

SEVENTH DAY

St. Paul, Minnesota, Thursday, January 21, 1993

The Senate met at 9:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Ms. Flynn 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. Audrey Knutson.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 14, 1993

The Honorable Allan H. Spear
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

WORKERS' COMPENSATION COURT OF APPEALS

Thomas Johnson, 1510 Red Cedar Rd., Eagan, Dakota County, has been appointed by me, effective May 26, 1992, for a term expiring on the first Monday in January, 1995.

Rosalia Olsen, 3307 Decatur Ln., St. Louis Park, Hennepin County, has been appointed by me, effective May 26, 1992, for a term expiring on the first Monday in January, 1998.

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

Warmest regards,
Arne H. Carlson, Governor

REPORTS OF COMMITTEES

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

Messrs. Pogemiller and Stumpf from the Committee on Education, to which was referred

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.

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

Delete everything after the enacting clause and insert:

“Section 1. [COUNTY CERTIFICATION OF CERTAIN 1993 SCHOOL DISTRICT LEVIES.]

The school boards of independent school district No. 404, Lake Benton, and independent school district No. 583, Pipestone, may adopt a resolution requesting the Lincoln county auditor to certify the levies listed in this section for taxes payable in 1993. The resolutions must be certified to the auditor by February 1, 1993.

Notwithstanding any other law to the contrary, upon receipt of resolutions from independent school district No. 404, Lake Benton, and independent school district No. 583, Pipestone, the Lincoln county auditor shall certify the following amounts for the 1992 taxes payable in 1993 levies for school district No. 408, Verdi:

(1) \$123,479 for general education under Minnesota Statutes, section 124A.23, subdivision 2;

(2) \$8,567 for basic transportation under Minnesota Statutes, section 124.226, subdivision 1; and

(3) \$2,550 for capital expenditure equipment under Minnesota Statutes, section 124.244, subdivision 2.

Homestead and agricultural credit aid to be certified to and paid by the commissioner of education for taxes payable in 1993 and homestead and agricultural credit aid to be certified to the county auditor for taxes payable

in 1994 in accordance with Minnesota Statutes, section 273.1398, subdivision 6, for independent school district No. 408, Verdi, shall be apportioned between independent school district No. 404, Lake Benton, and independent school district No. 583, Pipestone, based upon the ratio of the payable 1993 net tax capacity of the portion of independent school district No. 408, Verdi, contained in the school district after July 1, 1993, to the total payable 1993 net tax capacity of independent school district No. 408, Verdi.

For those unique taxing jurisdictions where disparity reduction aid is certified in accordance with Minnesota Statutes, section 273.1398, subdivision 6, and which are located within the former boundaries of independent school district No. 408, Verdi, the disparity reduction aid certified to and paid by the commissioner of education for taxes payable in 1993 and the disparity reduction aid certified to the county auditor for taxes payable in 1994 that would have been certified for independent school district No. 408, Verdi, shall be certified for the school district now located within that unique taxing jurisdiction.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and does not require further local approval under Minnesota Statutes, section 645.021."

Delete the title and insert:

"A bill for an act relating to education; authorizing the Lake Benton and Pipestone school districts to direct the Lincoln county auditor to certify certain 1993 levies for the Verdi school district."

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

Mr. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 12: A resolution expressing the legislature's opposition to federal legislation requiring suspension of licenses for individuals convicted of violations of the federal Controlled Substances Act.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 47 and 12 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Pogemiller moved that his name be stricken as a co-author to S.F. No. 23. The motion prevailed.

Mr. Murphy moved that the name of Mr. Metzen be added as a co-author to S.F. No. 23. The motion prevailed.

Mr. Price moved that the name of Mr. Stevens be added as a co-author to S.F. No. 34. The motion prevailed.

Ms. Berglin moved that the name of Mr. Finn be added as a co-author to S.F. No. 44. The motion prevailed.

Mr. Merriam moved that the name of Mr. Larson be added as a co-author to S.F. No. 49. The motion prevailed.

Mr. Beckman moved that the names of Messrs. Sams and Morse be added as co-authors to S.F. No. 55. The motion prevailed.

Mr. Terwilliger introduced—

Senate Resolution No. 16: A Senate resolution congratulating the Edina High School Girls Swimming and Diving Team for winning the State Championship.

Referred to the Committee on Rules and Administration.

Messrs. Moe, R.D. and Johnson, D.E. introduced—

Senate Resolution No. 17: 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:

The miles traveled by members of the Senate for the 78th Legislature in each round trip going to and returning from the Capitol to their places of residence are as follows:

MEMBER	MILEAGE
ADKINS, Betty A.	100
ANDERSON, Ellen R.	0
BECKMAN, Tracy L.	260
BELANGER, William V., Jr.	46
BENSON, Duane D.	240
BENSON, Joanne E.	143
BERG, Charles A.	370
BERGLIN, Linda	19
BERTRAM, Joe, Sr.	210
BETZOLD, Don	30
CHANDLER, Kevin M.	30
CHMIELEWSKI, Florian.	210
COHEN, Richard J.	0
DAY, Dick	140
DILLE, Steve.	150
FINN, Harold R. "Skip"	440
FLYNN, Carol	22
FREDERICKSON, Dennis R.	210
HANSON, Paula E.	50
HOTTINGER, John C.	194
JANEZICH, Jerry R.	396
JOHNSON, Dean E.	212
JOHNSON, Douglas J.	440
JOHNSON, Janet B.	100
JOHNSTON, Terry D.	54
KELLY, Randy C.	12
KISCADEN, Sheila M.	160
KNUTSON, David L.	38
KRENTZ, Jane	54
KROENING, Carl W.	30

L Aidig, Gary W.	44
Langseth, Keith	472
Larson, Cal	392
Lesewski, Arlene J.	336
Lessard, Bob	625
Luther, William P.	44
Marty, John	25
McGowan, Patrick D.	50
Merriam, Gene	42
Metzen, James P.	18
Moe, Roger D.	522
Mondale, Ted A.	25
Morse, Steven	244
Murphy, Steve L.	102
Neuville, Thomas M.	90
Novak, Steven G.	30
Oliver, Edward C.	54
Olson, Gen	70
Pappas, Sandra L.	0
Pariseau, Pat.	63
Piper, Pat	200
Pogemiller, Lawrence J.	12
Price, Leonard R.	14
Ranum, Jane B.	24
Reichgott, Ember D.	42
Riveness, Phil J.	24
Robertson, Martha R.	40
Runbeck, Linda	20
Sams, Dallas C.	(air 264) 300
Samuelson, Don	270
Solon, Sam G.	310
Spear, Allan H.	22
Stevens, Dan	156
Stumpf, LeRoy A.	(air 550) 622
Terwilliger, Roy	42
Vickerman, Jim	336
Wiener, Deanna	25

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Kelly, Merriam and Spear introduced—

S.F. No. 56: A bill for an act relating to crime; clarifying certain law enforcement powers; providing for administrative forfeiture of firearms; creating a permissive inference of possession with respect to a firearm in an automobile; making technical corrections to the eligibility criteria and transfer process applicable to permits to possess a pistol; amending Minnesota Statutes 1992, sections 169.98, subdivision 1a; 299D.06; 609.5314, subdivision 1; 624.713, subdivision 1; 624.7131, subdivision 10; and 624.7132, subdivisions 4 and 8; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

Mr. Marty and Mrs. Adkins introduced—

S.F. No. 57: A bill for an act relating to human rights; lengthening the statute of limitations for human rights act violations; amending Minnesota Statutes 1992, sections 363.06, subdivision 3; and 363.116.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 58: A bill for an act relating to local governments; permitting local governments to require the payment of legal fees incurred by peace officers who are the subject of investigation by a civilian review authority; amending Minnesota Statutes 1992, section 471.44.

Referred to the Committee on Crime Prevention.

Ms. Olson introduced—

S.F. No. 59: A bill for an act relating to state government; extending expiration date of governor's residence council; amending Minnesota Statutes 1992, section 16B.27, subdivision 3.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Chandler, Pogemiller, Morse, Hottinger and Sams introduced—

S.F. No. 60: A bill for an act relating to state employees; directing the commissioner of administration to establish a program to encourage employees to suggest ways to save money in the operation of state government; appropriating money; amending Minnesota Statutes 1992, section 16B.39, by adding a subdivision.

Referred to the Committee on Governmental Operations and Reform.

Mrs. Benson, J.E.; Ms. Olson and Mr. Larson introduced—

S.F. No. 61: A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

Mr. Larson, Ms. Johnston and Mr. Neuville introduced—

S.F. No. 62: A bill for an act proposing an amendment to the Minnesota Constitution to provide for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing by law for a unicameral legislature of 135 members; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

Referred to the Committee on Ethics and Campaign Reform.

Mr. Samuelson introduced—

S.F. No. 63: A bill for an act relating to state contracts; requiring bidders on state construction contracts to submit lists of subcontractors and prohibiting subcontracts with persons not listed; providing penalties; amending Minnesota Statutes 1992, section 16B.07, by adding a subdivision.

Referred to the Committee on Governmental Operations and Reform.

Mr. Samuelson introduced—

S.F. No. 64: A bill for an act relating to game and fish; seasons for taking deer by muzzle-loading firearms; amending Minnesota Statutes 1992, section 97B.311.

Referred to the Committee on Environment and Natural Resources.

Messrs: Novak, Beckman, Kelly, Merriam and McGowan introduced—

S.F. No. 65: A bill for an act relating to public safety; requiring mandatory notification of the state fire marshal in fires involving death; requiring autopsies on arson victims; extending the power to subpoena witnesses to arson investigation units in cities of the first class; deleting the intent element for the crimes of possession of explosives, incendiary devices, and molotov cocktails; defining fire as a dangerous weapon under the criminal code; lowering the felony damage threshold for arson in the second and third degree and negligent fires; creating a felony for tampering with fire alarms when potential for bodily harm exists; allowing prosecutors to charge "arson for profit" rings under RICO statute; granting peace officer status to deputy state fire marshals; extending the statute of limitations for arson to five years; amending Minnesota Statutes 1992, sections 299F.04, by adding a subdivision; 299F.06; 299F.811; 299F.815, subdivision 1; 390.11, by adding a subdivision; 390.32, by adding a subdivision; 609.02, subdivision 6; 609.562; 609.563, subdivision 1; 609.576, subdivision 1; 609.686; 609.902, subdivision 4; 626.84, subdivision 1; and 628.26.

Referred to the Committee on Crime Prevention.

Messrs. Mondale, Pogemiller, Mses. Ranum, Reichgott and Mr. McGowan introduced—

S.F. No. 66: A bill for an act relating to education; replacing the levy funding program with a grant program for the early childhood family education home visiting program; requiring ongoing training; appropriating money; amending Minnesota Statutes 1992, section 121.882, subdivision 2b; and Laws 1992, chapter 571, article 10, section 29.

Referred to the Committee on Education.

Ms. Ranum, Messrs. Beckman, McGowan and Spear introduced—

S.F. No. 67: A bill for an act relating to crime; clarifying the application of the tolling provision in the law governing criminal statutes of limitations; amending Minnesota Statutes 1992, section 628.26.

Referred to the Committee on Crime Prevention.

Ms. Runbeck, Mr. Frederickson, Ms. Kiscaden and Mr. Terwilliger introduced—

S.F. No. 68: A bill for an act relating to workers' compensation; defining "suitable job"; modifying permanent total disability benefits; eliminating supplementary benefits in certain circumstances; abolishing the workers' compensation court of appeals; amending Minnesota Statutes 1992, sections 176.101, subdivisions 3e, 4, and 5; 176.66, subdivision 11; 480A.06, subdivisions 3 and 4; repealing Minnesota Statutes 1992, sections 175A.01; 175A.02; 175A.03; 175A.04; 175A.05; 175A.06; 175A.07; 175A.08; 175A.09; 175A.10; and 176.132, subdivisions 1 and 2.

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

Messrs. Metzen; Kelly; Kroening; Johnson, D.J. and Solon introduced—

S.F. No. 69: A bill for an act relating to community development; providing for targeted neighborhoods revitalization and financing; appropriating money.

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

Mr. Finn, Ms. Johnson, J.B. and Mr. Murphy introduced—

S.F. No. 70: 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.

Messrs. Finn and Samuelson introduced—

S.F. No. 71: A bill for an act relating to taxation; exempting sales of homemaking and chore services to local governments from the sales tax; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

Referred to the Committee on Taxes and Tax Laws.

Mr. Metzen, Ms. Wiener, Mrs. Pariseau, Messrs. Knutson and Murphy introduced—

S.F. No. 72: A bill for an act relating to appropriations; appropriating money for a grant to the city of Inver Grove Heights to investigate criminal activity.

Referred to the Committee on Crime Prevention.

Messrs. Mondale; Johnson, D.J.; Novak; Merriam and Ms. Flynn introduced—

S.F. No. 73: A bill for an act relating to tax increment financing; providing for establishment of tax increment financing districts and environmental treatment areas; providing certain contaminant remediation and development powers; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Environment and Natural Resources.

Ms. Reichgott, Messrs. Johnson, D.J.; Hottinger and Mondale introduced—

S.F. No. 74: A bill for an act relating to local governments; appropriating money to provide aids and grants for costs of sharing or combining services or functions.

Referred to the Committee on Metropolitan and Local Government.

Ms. Robertson and Mr. McGowan introduced—

S.F. No. 75: A bill for an act relating to crime; providing criminal penalties for a parent, guardian, or caretaker who abandons a child under ten years of age; amending Minnesota Statutes 1992, section 609.38; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

Mses. Pappas, Krentz, Hanson, Mr. Murphy and Ms. Flynn introduced—

S.F. No. 76: A bill for an act relating to traffic regulations; increasing the fine for child passenger restraint system violations; amending Minnesota Statutes 1992, section 169.685, subdivision 5.

Referred to the Committee on Transportation and Public Transit.

Mr. Samuelson introduced—

S.F. No. 77: A bill for an act relating to retirement; authorizing an increase in lump sum benefits payable by the Brainerd fire department relief association.

Referred to the Committee on Governmental Operations and Reform.

Mr. Hottinger, Ms. Flynn, Messrs. Johnson, D.J.; Mondale and Finn introduced—

S.F. No. 78: A bill for an act relating to local government aids; providing for calculation and distribution of state aids to cities; amending Minnesota Statutes 1992, sections 273.1398, by adding a subdivision; 477A.011, subdivisions 1a, 20, and by adding subdivisions; 477A.013, by adding subdivisions; and 477A.03, subdivision 1; repealing Minnesota Statutes 1992, sections 477A.011, subdivisions 1b, 3a, 15, 16, 17, 18, 22, 23, 25, and 26; and 477A.013, subdivisions 2, 3, and 5.

Referred to the Committee on Metropolitan and Local Government.

MEMBERS EXCUSED

Ms. Berglin, Messrs. Bertram, Luther, Knutson and Stevens were excused from the Session of today.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, January 25, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate