

FIFTH DAY

St. Paul, Minnesota, Thursday, January 14, 1993

The Senate met at 6:00 p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Johnson, D.J. 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. Marilyn S. Breckenridge.

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

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

The President declared a quorum present.

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

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. 3: A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 11, 1993

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 22.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 11, 1993

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 22: 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.

Mr. Moe, R.D. moved that H.F. No. 22 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Bertram moved that the name of Mr. Metzen be added as a co-author to S.F. No. 4. The motion prevailed.

Mr. Langseth moved that the name of Mr. Sams be added as a co-author to S.F. No. 26. The motion prevailed.

Mr. Hottinger moved that the name of Ms. Piper be added as a co-author to S.F. No. 32. The motion prevailed.

Mr. Pogemiller moved that the names of Mr. Spear and Ms. Ranum be added as co-authors to S.F. No. 33. The motion prevailed.

Mr. Finn, Ms. Berglin, Mr. Moe, R.D.; Ms. Pappas and Mr. Pogemiller introduced—

Senate Resolution No. 14: 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.

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

Mr. Moe, R.D. moved that H.F. No. 22 be taken from the table. 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 H.F. No. 22 and that the rules of the Senate be so far suspended as to give H.F. No. 22 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 22: 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.

H.F. No. 22 was read the second time.

Mr. Larson moved to amend H.F. No. 22 as follows:

Page 8, strike lines 28 to 36

Page 9, lines 1 to 36, strike the old language and delete the new language

Page 10, delete lines 1 to 21

Page 10, line 22, strike "(s)" and insert "(r)"

CALL OF THE SENATE

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

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

The roll was called, and there were yeas 12 and nays 53, as follows:

Those who voted in the affirmative were:

Berg	Dille	Larson	Merriam	Pariseau
Chmielewski	Johnston	McGowan	Olson	Samuelson
Day	Laidig			

Those who voted in the negative were:

Adkins	Flynn	Kroening	Neville	Runbeck
Anderson	Hanson	Langseth	Novak	Sams
Beckman	Hottinger	Lesewski	Oliver	Solon
Belanger	Janezich	Lessard	Pappas	Spear
Benson, D.D.	Johnson, D.E.	Luther	Piper	Stevens
Benson, J.E.	Johnson, D.J.	Marty	Pogemiller	Stumpf
Bertram	Johnson, J.B.	Metzen	Price	Terwilliger
Betzold	Kelly	Moe, R.D.	Ranum	Vickerman
Chandler	Kiscaden	Mondale	Reichgott	Wiener
Cohen	Knutson	Morse	Riveness	
Finn	Krentz	Murphy	Robertson	

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

H.F. No. 22 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Berg and Larson voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS – CONTINUED

Mr. Benson, D.D. moved that S.F. No. 2, No. 1 on General Orders, be stricken and laid on the table. 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. Price introduced—

S.F. No. 34: A bill for an act relating to children; requiring background checks on foreign exchange host families; amending Minnesota Statutes 1992, section 245A.03, subdivision 2.

Referred to the Committee on Family Services.

Mr. Chmielewski introduced—

S.F. No. 35: A bill for an act relating to motor vehicles; exempting certain manufacturers of snowmobile trailers from being required to have a dealer's license to transport the trailers; amending Minnesota Statutes 1992, section 168.27, subdivision 22.

Referred to the Committee on Transportation and Public Transit.

Mr. Pogemiller introduced—

S.F. No. 36: A bill for an act relating to crime; clarifying and expanding the scope of harassment and stalking crimes; requiring that convicted harassers be assessed as to their need for mental health treatment; improving the enforcement mechanism for civil harassment restraining orders; clarifying the application of enhanced penalties for repeat domestic assaults; amending Minnesota Statutes 1992, sections 609.224, subdivision 2; 609.605, subdivision 1; 609.748, subdivision 6; 609.79, subdivision 1; and 609.795,

subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 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.

Mr. Johnson, D.J. introduced—

S.F. No. 37: A bill for an act relating to taxation; income; allowing federal annuitants to designate state income tax withholding; amending Minnesota Statutes 1992, section 289A.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 38: A bill for an act relating to the legislature; providing for the designation of successor legislative committees; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Mr. Bertram introduced—

S.F. No. 39: A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

Referred to the Committee on Transportation and Public Transit.

Ms. Reichgott, Mr. Finn, Ms. Krentz, Kiscaden and Mr. Spear introduced—

S.F. No. 40: A bill for an act relating to probate; establishing a durable power of attorney for health care; proposing coding for new law as Minnesota Statutes, chapter 145C.

Referred to the Committee on Judiciary.

Messrs. Mondale; Moe, R.D.; Ms. Wiener, Messrs. Solon and Belanger introduced—

S.F. No. 41: A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

Referred to the Committee on Transportation and Public Transit.

Messrs. Berg and Benson, D.D. introduced—

S.F. No. 42: A bill for an act relating to finance; repealing authorization for the commissioner of finance to issue obligations to finance construction of

aircraft maintenance and repair facilities; repealing Minnesota Statutes 1992, sections 116R.01; 116R.02; 116R.03; 116R.04; 116R.05; 116R.06; 116R.07; 116R.08; 116R.09; 116R.10; 116R.11; 116R.12; 116R.13; 116R.14; 116R.15; and 116R.16.

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

Messrs. Knutson, Kelly, Mses. Kiscaden and Krentz introduced—

S.F. No. 43: A bill for an act relating to insurance; no-fault auto; regulating the elimination or reduction of wage loss reimbursement coverage; amending Minnesota Statutes 1992, section 65B.491.

Referred to the Committee on Commerce and Consumer Protection.

Mses. Berglin and Piper introduced—

S.F. No. 44: A bill for an act relating to trusts; making certain trust provisions related to public assistance eligibility unenforceable as against public policy; clarifying availability of trusts in determining eligibility for medical assistance and other benefit programs; defining supplemental needs trusts; clarifying enforceability of supplemental needs trusts; amending Minnesota Statutes 1992, section 501B.89.

Referred to the Committee on Health Care.

Ms. Krentz, Messrs. Beckman, Morse, Terwilliger and Ms. Wiener introduced—

S.F. No. 45: A bill for an act relating to education; giving school boards discretion to begin the school year before or after Labor Day; repealing Minnesota Statutes 1992, section 126.12, subdivision 1.

Referred to the Committee on Education.

Messrs. Berg, Lessard, Merriam, Frederickson and Dille introduced—

S.F. No. 46: A bill for an act relating to the environment and natural resources; excluding red deer and elk from the definition of ecologically harmful exotic species; amending Minnesota Statutes 1992, section 84.967.

Referred to the Committee on Environment and Natural Resources.

Ms. Lesewski introduced—

S.F. No. 47: A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

Referred to the Committee on Education.

RECESS

Mr. Moe, R.D. moved that the Senate recess until immediately after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appropriate time.

MEMBERS EXCUSED

Ms. Berglin and Mr. Frederickson were excused from the Session of today.

ADJOURNMENT

Mr. Price moved that the Senate do now adjourn until 12:00 noon, Tuesday, January 19, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate