	Freeman	Luther	Pogemiller	Stumpf
Brandl	Hughes	Marty	Purfeerst	Waldorf
Chmielewski	Johnson, D.J.	Merriam	Reichgott	
Dahl	Kroening	Moe, D.M.	Samuelson	
Davis	Langseth	Pehler	Schmitz	

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

Mr. Piepho moved to amend S.F. No. 2621 as follows:

Page 3, line 1, delete "(1,100,000)" and insert "(2,200,000)"

Page 3, line 2, delete "two" and insert "four"

Page 4, line 18, delete "\$43,880,000" and insert "\$44,980,000"

Page 4, after line 18, insert:

"Of the appropriation for the second year, \$1,100,000 must be used to provide a rate increase for privately operated, community-based residential facilities for persons with mental retardation and related conditions, to be used to increase employee wages. To receive a rate increase, a facility must agree to use the entire amount of the increase to provide wage increases for direct care staff."

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 29 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Bertram	Frederickson, D.R.	Larson	Pariseau
Beckman	Brataas	Gustafson	McGowan	Piepho
Belanger	Cohen	Johnson, D.E.	McQuaid	Ramstad
Benson	Davis	Knaak	Mehrkens	Storm
Berg	Decker	Knutson	Morse	Vickerman
Bernhagen	Frederick	Laidig	Olson	

Those who voted in the negative were:

Adkins	Flynn	Lantry	Novak	Schmitz
Berglin	Frank	Lessard	Pehler	Solon
Brandl	Freeman	Luther	Peterson, R. W.	Spear
Chmielewski	Hughes	Marty	Piper	Stumpf
Dahl	Johnson, D.J.	Merriam	Pogemiller	Waldorf
Dicklich	Kroening	Moe, D.M.	Reichgott	
Diessner	Langseth	Moe, R.D.	Samuelson	

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

Mr. Johnson, D.E. moved to amend S.F. No. 2621 as follows:

Page 106, after line 24, insert:

“Sec. 48. Minnesota Statutes 1988, section 256B.063, is amended to read:

256B.063 [COST SHARING.]

*Subdivision 1. [FEDERAL REQUIREMENTS.]* Notwithstanding the provisions of section 256B.05, subdivision 2, the commissioner is authorized to promulgate rules pursuant to the administrative procedure act, and to require a nominal enrollment fee, premium, or similar charge for recipients of medical assistance, if and to the extent required by applicable federal regulation.

*Subd. 2. [COPAYMENT FOR EMERGENCY ROOM CARE.]* A recipient of medical assistance, general assistance medical care, or the children's health plan who receives care in a hospital emergency room must pay a copayment of \$10 to the hospital for each emergency room visit, unless the recipient is admitted to the hospital as an inpatient within 24 hours after receiving the emergency room care. The hospital must deduct from the billing for the emergency room care, the amount of any copayment actually received from the patient.”

Renumber the sections of article 3 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Bertram	Knaak	McQuaid	Ramstad
Beckman	Brataas	Knutson	Mehrkens	Storm
Belanger	Decker	Laidig	Morse	Stumpf
Benson	Frederick	Langseth	Olson	Vickerman
Berg	Frederickson, D.R.	Larson	Pariseau	
Bernhagen	Johnson, D.E.	McGowan	Piepho	

Those who voted in the negative were:

Adkins	Flynn	Lantry	Novak	Schmitz
Berglin	Frank	Lessard	Pehler	Solon
Brandl	Frederickson, D.J.	Luther	Peterson, R. W.	Spear
Chmielewski	Gustafson	Marty	Piper	Waldorf
Cohen	Hughes	Merriam	Pogemiller	
Dicklich	Johnson, D.J.	Metzen	Purfeerst	
Diessner	Kroening	Moe, R.D.	Samuelson	

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

Mr. Benson moved to amend S.F. No. 2621 as follows:

Page 63, after line 29, insert:

“Sec. 50. [TASK FORCE ON COMPENSATION FOR DIRECT CARE EMPLOYEES.]

*The commissioner of human services shall establish a task force on the compensation and training of direct care employees. The purpose of the task force is to address staff turnover, recruitment, and training in order to have a significant number of qualified people working in programs that provide direct care services to individuals. Programs include intermediate care facilities for persons with mental retardation, semi-independent living services, day training and habilitation, waived services, supported employment, rehabilitation facilities, services for persons with mental illness, child care, and chemical dependency. Members of the task force shall be appointed by the commissioner. Task force membership shall consist of at least one representative from the department of human services, the department of employee relations, the department of jobs and training, and the department of health, advocates, direct care staff from unionized and nonunionized facilities, providers, collective bargaining representatives, and representatives from institutions of post-secondary education, metro and greater Minnesota counties, and the governor's council on developmental disabilities. The task force shall submit a report to the commissioner by November 1, 1990, that includes recommendations on the following:*

*(1) entry and promotional level wage ranges for various job classifications which reduce wage and benefit inequities between community and state-operated facilities and services;*

*(2) implementation of wage and benefit increases over a four-year period to ensure that wages and benefits are brought up to a level competitive within the community marketplace;*

*(3) mechanisms to link wage increases to initial training, continuing education, and competency;*

*(4) recruitment and retention of qualified staff; and*

*(5) the impact of making adjustments pursuant to complying with United States Code, title 29, section 157 (Supp. 1988), and Minnesota Statutes, sections 179.16 and 179A.12.*

*By January 15, 1991, the commissioner shall submit the report and recommended legislation to implement the report to the chairs of the house of representatives and senate health and human services committees.”*

Renumber the sections of article 2 in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S.F. No. 2621 as follows:

Page 10, after line 21, insert:

“Sec. 12. [ALLOTMENT REDUCTIONS.]

*Notwithstanding Minnesota Statutes, section 16A.15, subdivision 1, paragraph (a), any general fund deficit remaining after the legislature adjourns sine die in 1990 must be made up by reducing allotments rather than by drawing down the budget and cash flow reserve. The necessary reductions must be completed by June 1, 1990. Any deficit arising as a result of a forecast made after July 1, 1990, of general fund revenues and expenditures must be made up as provided in section 16A.15.”*

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S.F. No. 2621 as follows:

Page 71, line 12, delete "who are both" and insert "and" and after "old" delete "and" and insert "or older"

Page 71, line 13, delete everything before "are"

Page 150, delete lines 30 to 32 and insert:

"Subd. 3. [CHILDREN'S HEALTH PLAN.] Section 11, paragraph (a), clause (2), and paragraph (b), are effective January 1, 1991."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Gustafson	McQuaid	Piepho
Beckman	Cohen	Knaak	Mehrrens	Ramstad
Benson	Decker	Knutson	Metzen	Storm
Berglin	Frederick	Laidig	Olson	Vickerman
Bernhagen	Frederickson, D.R.	Larson	Pariseau	

Those who voted in the negative were:

Adkins	Dicklich	Kroening	Morse	Solon
Berg	Diessner	Langseth	Pehler	Spear
Bertram	Frank	Lantry	Peterson, R.W.	Stumpf
Brandl	Frederickson, D.J.	Luther	Piper	Waldorf
Chmielewski	Freeman	Marty	Purfeerst	
Dahl	Hughes	Merriam	Samuelson	
Davis	Johnson, D.J.	Moe, R.D.	Schmitz	

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

Mr. Benson moved to amend S.F. No. 2621 as follows:

Pages 151 to 153, delete article 4

Renumber the articles in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 39, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Knaak	Mehrrens	Vickerman
Beckman	Decker	Knutson	Pariseau	
Belanger	Frederick	Laidig	Piepho	
Benson	Frederickson, D.R.	Larson	Ramstad	
Bernhagen	Gustafson	McGowan	Storm	

Those who voted in the negative were:

Adkins	Diessner	Kroening	Metzen	Purfeerst
Berg	Flynn	Langseth	Moe, R. D.	Reichgott
Berglin	Frank	Lantry	Morse	Samuelson
Bertram	Frederickson, D.J.	Lessard	Novak	Schmitz
Brandl	Freeman	Luther	Pehler	Spear
Chmielewski	Hughes	Marty	Peterson, R. W.	Stumpf
Cohen	Johnson, D.E.	McQuaid	Piper	Waldorf
Davis	Johnson, D.J.	Merriam	Pogemiller	

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

Mr. McGowan moved to amend S.F. No. 2621 as follows:

Page 4, line 18, delete "\$43,880,000" and insert "\$46,080,000"

Page 4, after line 18, insert:

"Of this appropriation, \$7,000,000 in the second year is for the alternative care grant program."

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 28 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Knaak	McQuaid	Ramstad
Beckman	Decker	Knutson	Mehrkens	Renneke
Belanger	Frederick	Laidig	Morse	Storm
Benson	Frederickson, D.R.	Larson	Olson	Vickerman
Bernhagen	Gustafson	Marty	Pariseau	
Brataas	Johnson, D.E.	McGowan	Piepho	

Those who voted in the negative were:

Adkins	Dicklich	Johnson, D.J.	Moe, R. D.	Solon
Berg	Diessner	Kroening	Pehler	Spear
Bertram	Flynn	Lantry	Peterson, R. W.	Stumpf
Brandl	Frank	Lessard	Piper	Waldorf
Chmielewski	Frederickson, D.J.	Luther	Purfeerst	
Dahl	Freeman	Merriam	Samuelson	
Davis	Hughes	Metzen	Schmitz	

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

S.F. No. 2621 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 49 and nays 16, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knutson	Metzen	Renneke
Beckman	Dicklich	Kroening	Moe, R. D.	Samuelson
Berg	Diessner	Laidig	Morse	Schmitz
Berglin	Flynn	Langseth	Novak	Solon
Bertram	Frank	Lantry	Pehler	Spear
Brandl	Frederickson, D.J.	Lessard	Peterson, R. W.	Storm
Brataas	Freeman	Luther	Piper	Stumpf
Chmielewski	Hughes	Marty	Pogemiller	Vickerman
Cohen	Johnson, D.E.	Mehrkens	Purfeerst	Waldorf
Dahl	Johnson, D.J.	Merriam	Reichgott	

Those who voted in the negative were:

Anderson  
Belanger  
Benson  
Bernhagen

Decker  
Frederick  
Frederickson, D.R.

Gustafson  
Knaak  
Larson

McGowan  
McQuaid  
Olson

Pariseau  
Piepho  
Ramstad

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

### RECESS

Mr. 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.

### 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.

### CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on H.F. No. 2478. The Sergeant at Arms was instructed to bring in the absent members.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that H.F. No. 2478 be taken from the table. The motion prevailed.

H.F. No. 2478: A bill for an act relating to the financing and operation of government in Minnesota; updating references to the Internal Revenue Code; changing the computation of aid to local units of governments; modifying the computation and administration of taxes and property tax refunds; providing tax deductions and exemptions; changing the tax rates; authorizing certain local governments to borrow money; providing a food shelf checkoff; changing definition of debt for the revenue recapture act; providing certain rights and remedies to taxpayers; modifying the requirements for the collection and expenditure of tax increments; repealing the increase in the maximum lodging tax; allowing the sale of certain tax forfeited land in Otter Tail county; allowing the cities of Bayport, Windom, and Jackson and the counties of Goodhue, Douglas, and Koochiching to levy taxes for certain purposes; requiring certain uses of tax increments by the city of Minneapolis; exempting the city of Moorhead from certain requirements; permitting the cities of Bloomington and Roseville to impose lodging taxes; changing truth-in-taxation requirements; requiring payment of the prevailing wage for financial assistance; requiring reports and studies; imposing and transferring powers and duties; changing certain effective dates; increasing certain fees; providing for payment of the greater Minnesota landfill fee; imposing a minimum fee on corporations; providing for withholding of certain refunds; requiring an appropriation by the metropolitan sports facilities commission; reducing and transferring appropriations; canceling certain debts; appropriating money; amending Minnesota Statutes 1988, sections 270.07, by adding a subdivision; 270.70, subdivisions 1, 2, 4, 8, and by adding subdivisions; 270.701, by adding a subdivision; 270.709, subdivision 1; 270A.03, subdivisions 2 and 5; 271.12; 271.19; 273.11, by adding a subdivision; 273.124, by adding a subdivision; 273.1398, by adding a subdivision; 273.42, subdivision 1; 275.065, by

adding a subdivision; 276.111; 277.15; 279.03, subdivision 2, and by adding a subdivision; 279.06; 281.17; 282.01, subdivision 4; 282.014; 282.261, subdivision 2; 289A.11, as added, by adding a subdivision; 290.431; 290.50, by adding a subdivision; 290A.10; 290A.19; 296.02, subdivision 1a; 296.025, subdivision 1a; 296.06, subdivision 2; 296.12, subdivisions 1 and 2; 296.17, subdivisions 10 and 17; 297.07, subdivision 5; 297A.01, subdivision 15; 297A.25, by adding a subdivision; 298.015, subdivision 1; 298.017; 298.05; 298.24, subdivision 1; 469.059, subdivision 11; 469.129, subdivision 2; 469.171, by adding a subdivision; 469.174, subdivision 12, and by adding subdivisions; 469.175, subdivision 1a, and by adding subdivisions; 469.176, subdivisions 2 and 3; 469.177, subdivision 8; 477A.011, subdivision 17, and by adding a subdivision; 477A.012, subdivision 1, and by adding a subdivision; 477A.013, by adding a subdivision; 477A.03, subdivision 1; 477A.11, subdivision 4; 477A.13; and 500.24, subdivision 4; Minnesota Statutes 1989 Supplement, sections 270.10, subdivision 1a; 270.69, subdivision 11; 273.11, subdivision 1; 273.112, subdivision 3; 273.124, subdivisions 8 and 9; 275.08, subdivision 1d; 278.05, subdivision 4; 279.01, subdivision 1; 282.01, subdivision 1; 290.01, subdivision 19; 290A.04, subdivision 5; 290A.045, subdivision 7; 375.192, subdivision 2; 383.06; 410.32; 462.396, subdivision 2; 469.175, subdivision 4; 469.176, subdivision 4c; 469.177, subdivision 9; and 469.190, subdivisions 1 and 2; Minnesota Statutes Second 1989 Supplement, sections 3.885, subdivision 8; 60A.15, subdivision 1; 103B.3369, subdivisions 5 and 7; 272.02, subdivision 4; 273.13, subdivisions 22, 23, and 25; 273.1398, subdivisions 1 and 2; 273.371, subdivision 1; 275.065, subdivisions 1 and 6; 275.07, subdivision 1; 275.50, subdivision 5; 275.51, subdivision 3f; 276.09; 276.10; 276.11, subdivision 1; 277.01, subdivision 1; 277.02; 277.05; 277.06; 290.05, subdivision 1; 290.06, subdivision 1; 290.091, subdivision 2; 290.0921, subdivisions 1, 3, and by adding a subdivision; 290A.04, subdivision 2a; 290A.045, subdivision 6; 297A.01, subdivision 3; 297A.44, subdivision 1; 469.174, subdivisions 7 and 10; 469.175, subdivisions 3 and 7; 469.176, subdivisions 1 and 4j; 469.177, subdivision 10; 469.190, subdivision 3; 477A.011, subdivisions 1a and 25; and 477A.013, subdivisions 3 and 5; Laws 1988, chapter 719, article 12, section 30, as amended; Laws 1989, chapters 326, article 3, section 49; and 353, section 13; and Laws 1989, First Special Session chapter 1, articles 3, section 32, subdivisions 1 and 2; 5, section 52; and 10, section 45; proposing coding for new law in Minnesota Statutes, chapters 134; 116j; 268; 270; 273; 290; and 469; repealing Minnesota Statutes 1989 Supplement, sections 115A.922; 115A.923, subdivisions 2, 3, 4, and 5; 115A.924; 115A.925; 115A.927; 115A.928; 290.06, subdivision 1a; and 375.192, subdivision 1; Minnesota Statutes Second 1989 Supplement, 273.1398, subdivision 2b.

### SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2478 and that the rules of the Senate be so far suspended as to give H.F. No. 2478 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2478 was read the second time.

Mr. Johnson, D.J. moved to amend H.F. No. 2478 as follows:

Delete everything after the enacting clause, and delete the title, of H.F.

No. 2478, and insert the language after the enacting clause, and the title, of S.F. No. 2540, the first engrossment.

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.J. then moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 83, after line 23, insert:

“Sec. 16. [ALLOTMENT REDUCTIONS.]

*Notwithstanding Minnesota Statutes, section 16A.15, subdivision 1, paragraph (a), any general fund deficit remaining after the legislature adjourns sine die in 1990 must be made up by reducing allotments rather than by drawing down the budget and cash flow reserve. The necessary reductions must be completed by June 1, 1990. Any deficit arising as a result of a forecast made after July 1, 1990, of general fund revenues and expenditures must be made up as provided in section 16A.15.”*

Renumber the sections of article 3 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the Johnson, D.J. amendment.

The roll was called, and there were yeas 58 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Knutson	Moe, R.D.	Reichgott
Anderson	Dicklich	Kroening	Morse	Renneke
Beckman	Diessner	Laidig	Novak	Samuelson
Belanger	Frederick	Lantry	Olson	Schmitz
Benson	Frederickson, D.J.	Larson	Pariseau	Solon
Berg	Frederickson, D.R.	Lessard	Pehler	Spear
Bernhagen	Freeman	Luther	Peterson, R.W.	Storm
Bertram	Gustafson	McGowan	Piepho	Stumpf
Brandl	Hughes	McQuaid	Piper	Vickerman
Brataas	Johnson, D.E.	Mehrkins	Pogemiller	Waldorf
Chmielewski	Johnson, D.J.	Merriam	Purfeerst	
Cohen	Knaak	Metzen	Ramstad	

Mses. Berglin, Flynn, Messrs. Frank and Marty voted in the negative.

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.J. then moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 74, line 5, delete “and”

Page 74, line 7, after “section” insert “; and

(4) municipal state aid under section 162.14, subdivision 1”

Page 74, line 10, after “reduction” insert “in aids under paragraph (c), other than the reduction in municipal state aid,”

Page 74, line 12, after the period, insert “In no case shall the subtraction from a local government’s levy limit base be less than the percentage of a local government’s revenue base determined under paragraph (b) less any

*reduction made in municipal state aid under section 162.14, subdivision 1."*

Page 74, after line 12, insert:

*"(f) If any reduction under this section is made in a city's municipal state aids under section 162.14, subdivision 1, the amount of the reduction shall be deposited in the municipal state-aid fund created by article XIV, section 8, of the state constitution. For purposes of section 162.13, subdivision 2, the money need of any city, the apportionment of which was reduced by this section, shall be reduced by the cumulative reductions made pursuant to this section in their municipal state aids under section 162.14, subdivision 1, in prior years."*

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	Dicklich	Johnson, D.E.	Metzen	Purfeerst
Berg	Diessner	Johnson, D.J.	Moe, D.M.	Reichgott
Berglin	Flynn	Kroening	Moe, R.D.	Schmitz
Bertram	Frank	Lantry	Morse	Solon
Chmielewski	Frederickson, D.J.	Lessard	Pehler	Spear
Cohen	Freeman	Luther	Peterson, R.W.	Stumpf
Dahl	Gustafson	Marty	Piper	Vickerman
Davis	Hughes	Merriam	Pogemiller	Waldorf

Those who voted in the negative were:

Adkins	Brataas	Knutson	Mehrkens	Ramstad
Anderson	Decker	Laidig	Novak	Renneke
Belanger	Frederick	Larson	Olson	Storm
Benson	Frederickson, D.R.	McGowan	Pariseau	
Bernhagen	Knaak	McQuaid	Piepho	

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 61, delete section 46

Renumber the sections of article 2 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Decker moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 21, after line 36, insert:

"Sec. 18. Minnesota Statutes Second 1989 Supplement, section 273.13, subdivision 22, is amended to read:

Subd. 22. [CLASS 1.] (a) Except as provided in subdivision 23, real estate which is residential and used for homestead purposes is class 1. The market value of class 1a property must be determined based upon the value of the house, garage, and land.

The first \$68,000 of market value of class 1a property has a net class rate of one percent of its market value and a gross class rate of 2.17 percent of its market value. The market value of class 1a property that exceeds \$68,000 but does not exceed \$100,000 has a class rate of two percent of its market value. The market value of class 1a property that exceeds \$100,000 has a class rate of three percent of its market value.

(b) Class 1b property includes real estate or manufactured homes used for the purposes of a homestead by

(1) any blind person, if the blind person is the owner thereof or if the blind person and the blind person's spouse are the sole owners thereof; or

(2) any person, hereinafter referred to as "veteran," who:

(i) served in the active military or naval service of the United States; and

(ii) is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheelchair; and

(iii) with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, or the surviving spouse of the deceased veteran for as long as the surviving spouse retains the special housing unit as a homestead; or

(3) any person who:

(i) is permanently and totally disabled and

(ii) receives 90 percent or more of total income from

(A) aid from any state as a result of that disability; or

(B) supplemental security income for the disabled; or

(C) workers' compensation based on a finding of total and permanent disability; or

(D) social security disability, including the amount of a disability insurance benefit which is converted to an old age insurance benefit and any subsequent cost of living increases; or

(E) aid under the Federal Railroad Retirement Act of 1937, United States Code Annotated, title 45, section 228b(a)5; or

(F) a pension from any local government retirement fund located in the state of Minnesota as a result of that disability; or

(iii) whose household income as defined in section 290A.03, subdivision 5, is 150 percent or less of the federal poverty level.

Property is classified and assessed pursuant to clause (1) only if the commissioner of jobs and training certifies to the assessor that the owner of the property satisfies the requirements of this subdivision.

Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings the person an

income. The first \$32,000 market value of class 1b property has a net class rate of .4 percent of its market value and a gross class rate of .87 percent of its market value. The remaining market value of class 1b property has a gross or net class rate using the rates for class 1 or class 2a property, whichever is appropriate, of similar market value.

(c) Class 1c property is commercial use real property that abuts a lake-shore line and is devoted to temporary and seasonal residential occupancy for recreational purposes but not devoted to commercial purposes for more than 225 ~~days~~ *nights* in the year preceding the year of assessment, and that includes a portion used as a homestead by the owner, which includes a dwelling occupied as a homestead by a shareholder of a corporation that owns the resort or a partner in a partnership that owns the resort, even if the title to the homestead is held by the corporation or partnership. Class 1c property has a class rate of .4 percent of the first \$32,000 of market value for taxes payable in 1990, .6 percent of the first \$32,000 of market value for taxes payable in 1991, .8 percent of the first \$32,000 of market value for taxes payable in 1992, and one percent of market value in excess of \$32,000 for taxes payable in 1990, 1991, and 1992, and one percent of total market value for taxes payable in 1993 and thereafter with the following limitation: the area of the property must not exceed 100 feet of lakeshore footage for each cabin or campsite located on the property up to a total of 800 feet and 500 feet in depth, measured away from the lakeshore."

Page 27, line 32, strike "days" and insert "*nights*"

Page 28, line 4, strike "days" and insert "*nights*"

Renumber the sections of article 2 in sequence and correct the internal references

Amend the title accordingly

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

Mr. Stumpf moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Pages 90 and 91, delete sections 1 and 2

Renumber the sections of article 5 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 39 and nays 27, as follows:

Those who voted in the affirmative were:

Adkins	Brandl	Gustafson	McGowan	Purfeerst
Anderson	Brataas	Johnson, D.E.	McQuaid	Ramstad
Beckman	Chmielewski	Knaak	Mehrkens	Renneke
Belanger	Davis	Knutson	Morse	Schmitz
Benson	Decker	Laidig	Olson	Storm
Berg	Diessner	Langseth	Pariseau	Stumpf
Bernhagen	Frederickson, D.J.	Larson	Peterson, R.W.	Vickerman
Bertram	Frederickson, D.R.	Lessard	Piepho	

Those who voted in the negative were:

Berglin	Frederick	Luther	Novak	Solon
Cohen	Freeman	Marty	Pehler	Spear
Dahl	Hughes	Merriam	Piper	Waldorf
Dicklich	Johnson, D.J.	Metzen	Pogemiller	
Flynn	Kroening	Moe, D.M.	Reichgott	
Frank	Lantry	Moe, R.D.	Samuelson	

The motion prevailed. So the amendment was adopted.

Mr. Ramstad moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 21, after line 36, insert:

"Sec. 18. Minnesota Statutes Second 1989 Supplement, section 273.13, subdivision 22, is amended to read:

Subd. 22. [CLASS 1.] (a) Except as provided in subdivision 23, real estate which is residential and used for homestead purposes is class 1. The market value of class 1a property must be determined based upon the value of the house, garage, and land.

The first \$68,000 of market value of class 1a property has a net class rate of one percent of its market value and a gross class rate of 2.17 percent of its market value. The market value of class 1a property that exceeds \$68,000 but does not exceed \$100,000 has a class rate of two percent of its market value. The market value of class 1a property that exceeds \$100,000 has a class rate of three percent of its market value.

(b) Class 1b property includes real estate or manufactured homes used for the purposes of a homestead by

(1) any blind person, if the blind person is the owner thereof or if the blind person and the blind person's spouse are the sole owners thereof; or

(2) any person, hereinafter referred to as "veteran," who:

(i) served in the active military or naval service of the United States; and

(ii) is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheelchair; and

(iii) with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, or the surviving spouse of the deceased veteran for as long as the surviving spouse retains the special housing unit as a homestead; or

(3) any person who:

(i) is permanently and totally disabled and

(ii) receives 90 percent or more of total income from

(A) aid from any state as a result of that disability; or

(B) supplemental security income for the disabled; or

(C) workers' compensation based on a finding of total and permanent disability; or

(D) social security disability, including the amount of a disability insurance benefit which is converted to an old age insurance benefit and any subsequent cost of living increases; or

(E) aid under the Federal Railroad Retirement Act of 1937, United States Code Annotated, title 45, section 228b(a)5; or

(F) a pension from any local government retirement fund located in the state of Minnesota as a result of that disability; or

(iii) whose household income as defined in section 290A.03, subdivision 5, is ~~150~~ 250 percent or less of the federal poverty level.

Property is classified and assessed pursuant to clause (1) only if the commissioner of jobs and training certifies to the assessor that the owner of the property satisfies the requirements of this subdivision.

Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings the person an income. The first \$32,000 market value of class 1b property has a net class rate of .4 percent of its market value and a gross class rate of .87 percent of its market value. The remaining market value of class 1b property has a gross or net class rate using the rates for class 1 or class 2a property, whichever is appropriate, of similar market value.

(c) Class 1c property is commercial use real property that abuts a lake-shore line and is devoted to temporary and seasonal residential occupancy for recreational purposes but not devoted to commercial purposes for more than 225 days in the year preceding the year of assessment, and that includes a portion used as a homestead by the owner, which includes a dwelling occupied as a homestead by a shareholder of a corporation that owns the resort or a partner in a partnership that owns the resort, even if the title to the homestead is held by the corporation or partnership. Class 1c property has a class rate of .4 percent of the first \$32,000 of market value for taxes payable in 1990, .6 percent of the first \$32,000 of market value for taxes payable in 1991, .8 percent of the first \$32,000 of market value for taxes payable in 1992, and one percent of market value in excess of \$32,000 for taxes payable in 1990, 1991, and 1992, and one percent of total market value for taxes payable in 1993 and thereafter with the following limitation: the area of the property must not exceed 100 feet of lakeshore footage for each cabin or campsite located on the property up to a total of 800 feet and 500 feet in depth, measured away from the lakeshore."

Renumber the sections of article 2 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 92, after line 27, insert:

"Sec. 4. If S.F. No. 2618, article 2, is enacted at the 1990 regular session,

Minnesota Statutes 1988, section 353.27, is amended by adding a subdivision to read:

*Subd. 3. [EMPLOYER CONTRIBUTION.] The employer contribution must be an amount equal to the employee contribution under subdivision 2. This contribution must be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28. In November 1991 and every November thereafter, the board of trustees shall recommend to the legislature the amount of the employer contribution to be made under this subdivision for the one-year period beginning the next July 1. The board of trustees shall recommend to the legislature the employer contribution at a level equal to the total actuarial requirements calculated by the actuary retained by the legislative commission on pensions and retirement in the actuary's most recent valuation, less the employee contribution established in subdivision 2."*

Page 96, after line 11, insert:

"Sec. 7. [CORRECTION.]

S.F. No. 2618, article 2, section 5, if enacted at the 1990 regular session, is amended to read:

Sec. 5. Minnesota Statutes 1988, section 353.27, subdivision 3a, is amended to read:

*Subd. 3a. [ADDITIONAL EMPLOYER CONTRIBUTION.] An additional employer contribution must be made equal to (a) ~~8.23~~ 2-1/2 percent of the total salary of each "basic member"; and (b) ~~4.23~~ one-quarter of one percent of the total salary of each "coordinated member." These contributions must be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28. In November 1991 and every November thereafter, the board of trustees shall recommend to the legislature the amount of the additional employer contribution to be made under this subdivision for the one-year period beginning the next July 1. The board of trustees shall recommend to the legislature the ~~employee~~ additional employer contribution at a level equal to the total actuarial requirements calculated by the actuary retained by the legislative commission on pensions and retirement in the actuary's most recent valuation, less the employee contribution established in subdivision 2.*

Sec. 8. [REPEALER.]

*S.F. No. 2618, article 2, section 8, if enacted at the 1990 regular session, is repealed."*

Renumber the sections of article 5 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Gustafson moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 92, after line 27, insert:

"Sec. 4. Minnesota Statutes 1988, section 297A.25, subdivision 36, is amended to read:

Subd. 36. [INCOMING, INTERSTATE WATS LINES.] The gross receipts from the sale of long distance telephone services are exempt, if the service (1) consists of a wide area telephone line that permits a long distance call to an individual or business located in Minnesota to be made from a location outside of Minnesota at no toll charge to the person placing the call; or (2) entitles a customer that is exclusively a provider of telemarketing services, upon payment of a periodic charge that is determined either as a flat amount or upon the basis of total elapsed transmission time, to the privilege of an unlimited number of long distance calls made from a location in Minnesota to a location outside of Minnesota. As used in this subdivision, "telemarketing services" means a system that systematically solicits sales and receives orders for sales by means of telegraph, telephone, computer data base, cable optic, microwave, or other communications system."

Renumber the sections in sequence and correct the internal references  
Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 31, after line 24, insert:

"Sec. 23. H.F. No. 2480, article 9, section 14, if enacted at the 1990 regular session, is amended to read:

Sec. 14. Minnesota Statutes 1988, section 273.42, subdivision 1, is amended to read:

Subdivision 1. The property set forth in section 273.37, subdivision 2, consisting of transmission lines of less than 69 kv and transmission lines of 69 kv and above located in an unorganized township, and distribution lines not taxed as provided in sections 273.38, 273.40 and 273.41 shall be taxed at the average tax capacity rate of taxes levied for all purposes throughout the county ~~after~~ *before* disparity reduction aid is applied, and shall be entered on the tax lists by the county auditor against the owner thereof and certified to the county treasurer at the same time and in the same manner that other taxes are certified, and, when paid, shall be credited as follows: 50 percent to the general revenue fund of the county and 50 percent to the general school fund of the county, except that if there are high voltage transmission lines as defined in section 116C.52, the construction of which was commenced after July 1, 1974 and which are located in unorganized townships within the county, then the distribution of taxes within this subdivision shall be credited as follows: 50 percent to the general revenue fund of the county, 40 percent to the general school fund of the county and ten percent to a utility property tax credit fund, which is hereby established."

Page 45, line 11, after "to" insert "(1)"

Page 45, line 16, after "4" insert "; and (2) the adjusted levy limit base adjustment made under subdivision 3h, paragraph (f), for taxes payable in 1990"

Page 45, after line 25, insert:

"Sec. 31. Minnesota Statutes Second 1989 Supplement, section 275.51, subdivision 3h, is amended to read:

Subd. 3h. [ADJUSTED LEVY LIMIT BASE.] For taxes levied in 1989 and thereafter, the adjusted levy limit base is equal to the levy limit base computed pursuant to subdivision 3f, increased by:

(a) three percent for taxes levied in 1989 and subsequent years;

(b) a percentage equal to (1) one-half of the greater of the percentage increases in population or in number of households, if any, for cities and towns and (2) the lesser of the percentage increase in population or the number of households, if any, for counties, using figures derived pursuant to subdivision 6;

(c) the amount of a permanent increase in the levy limit base approved at a general or special election held during the 12-month period ending September 30 of the levy year under section 275.58, subdivisions 1 and 2;

(d) for levy year 1989, for a county which incurred costs since October 1978, for the litigation of federal land claims under United States Code, title 18, section 1162; United States Code, title 25, section 331; and United States Code, title 28, section 1360; an amount of up to the actual costs incurred by the county for this purpose. This adjustment shall not exceed \$250,000; *and*

(e) for levy year 1989, an amount of \$1,724,000 for Ramsey county for implementing the local government pay equity act under sections 471.991 to 471.999. Furthermore, in levy years 1990 and 1991, an additional amount of \$862,000 shall be added to Ramsey county's adjusted levy limit base under this clause for each of the two years; *and*

~~(f) for levy year 1989, an amount equal to the decrease in a county's 50 percent share of the powerline taxes extended between taxes payable years 1988 and 1989 under section 273.42, subdivision 1. The adjustment shall be determined by the department of revenue.~~

For taxes levied in 1989, the adjusted levy limit base is reduced by an amount equal to the estimated amount of the reduction in aids to a county under sections 273.1398, subdivision 2, paragraph (d), and 477A.012, subdivision 3, for aids payable in 1990."

Renumber the sections of article 2 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Peterson, R.W. moved to amend H.F. No. 2478, as amended by the Senate March 30, 1990, as follows:

(The text of the amended House File is identical to S.F. No. 2540.)

Page 17, line 25, after "dealers" insert "or manufacturers"

Page 17, line 26, after "dealer" insert "or manufacturer"

The motion prevailed. So the amendment was adopted.

H.F. No. 2478 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 37 and nays 28, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knaak	Moe, R.D.	Samuelson
Belanger	Diessner	Laidig	Novak	Schmitz
Berglin	Flynn	Langseth	Pehler	Solon
Bertram	Frederick	Lessard	Peterson, R.W.	Spear
Brandl	Gustafson	Luther	Piper	Stumpf
Brataas	Hughes	Marty	Pogemiller	
Chmielewski	Johnson, D.E.	Merriam	Purfeerst	
Cohen	Johnson, D.J.	Moe, D.M.	Reichgott	

Those who voted in the negative were:

Anderson	Davis	Kroening	Metzen	Renneke
Beckman	Frank	Lantry	Morse	Storm
Benson	Frederickson, D.J.	Larson	Olson	Vickerman
Berg	Frederickson, D.R.	McGowan	Pariseau	Waldorf
Bernhagen	Freeman	McQuaid	Piepho	
Dahl	Knutson	Mehrkens	Ramstad	

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Orders of Business of Messages From the House and Reports of Committees. The motion prevailed.

### 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. 2617: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; reducing appropriations for the biennium ending June 30, 1991, with certain conditions; providing for the transfer of money in the state treasury; amending Minnesota Statutes 1989 Supplement, section 297B.09, subdivision 1.

Senate File No. 2617 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1990

Mr. Langseth moved that the Senate do not concur in the amendments by the House to S.F. No. 2617, and that a Conference Committee of 5 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.

### REPORTS OF COMMITTEES

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-referred

S.F. No. 1787: A bill for an act relating to education; modifying the maximum effort education facility aid law capital loan program and review and comment procedures for certain construction; authorizing the issuance of state bonds; appropriating money; amending Minnesota Statutes 1988, sections 121.148, subdivision 2; 121.15, subdivisions 1, 7, and 8; Minnesota Statutes 1989 Supplement, sections 121.15, subdivision 2; 124.38, subdivision 7; Minnesota Statutes Second 1989 Supplement, section 124.2442, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124; repealing Minnesota Statutes 1988, section 124.43, subdivisions 2, 3, 3a, 3b, 4, 5, and 6; and Minnesota Statutes 1989 Supplement, section 124.43, subdivision 1.

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

Page 7, after line 2, insert:

*“(1) the current facility poses a real threat to the life, health, and safety of pupils, and cannot reasonably be brought into compliance with fire, health, and life safety codes;”*

Re-number the clauses in sequence

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Mr. Johnson, D.J. moved that S.F. No. 2540, No. 44 on General Orders, be stricken and laid on the table. The motion prevailed.

### **RECESS**

Mr. 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**

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

S.F. No. 2299: Messrs. Dicklich, Decker and Dahl.

S.F. No. 2421: Messrs. Luther, Cohen and Laidig.

S.F. No. 2617: Messrs. Langseth, Berg, Purfeerst, Mehrkens and Metzen.

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

### **MEMBERS EXCUSED**

Mr. DeCramer was excused from the Session of today. Mr. Renneke was excused from the Session of today from 12:00 noon to 3:00 p.m. Mr. Metzen was excused from the Session of today from 1:00 to 2:20 p.m. Ms. Reichgott

was excused from the Session of today from 3:00 to 3:30 p.m. Mr. Decker was excused from the Session of today at 5:35 p.m.

### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Monday, April 2, 1990. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate