

TWELFTH DAY

St. Paul, Minnesota, Tuesday, February 9, 1993

The Senate met at 3:00 p.m. and was called to order by the President.

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.

Prayer was offered by the Chaplain, Monsignor Ambrose V. Hayden.

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

August 7, 1992

The Honorable Jerome Hughes
President of the Senate

Dear Sir:

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

STATE UNIVERSITY BOARD

Nancy Alfton, 2555 Kyle Ave. N., Golden Valley, Hennepin County, has been appointed by me, effective August 15, 1992, for a term expiring on the first Monday in January, 1996.

(Referred to the Committee on Education.)

January 6, 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:

STATE UNIVERSITY BOARD

Corey Elmer, 509 State St., Evansville, Douglas County, has been appointed by me, effective January 11, 1993, for a term expiring on the first Monday in January, 1995.

Christine Fritsche, Rt. 4, Box 79, Marshall, Lyon County, has been appointed by me, effective January 11, 1993, for a term expiring on the first Monday in January, 1997.

Rod Searle, R.R. 1, Box 44, Waseca, Waseca County, has been appointed by me, effective January 11, 1993, for a term expiring on the first Monday in January, 1997.

(Referred to the Committee on Education.)

Warmest regards,
Arne H. Carlson, Governor

February 1, 1993

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1993 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1993	Date Filed 1993
	11	2	2:35 p.m. January 29	January 29

Sincerely,
Joan Anderson Growe
Secretary of State

REPORTS OF COMMITTEES

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred for proper reference under Rule 54:

Governor's Appointment Letter dated April 8, 1991, submitting an appointment to the Minnesota World Trade Center Corporation Board of Directors, reported in the Journal for January 19, 1993.

Reports the same back with the recommendation that the letter be re-referred to the Committee on Jobs, Energy and Community Development.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred for proper reference under Rule 54:

Governor's Appointment Letter dated July 16, 1991, submitting an appointment as Chair of the Board of Water and Soil Resources, reported in the Journal for January 19, 1993.

Reports the same back with the recommendation that the letter be re-referred to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred for proper reference under Rule 54:

Governor's Appointment Letter dated November 5, 1991, submitting an appointment to the Minnesota Environmental Quality Board, reported in the Journal for January 19, 1993.

Reports the same back with the recommendation that the letter be re-referred to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35:

S.F. No. 11 reports the same back with the recommendation that the bill be re-referred as follows:

S.F. No. 11 to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 52: A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

Reports the same back with the recommendation that the report from the Committee on Education, shown in the Journal for February 1, 1993, be amended to read:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Finance". Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health Care, to which was referred

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.

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

Page 5, line 1, delete "2b" and insert "2c"

Page 5, line 8, after the period, insert "*Amounts necessary to pay the ambulance service personnel longevity award are appropriated from the ambulance service personnel longevity award and incentive trust account to the commissioner of health.*"

Page 5, after line 20, insert:

"*Subd. 3. [ADMINISTRATION EXPENSES.] The amount necessary to pay the expenses of administering the ambulance service longevity award and incentive program is appropriated from the trust account established under section 144C.03 to the commissioner of health. This appropriation may not exceed three percent of the annual proceeds of the driver's license surcharge imposed under section 171.06, subdivision 2c.*"

Page 6, line 2, delete "2b" and insert "2c"

Page 7, line 24, delete "finance" and insert "health"

Page 8, delete lines 9 to 15

Page 8, line 16, delete "3" and insert "2"

Page 8, line 24, after "commissioner" insert "of health"

Page 8, line 31, delete "driver's license" and insert "drivers' licenses"

Page 9, delete lines 3 to 17 and insert:

"*Subdivision 1. \$40,000 is appropriated from the ambulance service personnel longevity award and incentive trust account to the commissioner of health to administer the ambulance service personnel longevity award and incentive program for fiscal year 1994.*

Subd. 2. \$45,000 is appropriated from the ambulance service personnel longevity award and incentive trust account to the commissioner of health to redesign and consolidate the volunteer ambulance attendant reimbursement data base, to establish the data base for the personnel longevity award and incentive program, and to purchase computer equipment for fiscal year 1994."

Page 9, line 19, delete "and" and after "11" insert ", and 12"

Page 9, line 20, delete "Section 8 is" and insert "Sections 5, subdivision 3, and 8 are" and delete everything after the second period

Page 9, delete line 21

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations and Reform. Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health Care, to which was referred

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.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1992, section 501B.89, is amended to read:

501B.89 [~~EXCULPATORY CLAUSES~~ TRUST PROVISIONS LINKED TO PUBLIC ASSISTANCE ELIGIBILITY UNENFORCEABLE; SUPPLEMENTAL NEEDS TRUSTS.]

Subdivision 1. [TRUSTS CONTAINING LIMITATIONS LINKED TO ELIGIBILITY FOR PUBLIC ASSISTANCE.] (a) Except as allowed by subdivision 2, a provision in a trust created after July 1, 1992, purporting to make assets or income unavailable to a beneficiary that provides for the suspension, termination, limitation, or diversion of the principal, income, or beneficial interest of a beneficiary if the beneficiary applies for or is determined eligible for, or receives public assistance or a public health care program is unenforceable as against the public policy of this state, without regard to the irrevocability of the trust or the purpose for which the trust was created.

(b) This subdivision applies to trust provisions created after July 1, 1992. For purposes of this section, a trust provision is created on the date of execution of the first instrument that contains the provision, even though the trust provision is later amended or reformed or the trust is not funded until a later date.

Subd. 2. [SUPPLEMENTAL TRUSTS FOR PERSONS WITH DISABILITIES.] (a) For purposes of this subdivision, a “supplemental needs trust” is a trust created for the benefit of a person with a disability and funded by someone other than the trust beneficiary, the beneficiary’s spouse, or anyone obligated to pay any sum for damages or any other purpose to or for the benefit of the trust beneficiary under the terms of a settlement agreement or judgment.

(b) For purposes of this subdivision, a “person with a disability” means a person who, prior to application for medical assistance benefits or other publicly funded benefits provided without regard to disability, has qualified as a disabled person or a person with a disability:

(1) under the criteria used by the Title II program of the Social Security Act;
or

(2) under criteria used to establish disability for the purposes of any other publicly funded benefit program.

If no determination of disability is made prior to a person's application for medical assistance benefits or other publicly funded benefits provided without regard to disability, a person may qualify as a "person with a disability" if the person has a physical or mental impairment that substantially limits one or more of the major life activities of the person, within the meaning of the applicable terms, conditions, definitions, and criteria established under the federal Americans with Disabilities Act, United States Code, title 42, sections 12101 to 12213, as determined by the state or local agency that is reviewing the terms of the person's supplemental needs trust in connection with the person's application for benefits.

(c) Subject to the restrictions contained in this paragraph, a supplemental needs trust may authorize distributions to provide for all or any portion of the reasonable living expenses of the beneficiary. A supplemental needs trust must allow or require distributions only in ways and for purposes that supplement or complement the benefits available under medical assistance, general assistance medical care, Minnesota supplemental aid, MinnesotaCare, and other publicly funded benefit programs. A supplemental needs trust must contain provisions that prohibit disbursements that would have the effect of replacing, reducing, or substituting for publicly funded benefits otherwise available to the beneficiary or rendering the beneficiary ineligible for publicly funded benefits.

(d) A supplemental needs trust shall be enforced by the courts of this state if submitted to the court. However, nothing in this subdivision requires submission of a supplemental needs trust to a court for interpretation or enforcement. A supplemental needs trust is not enforceable if the trust beneficiary becomes a patient or resident after age 64 in a state institution or extended care facility for six months or more and, due to the beneficiary's medical need for care in an institutional setting, there is no reasonable expectation that the beneficiary will ever be discharged from the institution or facility. For purposes of this paragraph "reasonable expectation" means that the beneficiary's attending physician has certified that the expectation is reasonable. For purposes of this paragraph, a beneficiary participating in a group residential program is not deemed to be a patient or resident in a state institution or extended care facility. The trust income and assets are considered available to the beneficiary for medical assistance purposes to the extent they are considered available to the beneficiary under medical assistance, supplemental security income, or aid to families with dependent children methodology, whichever is used to determine the beneficiary's eligibility for general assistance medical care, Minnesota supplemental aid, MinnesotaCare, or medical assistance. For other public assistance programs established or administered under state law, assets and income will be considered available to the beneficiary in accordance with the methodology applicable to the program.

(e) Paragraphs (a) to (d) apply to supplemental needs trusts whenever created.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective retroactive to July 1, 1992."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

S.F. No. 127: A bill for an act relating to the legislature; permitting the legislative coordinating commission to accept grants and gifts for public purposes; appropriating the grants and gifts; amending Minnesota Statutes 1992, section 3.305, by adding a subdivision.

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1: 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.

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

Ms. Reichgott from the Committee on Judiciary, to which was referred

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.

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

Page 1, line 23, delete "*provided*"

Page 1, line 24, after the period, insert "*Health care does not include intrusive mental health treatment as defined in section 253B.03, subdivision 6b, unless the durable power of attorney for health care specifically applies to decisions relating to intrusive mental health treatment.*"

Page 2, lines 21, 24, 32, 34, and 35, delete "*shall*" and insert "*must*"

Page 2, line 26, delete "*sections 1 to 14*" and insert "*this chapter*"

Page 3, line 7, delete "*shall not be*" and insert "*are not*"

Page 3, line 8, before the colon, insert "*, unless the person designated is related to the principal by blood, marriage, registered domestic partnership, or adoption*"

Page 3, line 11, delete the comma and insert a period

Page 3, delete lines 12 and 13

Page 3, line 16, delete "*shall*" and insert "*may*"

Page 3, line 19, delete "*shall*" and insert "*must*"

Page 3, line 35, before the period, insert "*and my agent consents to make the decision on my behalf*"

Page 4, line 7, after the period, insert "*I understand that this document authorizes but does not require my agent to make health care decisions for me.*"

My agent and any alternative agents have consented to act as my agent. My agent and any alternative agents have been notified that they will be nominated as a guardian or conservator for me."

Page 4, lines 13 and 14, delete "*In addition to the foregoing,*"

Page 4, line 15, delete "*the provisions of*"

Page 4, line 16, delete "*but not limited to*"

Page 4, delete lines 20 to 22

Page 4, line 23, delete "(3)" and insert "(2)"

Page 4, line 25, delete "(4)" and insert "(3)"

Page 4, line 29, delete "(5)" and insert "(4)"

Page 4, line 32, before "A" insert "*(a) Except as provided in paragraph (b),*"

Page 4, line 35, before the period, insert "*and the agent consents to make the decision*"

Page 4, after line 35, insert:

"(b) If the principal states in the durable power of attorney that the principal does not have an attending physician because the principal in good faith generally selects and depends upon spiritual means or prayer for the treatment or care of disease or remedial care, the principal may designate a person in the durable power of attorney for health care who may certify in a writing acknowledged before a notary public that the principal is unable to make a health care decision. The requirements of section 3, subdivisions 2 and 3, relating to the eligibility of a health care provider attending the principal or the provider's employee to act as an agent or witness apply to a person designated under this paragraph."

Page 5, line 4, after the period, insert "*The agent does not have authority to consent to a voluntary commitment under chapter 253B.*"

Page 5, line 12, after "145B" insert "*or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d*"

Page 5, line 17, after the period, insert "*The agent does not have an affirmative duty to exercise the authority conferred by the durable power of attorney for health care.*"

Page 5, line 21, delete "*shall be*" and insert "*is*"

Page 5, line 25, delete "*and*" and insert "*or section 253B.03, subdivision 6d, or*"

Page 5, line 26, delete "*shall take*" and insert "*takes*"

Page 5, line 28, after "*section*" insert "*253B.03, subdivision 6d, or*"

Page 5, line 29, delete "*shall*"

Page 6, line 7, delete "(a)" and insert "(1)"

Page 6, line 12, delete "(b)" and insert "(2)"

Page 6, line 15, delete "(c)" and insert "(3)"

Page 6, line 18, delete "(d)" and insert "(4)"

Page 6, line 32, delete "shall be" and insert "is"

Page 7, line 1, delete "shall be" and insert "is"

Page 7, line 14, after "145B" insert "or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d"

Page 7, line 30, delete "both of"

Page 7, line 31, delete the period and insert a colon

Page 7, line 32, delete "(a) The" and insert "(1) the"

Page 7, line 35, delete the period and insert "; and"

Page 7, line 36, delete "(b) The" and insert "(2) the"

Page 8, line 6, delete "such" and insert "that"

Page 8, lines 15 and 19, delete "shall" and insert "may"

Page 8, line 17, delete the first comma

And when so amended the bill do pass and be re-referred to the Committee on Crime Prevention. Amendments adopted. Report adopted.

Ms. Reichgott from the Committee on Judiciary, to which was referred

S.F. No. 48: A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

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

Page 2, line 21, after the period, insert "A request for notice under this section filed on or after August 1, 1992, and prior to August 1, 1993, that is not a separate and distinct document, or incorporated in a mechanic's lien statement filed for record pursuant to section 514.08, ceases to be a request for notice on June 30, 1994, unless a supplemental request for notice that complies with this section and states the recording information, including document number of the original request for notice, is filed before July 1, 1994."

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. 13: 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.

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

Page 1, after line 6, insert:

“Section 1. Minnesota Statutes 1992, section 168.031, is amended to read:

168.031 [EXEMPTION FROM REGISTRATION; PERSONS IN ARMED FORCES, DISABLED VETERANS, *FORMER PRISONERS OF WAR.*]

The motor vehicle of any person who engages in active service in time of war or other emergency declared by proper authority in any of the military or naval forces of the United States shall be exempt from the motor vehicle registration tax during the period of such active service and for 40 days immediately thereafter if the owner has filed with the registrar of motor vehicles a written application for exemption with such proof of military service as the registrar may have required and if the motor vehicle is not operated on a public highway within the state, except by the owner while on furlough or leave of absence.

The motor vehicle of any disabled war veteran, which vehicle has been furnished free, in whole or in part, by the United States government to said disabled veteran, shall be exempt from the motor vehicle registration tax. *The motor vehicle owned and registered by a former prisoner of war that bears the “EX-POW” plates is exempt from the motor vehicle registration tax.*

Sec. 2. Minnesota Statutes 1992, section 168.12, subdivision 5, is amended to read:

Subd. 5. [ADDITIONAL FEE.] In addition to any fee otherwise authorized or any tax otherwise imposed upon any motor vehicle, the payment of which is required as a condition to the issuance of any number license plate or plates, the commissioner of public safety may impose a fee that is calculated to cover the cost of manufacturing and issuing the license plate or plates, except for license plates issued to disabled veterans as defined in section 168.031 and license plates issued pursuant to section 168.124, 168.125, or 168.27, subdivisions 16 and 17, for passenger automobiles. Graphic design license plates shall only be issued for vehicles registered pursuant to section 168.017 and recreational vehicles registered pursuant to section 168.013, subdivision 1g.

Fees collected under this subdivision must be paid into the state treasury and credited to the highway user tax distribution fund.”

Page 2, line 22, before the period, insert “of motor vehicles”

Page 2, line 24, after “issue” insert “free of charge”

Page 2, line 29, after the period, insert “No fee may be charged for replacement plates issued to a surviving spouse or for tabs or stickers issued for the motor vehicle on which the special “EX-POW” plates are placed. A surviving spouse is not exempt from the motor vehicle registration tax.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 168.031; 168.12, subdivision 5; and"

And when so amended the bill do pass and be re-referred to the Committee on Veterans and General Legislation. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 127 and 48 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Marty moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 25. The motion prevailed.

Mr. Moe, R.D. moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 52. The motion prevailed.

Mr. Merriam moved that the name of Mr. Marty be added as a co-author to S.F. No. 102. The motion prevailed.

Mr. Moe, R.D. moved that the name of Mr. Larson be added as a co-author to S.F. No. 111. The motion prevailed.

Mr. Chmielewski moved that the the names of Messrs. Neuville, Stevens and Larson be added as co-authors to S.F. No. 165. The motion prevailed.

Mr. Lessard moved that the name of Mr. Sams be added as a co-author to S.F. No. 172. The motion prevailed.

Mr. Merriam moved that the name of Mr. Murphy be added as a co-author to S.F. No. 177. The motion prevailed.

Mr. Knutson moved that the name of Mr. Belanger be added as a co-author to S.F. No. 183. The motion prevailed.

Ms. Piper moved that the name of Ms. Berglin be added as a co-author to S.F. No. 186. The motion prevailed.

Mr. Mondale moved that S.F. No. 41 be withdrawn from the Committee on Transportation and Public Transit and re-referred to the Committee on Commerce and Consumer Protection. The motion prevailed.

Mr. Larson introduced—

Senate Resolution No. 22: A Senate resolution congratulating John Claussen of Fergus Falls, Minnesota, on his 100th birthday, February 21, 1993.

Referred to the Committee on Rules and Administration.

Messrs. McGowan; Luther; Moe, R.D. and Betzold introduced—

Senate Resolution No. 23: A Senate resolution honoring Dr. Marl E. Ramsey, superintendent of Osseo School District 279, on being named 1993 Minnesota Superintendent of the Year.

Referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Stumpf, Finn, Sams and Moe, R.D. introduced—

S.F. No. 189: A bill for an act relating to elections; permitting cities to use mail ballots in county and state elections; amending Minnesota Statutes 1992, section 204B.45, subdivision 1.

Referred to the Committee on Ethics and Campaign Reform.

Mr. Cohen introduced—

S.F. No. 190: A bill for an act relating to government data practices; providing that criminal history data is public; providing that a record of conviction of certain crimes prevents an individual from obtaining a foster care license; amending Minnesota Statutes 1992, sections 13.87, subdivision 2; and 245A.04, subdivision 3.

Referred to the Committee on Crime Prevention.

Messrs. Cohen, Murphy, Mses. Krentz, Wiener and Mr. Chandler introduced—

S.F. No. 191: A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S.F. No. 192: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

Referred to the Committee on Environment and Natural Resources.

Mr. Bertram and Mrs. Benson, J.E. introduced—

S.F. No. 193: A bill for an act relating to corrections; appropriating money to provide subsidy funds for Stearns county under the community corrections subsidy program.

Referred to the Committee on Crime Prevention.

