

SEVENTY-SECOND DAY

St. Paul, Minnesota, Thursday, March 17, 1994

The Senate met at 8:00 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, Bishop David W. Preus.

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

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 Junge	
Day	Knutson	Mondale	Riveness	
Dille	Krentz	Morse	Robertson	

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.

March 11, 1994

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:

HIGHER EDUCATION BOARD

Archie D. Chelseth, 509 Chestnut St., Cloquet, Carlton County, has been appointed by me, effective July 1, 1994, for a term expiring on June 30, 2000.

David T. Erickson, 8143 – 89th St. N., Mahtomedi, Washington County, has been appointed by me, effective July 1, 1994, for a term expiring on June 30, 2000.

Christine Fritsche, Rt. 4, Box 79, Marshall, Lyon County, has been appointed by me, effective July 1, 1994, for a term expiring on June 30, 2000.

John C. Mulder, 3126 Fox Hollow Ct. S.W., Rochester, Olmsted County, has been appointed by me, effective July 1, 1994, for a term expiring on June 30, 2000.

(Referred to the Committee on Education.)

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.

Mr. Vickerman from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 864: A bill for an act relating to companion animals; establishing a low-cost spaying and neutering program; imposing a tax on wholesale sales of dog and cat food; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 346; proposing coding for new law as Minnesota Statutes, chapter 297E.

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

Page 1, delete line 9

Page 3, after line 4, insert:

“Sec. 2. [APPROPRIATION.]

\$. is appropriated from the general fund to the board of animal health to operate and administer the spaying and neutering program provided by section 1. The appropriation is available until expended.”

Page 3, line 5, delete “2” and insert “3”

Page 3, delete lines 7 and 8

Pages 3 to 9, delete sections 1 to 11

Amend the title as follows:

Page 1, line 3, delete from “imposing” through page 1, line 5, to “penalties;”

Page 1, line 6, delete from “; proposing” through page 1, line 7, to “297E”

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

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

H.F. No. 1845 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1845		1693	

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

H.F. No. 1956 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1956		1926	

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

H.F. No. 2130 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		2130		2052	

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2130 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2130 and insert the language after the enacting clause of S.F. No. 2052, the first engrossment; further, delete the title of H.F. No. 2130 and insert the title of S.F. No. 2052, the first engrossment.

And when so amended H.F. No. 2130 will be identical to S.F. No. 2052, and further recommends that H.F. No. 2130 be given its second reading and substituted for S.F. No. 2052, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1845, 1956 and 2130 were read the second time.

MOTIONS AND RESOLUTIONS

Ms. Berglin moved that her name be stricken as chief author, shown as a co-author, and the name of Ms. Ranum be shown as chief author to S.F. No. 2107. The motion prevailed.

Ms. Ranum moved that her name be stricken as a co-author to S.F. No. 2129. The motion prevailed.

Ms. Piper moved that the name of Ms. Kiscaden be added as a co-author to S.F. No. 2129. The motion prevailed.

Mr. Novak moved that the name of Mr. Hottinger be added as a co-author to S.F. No. 2475. The motion prevailed.

Ms. Ranum moved that the name of Mr. Belanger be added as a co-author to S.F. No. 2510. The motion prevailed.

Mr. Benson, D.D. moved that the name of Mr. Morse be added as a co-author to S.F. No. 2554. The motion prevailed.

Mr. Vickerman moved that S.F. No. 2352 be withdrawn from the Committee on Veterans and General Legislation and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Mrs. Pariseau introduced—

Senate Resolution No. 64: A Senate resolution congratulating the Farmington Tigers hockey team from Farmington High School for winning the 1994 State High School Class A Section 1 championship.

Referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Consent Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CONSENT CALENDAR

S.F. No. 1794: A bill for an act relating to insurance; prohibiting insurers from obtaining or using HIV antibody test results arising out of exposure and

testing for emergency medical service personnel; amending Minnesota Statutes 1992, section 72A.20, subdivision 29.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1912: A bill for an act relating to insurance; accident and health; permitting short-term coverage; amending Minnesota Statutes 1993 Supplement, section 62A.65, by adding a subdivision.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1732: A bill for an act relating to conciliation courts; expanding conciliation court jurisdiction over matters involving rental property; allowing nonattorneys to represent condominium and cooperative associations; amending Minnesota Statutes 1993 Supplement, sections 481.02, subdivision 3; 491A.01, subdivision 9; and 491A.02, subdivision 4.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1911: A bill for an act relating to the secretary of state; changing filing procedures for corporations and certain organizations; providing for service of process on limited partnerships; changing requirements for filings governed by the uniform commercial code; amending Minnesota Statutes 1992, sections 302A.821, subdivision 1; 303.07, subdivision 2; 303.17, subdivisions 2 and 4; 315.23, subdivision 3; 315.44; Minnesota Statutes 1993 Supplement, sections 336.9-403; 336.9-407; 336.9-413; 336A.04, subdivision 3; 336A.09, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 322A.

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 0, as follows:

Those who voted in the affirmative were:

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	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Luther	Piper	Stumpf
Bertram	Johnson, J.B.	Marty	Pogemiller	Terwilliger
Betzold	Johnston	McGowan	Price	Vickerman
Chandler	Kelly	Merriam	Ranum	Wiener
Chmielewski	Kiscaden	Metzen	Reichgott Junge	
Day	Knutson	Moe, R.D.	Riveness	
Dille	Krentz	Morse	Robertson	

So the bill passed and its title was agreed to.

S.F. No. 1766: A bill for an act relating to attorneys; expanding remedies for the unauthorized practice of law; amending Minnesota Statutes 1992, section 481.02, subdivision 8.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2118: A bill for an act relating to local government; clarifying that the Moose Lake Fire Protection District is a governmental subdivision for certain purposes; making other clarifications; amending Laws 1987, chapter 402, section 2, subdivisions 2, 3, and by adding a subdivision.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2070: A bill for an act relating to cities; allowing home rule charter cities to apply law applicable to statutory cities in instances in which the charter is silent, with certain restrictions; proposing coding for new law in Minnesota Statutes, chapter 410.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1692: A bill for an act relating to contracts; creating the public contractors' performance and payment bond act by amending existing provisions; amending Minnesota Statutes 1992, sections 574.26; 574.261; 574.262, subdivision 1; 574.263, by adding a subdivision; 574.264, subdivision 1; 574.27; 574.28; 574.29; 574.30; 574.31; and 574.32.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2086: A bill for an act relating to health; extending dispensing authority to physician assistants and advanced practice nurses; amending Minnesota Statutes 1992, sections 147.34, subdivision 1; 148.235, by adding a subdivision; and 151.37, subdivisions 2 and 2a; Minnesota Statutes 1993 Supplement, section 151.01, subdivision 23.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Benson, D.D.	Berglin	Chandler	Day
Beckman	Benson, J.E.	Bertram	Chmielewski	Dille
Belanger	Berg	Betzold	Cohen	Finn

Flynn	Knutson	McGowan	Pariseau	Samuelson
Frederickson	Krentz	Merriam	Piper	Solon
Hanson	Kroening	Metzen	Pogemiller	Spear
Hottinger	Laidig	Moe, R.D.	Price	Stevens
Johnson, D.E.	Langseth	Morse	Ranum	Stumpf
Johnson, D.J.	Larson	Neuville	Reichgott Junge	Terwilliger
Johnson, J.B.	Lesewski	Novak	Rivness	Vickerman
Johnston	Lessard	Oliver	Robertson	Wiener
Kelly	Luther	Olson	Runbeck	
Kiscaden	Marty	Pappas	Sams	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of the Calendar. The motion prevailed.

CALENDAR

H.F. No. 1885: A bill for an act relating to financial institutions; regulating administrative hearings on bank applications, certain bank mergers, certain emergency notices, certain credit union accounts, and motor vehicle sales finance contracts; making technical and clarifying changes; amending Minnesota Statutes 1992, sections 46.041, subdivision 4; 47.0153, subdivision 1; 47.0154; 48.47; 48.70; 52.191; 52.24, subdivision 2; 59A.03, subdivision 1; 168.69; Minnesota Statutes 1993 Supplement, sections 47.54, subdivision 4; and 56.155, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 48 and 52; repealing Minnesota Statutes 1992, sections 48.26; and 48.88, subdivision 2; Laws 1982, chapter 429, section 6.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Hottinger, Sams, Janezich and Ms. Kiscaden introduced—

S.F. No. 2594: A bill for an act relating to taxation; hospital and health care providers gross earnings taxes; exempting certain payments; requiring reporting of certain expenses paid by third-party purchasers; imposing penalties; amending Minnesota Statutes 1993 Supplement, sections 295.53, subdivision 1; and 295.582.

Referred to the Committee on Taxes and Tax Laws.

Mr. Metzen introduced—

S.F. No. 2595: A bill for an act relating to consumer protection; consumer credit sales; allowing a reduction in the installment payments due to the debtor's workers' compensation status; amending Minnesota Statutes 1992, section 325G.16, subdivision 5.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Janezich introduced—

S.F. No. 2596: A bill for an act relating to education; expanding funding for teacher education for teachers of deaf and hard of hearing students; appropriating money.

Referred to the Committee on Education.

Mr. Hottinger introduced—

S.F. No. 2597: A bill for an act relating to occupations and professions; adding chiropractors to those who can supervise athletic trainers; amending Minnesota Statutes 1993 Supplement, sections 148.7802, subdivision 11; and 148.7809, subdivision 4.

Referred to the Committee on Health Care.

Messrs. Pogemiller and Kroening introduced—

S.F. No. 2598: A bill for an act relating to local government; authorizing the park and recreation board of the city of Minneapolis to transfer conveyed land to the Minnesota department of transportation.

Referred to the Committee on Metropolitan and Local Government.

Mr. Beckman introduced—

S.F. No. 2599: A bill for an act relating to education; making permanent an increase in youth service revenue; amending Minnesota Statutes 1993 Supplement, section 124.2713, subdivision 5.

Referred to the Committee on Education.

Mr. Finn introduced—

S.F. No. 2600: A bill for an act relating to human services; authorizing, in Beltrami, Hubbard, Mahnomen, and Clearwater counties, pilot projects relating to the basic sliding fee child care program; proposing coding for new law in Minnesota Statutes, chapter 256H.

Referred to the Committee on Family Services.

Ms. Lesewski introduced—

S.F. No. 2601: A bill for an act relating to economic development; clarifying source for payment of certain administrative expenses by the rural development board; amending Minnesota Statutes 1992, section 116N.08, subdivision 6.

Referred to the Committee on Agriculture and Rural Development.

Ms. Lesewski and Mr. Spear introduced—

S.F. No. 2602: A bill for an act relating to crime prevention; prohibiting installation or use of an observation device inside or outside a private place, without consent of persons entitled to privacy; providing penalties; amending Minnesota Statutes 1992, section 609.746, by adding a subdivision.

Referred to the Committee on Crime Prevention.

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

S.F. No. 2603: A bill for an act relating to state departments; prohibiting certain fee setting and adjusting during a certain period of time; amending Minnesota Statutes 1993 Supplement, section 16A.1285, by adding a subdivision.

Referred to the Committee on Finance.

Ms. Johnson, J.B. introduced—

S.F. No. 2604: A bill for an act relating to capital improvements; corrections; appropriating money for study and preparation for constructing a corrections facility; authorizing sale of state bonds.

Referred to the Committee on Crime Prevention.

Ms. Johnson, J.B. introduced—

S.F. No. 2605: A bill for an act relating to the environment; requiring, as part of the environmental review of proposed projects and activities, an analysis of the effect of the projects or activities on total carbon dioxide emissions in the state in order to minimize the burden on existing industry to reduce carbon dioxide emissions; proposing coding for new law in Minnesota Statutes, chapter 116D.

Referred to the Committee on Environment and Natural Resources.

Mr. Samuelson introduced—

S.F. No. 2606: A bill for an act relating to health; nursing home reimbursement; modifying special provisions for moratorium exceptions;

amending Minnesota Statutes 1992, section 256B.431, subdivision 17; Minnesota Statutes 1993 Supplement, section 144A.071, subdivision 4a.

Referred to the Committee on Health Care.

Messrs. Belanger and Vickerman introduced—

S.F. No. 2607: A bill for an act relating to animals; changing procedures concerning certain abandoned animals; amending Minnesota Statutes 1992, section 346.37, subdivision 1.

Referred to the Committee on Veterans and General Legislation.

Mr. Johnson, D.J. introduced—

S.F. No. 2608: A bill for an act relating to state lands; requiring that certain leased lakeshore lots in Cook county be reoffered for public sale.

Referred to the Committee on Environment and Natural Resources.

Mr. Janezich introduced—

S.F. No. 2609: A bill for an act relating to insurance; long-term care; regulating the length of the waiting period for benefits; amending Minnesota Statutes 1992, section 62A.48, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Metzen introduced—

S.F. No. 2610: A bill for an act relating to insurance; motor vehicles; requiring proof of automobile insurance at time of emission control inspection; amending Minnesota Statutes 1992, sections 116.60, by adding a subdivision; and 116.62, subdivisions 3 and 5.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Luther, Ms. Piper, Messrs. Betzold, Kelly and Vickerman introduced—

S.F. No. 2611: A bill for an act relating to health; increasing funding for the nutritional supplement program known as WIC to expand services; appropriating money.

Referred to the Committee on Family Services.

Ms. Kiscaden, Messrs. Hottinger, Benson, D.D. and Sams introduced—

S.F. No. 2612: A bill for an act relating to human services; modifying provisions relating to long-term care; authorizing studies; creating task forces; amending Minnesota Statutes 1992, sections 144.0721, by adding a subdivision; 256B.0913, by adding a subdivision; and 256B.0917, subdivision 6; Minnesota Statutes 1993 Supplement, sections 256B.0911, subdivision 4; 256B.0913, subdivisions 5 and 12; 256B.0917, subdivisions 1 and 5; and 256B.431, subdivision 2b.

Referred to the Committee on Health Care.

Messrs. Finn; Johnson, D.J.; Janezich and Price introduced—

S.F. No. 2613: A bill for an act relating to taxation; property; providing for dismissal of petitions objecting to property taxes in certain instances; changing the date by which the petitions must be filed; amending Minnesota Statutes 1992, sections 271.06, subdivision 7; 278.05, subdivision 6; Minnesota Statutes 1993 Supplement, section 278.01, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sams introduced—

S.F. No. 2614: A bill for an act relating to retirement; granting service credit in the teachers retirement association for periods of military service; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 1992, section 354.53.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Luther, Janezich, Mondale, Chandler and Frederickson introduced—

S.F. No. 2615: A bill for an act relating to economic development; appropriating money for a study of the feasibility of reestablishing foreign trade offices.

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

Mses. Olson, Krentz, Messrs. Larson, Knutson and Terwilliger introduced—

S.F. No. 2616: A bill for an act relating to education; advancing the final payment dates of school district state aid; amending Minnesota Statutes 1992, section 124.195, subdivisions 3 and 6.

Referred to the Committee on Education.

Ms. Flynn and Mr. Langseth introduced—

S.F. No. 2617: A bill for an act relating to transportation; establishing and providing for appointments to an advisory council on major transportation projects; appropriating money.

Referred to the Committee on Transportation and Public Transit.

Ms. Reichgott Junge, Mr. Johnson, D.J. and Ms. Pappas introduced—

S.F. No. 2618: A bill for an act relating to motor vehicle registration; exempting unmarked police vehicles from registration requirements; amending Minnesota Statutes 1992, section 168.012, subdivision 1.

Referred to the Committee on Transportation and Public Transit.

Mr. Samuelson introduced—

S.F. No. 2619: A bill for an act relating to retirement; purchase of service credit in the public employees retirement association by a Little Falls ex-school board member.

Referred to the Committee on Governmental Operations and Reform.

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

S.F. No. 2620: A bill for an act relating to health; providing an exception to the nursing home moratorium; amending Minnesota Statutes 1993 Supplement, section 144A.071, subdivision 4a.

Referred to the Committee on Health Care.

Ms. Piper introduced—

S.F. No. 2621: A bill for an act relating to health; clarifying the rights of patients and residents to disclose their presence in certain health care facilities; amending Minnesota Statutes 1993 Supplement, sections 144.651, subdivisions 21 and 26; and 253B.03, subdivisions 3 and 4.

Referred to the Committee on Health Care.

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

S.F. No. 2622: A bill for an act relating to natural resources; appropriating money for snowmobile trail maintenance and construction.

Referred to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. introduced—

S.F. No. 2623: A bill for an act relating to education; establishing a pilot continuing education program in multicultural education for teachers in independent school district No. 38, Red Lake; appropriating money.

Referred to the Committee on Education.

Messrs. Riveness, Metzen and Ms. Wiener introduced—

S.F. No. 2624: A bill for an act relating to state government; requiring use of state lottery terminals to provide citizens with electronic access to state agencies for the purpose of obtaining certain licenses and permits; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Riveness, Metzen, Ms. Wiener, Mr. Terwilliger and Ms. Runbeck introduced—

S.F. No. 2625: A bill for an act relating to state government; department of employee relations; establishing a program to promote responsiveness, innovation, productivity, and employee involvement within executive agencies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Luther; Moe, R.D.; Finn; Ms. Reichgott Junge and Mr. Laidig introduced—

S.F. No. 2626: A bill for an act relating to public administration; providing for two women's ice centers; establishing a women's ice centers building account; appropriating money.

Referred to the Committee on Veterans and General Legislation.

Mr. Cohen introduced—

S.F. No. 2627: A bill for an act relating to insurance; automobile; requiring proof of prepaid automobile insurance prior to reinstatement of driver's license revoked for alcohol-related violation; amending Minnesota Statutes 1992, section 169.1261.

Referred to the Committee on Transportation and Public Transit.

Ms. Piper, Messrs. Sams and Samuelson introduced—

S.F. No. 2628: A bill for an act relating to occupations and professions; exempting some social workers employed in a hospital or nursing home from examination; modifying licensure requirements; requiring hospital and nursing home social workers to be licensed; amending Minnesota Statutes 1992, sections 148B.23, subdivisions 1 and 2; 148B.27, subdivision 2; and 148B.60, subdivision 3; repealing Minnesota Statutes 1992, sections 148B.18, subdivisions 4, 5, 6, and 7; 148B.19, subdivision 3; 148B.23, subdivision 1a; and 148B.28, subdivision 6.

Referred to the Committee on Health Care.

Messrs. Riveness; Johnson, D.J.; Mondale and Finn introduced—

S.F. No. 2629: A bill for an act relating to taxation; increasing the subtraction for the elderly and disabled; amending Minnesota Statutes 1992, section 290.0802, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mses. Piper, Ranum, Messrs. Merriam, Finn and Ms. Kiscaden introduced—

S.F. No. 2630: A bill for an act relating to state government; restructuring functions and groups related to ombudspersons for families; amending Minnesota Statutes 1992, sections 257.0761, subdivision 1; 257.0762, subdivision 2; and 257.0768; Minnesota Statutes 1993 Supplement, section 257.0755.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Kroening, Kelly, Ms. Anderson and Mr. Johnson, D.J. introduced—

S.F. No. 2631: A bill for an act relating to employment; establishing the Minnesota youth program; repealing the wage subsidy program; amending Laws 1993, chapter 369, section 5, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1992, sections 268.551; and 268.552; Minnesota Rules, parts 3300.0100; 3300.0200; 3300.0300; 3300.0400; 3300.0500; 3300.0600; and 3300.0700.

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

Ms. Krentz, Mr. Price and Ms. Pappas introduced—

S.F. No. 2632: A bill for an act relating to education; establishing a cultural exchange program; appropriating money; amending Minnesota Statutes 1992, sections 120.062, subdivision 12, and by adding a subdivision; 124.223, by adding a subdivision; and 125.135, subdivision 2; Minnesota Statutes 1993 Supplement, section 124.225, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

Ms. Krentz and Mr. Price introduced—

S.F. No. 2633: A bill for an act relating to education; modifying joint powers agreements for facilities; modifying debt service equalization program for a joint powers district; appropriating money; amending Minnesota Statutes 1992, sections 121.155, subdivision 1; and 124.95, subdivision 4; Minnesota Statutes 1993 Supplement, section 124.95, subdivisions 1 and 3; repealing Minnesota Statutes 1992, sections 124.491; 124.492; 124.493; 124.494, as amended; 124.4945; 124.4946; and 124.495, are repealed.

Referred to the Committee on Education.

Mr. Luther introduced—

S.F. No. 2634: A bill for an act relating to economic development; regulating community action agencies; amending Minnesota Statutes 1992, sections 268.53, subdivision 5; and 466.01, subdivision 1.

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

Mr. Terwilliger, Ms. Robertson, Mr. Knutson and Ms. Olson introduced—

S.F. No. 2635: A bill for an act relating to education; restoring intermediate school districts; modifying staff development revenue; repealing limits on referendum revenue; amending Minnesota Statutes 1993 Supplement, sections 124.2727, subdivision 6; 124A.29, subdivision 1; and 298.28, subdivision 4; Laws 1992, chapter 499, article 6, section 39, subdivision 3; repealing Minnesota Statutes 1992, section 124.19, subdivision 1b; Minnesota Statutes 1993 Supplement, sections 120.101, subdivision 5b; and 124A.03, subdivisions 1c and 3b; Laws 1993, chapter 224, article 1, section 37.

Referred to the Committee on Education.

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

S.F. No. 2636: A bill for an act relating to manufactured housing; requiring a study of state administration, regulation, and enforcement; requiring a report to the legislature.

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

Messrs. Sams, Solon and Luther introduced—

S.F. No. 2637: A bill for an act relating to commerce; authorizing local units of government to license the retail sale of tobacco; requiring a county to license the retail sale of tobacco under certain conditions; providing for regular compliance checks for all licensed vendors; providing for mandatory

penalties against license holders for sales to minors; amending Minnesota Statutes 1992, sections 461.12; 461.13; and 461.15; proposing coding for new law in Minnesota Statutes, chapter 461.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Sams, Morse, Dille and Day introduced—

S.F. No. 2638: A bill for an act relating to agriculture; appropriating money for legal challenges to the federal milk market order system.

Referred to the Committee on Agriculture and Rural Development.

Mr. Luther introduced—

S.F. No. 2639: A bill for an act relating to education; modifying the referendum allowance reduction; amending Minnesota Statutes 1993 Supplement, section 124A.03, subdivision 3b.

Referred to the Committee on Education.

Mr. Benson, D.D. introduced—

S.F. No. 2640: A bill for an act relating to human services; modifying certain provisions related to medical assistance and general assistance medical care; amending Minnesota Statutes 1992, sections 246.53, subdivision 1; 252.275, subdivisions 3 and 4; 256.015, subdivisions 2 and 7; 256.9365, subdivisions 1 and 3; 256.969, subdivisions 10 and 16; 256B.042, subdivision 2; 256B.056, by adding a subdivision; 256B.059, subdivision 1; 256B.06, subdivision 4; 256B.0625, by adding a subdivision; 256B.15, subdivision 1a; 256B.69, subdivision 4, and by adding a subdivision; 256D.03, subdivisions 3a and 3b; 256D.16; 256D.425, by adding a subdivision; 261.04, subdivision 2; 524.3-803; 524.3-1201; and 528.08; Minnesota Statutes 1993 Supplement, sections 245.492, subdivision 6; 245.493, subdivision 2, and by adding a subdivision; 245.4932, subdivisions 1 and 2; 245.494, subdivision 3; 245.496, subdivision 3, and by adding a subdivision; 256.9685, subdivision 1; 256.969, subdivision 24; 256B.059, subdivisions 3 and 5; 256B.0595, subdivisions 1, 2, 3, and 4; 256B.15, subdivision 2; 256D.03, subdivisions 3 and 4; and 514.981, subdivisions 2 and 5; proposing coding for new law in Minnesota Statutes, chapter 245; repealing Minnesota Statutes 1992, section 252.275, subdivisions 4a and 10; Minnesota Statutes 1993 Supplement, section 501B.89.

Referred to the Committee on Health Care.

Ms. Berglin introduced—

S.F. No. 2641: A bill for an act relating to health; MinnesotaCare; establishing the Minnesota health care administrative simplification act; implementing electronic data interchange standards; creating the Minnesota center for health care electronic data interchange; providing standards for the Minnesota health care identification card; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Judiciary.

Mr. Finn and Ms. Reichgott-Junge introduced—

S.F. No. 2642: A bill for an act relating to witnesses; establishing a privilege for certain communications made to licensed social workers; amending Minnesota Statutes 1993 Supplement, section 595.02, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Janezich and Stumpf introduced—

S.F. No. 2643: A bill for an act relating to education; creating a grant program to encourage cooperation among school districts; proposing coding for new law in Minnesota Statutes, chapter 124C.

Referred to the Committee on Education.

Mr. Stumpf introduced—

S.F. No. 2644: A bill for an act relating to education; increasing the number of instructional days; allowing parents and guardians of students in kindergarten through grade 12 and school districts to provide off-campus learning opportunities; directing the education department to work with school districts in developing a structure for providing off-campus learning opportunities; amending Minnesota Statutes 1992, section 124.19, subdivision 1b; Minnesota Statutes 1993 Supplement, sections 120.101, subdivision 5b; and 124.19, subdivision 1; Laws 1993, chapter 224, article 12, section 32.

Referred to the Committee on Education.

Mr. Terwilliger and Ms. Reichgott Junge introduced—

S.F. No. 2645: A bill for an act relating to crime prevention; providing release conditions for persons charged with crimes against persons; providing for the treatment of the firearms of persons charged; proposing coding for new law in Minnesota Statutes, chapter 629.

Referred to the Committee on Crime Prevention.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1758 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1758: A bill for an act relating to welfare reform; requiring pregnant and parenting minors to live with their parents in order to receive aid to families with dependent children (AFDC); providing an exception to the AFDC overpayment statute; allowing start work offset to AFDC recipients in the first month of work; broadening the scope of the employment and training statute by requiring more AFDC recipients to participate in job search; allowing vendor emergency assistance payments for damage deposit; providing required workers' compensation insurance for community work experience program workers; expanding cost-neutral fraud prevention programs; allowing emergency assistance damage deposit be returned to the county; allowing the county to pay monthly general assistance differently; making general assistance and work readiness lump-sum criteria the same as the AFDC lump-sum criteria, with some exceptions; requiring a study to expand

the parent's fair share pilot project statewide; requiring the departments of human services and revenue to design and implement a plan which supports working families; directing the commissioner of human services to seek several waivers from the federal government which support and promote moving off welfare and becoming self-sufficient; expanding the parent's fair share pilot project into Ramsey county; expanding state support for basic sliding fee day care program; appropriating money; amending Minnesota Statutes 1992, sections 256.73, by adding subdivisions; 256.737, by adding a subdivision; 256.81; 256.979, by adding a subdivision; 256.983, subdivision 1; 256D.05, subdivision 6; 256D.09, by adding a subdivision; 256H.05, subdivision 1b; and 268.672, subdivision 6; Minnesota Statutes 1993 Supplement, sections 256.031, subdivision 3; 256.73, subdivision 8; and 256.736, subdivisions 10 and 14; proposing coding for new law in Minnesota Statutes, chapters 256; and 256D; repealing Minnesota Statutes 1993 Supplement, section 256.734.

Mr. Samuelson moved to amend S.F. No. 1758 as follows:

Page 26, line 16, delete "program" and insert "pilot project"

Page 26, line 18, delete "program" and after "requirements" insert "of the pilot project"

Page 32, line 33, delete "; and" and insert a period

Page 33, line 3, delete "program" and insert "pilot project"

Page 33, line 8, delete "section 10," and delete "1992"

The motion prevailed. So the amendment was adopted.

Mr. Dille moved to amend S.F. No. 1758 as follows:

Page 25, after line 29, insert:

"Sec. 21. [STUDY AND REPORT; MATCHMAKING SERVICE.]

The commissioner of human services shall evaluate and study ways to assist single parents on AFDC in finding spouses by developing a matchmaking service. The service may include the use of computers or other methods to match single parents with potential spouses. The commissioner shall report the recommendations to the 1995 legislature."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 2 and nays 44, as follows:

Messrs. Dille and Knutson voted in the affirmative.

Those who voted in the negative were:

Anderson	Flynn	Lesewski	Novak	Samuelson
Beckman	Frederickson	Lessard	Oliver	Solon
Berglin	Hanson	Luther	Piper	Spear
Bertram	Janezich	Merriam	Pogemiller	Stevens
Betzold	Johnson, D.E.	Metzen	Price	Stumpf
Chandler	Johnson, D.J.	Moe, R.D.	Ranum	Terwilliger
Cohen	Kiscaden	Mondale	Reichgott Junge	Vickerman
Day	Laidig	Morse	Runbeck	Wiener
Finn	Langseth	Murphy	Sams	

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

S.F. No. 1758 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 2213 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 2213: A bill for an act relating to the city of St. Cloud; exempting a tax increment financing district from certain restrictions; providing expanded eminent domain authority.

Ms. Olson moved to amend H.F. No. 2213 as follows:

Page 3, after line 23, insert:

“Sec. 2. [REPAYMENT OF TAX INCREMENT BENEFITS.]

If the commissioner of labor and industry determines on January 1 of 1996, or January 1 of any subsequent year during the existence of the district created in section 1, that the national mail order sales retailer referred to in section 1 has realized significant cost savings attributable to the enactment of a workers' compensation reform bill by the legislature at the 1994 session or a later session, the retailer must repay a portion of the tax increments paid to it under section 1, subdivision 2, paragraph (d), as provided in this section: As used in this section, "significant cost savings" means a reduction of ten percent or more in average per employee workers' compensation employment insurance premium costs for employees of the retailer in Minnesota. The repayment must be equal to the amount of the cost savings. That amount must be deducted by the county auditor from the tax increments that would otherwise be paid to the retailer under section 1, subdivision 2, paragraph (d). The amount must be treated as excess tax increment and distributed to the local taxing districts as provided in Minnesota Statutes, section 469.176, subdivision 2, paragraph (a), clause (4).”

Renumber the sections in sequence

Amend the title accordingly.

Mr. Chmielewski questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question recurred on the Olson amendment. The motion did not prevail. So the amendment was not adopted.

H.F. No. 2213 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 52 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Laidig	Novak	Sams
Benson, J.E.	Frederickson	Langseth	Olson	Samuelson
Berg	Hanson	Larson	Pappas	Solon
Berglin	Hottinger	Lesewski	Pariseau	Stevens
Bertram	Janezich	Lessard	Piper	Stumpf
Chandler	Johnson, D.E.	Marty	Pogemiller	Terwilliger
Chmielewski	Johnson, D.J.	McGowan	Price	Vickerman
Cohen	Kelly	Metzen	Ranum	Wiener
Day	Kiscaden	Moe, R.D.	Riveness	
Dille	Knutson	Mondale	Robertson	
Finn	Kroening	Murphy	Runbeck	

Those who voted in the negative were:

Beckman	Betzold	Merriam	Oliver	Spear
Belanger	Johnson, J.B.	Morse	Reichgott Junge	
Benson, D.D.	Johnston	Neuville		

So the bill passed and its title was agreed to.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 936: Mr. Frederickson, Ms. Johnson, J.B. and Mr. Metzen.

H.F. No. 1094: Mr. Luther, Ms. Wiener, Mr. Solon, Ms. Berglin and Mr. Larson.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 2193. The motion prevailed.

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

S.F. No. 2303: A bill for an act relating to highway safety; requiring persons age 55 or over to complete a refresher course in accident prevention in order to remain eligible for a reduction in private passenger vehicle insurance rates; amending Minnesota Statutes 1992, section 65B.28.

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

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

S.F. No. 1774: A bill for an act relating to traffic regulations; permitting white strobe lights on rural mail carrier vehicles; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; and 169.64, subdivision 8; Minnesota Statutes 1993 Supplement, section 169.64, subdivision 3.

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

Page 1, line 13, delete everything after "*carrier*" and insert "*on a rural mail route.*"

Page 1, delete line 14

Pages 2 and 3, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1992, section 169.64, subdivision 8, is amended to read:

Subd. 8. [~~WHITE STROBE LAMPS.~~] (a) Notwithstanding sections 169.55, subdivision 1, 169.57, subdivision 3, clause (b), or any other law to the contrary, a vehicle may be equipped with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle is:

(1) A school bus that is subject to and complies with the color and equipment requirements of sections 169.441, subdivisions 1 and 2, and 169.442, subdivision 1. The lamp shall be permanently mounted on the longitudinal center line of the bus roof not less than five feet nor more than seven feet forward of the rear roof edge. It shall operate from a separate switch containing an indicator lamp to show when the strobe lamp is in use. The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals so as to require use of the bright strobe lamp to alert motorists to the presence of the school bus. A strobe lamp may not be lighted unless the school bus is actually being used as a school bus; or

(2) A road maintenance vehicle owned or under contract to the department of transportation or a road authority of a county, home rule or statutory city,

or town, but the strobe lamp may only be operated while the vehicle is actually engaged in snow removal during daylight hours.

(b) Notwithstanding sections 169.55, subdivision 1; 169.57, subdivision 3, clause (b), or any other law to the contrary, a vehicle may be equipped with a 360-degree flashing strobe lamp that emits an amber light with a flash rate of 60 to 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle is a rural mail carrier vehicle, provided that the strobe lamp is mounted at the highest practicable point on the vehicle. The strobe lamp may only be operated while the vehicle is actually engaged during daylight hours in the delivery of mail to residents on a rural mail route.

~~The~~ *(c) A strobe lamp authorized by this section shall be of a double flash type certified to the commissioner of public safety by the manufacturer as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula."*

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. 1856: A bill for an act relating to local government; providing that the statutory procedure for tree removal does not apply to trees removed from town roads dedicated by plat; amending Minnesota Statutes 1992, section 160.22, subdivision 7a, and by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

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

S.F. No. 1832: A bill for an act relating to traffic regulations; authorizing immediate towing after 12 hours advance notice of restricted parking in cities under 50,000; amending Minnesota Statutes 1992, section 169.041, subdivision 4.

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

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

S.F. No. 1967: A bill for an act relating to drivers' licenses; allowing commissioner of public safety to determine driver's test taken for license reinstatement; amending Minnesota Statutes 1992, section 171.29, subdivision 1.

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

Page 1, line 17, delete "An"

Page 1, delete lines 18 and 19

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

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

S.F. No. 2111: A bill for an act relating to drivers' licenses; prohibiting issuance of a license to a person under age 18 years unless the person has graduated from or is attending a secondary school; requiring suspension of a license when a person under age 18 withdraws from school, is dismissed from school, has been habitually truant, or has committed a juvenile offense; amending Minnesota Statutes 1992, sections 171.04, subdivision 1, and by adding a subdivision; 171.043; 171.16, subdivision 5; and 171.18, subdivision 3, and by adding subdivisions; Minnesota Statutes 1993 Supplement, section 171.30, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 120; and 260.

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

Page 2, lines 12 and 15, delete "13" and insert "15"

Page 7, line 1, delete "260.196" and insert "260.193"

Page 7, line 33, after "person" insert "is at least 15 years of age and"

Page 8, line 14, after "person" insert "is at least 15 years of age and"

Page 10, line 20, delete "13" and insert "15"

Page 10, line 22, after "260.015," insert "subdivision 2a,"

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

Mr. Bertram from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 2283: A bill for an act relating to agriculture; expanding the restricted seed potato growing area; amending Minnesota Statutes 1992, section 21.1196, subdivision 1.

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

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

S.F. No. 2193: A bill for an act relating to water; establishing the drinking water revolving fund administered by the public facilities authority and the department of health; amending Minnesota Statutes 1992, section 446A.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 446A.

Reports the same back with the recommendation that the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2068: A bill for an act relating to health; modifying provisions relating to the nursing home moratorium exceptions; amending Minnesota Statutes 1992, section 144A.073, subdivisions 1, 4, 8, and by adding a subdivision; Minnesota Statutes 1993 Supplement, section 144A.073, subdivisions 2 and 3.

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

Page 2, delete lines 3 to 12 and insert:

"Subd. 1a. [FINDINGS.] It is in the best interest of the state to ensure that existing nursing homes and certified boarding care homes continue to meet physical plant licensing and certification requirements and strive to satisfy the physical and emotional needs of residents through renovation and replacement construction projects approved under this section, regardless of the location of the existing nursing homes. The exceptions process provided in this section is intended to afford existing nursing homes the opportunity to meet those goals while enabling the state to maintain control over nursing homes expenditure growth."

Page 3, line 18, reinstate the stricken language and delete the new language

Page 4, after line 13, insert:

"Sec. 5. Minnesota Statutes 1992, section 144A.073, subdivision 3a, is amended to read:

Subd. 3a. [EXTENSION OF APPROVAL OF A PROJECT REQUIRING AN EXCEPTION TO THE NURSING HOME MORATORIUM.] Notwithstanding subdivision 3, a construction project that was approved by the commissioner under the moratorium exception approval process in this section prior to July 1, 1992, may be commenced more than 18 months after the date of the commissioner's approval but no later than ~~July 1, 1994~~ *January 1, 1995*, or 12 months after the effective date of a nursing home property-related payment system enacted to replace the current rate freeze in section 256B.431, subdivision 12, whichever is later."

Page 4, line 16, after "(a)" insert "*Review criteria must be applied in a uniform and fair manner to all proposals.*"

Page 4, line 17, delete "*, with equal significance.*"

Page 5, line 14, delete "*and*"

Page 5, line 25, before the period, insert "*; and*

(7) the extent to which the project removes the need for waivers or variances previously granted by either the licensing agency, certifying agency, fire marshal, or local governmental entity"

Page 5, line 28, delete "*and (2)*" and insert "*to (3)*"

Page 5, after line 28, insert:

"(1) the extent to which the average occupancy rate of the facility and the average occupancy rate of all facilities in the county in which the project will be located, together with all contiguous Minnesota counties, supports the need for the proposed project may be used to compare, evaluate, and rank only projects that propose relocation;"

Page 5, line 29, delete "(1)" and insert "(2)"

Page 5, line 30, delete "85" and insert "65" and delete "applicant is" and insert "project will be"

Page 5, line 33, delete everything before "relocation"

Page 5, line 34, delete "(2)" and insert "(3)"

Page 5, line 35, after "evaluated" insert "only" and delete the second "the"

Page 5, line 36, delete "designs"

Page 6, after line 2, insert:

"Sec. 7. Minnesota Statutes 1992, section 144A.073, is amended by adding a subdivision to read:

Subd. 7a. [PROJECTED COST SAVINGS.] As part of the technical assistance review and analysis of proposals, the commissioner of human services shall verify any state medical assistance cost savings projected by a proposal. If verified, the advisory review panel, the interagency board, and the commissioner shall include the projected state medical assistance cost savings when calculating whether the combined costs of all projects exceed any statutory funding allocation threshold for the exceptions process."

Page 6, after line 12, insert:

"Sec. 9. Minnesota Statutes 1992, section 256B.431, subdivision 17, is amended to read:

Subd. 17. [SPECIAL PROVISIONS FOR MORATORIUM EXCEPTIONS.] (a) Notwithstanding Minnesota Rules, part 9549.0060, subpart 3, for rate periods beginning on October 1, 1992, and for rate years beginning after June 30, 1993, a nursing facility that has completed a construction project approved under section 144A.071, subdivision 4a, clause (m), or has completed a renovation, replacement, or upgrading project approved under the moratorium exception process in section 144A.073 shall be reimbursed for costs directly identified to that project as provided in subdivision 16 and this subdivision.

(b) Notwithstanding Minnesota Rules, part 9549.0060, subparts 5, item A, subitems (1) and (3), and 7, item D, allowable interest expense on debt shall include:

(1) interest expense on debt related to the cost of purchasing or replacing depreciable equipment, excluding vehicles, not to exceed six percent of the total historical cost of the project; and

(2) interest expense on debt related to financing or refinancing costs, including costs related to points, loan origination fees, financing charges, legal fees, and title searches; and issuance costs including bond discounts, bond counsel, underwriter's counsel, corporate counsel, printing, and financial forecasts. Allowable debt related to items in this clause shall not exceed seven percent of the total historical cost of the project. To the extent these costs are financed, the straight-line amortization of the costs in this clause is not an allowable cost; and

(3) interest on debt incurred for the establishment of a debt reserve fund, net of the interest earned on the debt reserve fund.

(c) Debt incurred for costs under paragraph (b) is not subject to Minnesota Rules, part 9549.0060, subpart 5, item A, subitem (5) or (6).

(d) The incremental increase in a nursing facility's rental rate, determined under Minnesota Rules, parts 9549.0010 to 9549.0080, and this section, resulting from the acquisition of allowable capital assets, and allowable debt and interest expense under this subdivision shall be added to its property-related payment rate and shall be effective on the first day of the month following the month in which the moratorium project was completed.

(e) Notwithstanding subdivision 3f, paragraph (a), for rate periods beginning on October 1, 1992, and for rate years beginning after June 30, 1993, the replacement-costs-new per bed limit to be used in Minnesota Rules, part 9549.0060, subpart 4, item B, for a nursing facility that has completed a renovation, replacement, or upgrading project that has been approved under the moratorium exception process in section 144A.073, or that has completed an addition to or replacement of buildings, attached fixtures, or land improvements for which the total historical cost exceeds the lesser of \$150,000 or ten percent of the most recent appraised value, must be \$47,500 per licensed bed in multiple-bed rooms and \$71,250 per licensed bed in a single-bed room. These amounts must be adjusted annually as specified in subdivision 3f, paragraph (a), beginning January 1, 1993.

(f) A nursing facility that completes a project identified in this subdivision and, as of April 17, 1992, has not been mailed a rate notice with a special appraisal for a completed project, or completes a project after April 17, 1992, but before September 1, 1992, may elect either to request a special reappraisal with the corresponding adjustment to the property-related payment rate under the laws in effect on June 30, 1992, or to submit their capital asset and debt information after that date and obtain the property-related payment rate adjustment under this section, but not both."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections"

Page 1, line 5, after "1," insert "3a," and delete "a subdivision" and insert "subdivisions; and 256B.431, subdivision 17"

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

Ms. Piper from the Committee on Family Services, to which was referred

S.F. No. 2129: A bill for an act relating to adoption; regulating certain advertising and payments in connection with adoption; regulating agencies; providing for nonagency adoption; providing for the enforceability of post-adoption contact agreements; providing penalties; amending Minnesota Statutes 1992, sections 144.227, subdivision 1, and by adding a subdivision; 245A.03, subdivisions 1 and 2; 245A.04, by adding a subdivision; 245A.07, by adding a subdivision; 259.21, by adding subdivisions; 259.22, subdivisions 1, 2, and by adding a subdivision; 259.27, by adding a subdivision; 259.31; and 317A.907, subdivision 6; Minnesota Statutes 1993 Supplement, section 245A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 259.

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

Page 4, line 30, delete the first comma and insert "*or legal*" and delete the second comma

Page 4, line 31, delete "*or legal custodian*"

Page 5, delete lines 2 to 4

Page 5, line 16, delete "*and*"

Page 5, line 23, before the period, insert "; *and*

(4) submit a certified audit to the commissioner each year the license is renewed as required under section 245A.03, subdivision 1"

Page 5, after line 31, insert:

"Sec. 7. [259.20] [POLICY.]

Subdivision 1. The policy of the state of Minnesota and the purpose of sections 259.20 to 259.406 is to ensure:

(1) that the best interests of children are met in the planning and granting of adoptions; and

(2) that laws and practices governing adoption recognize the diversity of Minnesota's population and the diverse needs of persons affected by adoption.

Subd. 2. This policy applies to chapters 245A, 257, 260, and 317A."

Page 5, line 35, delete the first comma and insert "*or legal*" and delete "*, or*"

Page 5, line 36, delete "*legal custodian*"

Page 6, line 19, delete "NONAGENCY ADOPTION" and insert "DIRECT ADOPTIVE PLACEMENT" and delete "*Nonagency adoption*" and insert "*Direct adoptive placement*"

Page 6, delete section 10

Page 7, line 30, delete "*nonagency*"

Page 7, line 31, delete "*adoption*" and insert "*direct adoptive placement*"

Page 7, line 36, after "*needs*" insert "*as defined under title IV-E of the Social Security Act, United States Code, title 42, section 670,*"

Page 8, delete lines 1 and 2

Page 8, line 3, delete "(3)" and insert "(2)"

Page 8, line 12, delete everything after the period

Page 8, delete lines 13 to 15

Page 8, line 24, after "*for*" insert "*prefinalization*"

Page 9, line 4, delete "*will*" and insert "*may*" and delete "*anticipated*" and insert "*estimated*"

Page 9, line 10, after "*provide*" insert "*summary*"

Page 9, delete lines 32 to 36

Page 10, delete line 1

Page 10, line 2, delete "4" and insert "3"

Page 10, line 20, delete ", except that in a step-parent adoption," and insert "and"

Page 10, line 22, delete "nonagency adoption" and insert "direct adoptive placement"

Page 10, after line 27, insert:

"A step-parent adoption is not subject to this section."

Page 10, line 30, delete "and" and insert a comma

Page 10, line 31, after the comma, insert "*and domestic violence data of each person over the age of 13 living in the home. The prospective adoptive parents, the bureau of criminal apprehension, and other involved state, county, and local agencies, after written notice to the subject of the study, shall help by giving the agency completing the adoption study substantiated criminal conviction data and reports about maltreatment of minors and domestic violence. The adoption study must also include a check of the juvenile court records of each person over the age of 13 living in the home. Notwithstanding provisions of section 260.161 to the contrary, the juvenile court shall release the requested information to the agency completing the adoption study.*"

Page 11, delete lines 3 and 4

Page 11, line 19, delete "nonagency"

Page 11, delete line 20 and insert "*direct adoptive placement, with the motion for temporary preadoptive custody.*"

Page 12, line 7, delete "nonagency"

Page 12, line 8, delete "adoption" and insert "*direct adoptive placement*"

Page 12, after line 9, insert:

"Subd. 2. [PREADOPTIVE CUSTODY ORDER.] (a) *Before a child is placed in a prospective adoptive home by a birth parent or legal guardian, the placement must be approved by the district court in the county where the prospective adoptive parent resides. The prospective adoptive parent must meet the residence requirements of section 259.22, subdivision 1, and must file with the court an affidavit of intent to remain a resident of the state for at least 90 days after the child is placed in the prospective adoptive home. The prospective adoptive parent shall file with the court a notice of intent to file an adoption petition and seek an order granting temporary preadoptive custody. The motion may be filed up to 60 days before the placement is to be made and must include:*

(1) *the preplacement study required under section 259.2586;*

(2) *affidavits from the birth parents indicating their support of the motion, or, if there is no affidavit from the birth father, an affidavit from the birth mother under paragraph (b);*

(3) *an itemized statement of expenses that have been paid and an estimate of expenses that will be paid by the prospective adoptive parents to the birth parents, any agency, attorney, or other party in connection with the prospective adoption;*

(4) *the name of counsel for each party, if any;*

(5) *a statement that the birth parents:*

(i) *have provided the social and medical history required under section 259.2587 to the prospective adoptive parent;*

(ii) *have received the written statement of their legal rights and responsibilities under section 259.2585; and*

(iii) *have been notified of their right to receive counseling under subdivision 3.*

The court shall review the expense statement submitted under this subdivision to determine whether payments made or to be made by the prospective adoptive parent are lawful.

(b) *If the birth mother appears but not the birth father, the birth mother must submit an affidavit that describes her good faith efforts to identify and locate the birth father for purposes of securing his consent. In the following circumstances the birth mother may instead submit an affidavit stating on which ground she is exempt from making efforts to identify and locate the father:*

(1) *the child was conceived as the result of incest or rape;*

(2) *efforts to locate the father could reasonably result in physical harm to the birth mother or child; or*

(3) *efforts to locate the father could reasonably result in emotional impairment of the birth mother or child that would substantially affect either individual's functioning."*

Page 12, line 10, delete "2" and insert "3"

Page 12, line 20, delete "3" and insert "4"

Page 12, delete lines 27 to 36

Page 13, delete lines 1 to 36

Page 14, delete line 1

Page 14, line 3, before "Not" insert "Regardless of the manner of placement,"

Page 14, line 4, delete "30" and insert "60"

Page 14, after line 35, insert:

"If a birth parent has chosen to receive counseling through a licensed agency, then the birth parent may choose to execute a written consent or participate in a voluntary termination of parental rights."

Page 15, line 4, delete "neither" and insert "a" and delete "appears" and insert "whose consent is required does not appear"

Page 15, line 8, before the period, insert "as defined in section 260.221"

Page 15, line 25, delete "contract" and insert "contact"

Page 16, lines 3 and 21, delete "nonagency adoption" and insert "direct adoptive placement"

Page 16, line 4, delete "court" and insert "agency which completed the adoption study"

Page 16, line 10, delete the second comma and insert "or" and delete "or a birth parent"

Page 16, line 13, after "245A" insert ", except as authorized by section 245A.03, subdivision 2"

Page 16, line 14, delete "auditor" and insert "attorney"

Page 17, line 2, delete "OF" and insert "TO"

Page 17, line 11, delete "except as authorized under subdivision 1,"

Page 18, line 23, strike everything after the period

Page 18, strike lines 24 to 26

Page 18, after line 31, insert:

"Sec. 25. [ADOPTION ADVISORY COMMITTEE REPORT.]

The commissioner of human services shall use an advisory committee including birth parents, adoptive parents, adopted adults, county agencies, private adoption agencies, consumer advocates, a representative from the attorney general's office, and the legal community to make recommendations on further changes needed in order to protect children placed for the purpose of adoption, birth parents or guardians, and prospective adoptive parents. A report with recommendations for state law changes must be made to the governor and the legislature no later than February 1, 1995."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "nonagency adoption" and insert "direct adoptive placement"

Page 1, lines 8 and 9, delete "subdivisions 1 and 2" and insert "subdivision 1"

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

H.F. No. 1886 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1886	1751				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1886 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1886 and insert the language after the enacting clause of S.F. No. 1751, the first engrossment; further, delete the title of H.F. No. 1886 and insert the title of S.F. No. 1751, the first engrossment.

And when so amended H.F. No. 1886 will be identical to S.F. No. 1751, and further recommends that H.F. No. 1886 be given its second reading and substituted for S.F. No. 1751, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 2303, 1774, 1856, 1832, 1967, 2283 and 2068 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1886 was read the second time.

MEMBERS EXCUSED

Mrs. Adkins was excused from the Session of today. Messrs. Mondale and Janezich were excused from the Session of today from 8:00 to 9:00 a.m. Ms. Krentz was excused from the Session of today from 9:15 to 9:20 a.m. and from 10:20 to 10:30 a.m. Ms. Kiscaden was excused from the Session of today from 10:15 to 10:30 a.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:45 a.m., Friday, March 18, 1994. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate