

SIXTY-SIXTH DAY

St. Paul, Minnesota, Wednesday, January 15, 1992

The Senate met at 2:00 p.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Monsignor James D. Habiger.

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

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

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

Messrs. Gustafson and Solon were excused from the Session of today. Mr. Beckman was excused from the Session of today from 2:00 to 2:30 p.m.

Messrs. Berg, Bertram, Day, Dahl, DeCramer, Halberg, Knaak, Laidig, Novak and Moe, R.D. were excused from this evening's Session.

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. 11 and 1621.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 14, 1992

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

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

S.F. No. 1666: A bill for an act relating to local government; amending various laws relating to contracts and conflicts of interest; amending Minnesota Statutes 1990, sections 412.311; 412.691; 471.345, subdivisions 3, 4, and by adding a subdivision; and 471.88, subdivision 5; repealing Minnesota Statutes 1990, section 471.88, subdivision 8.

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

Page 1, after line 8, insert:

“Section 1. Minnesota Statutes 1990, section 376.08, is amended to read:
376.08 [COUNTIES, APPROPRIATIONS FOR HOSPITALS AND NURSING HOMES.]

Subdivision 1. [APPROPRIATIONS.] Except as provided in subdivision 2, the board of county commissioners in any county with a population of 50,000 or less may appropriate up to \$65,000 annually from the general revenue fund of the county for the acquisition of lands for hospital purposes, and the construction, improvement, alterations, equipment and maintenance of hospitals within the county. The board may also appropriate up to \$25,000 from the general revenue fund of the county for the acquisition of land and construction of municipally owned nursing homes within the county.

Subd. 2. [REMODELING OR ADDITIONS.] A county hospital may by majority vote of its board of commissioners enter into projects for the construction of an addition or remodeling to its presently existing facility or the acquisition of equipment as described in this subdivision without complying with the dollar limitation of subdivision 1 or the election requirements of section 376.03. This subdivision applies only to projects in which the funds for the project are derived from dedicated, restricted, or other designated accounts or the hospital's depreciation fund and do not require incurring debt by the county through the issuance of bonds or otherwise. An addition to a current hospital under this subdivision may include construction of buildings physically separate from the present hospital building, as well as additions to the present building, if the new buildings are constructed on the hospital's existing premises.

This subdivision does not affect the ability of the hospital board to approve funds for improvements or remodeling of a hospital facility under other law.

Subd. 3. [LIMITATION ON HOSPITAL CAPACITY.] Section 144.551 applies to any project authorized by subdivision 2. Subdivision 2 does not authorize an increase in the license capacity of the hospital or the licensing, relocation, or redistribution of hospital beds except as provided by section 144.551, subdivision 1, paragraph (b).”

Page 2, line 5, delete “\$” and insert “\$25,000 unless a lower

limit is provided by the city council”

Page 2, lines 15, 16, 26, and 28, delete “\$” and insert “\$25,000”

Page 3, line 4, after “damages,” insert “or” and delete “or costs” and insert “but may award an unsuccessful bidder the costs of preparing an unsuccessful bid”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert “authorizing county hospitals to undertake certain projects;”

Page 1, line 4, after “sections” insert “376.08;”

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred the following appointment as reported in the Journal for February 11, 1991:

DEPARTMENT OF HUMAN SERVICES
COMMISSIONER

Natalie Haas Steffen

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

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred the following appointment as reported in the Journal for January 9, 1992:

DEPARTMENT OF HEALTH
COMMISSIONER

Marlene E. Marschall

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

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

SECOND READING OF SENATE BILLS

S.F. No. 1666 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Cohen moved that the name of Mr. Metzen be added as a co-author to S.F. No. 27. The motion prevailed.

Mr. Chmielewski moved that the name of Ms. Flynn be added as a co-author to S.F. No. 1666. The motion prevailed.

Mr. Dicklich moved that the names of Messrs. Morse, Finn and Sams be added as co-authors to S.F. No. 1670. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1672. The motion prevailed.

Ms. Berglin moved that the name of Mr. Finn be added as a co-author to S.F. No. 1675. The motion prevailed.

Mr. Solon moved that the name of Mr. Bertram be added as a co-author to S.F. No. 1679. The motion prevailed.

Mr. Lessard moved that the name of Mr. Davis be added as a co-author to S.F. No. 1682. The motion prevailed.

Mr. Day moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 1701. The motion prevailed.

Mr. Morse introduced—

Senate Resolution No. 88: A Senate resolution congratulating Mildred Sebo on her 100th birthday, January 21, 1992.

Referred to the Committee on Rules and Administration.

Messrs. Dahl and Novak introduced—

Senate Resolution No. 89: A Senate resolution congratulating John McClellan on being named Minnesota Superintendent of the Year for 1991-92.

Referred to the Committee on Rules and Administration.

Messrs. Benson, D.D. and Johnson, D.E. introduced—

Senate Resolution No. 90: A Senate resolution commending Jay D. Summers for 20 years of dedicated and effective service for the city of Rushford.

Referred to the Committee on Rules and Administration.

Ms. Berglin introduced—

Senate Resolution No. 91: A Senate resolution commemorating the life and work of Dr. Martin Luther King, Jr.

WHEREAS, the anniversary of the birth of Dr. Martin Luther King is January 15; and

WHEREAS, his life was devoted to the elimination of segregation and prejudice against his people; and

WHEREAS, achievements in human and civil rights were accomplished through his personal efforts; and

WHEREAS, he sought to fulfill his goals exclusively by nonviolent means; and

WHEREAS, his life was ended by assassination; and

WHEREAS, the actions and efforts of Dr. Martin Luther King, Jr. have served as an inspiration; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it commemorates the life and work of Dr. Martin Luther King, Jr.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Chair of the Senate Rules and Administration Committee, and present it to representatives of an appropriate group organizing public commemorations of the birth of Dr. Martin Luther King, Jr.

Ms. Berglin moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Lessard introduced—

Senate Resolution No. 92: A Senate resolution congratulating the Deer River Warriors football team for their outstanding season.

Referred to the Committee on Rules and Administration.

Messrs. Moe, R.D. and Benson, D.D. introduced—

Senate Resolution No. 93: A Senate resolution relating to mileage; setting the miles traveled by members of the Senate in going to and returning from the Capitol.

BE IT RESOLVED, by the Senate of the State of Minnesota:

That Senate Resolution No. 21 relating to mileage, Senate Permanent Journal pages 78-80, be amended as follows:

Page 2, line 8, delete:

STORM, Donald A. 42

Page 2, after line 9, insert:

TERWILLIGER, Roy 42

Mr. Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Pogemiller introduced—

Senate Resolution No. 94: A Senate resolution eulogizing Citizen Earl Craig, Jr.

WHEREAS, Minnesota has lost:

a man of great ability;
a teacher;
an eloquent champion of the poor and people of color;
an advocate who empowered the powerless;
a good brother;
an art enthusiast;
a sports fan; and
a gifted public philosopher; and

WHEREAS, citizen Earl Craig, Jr., embodied:

compassion;
sensitivity;
commitment;
a sense of community;
skill and effectiveness in public service;
fairness;
curiosity and passion for ideas;
renaissance-intellect;
activism; and
high principles; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it offer a moment of silence to acknowledge the passing of “a giant” from the Minnesota public service stage.

Mr. Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. moved that S.F. No. 1609 be withdrawn from the Committee on Economic Development and Housing and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Johnson, D.E. moved that S.F. No. 1637 be withdrawn from the Committee on Finance, given its second reading, and placed on General Orders.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 44, as follows:

Those who voted in the affirmative were:

Belanger	Brataas	Johnson, D.E.	Larson	Olson
Benson, D.D.	Day	Johnston	McGowan	Pariseau
Benson, J.E.	Frederickson, D.R.	Knaak	Mehrkens	Renneke
Bernhagen	Halberg	Laidig	Neuville	Terwilliger

Those who voted in the negative were:

Adkins	DeCramer	Johnson, J.B.	Mondale	Riveness
Beckman	Dicklich	Kelly	Morse	Sams
Berg	Finn	Kroening	Novak	Samuelson
Berglin	Flynn	Lessard	Pappas	Spear
Bertram	Frank	Luther	Piper	Stumpf
Chmielewski	Frederickson, D.J.	Marty	Pogemiller	Traub
Cohen	Hottinger	Merriam	Price	Vickerman
Dahl	Hughes	Metzen	Ranum	Waldorf
Davis	Johnson, D.J.	Moe, R.D.	Reichgott	

The motion did not prevail.

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.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that S.F. No. 268 and the veto message thereon be taken from the table. The motion prevailed.

S.F. No. 268: A bill for an act relating to human rights; lengthening the statute of limitations for human rights act violations; amending Minnesota Statutes 1990, sections 363.06, subdivision 3; and 363.116.

Mr. Marty moved that S.F. No. 268 be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota.

The question was taken on the adoption of the motion of Mr. Marty.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the bill was repassed and its title agreed to, the objections of the Governor to the contrary notwithstanding.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes

reported that the committee had considered the following:

S.F. No. 1619, which the committee recommends to pass.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. 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. Lessard introduced—

S.F. No. 1703: A bill for an act relating to lawful gambling; specifying that certain expenditures for senior citizens and conservation programs are lawful purposes; amending Minnesota Statutes 1991 Supplement, section 349.12, subdivision 25.

Referred to the Committee on Gaming Regulation.

Mses. Berglin, Flynn and Ranum introduced—

S.F. No. 1704: A bill for an act relating to the city of Minneapolis; regulating the use of the proceeds of the city sales and use tax; permitting their use for school readiness centers; amending Laws 1986, chapter 396, section 4, subdivision 3, as amended.

Referred to the Committee on Local Government.

Mses. Flynn, Berglin and Mr. Kroening introduced—

S.F. No. 1705: A bill for an act relating to the city of Minneapolis; authorizing the city to issue general obligation bonds to finance certain parking, plaza, and other improvements related to federal courts project.

Referred to the Committee on Local Government.

Mrs. Benson, J.E.; Messrs. Hottinger and Johnson, D.E. introduced—

S.F. No. 1706: A bill for an act relating to education; allowing perennial migrant workers resident tuition status; amending Minnesota Statutes 1991 Supplement, section 135A.03, subdivision 7.

Referred to the Committee on Education.

Mr. Stumpf introduced—

S.F. No. 1707: A bill for an act relating to game and fish; reducing deer license fees for residents under age 18; amending Minnesota Statutes 1991 Supplement, section 97A.475, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Messrs. Finn, Sams, Samuelson, Solon and Lessard introduced—

S.F. No. 1708: A bill for an act relating to the local government trust fund; providing for payment from the fund for fiscal years 1994 and 1995; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Cohen, Kelly, Marty, Laidig and Pogemiller introduced—

S.F. No. 1709: A bill for an act relating to crimes; imposing a felony penalty for a third impaired driving conviction; expanding the offenses of criminal vehicular homicide and injury to include negligent driving under license revocation, suspension, or cancellation for an impaired driving conviction, or without insurance; amending Minnesota Statutes 1990, sections 169.121, subdivision 3; and 609.21, subdivisions 1, 2, 2a, 3, and 4.

Referred to the Committee on Judiciary.

Mr. Frederickson, D.R. introduced—

S.F. No. 1710: A bill for an act relating to retirement; public employees retirement association; providing entitlement for optional annuities to certain surviving spouses of certain deceased disabilitants.

Referred to the Committee on Governmental Operations.

Mr. Hottinger introduced—

S.F. No. 1711: A bill for an act relating to retirement; teachers retirement association; authorizing the recomputation of a certain period certain annuity option.

Referred to the Committee on Governmental Operations.

Messrs. Langseth, DeCramer, Mehrkens, Riveness and Ms. Johnson, J.B. introduced—

S.F. No. 1712: A bill for an act relating to transportation; authorizing the issuance of \$150,000,000 in state transportation bonds; appropriating the proceeds for grants to political subdivisions for bridge construction and reconstruction.

Referred to the Committee on Transportation.

Messrs. Finn, Bertram, Samuelson, Stumpf and Lessard introduced—

S.F. No. 1713: A bill for an act relating to taxation; exempting occasional sales of tangible personal property primarily used in a trade or business; amending Minnesota Statutes 1991 Supplement, section 297A.25, subdivision 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Luther, Frank, Berg and Frederickson, D.R. introduced—

S.F. No. 1714: A bill for an act relating to public finance; providing a general limit on the purposes of public debt; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Finance.

Mr. Sams, Ms. Johnson, J.B. and Mr. Beckman introduced—

S.F. No. 1715: A bill for an act relating to crime; providing for life imprisonment without release for certain persons convicted of first degree murder or repeat violent sex offenses; requiring consecutive sentences for persons convicted of multiple violent crimes; removing the crime of intentional second degree murder from the sentencing guidelines; providing mandatory minimum sentences for persons convicted of second and third degree murder, certain sex offenses, and first degree assault; reducing the good time allowance for violent offenders; granting the attorney general concurrent authority to prosecute felony offenses; expanding the sex offender registration statute; requiring the commissioner of corrections to determine whether a “psychopathic personality” commitment petition should be filed before releasing a sex offender from prison; authorizing bonding for capital improvements; changing penalties for certain prostitution related crimes; appropriating money; amending Minnesota Statutes 1990, sections 8.01; 244.04, subdivisions 1, 3, and by adding a subdivision; 244.05, subdivisions 4, 5, and by adding a subdivision; 609.15, by adding a subdivision; 609.184, subdivision 2; 609.19; 609.195; 609.221; 609.322; 609.323; 609.342, subdivision 2; 609.343, subdivision 2; and 609.346, subdivision 2a; Minnesota Statutes 1991 Supplement, section 243.166, subdivisions 1, 3, and 6.

Referred to the Committee on Judiciary.

Mrs. Brataas, Mr. Hottinger, Ms. Traub, Mr. Chmielewski and Mrs. Adkins introduced—

S.F. No. 1716: A bill for an act relating to Olmsted county; permitting the appointment of the recorder; authorizing the abolishment and reorganization of the office.

Referred to the Committee on Local Government.

Mr. Frederickson, D.J. introduced—

S.F. No. 1717: A bill for an act relating to Chippewa county; permitting the consolidation of the offices of auditor and treasurer.

Referred to the Committee on Local Government.

Messrs. Frederickson, D.J.; Stumpf; Johnson, D.J.; Langseth and Moe, R.D. introduced—

S.F. No. 1718: A bill for an act relating to retirement; establishing an ambulance service personnel longevity award and incentive program; redirecting proceeds of a driver's license surtax; amending Minnesota Statutes 1991 Supplement, sections 171.06, subdivision 2b; 353D.01, subdivision 2; 353D.02; 353D.03; 353D.05, subdivisions 1 and 3; and 353D.06; proposing coding for new law as Minnesota Statutes, chapter 356B; repealing Minnesota Statutes 1991 Supplement, sections 353D.01, subdivisions 1a and 1b; 353D.021; 353D.031; 353D.051; and 353D.091; and Laws 1991, chapter 291, article 19, section 11.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf; Finn; Lessard; Johnson, D.J. and Moe, R.D. introduced—

S.F. No. 1719: A bill for an act relating to motor vehicles; authorizing special license plates for vehicles owned by volunteer ambulance drivers; amending Minnesota Statutes 1990, section 168.12, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Frederickson, D.R.; Cohen; Neuville; Luther and Belanger introduced—

S.F. No. 1720: A bill for an act relating to family law; child support; providing that a motion pending in district court must be decided by the court before any proceedings may be commenced with an administrative law judge; providing that when certain proceedings are pending in district court, child support matters related to those proceedings must be decided by the district court; amending Minnesota Statutes 1990, section 518.551, subdivision 10.

Referred to the Committee on Judiciary.

Mr. Kroening, Mses. Flynn and Ranum introduced—

S.F. No. 1721: A bill for an act relating to the city of Minneapolis; extending authority to guarantee certain loans; amending Laws 1988, chapter 594, section 6.

Referred to the Committee on Local Government.

Mr. Kroening, Mses. Flynn and Ranum introduced—

S.F. No. 1722: A bill for an act relating to state lands; providing for the release of a state interest in certain property in the city of Minneapolis.

Referred to the Committee on Environment and Natural Resources.

Mr. Solon introduced—

S.F. No. 1723: A bill for an act relating to traffic regulations; motor vehicles; establishing system for the notification, recording, and collection of delinquent fines for parking violations; prohibiting registration of vehicle of owner who has not paid the fine for a parking violation; prohibiting issuance of warrants for parking violations; imposing a fee; appropriating money; amending Minnesota Statutes 1990, sections 169.95; and 169.99, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 168 and 169.

Referred to the Committee on Transportation.

Mses. Reichgott, Piper, Messrs. Hottinger; Benson, D.D. and Waldorf introduced—

S.F. No. 1724: A bill for an act relating to health; allowing persons who voluntarily provide assistance at the scene of an accident to obtain test results to determine whether they have been exposed to HIV or hepatitis B; amending Minnesota Statutes 1990, section 144.761, subdivision 5.

Referred to the Committee on Health and Human Services.

Messrs. Frederickson, D.R.; Frank; Merriam; Berg and Benson, D.D. introduced—

S.F. No. 1725: A bill for an act relating to public investments; providing that certain debt is not approved for investment; amending Minnesota Statutes 1990, section 473.666.

Referred to the Committee on Metropolitan Affairs.

Ms. Pappas, Messrs. Dahl, Hottinger and Mondale introduced—

S.F. No. 1726: A bill for an act relating to education; requiring the higher education coordinating board to study the feasibility of accelerated baccalaureate degree programs.

Referred to the Committee on Education.

Mr. Cohen and Ms. Berglin introduced—

S.F. No. 1727: A bill for an act relating to child support; modifying provisions dealing with the administration, computation, and enforcement of child support; prohibiting state contracts with individuals who are in arrears; expanding provisions dealing with suspension of an occupational license; providing for revocation of hunting, fishing, boat, and drivers' licenses and motor vehicle registrations; providing for notice and payment of medical support; increasing the income cap under the guidelines and limiting pension deductions; providing for consideration of the needs of other children; clarifying support in joint custody cases; requiring life insurance and disability coverage; authorizing an award of educational support; allowing support payments to be made to certain custodians; prohibiting reduction of an award based on needs of other children; including failure to pay support as criminal contempt and modifying criminal nonsupport standards; clarifying income withholding statutes and imposing sanctions against employers; authorizing employers to issue single checks for all obligors; requiring that support be deemed paid when withheld from the obligor's income; authorizing counties to retain one-half of the nonfederal share of child support recoveries that are directly attributable to county effort; authorizing county support enforcement agencies to collect fees; expanding the administrative process for support orders; requiring the commissioner of human services to consult public and private attorneys regarding child support policies; imposing penalties; appropriating money; amending Minnesota Statutes 1990, sections 86B.401, by adding a subdivision; 97A.485, by adding a subdivision; 168.09, by adding a subdivision; 171.04, by adding a subdivision; 256.019; 257.67, subdivision 3; 518.14; 518.171, subdivisions 3 and 6; 518.54, subdivision 4; 518.551, subdivisions 1, 7, 10, and by adding subdivisions; 518.57, subdivision 1, and by adding subdivisions; 518.611, subdivision 4; 588.20; and 609.375, subdivisions 1 and 2; Minnesota Statutes 1991 Supplement, sections 214.101, subdivision 1; 518.551, subdivisions 5 and 12; and 518.64, subdivisions 1, 2, and 5; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1990, section 609.37.

Referred to the Committee on Health and Human Services.

Messrs. Gustafson, Riveness and Frederickson, D.R. introduced—

S.F. No. 1728: A bill for an act relating to elected officials; compensation plans; prohibiting vacation and sick leave for certain elected officials of political subdivisions; amending Minnesota Statutes 1990, section 43A.17, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Hottinger, Solon, Metzen and Day introduced—

S.F. No. 1729: A bill for an act relating to financial institutions; authorizing a banking institution that is a trustee to invest in certain investment companies and investment trusts; amending Minnesota Statutes 1990, sections 48.01, subdivision 1; 48.38, subdivision 6; 48.84; and 501B.10, subdivision 6.

Referred to the Committee on Commerce.

Mr. Waldorf introduced—

S.F. No. 1730: A bill for an act relating to taxation; increasing the subtraction from taxable income for education expenses; amending Minnesota Statutes 1990, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Solon; Larson; Samuelson; Moe, R.D. and Waldorf introduced—

S.F. No. 1731: A bill for an act relating to public employment; requiring public employers to include certain former employees in the same insurance pool as active employees; amending Minnesota Statutes 1990, sections 43A.27, subdivision 3; and 471.61, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Morse, Larson, DeCramer, Stumpf and Ms. Johnson, J.B. introduced—

S.F. No. 1732: A bill for an act relating to education; modifying the enrollment requirements for school district eligibility for debt service equalization revenue; amending Minnesota Statutes 1991 Supplement, section 124.95, subdivision 2.

Referred to the Committee on Education.

Mr. Price introduced—

S.F. No. 1733: A bill for an act relating to education; requiring the graduation rule to be authorized by law.

Referred to the Committee on Education.

Messrs. Dicklich, Chmielewski, Lessard, Finn and Johnson, D.J. introduced—

S.F. No. 1734: A bill for an act relating to capital improvements; providing funds for environmental learning centers; providing for a bond issue; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Mses. Johnston, Ranum, Messrs. Knaak and Spear introduced—

S.F. No. 1735: A bill for an act relating to children; authorizing criminal background checks of professional and volunteer child care providers; establishing procedures for the sharing of criminal record data with child care employers; protecting privacy rights of subjects of the background checks; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Judiciary.

Messrs. Metzen; Johnson, D.E.; Merriam and Samuelson introduced—

S.F. No. 1736: A bill for an act relating to lawful gambling; removing certain limitations on real estate taxes and assessments as lawful purpose expenditures; amending Minnesota Statutes 1991 Supplement, section 349.12, subdivision 25.

Referred to the Committee on Gaming Regulation.

Mr. Price introduced—

S.F. No. 1737: A bill for an act relating to crimes; authorizing forfeiture of certain conveyances operated while intoxicated; creating an alcohol victims reparations account; annually appropriating money in the fund to the crime victims reparations board; amending Minnesota Statutes 1990, sections 609.531, subdivision 1; 609.5312, subdivision 1; 609.5315, subdivision 5; 611A.52, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 611A.

Referred to the Committee on Judiciary.

Messrs. Dicklich, Price, Ms. Piper, Mr. Belanger and Ms. Traub introduced—

S.F. No. 1738: A bill for an act relating to education; appropriating money for the Minnesota institute for the advancement of teaching; requiring a report.

Referred to the Committee on Education.

Messrs. Metzen, Solon, Larson and Mehrkens introduced—

S.F. No. 1739: A bill for an act relating to traffic regulations; providing for exemption to open bottle law; amending Minnesota Statutes 1990, section 169.122, by adding a subdivision.

Referred to the Committee on Transportation.

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

S.F. No. 1740: A bill for an act relating to corporations; providing for the formation, organization, operation, taxation, management, and ownership of limited liability companies; prescribing the procedures for filing articles of organization; establishing the powers of a limited liability company; providing for the naming of a limited liability company; providing for the appointment of a resident agent for a limited liability company; establishing the relationship of the members of a limited liability company

to each other and to third parties; permitting the merger of one or more limited liability companies with other domestic limited liability companies and domestic and foreign corporations; providing for the dissolution, winding up, and termination of a limited liability company; providing for foreign limited liability companies to do business in this state; defining certain terms; appropriating money; amending Minnesota Statutes 1990, sections 290.01, by adding a subdivision; 302A.011, subdivision 19; 302A.115, subdivision 1; 302A.121, subdivision 2; 302A.601, by adding a subdivision; 308A.005, subdivision 6; 308A.121, subdivision 1; 317A.011, subdivision 16; 317A.115, subdivision 2; 319A.02, subdivision 5, and by adding a subdivision; 319A.03; 319A.05; 319A.06, subdivision 2; 319A.07; 319A.12, subdivisions 1a and 2; 319A.20; 322A.01; 322A.02; 333.001; 333.18, subdivision 2; 333.20, subdivision 2; and 333.21, subdivision 1; Minnesota Statutes 1991 Supplement, sections 290.06, subdivision 22; and 302A.471, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 322B.

Referred to the Committee on Judiciary.

Mr. Kelly introduced—

S.F. No. 1741: A bill for an act relating to crimes; driving while intoxicated; changing the chemical dependency assessment charge for driving while intoxicated laws; amending Minnesota Statutes 1990, section 169.126, subdivision 4c; Minnesota Statutes 1991 Supplement, section 169.121, subdivision 5a.

Referred to the Committee on Judiciary.

Messrs. Benson, D.D.; Neuville; Ms. Johnston, Messrs. Day and McGowan introduced—

S.F. No. 1742: A bill for an act relating to health care; providing access to affordable health care; regulating coverages; establishing premium supplements; initiating health care reform procedures; creating a commission and various advisory committees; regulating small employer health benefits; establishing revenue mechanisms including appropriations and taxes; appropriating money; amending Minnesota Statutes 1990, sections 60A.15, subdivision 1; 136A.1355, subdivisions 2 and 3; 290.01, subdivision 19b; 297.02, by adding a subdivision; and 297.13, subdivision 1; Minnesota Statutes 1991 Supplement, sections 62A.31, subdivision 1; and 297.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 62E; 62J; 136A; 144; 144A; and 145; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 1990, sections 144.1465; and 144.147, subdivisions 1, 2, 3, and 4.

Referred to the Committee on Health and Human Services.

Messrs. Spear and Finn introduced—

S.F. No. 1743: A bill for an act relating to driving while intoxicated; appropriating money for intensive probation programs for repeat DWI offenders.

Referred to the Committee on Judiciary.

Mrs. Adkins introduced—

S.F. No. 1744: A bill for an act relating to elections; repealing the requirement that voters indicate party preference to vote in the presidential primary; amending Minnesota Statutes 1990, sections 207A.04, subdivision 3; 207A.06, subdivision 1; and 207A.09; repealing Minnesota Statutes 1990, sections 207A.03, subdivision 2; and 207A.08.

Referred to the Committee on Elections and Ethics.

Messrs. Cohen, Spear, Knaak, Ms. Ranum and Mr. Neuville introduced—

S.F. No. 1745: A bill for an act relating to civil actions; allowing aggregation of the fault of multiple defendants for the purpose of the comparative negligence statute; amending Minnesota Statutes 1990, section 604.01, subdivision 1.

Referred to the Committee on Judiciary.

Mr. Dicklich introduced—

S.F. No. 1746: A bill for an act relating to alcoholic beverages; providing for the advertising of intoxicating liquor prices; amending Minnesota Statutes 1990, section 340A.507, subdivision 3.

Referred to the Committee on Commerce.

Messrs. Merriam, Chmielewski, Mondale and Frank introduced—

S.F. No. 1747: A bill for an act relating to employment; modifying provisions related to access to employee personnel records; amending Minnesota Statutes 1990, sections 181.961, subdivision 2; and 181.962, subdivision 1.

Referred to the Committee on Employment.

Messrs. Merriam, Cohen and Marty introduced—

S.F. No. 1748: A bill for an act relating to environment; providing reciprocal access to courts and administrative agencies for injuries caused by transboundary pollution; proposing coding for new law in Minnesota Statutes, chapter 543.

Referred to the Committee on Judiciary.

Mr. Vickerman introduced—

S.F. No. 1749: A bill for an act relating to courts; grandparent visitation; clarifying that visitation may be sought after completion of proceedings for dissolution, custody, legal separation, annulment, or determination of parentage; amending Minnesota Statutes 1990, sections 257.022, subdivision 2; and 518.175, subdivision 7.

Referred to the Committee on Judiciary.

Messrs. Langseth, Mehrkens and DeCramer introduced—

S.F. No. 1750: A bill for an act proposing an amendment to the Minnesota Constitution, article XIV; dedicating and allocating motor vehicle excise

tax proceeds to highway and transit purposes; creating Minnesota mobility trust fund and surface transportation fund; increasing gasoline tax; making technical changes; amending Minnesota Statutes 1990, sections 174.32; and 296.02, subdivision 1b; Minnesota Statutes 1991 Supplement, section 16A.711, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; and 297B; repealing Minnesota Statutes 1991 Supplement, sections 161.041; and 297B.09.

Referred to the Committee on Transportation.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that S.F. No. 1714 be withdrawn from the Committee on Finance and re-referred to the Committee on Metropolitan Affairs. The motion prevailed.

Mr. Hottinger moved that S.F. No. 81 be taken from the table. The motion prevailed.

S.F. No. 81: A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1990, sections 367.03, subdivision 1; and 367.05, subdivision 1.

Mr. Hottinger moved that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a new Conference Committee to be appointed on the part of the House. 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.

CALL OF THE SENATE

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

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1612 and 1622.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 15, 1992

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. 1562: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amending Minnesota Statutes 1990, sections 2.031, subdivision 2, as amended; 82B.05, subdivision 1, as amended; 82B.11, subdivision 1, as amended; 82B.17, as amended; 82B.19, subdivision 3, as amended; 92.46, subdivision 1, as amended; 121.11, subdivision 12; 123.3514, subdivision 6, as amended; 124A.03, subdivision 2, as amended; 126.22, subdivision 8, as amended; 136D.90, subdivisions 1 and 2, as amended; 273.13, subdivision 25, as amended; 290.191, subdivision 4; 302A.461, subdivision 2, as amended; 469.101, subdivision 23, as amended; 1991 H.F. No. 719, article 4, section 67, subdivision 1; 1991 S.F. No. 598, article 7, section 9; 1991 H.F. No. 719, article 5, section 72; 1991 H.F. No. 2, article 2, section 7; 1991 H.F. No. 700, article 6, section 67, subdivision 1; 1991 H.F. No. 700, article 1, section 29; 1991 H.F. No. 700, article 4, section 34; 1991 H.F. No. 700, article 6, section 39, subdivision 6; 1991 H.F. No. 700, article 7, section 13, subdivision 1; 1991 H.F. No. 700, article 8, section 20; 1991 H.F. No. 700, article 9, section 33, subdivision 5; 1991 H.F. No. 700, article 9, section 76; Laws 1989, chapter 341, article 1, section 26; Laws 1991, chapter 97, section 15; Laws 1991, chapter 246, sections 4, subdivision 1; 7, subdivision 2; 12, subdivision 1; 17, subdivision 2; 23, subdivision 1; 29, subdivision 2; 31; 34, subdivision 2; 38, subdivision 2; 39, subdivision 2; 40, subdivision 2; 41, subdivision 2, 42, subdivision 1; 43, subdivision 1; 44, subdivision 1; 47, subdivision 2; 49, subdivision 1; 50; 51; 53; 54, subdivision 2; 55, subdivision 2; 56, subdivision 1; 58, subdivision 1; 60, subdivision 1; 62, subdivision 1; 64, subdivision 2; 65, subdivision 1; 66, subdivision 1; 67; 68, subdivision 2; 69, and by adding a section.

Senate File No. 1562 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 15, 1992

CONCURRENCE AND REPASSAGE

Mr. Spear moved that the Senate concur in the amendments by the House to S.F. No. 1562 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1562 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Langseth	Neuville	Sams
Beckman	Flynn	Larson	Olson	Samuelson
Belanger	Frank	Lessard	Pappas	Spear
Benson, D.D.	Frederickson, D.J.	Luther	Pariseau	Stumpf
Benson, J.E.	Frederickson, D.R.	Marty	Piper	Terwilliger
Berglin	Hottinger	McGowan	Pogemiller	Traub
Bernhagen	Hughes	Mehrkens	Price	Vickerman
Brataas	Johnson, D.E.	Merriam	Ranum	
Chmielewski	Johnson, D.J.	Metzen	Reichgott	
Cohen	Johnston	Mondale	Renneke	
Davis	Kroening	Morse	Riveness	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 6: A House concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 15, 1992

House Concurrent Resolution No. 6: A House concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED by the House of Representatives of the State of Minnesota, the Senate concurring:

1. Upon its adjournment on January 15, 1992, the House of Representatives may set its next day of meeting for Tuesday, February 18, 1992.
2. Upon its adjournment on January 15, 1992, the Senate may set its next day of meeting for Tuesday, February 18, 1992.
3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consents to the adjournment of the other for more than three days.

Mr. Luther moved that House Concurrent Resolution No. 6 be adopted. The motion prevailed. So the resolution was adopted.

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. 1598: A bill for an act relating to elections; changing the year for implementing the presidential primary; eliminating requirement that primary voters identify themselves by party; amending Minnesota Statutes 1990, section 207A.01; repealing Minnesota Statutes 1990, sections 207A.03, subdivision 2; and 207A.08.

Senate File No. 1598 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 15, 1992

CONCURRENCE AND REPASSAGE

Mr. Marty moved that the Senate concur in the amendments by the House to S.F. No. 1598 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1598: A bill for an act relating to elections; changing the year for implementing the presidential primary; amending Minnesota Statutes 1990, section 207A.01.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 45 and nays 10, as follows:

Those who voted in the affirmative were:

Adkins	Frederickson, D.R.	Larson	Neuville	Riveness
Beckman	Gustafson	Lessard	Olson	Sams
Benson, J.E.	Hottinger	Luther	Pappas	Samuelson
Berglin	Hughes	Marty	Pariseau	Spear
Brataas	Johnson, D.E.	Mehrkens	Piper	Stumpf
Davis	Johnson, J.B.	Merriam	Price	Terwilliger
Finn	Johnston	Metzen	Ranum	Traub
Flynn	Kroening	Mondale	Reichgott	Vickerman
Frederickson, D.J.	Langseth	Morse	Renneke	Waldorf

Those who voted in the negative were:

Belanger	Bernhagen	Cohen	Frank	McGowan
Benson, D.D.	Chmielewski	Dicklich	Johnson, D.J.	Pogemiller

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

ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 2:00 p.m., Tuesday, February 18, 1992. The motion prevailed.