Mr. Pogemiller introduced—

S.F. No. 194: A bill for an act relating to campaign reform; prohibiting the transfer of money from one candidate's principal campaign committee to another candidate's principal campaign committee; prohibiting the formation of more than one campaign committee by a candidate; providing that a candidate receive the opponent's public subsidy if the opponent does not agree to spending limits; requiring that recipients of public subsidies agree not to raise campaign money from political committees that exceed one-half of total

contributions to the candidate; requiring that a candidate raise within the candidate's district 50 percent of the matching amount necessary to receive a public subsidy; increasing late filing fees; clarifying certain reporting requirements; requiring the retention of records by lobbyists and principals; amending Minnesota Statutes 1992, sections 6.76; 10A.01, subdivisions 25 and 26; 10A.03, subdivision 2; 10A.04, subdivisions 5 and 7; 10A.065, subdivision 3; 10A.09, subdivisions 2 and 7; 10A.14, subdivision 2; 10A.19, subdivision 1; 10A.20, subdivision 12; 10A.23; 10A.25, subdivision 10; 10A.27, subdivision 9; 10A.322, by adding a subdivision; 10A.323; 10A.324, by adding a subdivision; and 383B.053, subdivision 1; repealing Minnesota Statutes 1992, section 10A.25, subdivision 2a.

Referred to the Committee on Ethics and Campaign Reform.

Mrs. Pariseau, Messrs. Metzen and Knutson introduced—

S.F. No. 195: A bill for an act relating to crime; controlled substances; increasing penalties for sale or possession of lysergic acid diethylamide in a school, park, or public housing zone; amending Minnesota Statutes 1992, sections 152.022, subdivision 1; and 152.023, subdivision 2.

Referred to the Committee on Crime Prevention.

Mr. Solon introduced—

S.F. No. 196: A bill for an act relating to human services; expanding the exemption for nursing facilities licensed under Minnesota Rules, parts 9570.2000 to 9570.3600; amending Minnesota Statutes 1992, section 256B.431, subdivision 2b.

Referred to the Committee on Health Care.

Messrs. Belanger, Terwilliger, Ms. Robertson and Mr. Oliver introduced—

S.F. No. 197: A bill for an act relating to the financing of government in this state; providing procedures for voter ratification of proposed increased employee costs of local governments; changing certain aids to local governments; limiting appropriations; appropriating money; amending Minnesota Statutes 1992, sections 16A.711, subdivision 5; 16A.712; 69.031, subdivision 3; 256E.06, subdivision 12; 273.1398, subdivision 2; 275.065, subdivision 5a, and by adding a subdivision; 477A.013, subdivisions 1, 3, and 5; 477A.03, subdivision 1; and 611.27, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 275; repealing Minnesota Statutes 1992, section 477A.0121.

Referred to the Committee on Metropolitan and Local Government. Mr. Belanger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Johnson, D.E.; Stevens and Day introduced—

S.F. No. 198: A bill for an act relating to local improvements; setting limits for certain contract requirements; amending Minnesota Statutes 1992, section 429.041, subdivisions 1 and 2.

Referred to the Committee on Metropolitan and Local Government.

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

S.F. No. 199: A bill for an act relating to education; abolishing the higher education board; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; and 179A.10, subdivision 2; repealing Minnesota Statutes 1992, sections 136E.01; 136E.02; 136E.03; 136E.04; and 136E.05; and Laws 1991, chapter 356, article 9, sections 8, 9, 10, 11, 12, 13, and 14.

Referred to the Committee on Education.

Messrs. Cohen, Kelly, Mses. Pappas and Anderson introduced—

S.F. No. 200: A bill for an act relating to the metropolitan sports facilities commission; clarifying the authority of the commission over certain facilities; amending Minnesota Statutes 1992, section 473.556, subdivision 5.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Hottinger, Luther, Solon and Larson introduced—

S.F. No. 201: A bill for an act relating to insurance; automobile; regulating medical expense benefits; authorizing reparation obligors to offer medical expense benefits through certified managed care plans; authorizing the commissioner of commerce to certify these plans; requiring appropriate premium reductions; amending Minnesota Statutes 1992, section 65B.49, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Belanger, Terwilliger, Mses. Robertson, Lesewski and Mr. Oliver introduced—

S.F. No. 202: A bill for an act relating to taxation; providing for state and local tax incentives for certified small businesses; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 290A; 297A; and 469.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Adkins introduced—

S.F. No. 203: A bill for an act relating to human services; providing low-interest loans to families with children who are developmentally disabled; amending Minnesota Statutes 1992, section 252.32, subdivision 1, and by adding a subdivision.

Referred to the Committee on Family Services.

Mrs. Adkins introduced—

S.F. No. 204: A bill for an act relating to education; approving a maximum effort school loan program capital loan; authorizing state bonds; appropriating money.

Referred to the Committee on Education.

Messrs. Bertram, Sams, Dille, Ms. Hanson and Mr. Vickerman introduced—

S.F. No. 205: A bill for an act relating to agriculture; extending the farmer-lender mediation program; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Cohen, Kelly, Ms. Anderson and Mr. Chandler introduced—

S.F. No. 206: A bill for an act relating to metropolitan government; providing for the organization and membership of the metropolitan sports facilities commission; amending Minnesota Statutes 1992, section 473.553, subdivision 1; repealing Minnesota Statutes 1992, section 473.553, subdivisions 2, 3, 4, 4a, and 5.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Finn, Betzold, Ms. Piper, Mr. Sams and Ms. Kiscaden introduced—

S.F. No. 207: A bill for an act relating to occupations and professions; boards of social work and marriage and family therapy; clarifying data classifications and providing certain immunities for supervisors and persons reporting violations; changing board membership; adding certain licensing requirements to the board of social work; amending Minnesota Statutes 1992, sections 13.99, subdivision 49; 148B.04, by adding subdivisions; 148B.08, subdivision 1, and by adding a subdivision; 148B.18, subdivisions 8 and 10; 148B.19, subdivisions 1 and 2; 148B.21, subdivisions 3, 4, 5, 6, and by adding a subdivision; 148B.26, subdivision 1; 148B.27, by adding a subdivision; and 148B.28, subdivision 2.

Referred to the Committee on Health Care.

Messrs. Kelly, McGowan, Chandler, Ms. Krentz and Mr. Betzold introduced—

S.F. No. 208: A bill for an act relating to crime; imposing a felony penalty for recklessly discharging a firearm from a passenger vehicle; providing for forfeiture of vehicle used in drive-by shooting; amending Minnesota Statutes 1992, sections 609.531, subdivision 1; 609.5314, subdivision 1; and 609.66, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Mr. Beckman introduced—

S.F. No. 209: A bill for an act relating to education; modifying the capital expenditure health and safety levy; amending Minnesota Statutes 1992, sections 124.243, subdivision 1; and 124.83, subdivision 4, and by adding a subdivision.

Referred to the Committee on Education.

Mr. Beckman introduced—

S.F. No. 210: A bill for an act relating to compulsive gambling; specifying grantees; appropriating money; amending Minnesota Statutes 1992, section 245.98, subdivision 2.

Referred to the Committee on Health Care.

Mr. Chandler, Ms. Reichgott, Messrs. Marty and Murphy introduced—

S.F. No. 211: A bill for an act relating to employee relations; permitting the commissioner of the department of employee relations to conduct experimental or research projects to improve human resource management practices; providing for the use of facsimile machines in certain circumstances; eliminating the career executive service; amending Minnesota Statutes 1992, sections 13.67; 43A.04, subdivision 9; 43A.21, subdivision 3; and 43A.32, subdivision 2; repealing Minnesota Statutes 1992, section 43A.21, subdivision 5.

Referred to the Committee on Governmental Operations and Reform.

Mr. Cohen, Ms. Reichgott, Messrs. Sams, Day and Ms. Krentz introduced—

S.F. No. 212: A bill for an act relating to taxation; increasing certain tax rates for support of nonprofit arts organizations; providing for distribution of tax proceeds; amending Minnesota Statutes 1992, sections 129D.01; 297A.02, by adding subdivisions; 297A.44, subdivision 1; 349A.10, subdivision 5; and Laws 1986, chapter 396, section 5; proposing coding for new law in Minnesota Statutes, chapter 129D.

Referred to the Committee on Veterans and General Legislation.

Mr. Samuelson introduced—

S.F. No. 213: A bill for an act relating to recreation; establishing a Cuyuna country state recreation area; establishing a new unit in the outdoor recreation system; appropriating money; amending Minnesota Statutes 1992, sections 85.045, subdivision 2; 86A.04; 86A.05, subdivisions 2 and 3; and 86A.08, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Messrs. Stumpf and Murphy introduced—

S.F. No. 214: 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. Betzold introduced—

S.F. No. 215: A bill for an act relating to courts; providing that the county law library fee may be collected in petty misdemeanor cases; amending Minnesota Statutes 1992, sections 134A.09, subdivision 2a; and 134A.10, subdivisions 3 and 4.

Referred to the Committee on Crime Prevention.

Ms. Ranum introduced—

S.F. No. 216: A bill for an act relating to domestic abuse; clarifying requirements for law enforcement domestic abuse arrest policies; amending Minnesota Statutes 1992, section 629.342, subdivision 2.

Referred to the Committee on Crime Prevention.

Messrs. Janezich and Johnson, D.J. introduced—

S.F. No. 217: A bill for an act relating to education; providing for special consolidation aid; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Education.

Ms. Wiener and Mr. Stumpf introduced—

S.F. No. 218: A bill for an act relating to retirement; Eagan volunteer firefighters' relief association; increasing flexible service pension maximums.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Benson, D.D.; Stevens; Frederickson; Ms. Lesewski and Mr. Dille introduced—

S.F. No. 219: A bill for an act relating to taxation; property; modifying the method of determining certain adjusted net tax capacity; modifying the method of determining agricultural market value for property tax purposes; amending Minnesota Statutes 1992, sections 124.2131, subdivision 1; and 273.11, subdivision 10.

Referred to the Committee on Agriculture and Rural Development.

Mr. Morse, Ms. Flynn, Messrs. Johnson, D.J.; Dille and Benson, D.D. introduced—

S.F. No. 220: A bill for an act relating to natural resources; resolving claims raised by the Mille Lacs band of Chippewa regarding hunting, fishing, and gathering rights under treaty; authorizing sports fishing in treaty fishing zone for non-band members pursuant to band code; non-band harvest under band permit; authority to transfer land; compensation to counties; resort acquisition; condemnation authority; resolving issues through negotiated settlement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.

Referred to the Committee on Environment and Natural Resources.

Mses. Robertson, Lesewski, Messrs. Stevens; Johnson, D.E. and Ms. Olson introduced—

S.F. No. 221: A bill for an act relating to crime; creating the crimes of stalking and aggravated stalking; authorizing warrantless arrests of alleged stalkers; requiring arrest and detention of alleged stalkers in lieu of release on citation; providing for conditions of pretrial release; providing penalties;

amending Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 629.34, subdivision 1; and 629.72; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

Ms. Berglin introduced—

S.F. No. 222: A bill for an act relating to human services; authorizing the Minnesota housing finance agency to finance residential care facilities for elderly or physically infirm or impaired persons; appropriating money; amending Minnesota Statutes 1992, sections 462A.02, by adding a subdivision; 462A.03, subdivisions 7 and 19; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; and 462A.22, subdivision 1.

Referred to the Committee on Health Care.

Messrs. Samuelson, Sams, Finn, Murphy and Moe, R.D. introduced—

S.F. No. 223: A bill for an act relating to human services; providing a salary increase for development achievement center employees; amending Minnesota Statutes 1992, section 252.24, subdivision 5.

Referred to the Committee on Health Care.

Messrs. Pogemiller, Price, Meses. Hanson, Ranum and Robertson introduced—

S.F. No. 224: A bill for an act relating to the Minnesota Humanities Commission; appropriating money for the Institute for the Advancement of Teaching.

Referred to the Committee on Education.

Messrs. Metzen and Solon introduced—

S.F. No. 225: A bill for an act relating to worker's compensation; regulating eligibility for assigned risk plan coverage; amending Minnesota Statutes 1992, section 79.252, subdivision 1.

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

Mr. Kelly, Ms. Anderson, Messrs. Chandler, Cohen and Ms. Pappas introduced—

S.F. No. 226: A bill for an act relating to taxation; providing for manufacturing opportunity districts in certain cities; providing tax credits and exemptions for certain industries located in a manufacturing opportunity district; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Ms. Berglin, Messrs. Samuelson, Sams, Ms. Johnson, J.B. and Mr. Frederickson introduced—

S.F. No. 227: A bill for an act relating to human services; requiring the commissioner of health to cooperate with the commissioner of human services in securing federally qualified health center designation for two clinics;

delegating leasing authority to the commissioner of human services; authorizing use of enhanced waived services funds to lease and operate state-operated, community-based programs; requiring expansion of state-operated, community-based programs; requiring designated staff for crisis services; appropriating money; amending Minnesota Statutes 1992, sections 144.05; 245.036; and 252.50, subdivisions 1, 7, and by adding subdivisions.

Referred to the Committee on Health Care.

Mses. Reichgott, Pappas, Messrs. Pogemiller, Neuville and Johnson, D.J. introduced—

S.F. No. 228: A bill for an act relating to taxation; sales and use; exempting sales to certain libraries; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stumpf, Finn and Frederickson introduced—

S.F. No. 229: A bill for an act relating to watercraft; mirror requirements for watercraft towing persons on various devices; amending Minnesota Statutes 1992, section 86B.313, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 230: A bill for an act relating to human services; allowing certain intra-family sales of nursing facilities upon the death, disability, or retirement of the owner; amending Minnesota Statutes 1992, section 256B.431, subdivision 14.

Referred to the Committee on Health Care.

Ms. Berglin introduced—

S.F. No. 231: A bill for an act relating to health; modifying and providing funding for the moratorium exception approval process; modifying procedures for resident appeals; classifying certain expenditures as allowable costs; requiring a study of income divestiture; appropriating money; amending Minnesota Statutes 1992, sections 144A.073, subdivision 2; 144A.135; and 256B.431, subdivision 21, and by adding a subdivision.

Referred to the Committee on Health Care.

Messrs. Kelly, Novak, Ms. Anderson, Messrs. Kroening and Luther introduced—

S.F. No. 232: A bill for an act relating to housing; providing for the financing of blighted residential property acquisition and rehabilitation, rental assistance, youth training and education on housing projects, the home ownership assistance program, and the housing trust fund; appropriating money.

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

Mr. Janezich, Mrs. Adkins, Messrs. Hottinger; Benson, D.D. and Ms. Wiener introduced—

S.F. No. 233: A bill for an act relating to local government; providing for the publication of certain accounts and delinquent property tax information; amending Minnesota Statutes 1992, sections 279.09; 281.13; 281.23, subdivision 3; and 375.17.

Referred to the Committee on Metropolitan and Local Government.

Mr. Finn introduced—

S.F. No. 234: A bill for an act relating to juvenile justice; defining "child in need of protection services" and "child abuse"; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

Referred to the Committee on Crime Prevention.

Messrs. Frederickson and Hottinger introduced—

S.F. No. 235: A bill for an act relating to state lands; directing release of a reversionary interest in certain state lands conveyed to the city of St. Peter.

Referred to the Committee on Environment and Natural Resources.

Ms. Anderson, Mr. Frederickson, Ms. Johnson, J.B.; Messrs. Chandler and Metzen introduced—

S.F. No. 236: A bill for an act relating to unemployment compensation; allowing benefits to certain individuals separated from employment to avoid domestic abuse; amending Minnesota Statutes 1992, section 268.09, subdivision 1.

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

Messrs. Berg, Bertram and Dille introduced—

S.F. No. 237: A bill for an act relating to agriculture; directing the commissioner of agriculture to promote farming of cervidae and maintain a data base on research and information; declaring farmed cervidae to be livestock and raising farmed cervidae to be an agricultural pursuit; prohibiting owners from allowing farmed cervidae to run at large; prescribing conditions for slaughter and sale of farmed cervidae as meat, fencing requirements, disease inspection, importation, and transportation requirements; requiring identification; prescribing conditions for farming cervidae; defining cervidae farming as agricultural production for purposes of sales tax; defining fencing for purposes of sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; 35.821, subdivision 4; and 297A.01, subdivisions 13 and 15; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

Mr. Bertram, Ms. Hanson, Messrs. Sams and Dille introduced—

S.F. No. 238: A bill for an act relating to agriculture; changing the bases for certain milk payments; amending Minnesota Statutes 1992, section 32.25, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Bertram, Sams, Ms. Hanson and Mr. Dille introduced—

S.F. No. 239: A bill for an act relating to agriculture; extending the farmer-lender mediation program; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

Referred to the Committee on Agriculture and Rural Development.

Mses. Berglin, Piper and Kiscaden introduced—

S.F. No. 240: A bill for an act relating to health; changing the membership requirements of the board of nursing; amending Minnesota Statutes 1992, section 148.181, subdivision 1.

Referred to the Committee on Health Care.

Mses. Berglin and Pappas introduced—

S.F. No. 241: A bill for an act relating to human services; modifying reimbursement procedures for group residential housing; amending Minnesota Statutes 1992, section 256I.05, by adding a subdivision.

Referred to the Committee on Family Services.

Mr. Finn and Mrs. Benson, J.E. introduced—

S.F. No. 242: A bill for an act relating to human services; modifying adult foster care license requirements; amending Minnesota Statutes 1992, section 245A.11, subdivision 2a.

Referred to the Committee on Family Services.

Messrs. Larson, Belanger, Ms. Kiscaden, Mr. Knutson and Ms. Runbeck introduced—

S.F. No. 243: A bill for an act relating to crime; creating the crimes of stalking and aggravated stalking; authorizing warrantless arrests of alleged stalkers; requiring arrest and detention of alleged stalkers in lieu of release on citation; providing for conditions of pretrial release; providing penalties; amending Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 629.34, subdivision 1; and 629.72; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

Mr. Murphy introduced—

S.F. No. 244: A bill for an act relating to controlled substances; prohibiting sale or possession of lysergic acid diethylamide (LSD) in a school zone, park zone, or public housing zone; amending Minnesota Statutes 1992, sections 152.022, subdivision 1; and 152.023, subdivision 2.

Referred to the Committee on Crime Prevention.

Mr. Laidig introduced—

S.F. No. 245: A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resources, and agricultural purposes; regulating the amounts, impositions, and processing of various fees prescribed for various licenses issued and activities regulated by the departments of agriculture and natural resources; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; 85.22, subdivision 2a; 90.031, subdivision 4; 90.101, subdivision 1; 90.121; 92.46, subdivision 1; 94.165; 115C.07, subdivision 2; 168.013, by adding a subdivision; and 473.351, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 97A; repealing Minnesota Statutes 1992, section 41A.09, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Ms. Johnson, J.B. and Mr. Johnson, D.J. introduced—

S.F. No. 246: A bill for an act relating to taxation; sales; exempting sales to political subdivisions of repair parts for fire trucks and emergency rescue vehicles; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam and Spear introduced—

S.F. No. 247: A bill for an act relating to medical records; clarifying a patient's right of access to medical records; amending Minnesota Statutes 1992, section 144.335, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Merriam, Metzen and Ms. Ranum introduced—

S.F. No. 248: A bill for an act relating to government data practices; providing for the issuance of commissioner's opinions under the data practices act; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Thursday, February 11, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate