

FIFTEENTH DAY

St. Paul, Minnesota, Wednesday, February 20, 1991

The Senate met at 11:30 a.m. and was called to order by the President.

CALL OF THE SENATE

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

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

Adkins	DeCramer	Johnston	Moe, R.D.	Riveness
Beckman	Dicklich	Knaak	Mondale	Sams
Belanger	Finn	Kroening	Morse	Samuelson
Benson, D.D.	Flynn	Laidig	Neuville	Solon
Benson, J.E.	Frank	Langseth	Novak	Spear
Berg	Frederickson, D.J.	Larson	Pappas	Storm
Berglin	Frederickson, D.R.	Lessard	Pariseau	Stumpf
Bernhagen	Halberg	Luther	Piper	Traub
Bertram	Hottinger	Marty	Pogemiller	Vickerman
Chmielewski	Hughes	McGowan	Price	Waldorf
Cohen	Johnson, D.E.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Day	Johnson, J.B.	Metzen	Renneke	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Brataas and Mr. Davis were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

January 31, 1991

The Honorable Jerome Hughes
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as requested by law:

COMMISSIONER OF EMPLOYEE RELATIONS

Linda Barton, 14905 Oak Ridge Court West, Burnsville, Dakota County, Minnesota, has been appointed by me, effective January 29, 1991, for a term expiring on the first Monday in January, 1995.

(Referred to the Committee on Governmental Operations.)

Warmest regards,
Arne H. Carlson, Governor

REPORTS OF COMMITTEES

Mr. Spear moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 216: A bill for an act relating to alcoholic beverages; allowing proof of age by means of a Canadian consumption card; amending Minnesota Statutes 1990, section 340A.503, subdivision 6.

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

Page 1, line 12, after the stricken "or" insert "*issued by Minnesota, another state, or a province of Canada, and including the photograph and date of birth of the licensed person*"

Page 1, line 13, after "a" insert "*valid*"

Page 1, line 14, after "a" insert "*valid*" and delete "*consumption*" and insert "*identification*" and after "card" insert "*with the photograph and date of birth of the person, issued by a Canadian province*"

Page 1, line 15, after "national" insert "*, from a nation other than Canada,*"

Amend the title as follows:

Page 1, line 3, delete "*consumption*" and insert "*identification*"

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

Mr. Bertram from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 105: A bill for an act relating to appropriations; removing certain directions, limits, and provisos on the use of money for certain projects; amending Laws 1990, chapter 610, article 1, section 9, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Bertram from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 144: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 5; permitting the payment of bonuses to veterans of the Iraq conflict.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mrs. Adkins from the Committee on Local Government, to which was referred

S.F. No. 79: A bill for an act relating to the city of Mora; extending the deadline for negotiating certain contracts; amending Laws 1989, chapter 33, section 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 216 and 79 were read the second time.

MOTIONS AND RESOLUTIONS

Ms. Johnson, J.B. moved that the name of Mr. Day be added as a co-author to S.F. No. 254. The motion prevailed.

Mr. Merriam moved that the name of Mr. Finn be added as a co-author to S.F. No. 256. The motion prevailed.

Mr. Merriam moved that the name of Mr. Finn be added as a co-author to S.F. No. 257. The motion prevailed.

Mr. Kelly moved that the name of Mr. Merriam be added as a co-author to S.F. No. 259. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Marty be added as a co-author to S.F. No. 260. The motion prevailed.

Mr. Merriam moved that his name be stricken as a co-author to S.F. No. 265. The motion prevailed.

Mr. Kelly moved that the name of Ms. Traub be added as a co-author to S.F. No. 265. The motion prevailed.

Mr. Solon moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 307. The motion prevailed.

Ms. Pappas moved that her name be stricken as a co-author to S.F. No. 321. The motion prevailed.

Mr. Mehrkens moved that the name of Mr. Moe, R.D. be added as a co-author to S.F. No. 321. The motion prevailed.

Mr. Bertram moved that the name of Mr. Morse be added as a co-author to S.F. No. 345. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Pogemiller introduced—

S.F. No. 370: A bill for an act relating to retirement; authorizing investment related postretirement adjustments for eligible members of police and fire-fighters relief associations; amending Minnesota Statutes 1990, sections 69.031, subdivision 5; 69.77, subdivision 2b; 356.216; and 423A.01, subdivision 2; Laws 1989, chapter 319, article 19, sections 6 and 7, subdivisions 1, and 4, as amended.

Referred to the Committee on Governmental Operations.

Messrs. Bertram, Pogemiller, McGowan, Finn and Merriam introduced—

S.F. No. 371: A bill for an act relating to crimes; child abduction; requiring convicted sex offenders to register with local law enforcement agencies; requiring the publication of missing children bulletins; establishing a historic data base of information concerning missing children; requiring training concerning the investigation of missing children cases; providing for the release of medical and dental records of missing children; appropriating money; amending Minnesota Statutes 1990, section 299C.52, subdivisions 1, 3, and 6; proposing coding for new law in Minnesota Statutes, chapters 243 and 299C.

Referred to the Committee on Judiciary.

Mr. Frank introduced—

S.F. No. 372: A bill for an act relating to crimes; obscenity; increasing the penalties for distributing obscene materials; increasing the penalties for possessing obscene pictorial representations of minors; prohibiting the rental of obscene materials; expanding the authority of county attorneys and the attorney general to enjoin the operation of establishments engaged in the distribution of obscene materials; amending Minnesota Statutes 1990, sections 617.241, subdivisions 2, 3, and 4; 617.247, subdivisions 3 and 4; and 617.296, subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Bertram and Frederickson, D.J. introduced—

S.F. No. 373: A bill for an act relating to the military; creating an emergency assistance fund for families of military personnel who are called to active service; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Veterans and General Legislation.

Ms. Berglin, Messrs. Moe, R.D. and Pogemiller introduced—

S.F. No. 374: A bill for an act relating to taxation; income; authorizing a tax checkoff for foodshelf programs; creating a foodshelf account distribution board; appropriating money; amending Minnesota Statutes 1990, section 290.431; proposing coding for new law in Minnesota Statutes, chapter 268.

Referred to the Committee on Health and Human Services.

Mr. Neuville and Ms. Johnston introduced—

S.F. No. 375: A bill for an act relating to motor vehicles; abolishing requirement to impound vehicle registration certificates; making technical corrections; providing for reciprocal privileges relating to disabled parking certificates issued by foreign countries; amending Minnesota Statutes 1990, sections 168.041; 169.123, subdivision 5b; 169.346, subdivision 1; 169.795; and 171.29, subdivision 3.

Referred to the Committee on Transportation.

Ms. Berglin and Mr. Spear introduced—

S.F. No. 376: A bill for an act relating to human services; extending the exemption from the Minnesota supplemental aid rate cap to allow payments at the case mix rate for certain medical assistance certified boarding care facilities and nursing homes declared institutions for mental disease; amending Minnesota Statutes 1990, section 2561.05, subdivision 2.

Referred to the Committee on Health and Human Services.

Messrs. Waldorf, Pogemiller and Ms. Ranum introduced—

S.F. No. 377: A bill for an act relating to retirement; local police and salaried firefighters relief associations; providing for the continuation of surviving spouse benefits in the event of remarriage; amending Minnesota Statutes 1990, sections 69.48; 353B.11, subdivision 6; 423.387, subdivision 1; 423.58, subdivision 1; 423.810, subdivision 1; and 424.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 423A.

Referred to the Committee on Governmental Operations.

Mr. Chmielewski introduced—

S.F. No. 378: A bill for an act relating to education; approving a maximum effort school loan program capital loan.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

S.F. No. 379: A bill for an act relating to marriage; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1990, section 517.04.

Referred to the Committee on Judiciary.

Messrs. Benson, D.D.; Vickerman; DeCramer; Frederickson, D.J. and Laidig introduced—

S.F. No. 380: A bill for an act relating to human services; removing special transportation services from the medical assistance competitive bidding requirement; amending Minnesota Statutes 1990, section 256B.04, subdivision 14.

Referred to the Committee on Health and Human Services.

Mses. Berglin, Piper, Mrs. Adkins, Messrs. Spear and Hughes introduced—

S.F. No. 381: A bill for an act relating to Minnesota supplemental aid; increasing the personal needs allowance for recipients of Minnesota supplemental aid who are residing in certain facilities; amending Minnesota Statutes 1990, section 256D.37.

Referred to the Committee on Health and Human Services.

Messrs. Novak, Lessard, Morse, Mondale and Ms. Johnson, J.B. introduced—

S.F. No. 382: A bill for an act relating to the environment; adding reimbursement requirements from the petroleum tank release cleanup account; amending Minnesota Statutes 1990, section 115C.09, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Mr. Frederickson, D.J. introduced—

S.F. No. 383: A bill for an act relating to medical examiners; requiring records and other data relating to deaths to be made available to coroners and medical examiners; amending Minnesota Statutes 1990, sections 383B.225, subdivision 6; 390.11, subdivision 7; and 390.32, subdivision 6.

Referred to the Committee on Health and Human Services.

Mr. Frank, Ms. Flynn, Messrs. Mondale and Kroening introduced—

S.F. No. 384: A bill for an act relating to employment; regulating disbursements from the dislocated worker fund; extending the special assessment for the dislocated worker fund; amending Minnesota Statutes 1990, section 268.977, subdivision 2; repealing Laws 1990, chapter 568, article 6, section 4.

Referred to the Committee on Employment.

Mr. Frank introduced—

S.F. No. 385: A bill for an act relating to metropolitan government; providing for senate confirmation of the chair of the metropolitan airports commission; removing certain members from the commission; amending Minnesota Statutes 1990, section 473.604, subdivision 1.

Referred to the Committee on Metropolitan Affairs.

Mr. Frank, Ms. Flynn and Mr. Kroening introduced—

S.F. No. 386: A bill for an act relating to employment; providing for severance pay; requiring employers to provide notice of certain actions related to work force reductions; appropriating money; amending Minnesota Statutes 1990, section 268.07, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 268B.

Referred to the Committee on Employment.

Mr. Metzen introduced—

S.F. No. 387: A bill for an act relating to occupations and professions; regulating the installation and repair of fuel burner equipment and systems in certain cities; proposing coding for new law as Minnesota Statutes, chapter 325H.

Referred to the Committee on Employment.

Mr. Vickerman introduced—

S.F. No. 388: A bill for an act relating to human services; exempting intermediate care facilities for persons with mental retardation or related conditions from certain additional state human services rules.

Referred to the Committee on Health and Human Services.

Mr. Bertram introduced—

S.F. No. 389: A bill for an act relating to lawful gambling; making changes in the administration, collection, and enforcement of the tax on pull-tabs and tipboards; allowing the use of lawful gambling profits for certain senior citizen facilities and activities and for audit costs; allowing licensed organizations to have fewer than 15 members; allowing an unlimited number of bingo occasions per week; relieving organizations of a requirement to report on purchases of gambling equipment; removing registration requirement for lawful gambling net profit recipients; removing the requirement to post certain information relating to pull-tabs; allowing checks for lawful gambling purchases; amending Minnesota Statutes 1990, sections 270.101, subdivision 1; 349.12, subdivision 25; 349.151, subdivision 4; 349.16, subdivision 2; 349.166, subdivision 2; 349.17, subdivision 1; 349.19, subdivision 5; 349.212, subdivisions 1, 6, and by adding subdivisions; 349.2125, subdivision 3; and 349.2127, subdivision 3; repealing Minnesota Statutes 1990, sections 349.154, subdivision 3; 349.172; 349.212, subdivisions 4 and 7; 349.2121; and 349.2127, subdivision 7.

Referred to the Committee on Gaming Regulation.

Mr. Bertram introduced—

S.F. No. 390: A bill for an act relating to lawful gambling; amending the purpose of lawful gambling regulation; removing restrictions on treating liability insurance premiums as allowable expenses; increasing the terms of organization licenses and premises permits; removing provisions relating to pull-tabs manufactured in this state; allowing training for gambling managers after licensing; requiring leases for gambling premises to run for at least one year; amending Minnesota Statutes 1990, sections 349.11; 349.12, subdivision 23; 349.15; 349.16, subdivision 3; 349.162, subdivision 1; 349.163, subdivision 3; 349.165, subdivisions 1 and 3; 349.167, subdivision 4; and 349.18, subdivision 1.

Referred to the Committee on Gaming Regulation.

Messrs. Bertram, Davis, Langseth and Frederickson, D.J. introduced—

S.F. No. 391: A bill for an act relating to animal health; providing alternative methods for the disposal of certain animal carcasses; amending Minnesota Statutes 1990, section 35.82, subdivisions 1b and 2.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Spear, Marty and Cohen introduced—

S.F. No. 392: A bill for an act relating to civil actions; imposing strict liability for damages resulting from the use of an assault weapon; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary.

Messrs. Samuelson and Davis introduced—

S.F. No. 393: A bill for an act relating to state lands; authorizing commissioner of veterans affairs to return land to a veterans organization who had originally donated the land for purposes of a state veterans cemetery.

Referred to the Committee on Veterans and General Legislation.

Ms. Flynn, Messrs. Luther, Solon, Belanger and Ms. Ranum introduced—

S.F. No. 394: A bill for an act relating to occupations and professions; requiring the licensing of interior designers; defining the practice of interior design; providing for administration of licensing requirements; changing the name of the board of architecture, engineering, land surveying, and landscape architecture; appropriating money; amending Minnesota Statutes 1990, sections 116J.70, subdivision 2a; 319A.02, subdivision 2; 326.02, subdivisions 1, 5, and by adding a subdivision; 326.03, subdivision 1; 326.031; 326.04; 326.05; 326.06; 326.07; 326.08, subdivision 2; 326.09; 326.10, subdivisions 1, 2, and 2a; 326.11, subdivision 1; 326.12; 326.13; and 326.14.

Referred to the Committee on Commerce.

Ms. Reichgott, Messrs. Knaak, Cohen and Luther introduced—

S.F. No. 395: A bill for an act relating to corporations; clarifying and modifying provisions governing divisions and combinations of shares and rights of shareholders; clarifying meeting notice requirements; authorizing electronic communications by shareholders; modifying access to corporate records; clarifying and modifying provisions governing mergers and dissolutions; amending Minnesota Statutes 1990, sections 302A.111, subdivision 2; 302A.139; 302A.401, subdivisions 3 and 4; 302A.405, subdivision 1; 302A.413, subdivision 3; 302A.435, subdivision 1; 302A.437, subdivision 1; 302A.449, subdivision 1, and by adding a subdivision; 302A.461, subdivisions 2, 4, and 4a; 302A.471, subdivision 1; 302A.551, subdivision 4; 302A.613, subdivision 2; 302A.621; 302A.651, subdivision 1; 302A.701; 302A.723, subdivision 3; 302A.725, subdivision 1; 302A.727; and 302A.781; proposing coding for new law in Minnesota Statutes, chapter 302A; repealing Minnesota Statutes 1990, sections 302A.729; 302A.730; and 302A.733.

Referred to the Committee on Judiciary.

Messrs. Finn, Dicklich, Lessard and Stumpf introduced—

S.F. No. 396: A bill for an act relating to education; permitting education districts and districts operating under joint powers agreements to conduct meetings via interactive television; amending Minnesota Statutes 1990, sections 122.92, subdivision 1; and 471.59, subdivision 2.

Referred to the Committee on Education.

Mr. Stumpf introduced—

S.F. No. 397: A bill for an act relating to capital improvements; altering the terms of a grant to the Red Lake watershed district; amending Laws 1990, chapter 610, article 1, section 20, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Mr. Solon introduced—

S.F. No. 398: A resolution memorializing the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States.

Referred to the Committee on Judiciary.

RECESS

Mr. Luther moved that the Senate recess until immediately after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appropriate time.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, February 21, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate