

## FOURTH DAY

St. Paul, Minnesota, Monday, January 11, 1993

The Senate met at 11:00 a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Luther 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. Richard Keene Smith.

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

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

Adkins	Dille	Kroening	Murphy	Sams
Anderson	Finn	Laidig	Neuville	Samuelson
Beckman	Flynn	Langseth	Novak	Solon
Belanger	Hanson	Larson	Oliver	Spear
Benson, D.D.	Janezich	Lesewski	Olson	Stevens
Benson, J.E.	Johnson, D.E.	Lessard	Pappas	Stumpf
Berg	Johnson, D.J.	Luther	Pariseau	Terwilliger
Bertram	Johnson, J.B.	Marty	Piper	Vickerman
Betzold	Johnston	McGowan	Price	Wiener
Chandler	Kelly	Merriam	Ranum	
Chmielewski	Kiscaden	Metzen	Reichgott	
Cohen	Knutson	Mondale	Robertson	
Day	Krentz	Morse	Runbeck	

The President declared a quorum present.

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

### REPORTS AND RESOLUTIONS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 1992 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Department of Employee Relations, Budget Cut Personnel Impacts, 1992; Office of the Attorney General, OSHA Staffing, 1992; Department of Public Safety, Bias Crime Report, 1991; Department of Human Services, Nursing Facility Use of Their Inflation Wage Increase, 1992; Legislative Water Commission, MN Water Management Needs for the Year 2000 and Recommendations on Nitrogen Compounds in Groundwater; University of Minnesota, Supplemental Benefits Plan, Actuarial Valuation as of

June 30, 1991; Department of Human Services; Supplemental Aid Program, Annual Report, Fiscal Year 1990; Department of Transportation, A Study of the Effects of Exempting Fertilizer and Agricultural Chemical Retailers from Driver Hours-of-Service Regulations, 1992; Department of Public Safety, Domestic Abuse Prosecution Plan, 1992; Department of Natural Resources, Division of Parks and Recreation, Park Partners Feasibility Study, 1992; Department of Trade and Economic Development, Northwest Airlines Estimated Cost Report, 1992; Department of Transportation, Transit Report, 1991; Office of the Attorney General and the Department of Education, Equal Educational Opportunities, Interscholastic Athletic Equity in Minnesota High Schools, 1992; Board on Judicial Standards, Annual Report, 1991; Department of Trade and Economic Development, Foreign Trade Offices, Strategy and Options, 1992; Minnesota State Fair, Annual Report, 1991; Department of Administration, Targeted Group and Economically Disadvantaged Small Business Purchasing Program, Annual Report, 1991; Department of Public Safety, Alcohol, Drugs and Driving, Drug Impaired Driver Study, 1992; Department of Agriculture, Agricultural Land Preservation Program, Status Report, 1991; Department of Public Safety, Community Crime and Drug Prevention Grant Program and Multidisciplinary Chemical Abuse Prevention Teams, 1990-92; Department of Administration, Reuse of the University of Minnesota Waseca Campus, 1992; Board of Peace Officer Standards and Training, Higher Education Task Force on Professional Peace Officer Education, 1992; Region Five Development Commission, Work Program, July 1, 1992 - June 30, 1993; Office of Waste Management, Plastics Reduction and Recycling in Minnesota, 1992; Department of Public Safety, Minnesota Crime Information, 1991; Board of Psychology, Biennial Report, July 1, 1988 - June 30, 1990; Department of Public Safety, Affirmative Action Plan Revisions, 1991-92; Department of Transportation, Annual Report, 1991; Department of Human Services, General Assistance Medical Care, Annual Report, July 1, 1990 - June 30, 1991; Department of Human Services, General Assistance and Work Readiness, Annual Report, 1990; Department of Human Services, Aid to Families with Dependent Children, Annual Report, 1991; Department of Human Services, Medical Assistance (Title XIX), Annual Report, July 1, 1990 - June 30, 1991; Department of Public Safety, Recommendations to Improve Public Road Safety Related to Requirements for Lighting and Reflectors on Farm Vehicles, 1992; Southwest Regional Development Commission, Overall Work Program, Fiscal Year 1993; Department of Trade and Economic Development, Annual Report, 1992; Department of Public Safety, Motor Vehicle Crash Facts, 1991; Department of Human Services, Comprehensive Plan for Implementing an Experimental Project to Reduce the Number of Duplicate Public Assistance Warrants, 1992; Office of the State Auditor, Revenues, Expenditures and Debt of Minnesota Counties, 1990; Southwest Regional Development Commission, Annual Report, 1992; Department of Corrections, Challenge Incarceration Program, 1992; Department of Public Safety, Gambling Enforcement Division, Security Audit of State Lottery, 1992; Department of Human Services, Social Services in Minnesota, 1990: Revenues, Expenditures, and Clients Under the Community Social Services Act; Board of Marriage and Family Therapy, Biennial Report; Board of Veterinary Medicine, Biennial Report, July 1, 1990 - June 30, 1992; Board of Social Work, Biennial Report, July 1, 1990 - June 30, 1992; Department of Public Safety, Motor Vehicle Registration; Municipal State Aid Needs Unit, Municipal State Aid Needs Report, 1992; Board of Nursing, Biennial Report, July 1, 1990 - June 30, 1992; The Supreme Court, Court Administrator's Report, 1992; Board of Electricity, Biennial Report, July 1,

1990 – July 1, 1992; Department of Public Safety, Communications Review; Ethical Practices Board, Annual Report, July 1, 1991 – June 30, 1992; Board of Public Defense, Annual Report, 1991; Board of Investment, Supplemental Investment Fund, July 1, 1992; Department of Human Services, Medical Care Surcharge Report; Department of Administration, Risk Management Division, Annual Report, A Year of Maturity, 1992; State Advisory Council on Mental Health, Report to the Governor and Legislature, 1992; Eighth Judicial District Administrator, County Juvenile Facility Needs Assessment for the Eighth Judicial District, 1992; Board of Animal Health, Annual Report, July 1, 1991 – June 30, 1992; Board of Boxing, Biennial Report, July 1, 1991 – June 30, 1992; County of Anoka, Secure Juvenile Detention and Post-Adjudication Resources Needs Assessment, 10th Judicial District, 1992; Board of Pharmacy, Biennial Report, July 1, 1990 – June 30, 1992; Board of Assessors, Biennial Report, July 1, 1990 – June 30, 1992; Department of Public Safety, Division of Emergency Management, Minnesota Incident Management System, 1992; Indian Affairs Council, Annual Report, July 1991 – June 1992; Board of Peace Officer Standards and Training, Biennial Report, July 1, 1990 – June 30, 1992; Board of Teaching, Biennial Report, July 1, 1990 – June 30, 1992; Board of Nursing Home Administrators, July 1, 1990 – June 30, 1992; Board of Podiatric Medicine, Biennial Report, July 1, 1988 – June 30, 1990; Harmful Substance Compensation Board, Annual Report, July 1, 1991 – June 30, 1992; Department of Human Services, Fact Book: Minnesota State Operated Residential Programs, 1993; Department of Trade and Economic Development, Small Business and Small Targeted Group Business Procurement Program, July 1, 1991 – June 30, 1992; Department of Public Safety, Status of the Minnesota Emergency Response Plan for High-Level Radioactive Waste Transportation Accidents/Incidents, 1992; Department of Human Services, Telephone Assistance Plan Program, 1992; Department of Administration, 9-1-1 Status Report, 1992; Public Utilities Commission, Elimination of Four-Party Local Exchange Service in the State, 1993; Department of Jobs and Training, Head Start in Minnesota, 1993; Department of Agriculture, Biennial Report, 1990-92; Minnesota Early Childhood Care and Education Council, Interim Report, 1993; State Board of Accountancy, Biennial Report, July 1, 1990 – June 30, 1992; Metropolitan Council, Minneapolis-St. Paul International Airport Reuse Study, 1993; Department of Administration, Real Estate Management, Biennial Land Disposition, 1992; Office of Administrative Hearings, Chief Administrative Law Judge on Length of Hearings in Workers' Compensation Cases, 1992; Office of Administrative Hearings, Administrative Law Division and Workers' Compensation Division, Annual Report, 1992; Department of Health, Advisability and Feasibility of Consolidating Licensure and Regulation of Home Care Services and Residential Care Homes, 1992; Board of Investment Annual Report, 1992; Office of Waste Management, Loosefill Comparison Study, 1993; Board of Aging, Congregate Housing Services Projects, 1993; St. Paul Teachers' Retirement Fund Association, Annuity and Benefit Recipient's Report, 1992.

### MESSAGES FROM THE HOUSE

Mr. President:

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

Senate Concurrent Resolution No. 1: A Senate concurrent resolution relating to the adoption of temporary joint rules.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 7, 1993

Mr. President:

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

Senate Concurrent Resolution No. 2: A Senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 7, 1993

### REPORTS OF COMMITTEES

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

Mr. Solon from the Committee on Commerce and Consumer Protection, to which was re-referred

S.F. No. 2: A bill for an act relating to insurance; Medicare supplement; permitting phased-in compliance with community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1.

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

Page 10, line 19, after "*approving*" insert "*rates for*"

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

### SECOND READING OF SENATE BILLS

S.F. No. 2 was read the second time.

### MOTIONS AND RESOLUTIONS

Mr. Bertram moved that the names of Messrs. Johnson, D.J.; Sams and Samuelson be added as co-authors to S.F. No. 4. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Vickerman be added as a co-author to S.F. No. 10. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Chmielewski be added as a co-author to S.F. No. 13. 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. Luther introduced—

S.F. No. 15: A bill for an act relating to insurance; establishing and regulating the life and health insurance guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Larson, Vickerman, Chmielewski and Ms. Lesewski introduced—

S.F. No. 16: A bill for an act proposing an amendment to the Minnesota Constitution, article X, by adding a section; dedicating part of the sales tax to a local government trust fund.

Referred to the Committee on Taxes and Tax Laws.

Ms. Pappas, Messrs. Betzold, Hottinger, Murphy and Janezich introduced—

S.F. No. 17: A bill for an act relating to state government; providing for gender balance in multimember agencies; amending Minnesota Statutes 1992, section 15.0597, by adding subdivisions.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Beckman, Stumpf, Sams, Vickerman and Day introduced—

S.F. No. 18: A resolution memorializing the United States Secretary of Agriculture to establish higher contract prices for grain commodities.

Referred to the Committee on Agriculture and Rural Development.

Mr. Price, Ms. Reichgott, Mr. Johnson, D.J.; Mses. Flynn and Olson introduced—

S.F. No. 19: A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, D.J.; Day; Janezich; Vickerman and Beckman introduced—

S.F. No. 20: A bill for an act relating to ambulance service personnel; establishing an ambulance service personnel longevity award and incentive program; imposing a driver's license surcharge; appropriating money; amending Minnesota Statutes 1992, section 171.06, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 144C.

Referred to the Committee on Health Care.

Mr. Mondale, Mrs. Adkins, Mses. Flynn and Pappas introduced—

S.F. No. 21: A bill for an act relating to local government; requiring that zoning and subdivisions be coordinated with comprehensive plans; regulating reports, budgets, personnel, and planning of metropolitan government bodies; amending Minnesota Statutes 1992, sections 462.357, subdivision 2; 473.122; 473.1623, subdivisions 3, 5, and 6; 473.163, subdivision 2; 473.175, subdivision 1; 473.181, subdivision 5; 473.38, subdivision 1; 473.661, by adding a subdivision; 473.858, subdivision 1; and 473.865, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 473.1623, subdivision 4; and 473.621, subdivisions 6 and 7.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Langseth, Samuelson and Sams introduced—

S.F. No. 22: A bill for an act relating to family services; making illegal aliens ineligible for general assistance medical care, general assistance, and work readiness; amending Minnesota Statutes 1992, sections 256D.03, subdivision 3; 256D.05, by adding a subdivision; and 256D.051, by adding a subdivision.

Referred to the Committee on Family Services.

Messrs. Murphy, Vickerman, Ms. Johnston, Messrs. Pogemiller and Bertram introduced—

S.F. No. 23: A bill for an act relating to education; providing for a tuition free technical college program for certain Persian Gulf war era veterans; amending Minnesota Statutes 1992, section 136C.13, subdivision 4.

Referred to the Committee on Veterans and General Legislation.

Mr. Marty, Ms. Piper and Mr. Betzold introduced—

S.F. No. 24: A bill for an act relating to ethics in government; providing that an advisory opinion of the ethical practices board is a defense in a criminal proceeding and is binding on the board in enforcement proceedings; creating a code of ethical conduct for local officials and public officials and employees; providing for enforcement of the code of conduct by the ethical practices board; amending Minnesota Statutes 1992, section 10A.02, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, section 10A.02, subdivisions 11 and 11a.

Referred to the Committee on Ethics and Campaign Reform.

Messrs. Marty, Hottinger, Mses. Piper and Flynn introduced—

S.F. No. 25: A bill for an act relating to campaign reform; counting certain constituent services as a campaign expenditure; banning lobbyist contributions before a legislative session; banning caucus fundraisers before or during a legislative session; prohibiting earmarked contributions; requiring reporting of contributions of \$50 or more; requiring prompt notice of independent expenditures; reducing campaign contribution and spending limits, except

when needed to counter independent expenditures; limiting bundled contributions; replacing the income tax checkoff for election campaigns of individual candidates with a public subsidy from the general fund; requiring candidates who receive a public subsidy to agree to public debates; prohibiting candidates who receive a public subsidy from accepting contributions from lobbyists, political committees, or political funds; requiring certain candidates to return their public subsidy; prohibiting conversion of campaign funds to personal use; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivisions 10c and 13; 10A.065, subdivisions 1 and 5; 10A.15, subdivision 1; 10A.16; 10A.17, subdivision 5; 10A.19, subdivision 1; 10A.20, subdivision 3, and by adding a subdivision; 10A.24, subdivision 1; 10A.242, subdivision 1; 10A.25, subdivisions 2, 6, 10, and by adding a subdivision; 10A.27, subdivision 1; 10A.315; 10A.321, subdivision 2; 10A.322, subdivision 1, and by adding subdivisions; 10A.323; 10A.324, subdivisions 1 and 4; and 211B.12; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, sections 10A.065, subdivision 5; 10A.255, subdivision 2; 10A.30; 10A.31; 10A.321, subdivision 1; 10A.322, subdivision 3; 10A.325; and 10A.335.

Referred to the Committee on Ethics and Campaign Reform.

Mr. Langseth introduced—

S.F. No. 26: A bill for an act relating to transportation; authorizing the issuance of state transportation bonds; appropriating the proceeds for grants to political subdivisions for bridge construction and reconstruction.

Referred to the Committee on Transportation and Public Transit.

Mr. Laidig introduced—

S.F. No. 27: A bill for an act relating to taxation; transient lodging; allowing the city of Stillwater to exempt certain property.

Referred to the Committee on Taxes and Tax Laws.

Mr. Hottinger introduced—

S.F. No. 28: A bill for an act relating to insurance; establishing and regulating the life and health guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Beckman, Pogemiller, Ms. Krentz, Olson and Mr. Johnson, D.J. introduced—

S.F. No. 29: A bill for an act relating to education; establishing a youth apprenticeship program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

Mr. Lessard introduced—

S.F. No. 30: A bill for an act relating to economic development; requiring the commissioner of trade and economic development to designate Koochiching county as an enterprise zone.

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

Mr. Cohen, Ms. Wiener, Mr. Betzold, Ms. Anderson and Mr. Mondale introduced—

S.F. No. 31: A bill for an act relating to health; codifying case law regarding abortion; amending Minnesota Statutes 1992, section 609.269; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 1992, section 145.412.

Referred to the Committee on Health Care.

Messrs. Hottinger, Marty and Johnson, D.E. introduced—

S.F. No. 32: A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

Referred to the Committee on Family Services.

Mr. Pogemiller and Ms. Piper introduced—

S.F. No. 33: A bill for an act relating to crime prevention; providing that the home address of a driver's license or motor vehicle registration applicant is private data; clarifying and expanding the scope of harassment and stalking crimes; increasing to a gross misdemeanor the penalty for harassment and stalking; increasing to a felony the penalty for subsequent offenses; increasing to a gross misdemeanor the penalty for subsequent violations of orders for protection issued because of harassment; requiring training for judges and peace officers concerning harassment and stalking; amending Minnesota Statutes 1992, sections 13.69, by adding a subdivision; 480.30; 609.605; 609.748, subdivisions 6 and 8; 611A.0311; 626.8451, subdivision 1a; 629.342; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 168.346; 171.12, subdivision 7; 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

Referred to the Committee on Crime Prevention.

### MEMBERS EXCUSED

Ms. Berglin, Messrs. Hottinger; Moe, R.D. and Pogemiller were excused from the Session of today.

### ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 6:00 p.m., Thursday, January 14, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate