

STATE OF MINNESOTA

# Journal of the Senate

SEVENTY-NINTH LEGISLATURE

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NINETY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, March 13, 1996

The Senate met at 9:00 a.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, Rev. Walter Flesner.

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

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

The President declared a quorum present.

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2054 and 2332.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 842:** A bill for an act relating to occupations and professions; board of psychology; modifying board duties; changing types of licensure; changing licensure provisions; providing for

discipline; providing penalties; amending Minnesota Statutes 1994, sections 148.88; 148.881; 148.89, subdivisions 2a and 5; 148.90, subdivisions 1 and 2; 148.905, subdivision 1; 148.911; 148.925; 148.941, subdivisions 2, 4, and by adding subdivisions; 148.96; 148.975; 148.98; 253B.02, subdivision 11; Minnesota Statutes 1995 Supplement, section 147.09; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1994, sections 148.89, subdivisions 6, 7, and 8; 148.91; 148.93; 148.951; and 148.97; Minnesota Statutes 1995 Supplement, section 148.921.

There has been appointed as such committee on the part of the House:

Kelley, McCollum and Leppik.

Senate File No. 842 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 2167:** A bill for an act relating to the organization and operation of state government; appropriating money and modifying provisions relating to the environment, natural resources, and agriculture; supplementing, reducing, and modifying earlier appropriations; establishing a board; establishing an off-highway vehicle recreation area; authorizing and modifying state trails; providing for reports and fees; amending Minnesota Statutes 1994, sections 17.117, subdivision 3; 17B.15, subdivision 1; 18E.02, subdivision 5; 85.015, by adding a subdivision; 85.052, subdivision 3; 85.054, by adding a subdivision; 85.055, subdivision 1; 94.16, subdivision 3; and 97A.028, subdivision 3; Minnesota Statutes 1995 Supplement, sections 85.015, subdivision 7; 103F.725, subdivision 1a; and 446A.07, subdivision 8; Laws 1995, chapters 207, article 1, section 2, subdivision 7; 220, section 19, subdivisions 4, 6, 10, and 19; and 254, article 1, section 93; proposing coding for new law in Minnesota Statutes, chapters 17 and 21; repealing Laws 1995, chapter 224, section 18, subdivision 4.

There has been appointed as such committee on the part of the House:

Brown; Peterson; Sarna; Johnson, V. and Lynch.

Senate File No. 2167 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 1981:** A bill for an act relating to commerce; regulating the enforcement powers of the commissioner; clarifying the definition of nonconformity in respect of hearing aids; amending Minnesota Statutes 1994, section 45.027, subdivision 5, and by adding a subdivision; Minnesota Statutes 1995 Supplement, section 325G.203, subdivision 11.

There has been appointed as such committee on the part of the House:

Entenza, Leighton and Abrams.

Senate File No. 1981 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 2856:** A bill for an act relating to criminal justice; appropriating money for the judicial branch, public safety, corrections, criminal justice, crime prevention programs, and other related purposes; providing for community notification of the release of certain sex offenders, expanding the sex offender registration act; reconciling various provisions on criminal history background checks; implementing, clarifying, and modifying certain criminal and juvenile provisions; prohibiting the possession or use of tobacco by inmates of state correctional facilities; implementing, clarifying, and modifying certain penalty provisions; establishing and expanding pilot programs, grant programs, task forces, committees, and studies; providing for the retention of consultants; amending Minnesota Statutes 1994, sections 8.01; 15.86, by adding a subdivision; 84.91, by adding a subdivision; 86B.331, by adding a subdivision; 144A.46, subdivision 5; 168.041, subdivision 6; 168.042, subdivisions 8, 12, and by adding a subdivision; 169.121, subdivisions 2, 3, and 4; 169.123, subdivision 4; 171.17, subdivision 1; 171.29, subdivision 1; 171.30, subdivisions 1 and 2a; 181.9412; 244.17, subdivision 2, and by adding a subdivision; 244.172, subdivision 2; 268.30, subdivision 2; 299A.35, as amended; 609.115, by adding a subdivision; 609.52, subdivision 2; 611.271; 611A.25, subdivision 3; and 611A.361, subdivision 3; Minnesota Statutes 1995 Supplement, sections 16B.181; 144.057, subdivisions 1, 3, and 4; 171.29, subdivision 2; 243.166, subdivisions 1 and 7; 245A.04, subdivision 3; 299A.326, subdivision 1; 299C.67, subdivision 5; 299C.68, subdivisions 2, 5, and 6; and 609.2325, subdivision 3; Laws 1995, chapter 229, article 3, section 17; proposing coding for new law in Minnesota Statutes, chapters 15; 168; 168A; 243; 244; 299A; and 609.

There has been appointed as such committee on the part of the House:

Murphy, Skoglund, Carruthers, Pugh and Swenson, D.

Senate File No. 2856 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2330:

**H.F. No. 2330:** A bill for an act relating to land use planning; requesting the St. Cloud area planning organization to assess and report on the land use planning and coordinating issues of the region.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Opatz, Bertram and Dehler have been appointed as such committee on the part of the House.

House File No. 2330 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1996

Mr. Kleis moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2330, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2752:

**H.F. No. 2752:** A bill for an act relating to consumer protection; providing for the licensing and regulation of pawnbrokers; providing penalties; amending Minnesota Statutes 1994, sections 471.924, subdivision 1; 471.925; and 471.927; proposing coding for new law as Minnesota Statutes, chapter 325J; repealing Minnesota Statutes 1994, section 609.81.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Luther, Perl and Pellow have been appointed as such committee on the part of the House.

House File No. 2752 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1996

Mr. Price moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2752, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3249:

**H.F. No. 3249:** A bill for an act relating to the financing and operation of government in this state; modifying certain tax rates, credits, refunds, bases, and exemptions; modifying property tax exemptions, valuation, and classification; providing a senior citizen property tax deferral; providing for the deposit of certain revenues in the highway user tax distribution and transit assistance funds; establishing an education investment fund; providing tax incentives for savings for education; changing tax increment financing, special services district, and taxing district provisions; authorizing local taxes; authorizing certain special districts; providing local levy or other authority; authorizing municipal debt; providing for certain tax base sharing; changing certain aids; modifying revenue recapture; making tax policy, collection, administrative and technical changes, corrections, and clarifications; requiring studies; providing for appointments; appropriating money; amending Minnesota Statutes 1994, sections 10A.31, subdivision 3a; 13.99, subdivision 97a; 103E.611, subdivision 7; 115.26, by adding a subdivision; 165.08, subdivision 5; 216B.16, by adding a subdivision; 239.761, subdivision 5; 270.067, subdivision 2; 270.07, subdivision 1; 270.102, subdivisions 1, 2, and 3; 270.70, subdivision 2; 270A.03, subdivision 2; 270B.12, by adding a subdivision; 273.02, subdivision 3; 273.11, subdivision 1a; 273.111, subdivisions 3 and 6; 273.124, by adding a subdivision; 273.13, subdivisions 22, 23, and 32; 273.1398, by adding a subdivision; 275.065, subdivision 5a; 275.07, subdivision 4, and by adding a subdivision; 275.61; 278.01, by adding a subdivision; 278.08; 279.06, subdivision 1; 279.37, by adding a subdivision; 281.17; 287.06; 289A.50, by adding a subdivision; 289A.56, subdivision 4; 290.01, subdivisions 4a and 19a; 290.06, subdivisions 2c and 22; 290.091, subdivisions 2 and 6; 290.0922, subdivisions 1 and 3; 290.095, subdivision 3; 290.17, subdivision 2; 290A.03, subdivision 11; 290A.25; 295.51, subdivision 1, and by adding a subdivision; 295.52, by adding a subdivision; 295.54, subdivisions 1, 2, and by adding a subdivision; 296.01, subdivisions 2 and 13; 296.02, by adding a subdivision; 296.025, subdivision 6; 296.141, subdivisions 4 and 5; 296.15, by adding a subdivision; 296.17, subdivision 7; 297.04, subdivision 9; 297A.01, subdivision 16; 297A.02, subdivision 5; 297A.14, by adding a subdivision; 297A.15, subdivision 6; 297A.21, subdivision 4; 297A.211, subdivision 3; 297A.24, subdivision 1; 297A.25, subdivisions 14, 37, and by adding a subdivision; 297A.256, subdivision 1; 297A.2572; 297A.2573; 297A.44, subdivision 1; 297A.46; 297B.09, subdivision 1; 297E.02, subdivisions 4 and 10; 298.01, subdivision 4e; 298.17; 298.28, subdivisions 2 and 11; 298.75, subdivision 1, and by adding a

subdivision; 349.15, by adding a subdivision; 349.154, subdivision 2; 349.19, subdivision 2, and by adding a subdivision; 373.40, subdivision 7; 375.192, subdivision 2; 383B.51; 428A.01, subdivisions 2 and 3; 428A.02, subdivision 1; 444.075, by adding a subdivision; 458A.32, subdivision 4; 469.040, subdivision 3, and by adding a subdivision; 469.167, subdivision 2; 469.173, subdivision 7; 469.174, subdivision 2; 469.176, subdivision 4f; 469.1761, subdivision 1; 469.177, subdivision 3; 471.88, subdivision 14; 473.625; 477A.011, subdivisions 3, 20, 27, 32, and 35; and 477A.013, subdivision 6; Minnesota Statutes 1995 Supplement, sections 41A.09, subdivision 2a; 115B.48, by adding subdivisions; 115B.49, subdivisions 2 and 4; 116.07, subdivision 10; 124A.03, subdivision 2; 216B.161, subdivision 1; 270A.03, subdivision 7; 272.02, subdivision 1; 273.11, subdivision 16; 273.124, subdivisions 3 and 13; 273.13, subdivisions 24 and 25; 273.1398, subdivision 1; 273.1399, subdivisions 6 and 7; 275.065, subdivisions 3 and 6; 275.08, subdivision 1b; 276.04, subdivision 2; 289A.40, subdivision 1; 290.01, subdivision 19b; 290.067, subdivision 1; 290.191, subdivisions 5 and 6; 290A.04, subdivision 2h; 295.50, subdivisions 3 and 4; 295.53, subdivisions 1, 5, and by adding a subdivision; 296.02, subdivision 1; 296.025, subdivision 1; 296.12, subdivision 3; 297A.01, subdivision 3; 297A.02, subdivision 4; 297A.25, subdivisions 57 and 59; 297A.45, subdivisions 2, 3, and 4; 297B.01, subdivision 8; 428A.05; 465.82, subdivision 2; 469.169, subdivisions 9 and 10; 469.174, subdivision 4; 469.175, subdivisions 1, 5, and 6; 469.176, subdivision 2; 469.177, subdivision 1; 471.6965; 473.448; 477A.0121, subdivision 4; 477A.0132; and 477A.03, subdivision 2; Laws 1963, chapter 118, sections 1, subdivision 3; 2; 4; 6; Laws 1971, chapter 869, sections 2, subdivisions 2, as amended, 14, and 17, as added; 3, subdivisions 5, 6, and 9; 4, subdivisions 1, 2, and 5, as amended; 5, subdivisions 1 and 3; 8; 10, subdivision 3b, as added; 12, subdivisions 1, as amended, and 2, as amended; 17, subdivision 11; 19; 20, subdivision 2; 21; 24; Laws 1985, chapter 302, section 2, subdivision 1, as amended; Laws 1991, chapter 291, article 8, section 27, by adding a subdivision; Laws 1992, chapter 511, article 8, section 39; and Laws 1995, chapter 264, articles 2; sections 42, subdivision 1; and 44; 5, sections 40, subdivision 1; 44, subdivision 4; and 45, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 11A; 103D; 115B; 136A; 272; 273; 281; 287; 290; 290A; 297A; 315; 375; 428A; 462A; 469; and 477A; proposing coding for new law as Minnesota Statutes, chapters 276A; and 290B; repealing Minnesota Statutes 1994, sections 13.99, subdivision 97; 273.1316; 273.1317; 273.1318; 273.1398, subdivision 5b; 290.06, subdivision 21; 290.092; 295.37; 295.39; 295.40; 295.41; 295.42; 295.43; 295.50, subdivisions 8, 9, 9a, 11, 12, and 12a; 296.25, subdivision 1a; 297A.01, subdivision 20; 297A.14, subdivision 3; 297A.15, subdivision 5; 297A.24, subdivision 2; and 469.150; Minnesota Statutes 1995 Supplement, sections 270B.12, subdivision 11; 276.012; 290A.055; 290A.26; and 469.176, subdivision 7; Laws 1971, chapter 869, section 6, subdivision 3; Laws 1987, chapter 285; and Laws 1995, chapter 264, article 4.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Rest, Winter, Dawkins, Bakk and Goodno have been appointed as such committee on the part of the House.

House File No. 3249 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1996

Mr. Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 3249, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2394.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1996

### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

**H.F. No. 2394:** A bill for an act relating to insurance; health; requiring coverage for prostate cancer screening; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health Care.

### MOTIONS AND RESOLUTIONS

**Mr. Larson introduced--**

**Senate Resolution No. 109:** A Senate resolution congratulating the Alexandria High School Boys Hockey Team on winning the 1996 State High School Class AA hockey consolation game.

Referred to the Committee on Rules and Administration.

**Mr. Knutson and Ms. Wiener introduced--**

**Senate Resolution No. 110:** A Senate resolution congratulating the Apple Valley High School Boys Hockey Team on winning the 1996 State High School Class AA Hockey 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 Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

### CALENDAR

**H.F. No. 2565:** A bill for an act relating to private business, trade, and correspondence schools; modifying licensing standards; clarifying miscellaneous provisions; amending Minnesota Statutes 1994, sections 141.25, subdivision 7; 141.26, subdivision 5; 141.271, subdivision 4; and 141.29, subdivision 3; Minnesota Statutes 1995 Supplement, section 136A.685.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kiscaden	Limmer	Olson
Beckman	Frederickson	Kleis	Marty	Ourada
Belanger	Hanson	Knutson	Merriam	Pappas
Berg	Hottinger	Kramer	Metzen	Pariseau
Berglin	Janezich	Krentz	Moe, R.D.	Piper
Betzold	Johnson, D.E.	Kroening	Morse	Pogemiller
Chandler	Johnson, D.J.	Langseth	Murphy	Price
Cohen	Johnson, J.B.	Larson	Neuville	Reichgott Junge
Dille	Johnston	Lesewski	Novak	Robertson
Fischbach	Kelly	Lessard	Oliver	Runbeck

Sams  
ScheevelSpear  
StevensStumpf  
Terwilliger

Vickerman

Wiener

So the bill passed and its title was agreed to.

**H.F. No. 2256:** A bill for an act relating to economic development; changing classification of the director of tourism; modifying provisions relating to business finance programs and the competitiveness task force; abolishing the main street program and the rural development board; transferring authority for certain programs; amending Minnesota Statutes 1994, sections 16B.06, subdivision 2; 116J.01, subdivision 5; 116J.581, subdivisions 2 and 4; and 116J.980, subdivision 1; Minnesota Statutes 1995 Supplement, sections 116J.58, subdivision 1; 116J.581, subdivision 1; 116J.655; 116N.03, subdivision 2; and 116N.06; repealing Minnesota Statutes 1994, sections 116J.981; 116N.01, subdivision 2; 116N.02, subdivisions 2, 3, 4, and 5; 116N.04; and 116N.07; Minnesota Statutes 1995 Supplement, section 116N.02, subdivision 1; Minnesota Rules, part 4370.0010, subpart 3.

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 56 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Novak	Sams
Beckman	Hottinger	Langseth	Oliver	Scheevel
Belanger	Janezich	Larson	Olson	Spear
Berg	Johnson, D.J.	Lesewski	Ourada	Stevens
Berglin	Johnson, J.B.	Lessard	Pappas	Stumpf
Betzold	Johnston	Limmer	Pariseau	Terwilliger
Chandler	Kelly	Marty	Piper	Vickerman
Cohen	Kiscaden	Metzen	Pogemiller	Wiener
Dille	Kleis	Moe, R.D.	Price	
Fischbach	Knutson	Morse	Reichgott Junge	
Flynn	Kramer	Murphy	Robertson	
Frederickson	Krentz	Neuville	Runbeck	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

**S.F. No. 1956:** A bill for an act relating to the environment; providing for an environmental permitting project; providing penalties; amending Minnesota Statutes 1994, sections 115.03, subdivisions 1 and 2; 115.04; 115.071, subdivisions 1, 2, 3, 4, and 5; 115.072; 115.075; 115.076, subdivision 1; 116.07, subdivision 9; and 116.091, subdivisions 1 and 3; Minnesota Statutes 1995 Supplement, section 116.072, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 114C.

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	Hanson	Krentz	Murphy	Reichgott Junge
Beckman	Hottinger	Kroening	Neuville	Robertson
Belanger	Janezich	Langseth	Novak	Runbeck
Berg	Johnson, D.E.	Larson	Oliver	Sams
Berglin	Johnson, D.J.	Lesewski	Olson	Scheevel
Betzold	Johnson, J.B.	Lessard	Ourada	Solon
Chandler	Johnston	Limmer	Pappas	Spear
Cohen	Kelly	Marty	Pariseau	Stevens
Dille	Kiscaden	Merriam	Piper	Stumpf
Fischbach	Kleis	Metzen	Pogemiller	Terwilliger
Flynn	Knutson	Moe, R.D.	Price	Vickerman
Frederickson	Kramer	Morse	Ranum	Wiener

So the bill passed and its title was agreed to.

**H.F. No. 2298:** A bill for an act relating to government efficiency; extending the effective period of certain exemptions granted by the board of government innovation and cooperation; granting independent school district No. 2134, United South Central, a waiver from a law related to elections; amending Minnesota Statutes 1995 Supplement, section 465.797, subdivision 5.

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	Hanson	Krentz	Murphy	Reichgott Junge
Beckman	Hottinger	Kroening	Neuville	Robertson
Belanger	Janezich	Langseth	Novak	Runbeck
Berg	Johnson, D.E.	Larson	Oliver	Sams
Berglin	Johnson, D.J.	Lesewski	Olson	Scheevel
Betzold	Johnson, J.B.	Lessard	Ourada	Solon
Chandler	Johnston	Limmer	Pappas	Spear
Cohen	Kelly	Marty	Pariseau	Stevens
Dille	Kiscaden	Merriam	Piper	Stumpf
Fischbach	Kleis	Metzen	Pogemiller	Terwilliger
Flynn	Knutson	Moe, R.D.	Price	Vickerman
Frederickson	Kramer	Morse	Ranum	Wiener

So the bill passed and its title was agreed to.

**H.F. No. 2375:** A bill for an act relating to local improvements; prohibiting fees for preparing certain reports from being based primarily on the estimated cost of improvement; amending Minnesota Statutes 1994, section 429.031, subdivision 1.

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 55 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knutson	Moe, R.D.	Ranum
Beckman	Hanson	Kramer	Morse	Reichgott Junge
Belanger	Hottinger	Krentz	Murphy	Sams
Berg	Janezich	Kroening	Neuville	Scheevel
Berglin	Johnson, D.E.	Langseth	Novak	Solon
Betzold	Johnson, D.J.	Larson	Ourada	Spear
Chandler	Johnson, J.B.	Lesewski	Pappas	Stevens
Cohen	Johnston	Lessard	Pariseau	Stumpf
Dille	Kelly	Marty	Piper	Terwilliger
Fischbach	Kiscaden	Merriam	Pogemiller	Vickerman
Flynn	Kleis	Metzen	Price	Wiener

Messrs. Limmer, Oliver, Mses. Olson and Runbeck voted in the negative.

So the bill passed and its title was agreed to.

**S.F. No. 1117:** A bill for an act relating to government operations; expanding Minneapolis health insurance subsidy to include eligible Minneapolis teachers who retire before June 30, 1983; amending Minnesota Statutes 1994, section 124.916, 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 53 and nays 7, as follows:



Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Novak	Robertson
Beckman	Hottinger	Langseth	Oliver	Runbeck
Belanger	Janezich	Larson	Olson	Sams
Berg	Johnson, D.E.	Lesewski	Ourada	Solon
Berglin	Johnson, D.J.	Lessard	Pappas	Spear
Betzold	Johnson, J.B.	Limmer	Pariseau	Stumpf
Chandler	Kelly	Marty	Piper	Terwilliger
Cohen	Kleis	Metzen	Pogemiller	Vickerman
Dille	Knutson	Moe, R.D.	Price	Wiener
Flynn	Kramer	Morse	Ranum	
Frederickson	Krentz	Murphy	Reichgott Junge	

Those who voted in the negative were:

Fischbach	Kiscaden	Neuville	Scheevel	Stevens
Johnston	Merriam			

So the bill passed and its title was agreed to.

**H.F. No. 732:** A bill for an act relating to commerce; regulating the enforcement of copyright licenses on certain nondramatic musical works and similar works; requiring certain notices; prohibiting certain practices; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Neuville	Sams
Beckman	Hottinger	Kroening	Novak	Scheevel
Belanger	Janezich	Langseth	Oliver	Solon
Berg	Johnson, D.E.	Larson	Olson	Spear
Berglin	Johnson, D.J.	Lesewski	Ourada	Stevens
Betzold	Johnson, J.B.	Lessard	Pappas	Stumpf
Chandler	Johnston	Limmer	Pariseau	Terwilliger
Cohen	Kelly	Marty	Piper	Vickerman
Dille	Kiscaden	Merriam	Pogemiller	Wiener
Fischbach	Kleis	Metzen	Price	
Flynn	Knutson	Moe, R.D.	Ranum	
Frederickson	Kramer	Morse	Runbeck	

So the bill passed and its title was agreed to.

## MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Murphy moved that S.F. No. 2568 be withdrawn from the Committee on Taxes and Tax Laws and returned to its author. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 2834 a Special Order to be heard immediately.

## SPECIAL ORDER

**H.F. No. 2834:** A bill for an act relating to watercraft; modifying the requirements for operation of a motor boat by a youth; modifying the provisions for operation of a personal watercraft by a youth; amending Minnesota Statutes 1994, sections 86B.305, subdivisions 1 and 2; and 86B.313, subdivision 2.

Mr. Lessard moved to amend H.F. No. 2834, the unofficial engrossment, as follows:

Page 1, line 17, strike "30" and insert "25"

Page 2, line 3, strike "Except as"

Page 2, line 4, strike "provided in this subdivision," and insert "(a)"

Page 2, line 5, after "operate" insert "or be allowed to operate"

Page 2, line 6, strike "30" and insert "25" and strike "without possessing" and insert "unless:  
(1) the operator possesses"

Page 2, delete lines 8 and 9 and insert "of residence ~~unless;~~ or

(2) there is present in the motorboat, in addition to the operator, the operator's parent or legal guardian or a person age 18 or older in the motorboat who is within immediate reach of the controls of the motor. For purposes of section 86B.331, the parent, guardian, or person age 18 or older, as well as the actual operator, is in physical control of the motorboat.

(b) A person age 12 or older and younger than age 18 may not operate or be allowed to operate a motorboat propelled by a motor with a factory rating of more than 75 horsepower unless:

(1) the operator possesses a valid watercraft operator's permit from this state or from the operator's state of residence; and

(2) there is present in the motorboat, in addition to the operator, the operator's parent or legal guardian or a person age 18 or older who is within immediate reach of the controls of the motor. For purposes of section 86B.331, the parent, guardian, or person age 18 or older, as well as the actual operator, is in physical control of the motorboat."

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

Ms. Johnson, J.B. moved that H.F. No. 2834 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2328 a Special Order to be heard immediately.

### **SPECIAL ORDER**

**S.F. No. 2328:** A bill for an act relating to crime prevention; requiring guns to be stored unloaded and locked where children are present; amending Minnesota Statutes 1994, section 609.666, subdivisions 1 and 2.

Mr. Sams moved to amend S.F. No. 2328 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 609.666, is amended by adding a subdivision to read:

Subd. 4. [NO ADMINISTRATIVE SEARCH.] Nothing in this section or other law authorizes a government agency or official, or a person authorized to act on behalf of a government agency or official, to conduct an administrative search of a location without a warrant to determine whether a person is complying with this section."

Amend the title accordingly

### **CALL OF THE SENATE**

Ms. Ranum imposed a call of the Senate for the balance of the proceedings on S.F. No. 2328. The Sergeant at Arms was instructed to bring in the absent members.

Ms. Ranum questioned whether the Sams amendment was germane.

The President ruled that the amendment not germane.

Mr. Merriam moved to amend S.F. No. 2328 as follows:

Page 1, delete lines 19 to 23

Pages 1 and 2, delete section 2

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before the semicolon and insert "raising the age of a child for whom protection from a negligent storage of firearms applies"

Page 1, line 5, delete "subdivisions 1 and 2" and insert "subdivision 1"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 43 and nays 20, as follows:

Those who voted in the affirmative were:

Beckman	Johnson, D.E.	Langseth	Morse	Sams
Belanger	Johnson, D.J.	Larson	Murphy	Samuelson
Berg	Johnson, J.B.	Lesewski	Neuville	Scheevel
Day	Johnston	Lessard	Novak	Solon
Dille	Kiscaden	Limmer	Olson	Stevens
Fischbach	Kleis	Merriam	Ourada	Terwilliger
Frederickson	Knutson	Metzen	Pariseau	Vickerman
Hanson	Kramer	Moe, R.D.	Robertson	
Janezich	Laidig	Mondale	Runbeck	

Those who voted in the negative were:

Anderson	Cohen	Krentz	Pappas	Ranum
Berglin	Flynn	Kroening	Piper	Reichgott Junge
Betzold	Hottinger	Marty	Pogemiller	Spear
Chandler	Kelly	Oliver	Price	Wiener

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend S.F. No. 2328 as follows:

Page 2, after line 8, insert:

"Sec. 3. Minnesota Statutes 1994, section 609.666, is amended by adding a subdivision to read:

Subd. 4. [NO ADMINISTRATIVE SEARCH.] Nothing in this section or other law authorizes a government agency or official, or a person authorized to act on behalf of a government agency or official, to conduct an administrative search of a location without a warrant to determine whether a person is complying with this section."

Amend the title accordingly

Ms. Ranum questioned whether the amendment was germane.

The President ruled that the amendment not germane.

S.F. No. 2328 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 38 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, J.B.	Marty	Oliver	Reichgott Junge
Belanger	Kelly	Merriam	Olson	Robertson
Berglin	Kiscaden	Metzen	Pappas	Runbeck
Betzold	Knutson	Moe, R.D.	Pariseau	Solon
Chandler	Krentz	Mondale	Piper	Spear
Cohen	Kroening	Morse	Pogemiller	Wiener
Flynn	Laidig	Murphy	Price	
Hottinger	Limmer	Novak	Ranum	

Those who voted in the negative were:

Beckman	Frederickson	Johnston	Lesewski	Samuelson
Berg	Hanson	Kleis	Lessard	Scheevel
Day	Janezich	Kramer	Neuville	Stevens
Dille	Johnson, D.E.	Langseth	Ourada	Terwilliger
Fischbach	Johnson, D.J.	Larson	Sams	Vickerman

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Johnson, J.B. moved that H.F. No. 2834 be taken from the table. The motion prevailed.

**H.F. No. 2834:** A bill for an act relating to watercraft; modifying the requirements for operation of a motor boat by a youth; modifying the provisions for operation of a personal watercraft by a youth; amending Minnesota Statutes 1994, sections 86B.305, subdivisions 1 and 2; and 86B.313, subdivision 2.

Ms. Johnson, J.B. moved to amend H.F. No. 2834, the unofficial engrossment, as follows:

Page 2, line 20, delete "This act" and insert "Section 2, paragraph (b)," and after the period, insert "The remainder of this act is effective January 1, 1997."

The motion prevailed. So the amendment was adopted.

Mr. Marty moved to amend H.F. No. 2834, the unofficial engrossment, as follows:

Page 1, line 17, strike "30" and insert "25"

Page 2, line 3, strike "Except as"

Page 2, line 4, strike "provided in this subdivision," and insert "(a)"

Page 2, line 6, strike "30" and insert "25"

Page 2, after line 9, insert:

"(b) A person age 12 or older and younger than age 18 may not operate or be allowed to operate a motorboat propelled by a motor with a factory rating of more than 75 horsepower unless:

(1) the operator possesses a valid watercraft operator's permit from this state or from the operator's state of residence; and

(2) there is present in the motorboat, in addition to the operator, the operator's parent or legal guardian or a person age 18 or older who is within immediate reach of the controls of the motor. For purposes of section 86B.331, the parent, guardian, or person age 18 or older, as well as the actual operator, is in physical control of the motorboat."

Mr. Merriam moved to amend the Marty amendment to H.F. No. 2834 as follows:

Page 1, line 16, delete "the operator's parent or legal guardian or"

Page 1, line 17, delete "age 18 or" and insert "at least ten years" and after "older" insert "than the operator"

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

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

The roll was called, and there were yeas 6 and nays 57, as follows:

Those who voted in the affirmative were:

Berglin	Marty	Merriam	Piper	Ranum
Flynn				

Those who voted in the negative were:

Anderson	Hottinger	Kroening	Neuville	Sams
Beckman	Janezich	Laidig	Novak	Samuelson
Belanger	Johnson, D.E.	Langseth	Olson	Scheevel
Berg	Johnson, D.J.	Larson	Ourada	Solon
Betzold	Johnson, J.B.	Lesewski	Pappas	Spear
Chandler	Johnston	Lessard	Pariseau	Stevens
Cohen	Kelly	Limmer	Pogemiller	Terwilliger
Day	Kiscaden	Metzen	Price	Vickerman
Dille	Kleis	Moe, R.D.	Reichgott Junge	Wiener
Fischbach	Knutson	Mondale	Riveness	
Frederickson	Kramer	Morse	Robertson	
Hanson	Krentz	Murphy	Runbeck	

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

Ms. Johnson, J.B. moved to amend H.F. No. 2834, the unofficial engrossment, as follows:

Page 1, line 17, strike "30" and insert "25"

Page 2, line 6, strike "30" and insert "25"

The motion prevailed. So the amendment was adopted.

H.F. No. 2834 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 58 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Kroening	Murphy	Riveness
Beckman	Janezich	Laidig	Neuville	Robertson
Belanger	Johnson, D.E.	Langseth	Novak	Runbeck
Berglin	Johnson, D.J.	Larson	Olson	Sams
Betzold	Johnson, J.B.	Lesewski	Ourada	Samuelson
Chandler	Johnston	Limmer	Pappas	Solon
Cohen	Kelly	Marty	Pariseau	Spear
Day	Kiscaden	Merriam	Piper	Terwilliger
Fischbach	Kleis	Metzen	Pogemiller	Vickerman
Flynn	Knutson	Moe, R.D.	Price	Wiener
Frederickson	Kramer	Mondale	Ranum	
Hanson	Krentz	Morse	Reichgott Junge	

Those who voted in the negative were:

Berg	Dille	Lessard	Scheevel	Stevens
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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 S.F. No. 1111 a Special Order to be heard immediately.

**SPECIAL ORDER**

**S.F. No. 1111:** A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; affirming the right of citizens to hunt or take game and fish.

Mr. Lessard moved to amend S.F. No. 1111 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CONSTITUTIONAL AMENDMENT PROPOSED.]

An amendment to the Minnesota Constitution, article 1, by adding a section, is proposed to the people. If the amendment is adopted, the section will read as follows:

Sec. 18. The citizens have a right to fish, hunt, and take game in a safe, sustained-yield manner, subject only to reasonable restrictions related to harvest, licensure, seasons, limits, and methods, times, and locations of taking, as prescribed by law.

Sec. 2. [SUBMISSION TO VOTERS.]

The proposed amendment must be submitted to the people at the 1996 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to affirm the right of citizens to fish, hunt, and take game in a safe, sustained-yield manner, subject only to reasonable restrictions related to harvest, licensure, seasons, limits, and methods, times, and locations of taking, as prescribed by law?"

Yes.....  
No....." "

Delete the title and insert:

"A bill for an act proposing an amendment to the Minnesota Constitution, article 1, by adding a section; affirming the right of citizens to hunt or take game and fish."

**CALL OF THE SENATE**

Mr. Lessard imposed a call of the Senate for the balance of the proceedings on S.F. No. 1111. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Beckman	Hanson	Krentz	Mondale	Ranum
Belanger	Hottinger	Kroening	Morse	Riveness
Berg	Janezich	Laidig	Murphy	Robertson
Berglin	Johnson, D.E.	Langseth	Neuville	Runbeck
Betzold	Johnson, D.J.	Larson	Novak	Sams
Chandler	Johnson, J.B.	Lesewski	Oliver	Samuelson
Cohen	Johnston	Lessard	Olson	Scheevel
Day	Kelly	Limmer	Ourada	Solon
Dille	Kiscaden	Marty	Pariseau	Spear
Fischbach	Kleis	Merriam	Piper	Stevens
Flynn	Knutson	Metzen	Pogemiller	Terwilliger
Frederickson	Kramer	Moe, R.D.	Price	Vickerman

Mses. Anderson and Pappas voted in the negative.

The motion prevailed. So the amendment was adopted.

S.F. No. 1111 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.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 52 and nays 12, as follows:

Those who voted in the affirmative were:

Beckman	Johnson, D.E.	Larson	Novak	Samuelson
Belanger	Johnson, D.J.	Lesewski	Oliver	Scheevel
Berg	Johnson, J.B.	Lessard	Olson	Solon
Chandler	Johnston	Limmer	Ourada	Stevens
Day	Kiscaden	Merriam	Pariseau	Stumpf
Dille	Kleis	Metzen	Pogemiller	Terwilliger
Fischbach	Knutson	Moe, R.D.	Price	Vickerman
Frederickson	Kramer	Mondale	Riveness	Wiener
Hanson	Krentz	Morse	Robertson	
Hottinger	Laidig	Murphy	Runbeck	
Janezich	Langseth	Neuville	Sams	

Those who voted in the negative were:

Anderson	Cohen	Kroening	Pappas	Ranum
Berglin	Flynn	Marty	Piper	Spear
Betzold	Kelly			

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. 2205 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2205:** A bill for an act relating to motor fuels; providing certain exemptions to the mandate for oxygenated gasoline; amending Minnesota Statutes 1994, sections 239.05, by adding subdivisions; and 239.791, subdivision 1, and by adding subdivisions.

Mr. Kelly moved to amend H.F. No. 2205, as amended pursuant to Rule 49, adopted by the Senate March 4, 1996, as follows:

(The text of the amended House File is identical to S.F. No. 2040.)

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 1a. [AIRPORT.] "Airport" has the meaning given it in section 360.013, subdivision 5.

Sec. 2. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 6d. [COLLECTOR VEHICLE.] "Collector vehicle" means a motor vehicle for which the commissioner of public safety has issued a pioneer license, classic car license, collector license, or street rod license under section 168.10, or a motor vehicle registered as a collector vehicle in another state.

Sec. 3. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 8f. [MARINA.] "Marina" has the meaning given it in section 86A.20, subdivision 5.

Sec. 4. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 8g. [MOORING FACILITY.] "Mooring facility" has the meaning given it in section 86A.20, subdivision 3.

Sec. 5. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 9a. [MOTORCYCLE.] "Motorcycle" has the meaning given it in section 168.011, subdivision 26.

Sec. 6. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 13b. [RESORT.] "Resort" has the meaning given it in section 157.15, subdivision 11.

Sec. 7. Minnesota Statutes 1994, section 239.05, is amended by adding a subdivision to read:

Subd. 15a. [SNOWMOBILE.] "Snowmobile" has the meaning given it in section 84.81, subdivision 3.

Sec. 8. Minnesota Statutes 1994, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM OXYGEN CONTENT REQUIRED.] Except as provided in subdivisions 10 to 12, a person responsible for the product shall comply with the following requirements:

(a) ~~After October 1, 1993, gasoline sold or offered for sale in a carbon monoxide control area, and during a carbon monoxide control period, must contain at least 2.7 percent oxygen by weight.~~

(b) After October 1, 1995, gasoline sold or offered for sale at any time in a carbon monoxide control area must contain at least 2.7 percent oxygen by weight.

(c) (b) After October 1, 1997, all gasoline sold or offered for sale in Minnesota must contain at least 2.7 percent oxygen by weight.

Sec. 9. Minnesota Statutes 1994, section 239.791, is amended by adding a subdivision to read:

Subd. 10. [EXEMPTION FOR AIRPORTS, MARINAS, MOORING FACILITIES, AND RESORTS.] A person responsible for the product may offer for sale, sell, or dispense at an airport, marina, mooring facility, or resort, for use in airplanes or for purposes listed under subdivision 12, paragraph (a), gasoline that is not oxygenated in accordance with subdivision 1 if the gasoline is unleaded premium grade as defined in section 239.751, subdivision 4.

Sec. 10. Minnesota Statutes 1994, section 239.791, is amended by adding a subdivision to read:

Subd. 11. [EXEMPTION FOR MOTOR SPORTS RACING.] A person responsible for the product may offer for sale, sell, or dispense at a public or private racecourse, gasoline that is not oxygenated in accordance with subdivision 1 if the gasoline is intended to be used exclusively as a fuel for off-highway motor sports racing events.

Sec. 11. Minnesota Statutes 1994, section 239.791, is amended by adding a subdivision to read:

Subd. 12. [EXEMPTION FOR COLLECTOR VEHICLES AND OFF-ROAD USE.] (a) Except during a carbon monoxide control period in a carbon monoxide control area, a person responsible for the product may offer for sale, sell, or dispense at a retail gasoline station for use in collector vehicles or vehicles eligible to be licensed as collector vehicles, off-road vehicles, motorcycles, boats, snowmobiles, or small engines, gasoline that is not oxygenated in accordance with subdivision 1 if the person meets the conditions in paragraphs (b) to (d). If the nonoxygenated gasoline is for use in a small engine, it must be dispensed into a can with a capacity of six or fewer gallons.

(b) The nonoxygenated gasoline must be unleaded premium grade as defined in section 239.751, subdivision 4.

(c) No more than one storage tank on the premises of the retail gasoline station may be used for storage of the nonoxygenated gasoline offered for sale, sold, or dispensed by the station.

(d) The pump stands must be posted with a permanent notice stating: "NONOXYGENATED GASOLINE. FOR USE IN COLLECTOR VEHICLES OR VEHICLES ELIGIBLE TO BE



LICENSED AS COLLECTOR VEHICLES, OFF-ROAD VEHICLES, MOTORCYCLES, BOATS, SNOWMOBILES, OR SMALL ENGINES ONLY."

Sec. 12. Minnesota Statutes 1994, section 239.80, subdivision 2, is amended to read:

Subd. 2. [PENALTY.] A person who fails to comply with any provision of section 239.10; 239.101, subdivision 3; 239.761; 239.79; 239.791, subdivisions 1 to 11; or 239.792, is guilty of a misdemeanor.

Sec. 13. Minnesota Statutes 1994, section 239.80, is amended by adding a subdivision to read:

Subd. 3. [NONOXYGENATED GASOLINE PENALTY.] A person who fails to comply with section 239.791, subdivision 12, paragraph (b), (c), or (d), is guilty of a misdemeanor.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 13 are effective the day following final enactment."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2205 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 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kramer	Mondale	Ranum
Belanger	Hanson	Krentz	Morse	Riveness
Berg	Hottinger	Kroening	Murphy	Sams
Berglin	Janezich	Laidig	Novak	Samuelson
Betzold	Johnson, D.E.	Langseth	Oliver	Scheevel
Chandler	Johnson, D.J.	Larson	Olson	Solon
Cohen	Johnson, J.B.	Lesewski	Pappas	Spear
Day	Kelly	Marty	Pariseau	Stevens
Dille	Kiscaden	Merriam	Piper	Stumpf
Fischbach	Kleis	Metzen	Pogemiller	Terwilliger
Flynn	Knutson	Moe, R.D.	Price	Wiener

Those who voted in the negative were:

Johnston	Limmer	Robertson	Runbeck	Vickerman
Lessard				

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. 2115 a Special Order to be heard immediately.

### **SPECIAL ORDER**

**H.F. No. 2115:** A bill for an act relating to agriculture; adjusting certain net worth definitions for certain rural finance agency programs; amending Minnesota Statutes 1994, section 41C.02, subdivision 12.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kramer	Metzen	Riveness
Beckman	Hanson	Krentz	Moe, R.D.	Robertson
Belanger	Hottinger	Kroening	Morse	Runbeck
Berg	Janezich	Laidig	Novak	Sams
Berglin	Johnson, D.E.	Langseth	Oliver	Scheevel
Betzold	Johnson, D.J.	Larson	Olson	Solon
Cohen	Johnson, J.B.	Lesewski	Ourada	Stevens
Day	Johnston	Lessard	Pariseau	Stumpf
Dille	Kiscaden	Limmer	Pogemiller	Terwilliger
Fischbach	Kleis	Marty	Price	Vickerman
Flynn	Knutson	Merriam	Ranum	Wiener

So the bill 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. 2340 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2340:** A bill for an act relating to health professions; providing for the registration of speech-language pathologists and audiologists by the department of health; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Rules, parts 4750.0010; 4750.0020; 4750.0030; 4750.0040; 4750.0050; 4750.0060; 4750.0070; 4750.0080; 4750.0090; 4750.0100; 4750.0200; 4750.0300; 4750.0400; 4750.0500; 4750.0600; and 4750.0700.

Ms. Runbeck moved to amend H.F. No. 2340 as follows:

Page 22, line 36, after "a" insert "signed" and delete "oral or" and insert "signed"

Page 23, line 2, delete from "The" through page 23, line 4, to "complaint."

The motion prevailed. So the amendment was adopted.

H.F. No. 2340 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kleis	Mondale	Robertson
Beckman	Frederickson	Knutson	Morse	Sams
Berglin	Hanson	Krentz	Murphy	Samuelson
Betzold	Hottinger	Langseth	Novak	Vickerman
Chandler	Janezich	Lesewski	Pogemiller	
Day	Johnson, D.E.	Lessard	Price	
Dille	Johnson, D.J.	Metzen	Ranum	
Fischbach	Johnson, J.B.	Moe, R.D.	Riveness	

Those who voted in the negative were:

Belanger	Kiscaden	Limmer	Pariseau	Stevens
Berg	Kramer	Merriam	Runbeck	
Johnston	Kroening	Oliver	Scheevel	

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

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Cohen moved that the following members be excused for a Conference Committee on H.F. No. 1996 at 1:30 p.m.:

Messrs. Cohen, Kelly and Ms. Robertson. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2503 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2503:** A bill for an act relating to exotic species; recodifying, modifying, and expanding provisions relating to regulation and management of harmful exotic species; authorizing rulemaking; providing penalties; amending Minnesota Statutes 1994, sections 97A.105, subdivision 1; 97A.211, subdivisions 1 and 2; Minnesota Statutes 1995 Supplement, sections 84.027, subdivision 13; 97A.205; and 97A.221, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 84D; repealing Minnesota Statutes 1994, sections 84.966; 84.967; 84.968, subdivision 2; 84.969; 84.9692, subdivisions 3, 4, 5, and 6; and 103G.617; Minnesota Statutes 1995 Supplement, sections 18.316; 18.317; 84.968, subdivision 1; 84.9691; 84.9692, subdivisions 1, 1a, and 2; and 86B.401, subdivision 11.

Mr. Price moved to amend S.F. No. 2503 as follows:

Page 2, lines 11 and 17, delete "in rules adopted"

Page 2, line 12, delete "section" and insert "sections 84D.03, subdivision 1, and"

Page 2, line 18, delete "section" and insert "sections 84D.03, subdivision 2, and"

Page 2, lines 27 and 33, delete "an" and insert "a harmful"

Page 9, line 4, delete "(2)" and insert "(1)"

Page 10, line 28, delete "that"

Page 10, line 29, delete "are not infested waters" and before the period, insert "if the water has not been designated by the commissioner as being infested with that species"

Page 11, line 26, delete "prohibited" and insert "harmful"

Page 11, line 27, after the semicolon, insert "and"

Page 11, line 28, delete everything after "(2)"

Page 11, delete lines 29 to 31

Page 11, line 32, delete everything before "regulating" and after "appropriation" insert ", use,"

Page 13, line 16, delete "identified" and insert "designated"

Page 18, line 31, after the period, insert "In Minnesota Rules, the revisor of statutes shall change the term 'undesirable exotic species' to 'prohibited exotic species' and the term 'ecologically harmful exotic species' to 'harmful exotic species.'""

The motion prevailed. So the amendment was adopted.

S.F. No. 2503 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson  
Beckman  
Belanger  
Berg

Berglin  
Betzold  
Chandler  
Day

Dille  
Fischbach  
Flynn  
Frederickson

Hanson  
Hottinger  
Johnson, D.E.  
Johnson, D.J.

Johnson, J.B.  
Johnston  
Kiscaden  
Kleis

Knutson  
Krentz  
Kroening  
Laidig  
Langseth  
Larson  
Lesewski

Lessard  
Limmer  
Marty  
Merriam  
Metzen  
Moe, R.D.  
Mondale

Murphy  
Neuville  
Novak  
Oliver  
Ourada  
Pariseau  
Piper

Pogemiller  
Price  
Ranum  
Riveness  
Runbeck  
Sams  
Samuelson

Scheevel  
Spear  
Stevens  
Terwilliger  
Wiener

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 S.F. No. 2874 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2874:** A bill for an act relating to settlements; authorizing settlement of a lawsuit for age discrimination; implementing a settlement with extended employment program services providers; transferring appropriations; appropriating money.

Mr. Morse moved to amend S.F. No. 2874 as follows:

Page 1, after line 21, insert:

"Subdivision 1. [PURPOSE.] The purpose of this section is to implement a settlement agreement between the department of economic security, rehabilitation services branch, and certain providers of extended employment program services. Implementation of the agreement will resolve disputed audits for fiscal years 1991, 1992, and 1993, those audits having recently been completed by the department of economic security pursuant to a schedule set out in Laws 1995, chapter 224. Settlement of the fiscal years 1991 to 1993 audits, in conjunction with implementation of an audit procedure to expedite the completion of audits for fiscal years 1994 and 1995 as provided for in this act, will resolve all disputed audits, and necessary reconciliations, by June 30, 1997.

Subd. 2. [INDEPENDENT AUDITS AUTHORIZED.] Extended employment service providers must secure an independent outside audit for fiscal years 1994 and 1995 using audit standards provided by the rehabilitation services branch of the department of economic security and submit the reports of the audits to the rehabilitation services branch by May 1, 1996.

Subd. 3. [DEADLINE FOR ISSUING 1994 AND 1995 RECONCILIATION.] Ninety days after the receipt of all the audit reports for fiscal years 1994 and 1995, the rehabilitation services branch shall issue a notice of reconciliation to each extended employment service provider for each of the fiscal years.

Subd. 4. [RECONCILIATION COMPLETION.] Any funds paid to or among extended employment service providers as a result of fiscal years 1994 and 1995 reconciliation and completion of appeals for 1991, 1992, and 1993, must take place by June 30, 1997, or at the completion of all appeals, whichever is later."

Page 1, line 22, before "\$725,000" insert "Subd. 5. [APPROPRIATION.]"

The motion prevailed. So the amendment was adopted.

S.F. No. 2874 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson  
Beckman  
Belanger

Berg  
Berglin  
Betzold

Day  
Dille  
Fischbach

Flynn  
Hanson  
Johnson, D.E.

Johnson, J.B.  
Johnston  
Kiscaden

Kleis	Lesewski	Murphy	Piper	Samuelson
Knutson	Limmer	Neuville	Pogemiller	Scheevel
Krentz	Marty	Novak	Price	Spear
Kroening	Merriam	Oliver	Ranum	Stevens
Laidig	Metzen	Ourada	Riveness	Terwilliger
Langseth	Moe, R.D.	Pappas	Runbeck	Wiener
Larson	Morse	Pariseau	Sams	

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. 2519 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2519:** A bill for an act relating to the environment; increasing the amount of reimbursement available for cleanup of petroleum releases by certain responsible persons; amending Minnesota Statutes 1995 Supplement, section 115C.09, subdivision 3.

Mrs. Pariseau moved to amend H.F. No. 2519, the unofficial engrossment, as follows:

Page 5, line 32, before "The" insert "(a)" and delete "conduct" and insert "contract for"

Page 5, line 34, delete "conduct" and insert "contract for"

Page 5, line 35, after the period, insert:

"(b) A responsible person may request a performance audit under this section. If the board denies the request, it must provide the requester with the reasons for the denial.

(c)"

The motion prevailed. So the amendment was adopted.

H.F. No. 2519 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Neuville	Riveness
Beckman	Johnson, D.E.	Larson	Novak	Runbeck
Belanger	Johnson, D.J.	Lesewski	Oliver	Sams
Berg	Johnson, J.B.	Lessard	Olson	Scheevel
Berglin	Johnston	Limmer	Ourada	Spear
Betzold	Kiscaden	Marty	Pappas	Stevens
Day	Kleis	Merriam	Pariseau	Terwilliger
Fischbach	Knutson	Metzen	Piper	Vickerman
Flynn	Kramer	Moe, R.D.	Pogemiller	Wiener
Frederickson	Krentz	Morse	Price	
Hanson	Laidig	Murphy	Ranum	

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 S.F. No. 1873 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 1873:** A bill for an act relating to health; expanding eligibility for the MinnesotaCare program; appropriating money; amending Minnesota Statutes 1995 Supplement, section 256.9354, subdivision 5.

Ms. Berglin moved to amend S.F. No. 1873 as follows:

Page 2, after line 19, insert:

"(a) \$5,000,000 is appropriated for fiscal year 1997 from the health care access fund to the commissioner of health for grants to teaching institutions or consortia directly involved in an accredited medical education training program for family practitioners, pediatricians, dentists, advanced practice nurses, or physician assistants. The commissioner shall give priority in distributing these funds to rural and underserved urban training sites."

Page 2, line 20, before "The" insert "(b)"

### CALL OF THE SENATE

Ms. Berglin imposed a call of the Senate for the balance of the proceedings on S.F. No. 1873. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Pappas	Robertson
Berglin	Janezich	Moe, R.D.	Piper	Solon
Betzold	Johnson, J.B.	Mondale	Pogemiller	Terwilliger
Chandler	Kiscaden	Morse	Ranum	Wiener
Cohen	Krentz	Novak	Reichgott Junge	
Flynn	Marty	Oliver	Riveness	

Those who voted in the negative were:

Beckman	Johnson, D.E.	Laidig	Murphy	Sams
Belanger	Johnson, D.J.	Langseth	Neuville	Samuelson
Berg	Johnston	Larson	Olson	Scheevel
Day	Kleis	Lesewski	Ourada	Spear
Fischbach	Knutson	Lessard	Pariseau	Stevens
Frederickson	Kramer	Limmer	Price	Vickerman
Hanson	Kroening	Merriam	Runbeck	

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

Mr. Kramer moved to amend S.F. No. 1873 as follows:

Page 1, line 17, reinstate the stricken "may" and delete "shall"

Page 1, lines 22 to 25, delete the new language and reinstate the stricken language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 30, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Kramer	Merriam	Runbeck
Berg	Johnson, D.J.	Laidig	Neuville	Sams
Day	Johnston	Larson	Oliver	Samuelson
Fischbach	Kiscaden	Lesewski	Olson	Scheevel
Frederickson	Kleis	Lessard	Ourada	Stevens
Hanson	Knutson	Limmer	Pariseau	Terwilliger

Those who voted in the negative were:

Anderson	Chandler	Janezich	Marty	Morse
Beckman	Cohen	Johnson, J.B.	Metzen	Murphy
Berglin	Flynn	Krentz	Moe, R.D.	Novak
Betzold	Hottinger	Kroening	Mondale	Pappas

Piper  
Pogemiller

Price  
Ranum

Reichgott Junge  
Riveness

Robertson  
Spear

Vickerman  
Wiener

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

Mr. Stevens moved to amend S.F. No. 1873 as follows:

Page 2, after line 18, insert:

"Sec. 2. [DATA COLLECTION PLAN.]

By November 15, 1996, the commissioner of health shall submit a plan to the legislature to collect data for an epidemiological study of breast cancer. The plan shall include methods to collect data regarding the correlation between breast cancer and such factors as age, race, medical procedures, diet, and genetics."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Berglin moved that S.F. No. 1873 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 2149 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2149:** A bill for an act relating to state government; providing for a representative of organized labor on the pollution control agency board; amending Minnesota Statutes 1995 Supplement, section 116.02, subdivision 1.

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 50 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kroening	Murphy	Riveness
Beckman	Hanson	Laidig	Neuville	Robertson
Belanger	Hottinger	Langseth	Novak	Runbeck
Berglin	Janezich	Lesewski	Ourada	Sams
Betzold	Johnson, D.E.	Marty	Pappas	Samuelson
Chandler	Johnson, D.J.	Merriam	Piper	Solon
Cohen	Kleis	Metzen	Pogemiller	Spear
Day	Knutson	Moe, R.D.	Price	Terwilliger
Fischbach	Kramer	Mondale	Ranum	Vickerman
Flynn	Krentz	Morse	Reichgott Junge	Wiener

Those who voted in the negative were:

Berg	Larson	Oliver	Pariseau	Stevens
Johnston	Limmer	Olson	Scheevel	

So the bill 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. 2402 a Special Order to be heard immediately.

**SPECIAL ORDER**

**H.F. No. 2402:** A bill for an act relating to motor vehicles; abolishing vehicle registration tax exemption for representatives of foreign powers; allowing special license plates for certain persons to be issued to owner of certain trucks; removing restriction on time to apply for disability plates; changing fee and certain administrative procedures relating to the registration program for fleet vehicles; abolishing requirements to keep records of motor vehicles not using the highways and to prepare certain unnecessary reports; making various technical changes; amending Minnesota Statutes 1994, sections 168.021, subdivision 1; 168.12, subdivisions 2a and 2b; 168.127; 168.325, subdivision 1; 168.33, subdivision 6; and 168.34; Minnesota Statutes 1995 Supplement, sections 168.012, subdivision 1; and 168.10, subdivision 1i; repealing Minnesota Statutes 1994, section 168.33, subdivisions 4 and 5.

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	Hottinger	Larson	Oliver	Sams
Beckman	Janezich	Lesewski	Olson	Samuelson
Belanger	Johnson, D.E.	Lessard	Ourada	Scheevel
Berg	Johnson, D.J.	Limmer	Pappas	Spear
Berglin	Johnson, J.B.	Marty	Pariseau	Stevens
Betzold	Johnston	Merriam	Piper	Stumpf
Chandler	Kleis	Metzen	Pogemiller	Terwilliger
Cohen	Knutson	Moe, R.D.	Price	Vickerman
Day	Kramer	Mondale	Ranum	Wiener
Fischbach	Krentz	Morse	Reichgott Junge	
Flynn	Kroening	Murphy	Riveness	
Frederickson	Laidig	Neuville	Robertson	
Hanson	Langseth	Novak	Runbeck	

So the bill 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. 2112 a Special Order to be heard immediately.

**SPECIAL ORDER**

**H.F. No. 2112:** A bill for an act relating to the environment; authorizing establishment of municipal individual sewage treatment system and contaminated well loan programs; proposing coding for new law in Minnesota Statutes, chapter 115.

Mr. Stumpf moved to amend H.F. No. 2112, the unofficial engrossment, as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1995 Supplement, section 115.56, subdivision 2, is amended to read:

Subd. 2. [LICENSE REQUIRED.] (a) Except as provided in paragraph (b), after March 31, 1996, a person may not design, install, maintain, pump, or inspect an individual sewage treatment system without a license issued by the commissioner.

(b) A license is not required for a person who complies with the applicable requirements if the person is:

(1) a qualified employee of state or local government who has passed the examination described in paragraph (d) or a similar examination;



(2) an individual who constructs an individual sewage treatment system on land that is owned or leased by the individual and functions solely as the individual's dwelling or seasonal dwelling;

(3) a farmer who pumps and disposes of sewage waste from individual sewage treatment systems, holding tanks, and privies on land that is owned or leased by the farmer; or

(4) an individual who performs labor or services for a person licensed under this section in connection with the design, installation, maintenance, pumping, or inspection of an individual sewage treatment system at the direction and under the personal supervision of a person licensed under this section.

A person constructing an individual sewage treatment system under clause (2) must consult with a site evaluator or designer before beginning construction. In addition, the system must be inspected before being covered and a compliance report must be provided to the local unit of government after the inspection.

(c) The commissioner, in conjunction with the University of Minnesota extension service or another higher education institution, shall ensure adequate training exists for individual sewage treatment system professionals.

(d) The commissioner shall conduct examinations to test the knowledge of applicants for licensing and shall issue documentation of licensing.

(e) Licenses may be issued only upon successful completion of the required examination and submission of proof of sufficient experience, proof of general liability insurance, and a corporate surety bond in the amount of at least \$10,000.

(f) Notwithstanding paragraph (e), the examination and proof of experience are not required for an individual sewage treatment system professional who, on the effective date of the rules adopted under subdivision 1, holds a certification attained by examination and experience under a voluntary certification program administered by the agency.

(g) Local units of government may not require additional local licenses for individual sewage treatment system professionals.

(h) A pumper whose annual gross revenue from pumping systems is \$9,000 or less and whose gross revenue from pumping systems during the year ending May 11, 1994, was at least \$1,000 is not subject to training requirements in rules adopted under subdivision 1, except for any training required for initial licensure."

Page 4, after line 7, insert:

"Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective March 31, 1996."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Hanson moved to amend H.F. No. 2112, the unofficial engrossment, as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1994, section 115.56, is amended by adding a subdivision to read:

Subd. 2a. [TEMPORARY LICENSE.] The agency may issue, for a fee of \$100, a temporary license for an activity listed in subdivision 1, paragraph (a), to a person who:

(1) has submitted to the agency proof of sufficient experience, as determined by the agency, in the activity for which the license is sought; and

(2) has completed training under a voluntary certification program administered by the agency. A temporary license issued under this subdivision is effective until August 15, 1996."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2112 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2513 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 2513:** A bill for an act relating to economic development; authorizing port authorities to use certain provisions of the uniform municipal contracting law; amending Minnesota Statutes 1994, section 469.068, 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	Hottinger	Lesewski	Olson	Samuelson
Beckman	Johnson, D.E.	Lessard	Ourada	Scheevel
Belanger	Johnson, D.J.	Limmer	Pappas	Solon
Berg	Johnson, J.B.	Marty	Pariseau	Spear
Berglin	Johnston	Merriam	Piper	Stevens
Betzold	Kiscaden	Metzen	Pogemiller	Stumpf
Chandler	Kleis	Moe, R.D.	Price	Terwilliger
Cohen	Knutson	Mondale	Ranum	Vickerman
Day	Kramer	Morse	Reichgott Junge	Wiener
Fischbach	Krentz	Murphy	Riveness	
Flynn	Kroening	Neuville	Robertson	
Frederickson	Langseth	Novak	Runbeck	
Hanson	Larson	Oliver	Sams	

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. 3249: Messrs. Johnson, D.J.; Hotttinger; Mses. Flynn, Pappas and Mr. Belanger.

H.F. No. 2752: Mr. Price, Ms. Reichgott Junge and Mr. Kelly.

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

**MOTIONS AND RESOLUTIONS - CONTINUED**

Ms. Berglin moved that S.F. No. 1873 be taken from the table. The motion prevailed.

**S.F. No. 1873:** A bill for an act relating to health; expanding eligibility for the MinnesotaCare program; appropriating money; amending Minnesota Statutes 1995 Supplement, section 256.9354, subdivision 5.

Mrs. Pariseau moved to amend S.F. No. 1873 as follows:

Page 2, after line 18, insert:

"Sec. 2. Minnesota Statutes 1995 Supplement, section 295.50, subdivision 4, is amended to read:

Subd. 4. [HEALTH CARE PROVIDER.] (a) "Health care provider" means:

(1) a person furnishing any or all of the following goods or services directly to a patient or consumer: medical, surgical, optical, visual, ~~dental~~, hearing, nursing services, drugs, medical supplies, medical appliances, laboratory, diagnostic or therapeutic services, or any goods and services not listed above that qualify for reimbursement under the medical assistance program provided under chapter 256B. For purposes of this clause, "directly to a patient or consumer" includes goods and services provided in connection with independent medical examinations under section 65B.56 or other examinations for purposes of litigation or insurance claims;

(2) a staff model health plan company; or

(3) an ambulance service required to be licensed.

(b) Health care provider does not include dentists, hospitals, nursing homes licensed under chapter 144A or licensed in any other jurisdiction, pharmacies, surgical centers, bus and taxicab transportation, or any other providers of transportation services other than ambulance services required to be licensed, supervised living facilities for persons with mental retardation or related conditions, licensed under Minnesota Rules, parts 4665.0100 to 4665.9900, residential care homes licensed under chapter 144B, board and lodging establishments providing only custodial services that are licensed under chapter 157 and registered under section 157.031 to provide supportive services or health supervision services, adult foster homes as defined in Minnesota Rules, part 9555.5050, and boarding care homes, as defined in Minnesota Rules, part 4655.0100."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Ms. Berglin questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

### CALL OF THE SENATE

Ms. Berglin imposed a call of the Senate for the balance of the proceedings on S.F. No. 1873. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 1873 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 41 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, D.J.	Lessard	Pappas	Solon
Beckman	Johnson, J.B.	Marty	Piper	Spear
Berglin	Kelly	Metzen	Pogemiller	Terwilliger
Betzold	Kiscaden	Moe, R.D.	Price	Vickerman
Chandler	Krentz	Mondale	Ranum	Wiener
Cohen	Kroening	Morse	Reichgott Junge	
Flynn	Laidig	Murphy	Riveness	
Hottinger	Langseth	Novak	Robertson	
Janezich	Larson	Oliver	Sams	

Those who voted in the negative were:

Belanger	Hanson	Kramer	Olson	Stevens
Berg	Johnson, D.E.	Lesewski	Ourada	
Day	Johnston	Limmer	Pariseau	
Fischbach	Kleis	Merriam	Runbeck	
Frederickson	Knutson	Neuville	Scheevel	

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 2418:** A bill for an act relating to the legislative auditor; requiring procedures for the appointment process; clarifying audit jurisdiction; protecting privacy of certain audit data; clarifying responsible officers to prosecute violations of law and recover public money; granting rights to witnesses in audit investigations; amending Minnesota Statutes 1994, sections 3.97, subdivisions 4, 5, 9, and 11; 3.971; 3.972; 3.974; 3.975; 3.978; 10.48; 37.06; 37.07; 85A.02, subdivision 5c; 192.551; 256E.05, subdivision 3a; 268.12, subdivision 8; 352.03, subdivision 6; 353.03, subdivision 3a; 353A.05, subdivision 1; 354.06, subdivision 2a; 360.015, subdivision 19; and 609.456; Minnesota Statutes 1995 Supplement, section 16B.42, subdivision 1; repealing Minnesota Statutes 1994, sections 3.973; 136A.29, subdivision 19; 256B.04, subdivision 11; 469.207, subdivision 1; 574.02; and 574.03.

Senate File No. 2418 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1996

### CONCURRENCE AND REPASSAGE

Mr. Riveness moved that the Senate concur in the amendments by the House to S.F. No. 2418 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2418 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Neuville	Riveness
Beckman	Hottinger	Langseth	Novak	Runbeck
Belanger	Janezich	Larson	Oliver	Sams
Berg	Johnson, D.E.	Lesewski	Olson	Samuelson
Berglin	Johnson, J.B.	Lessard	Ourada	Solon
Betzold	Kelly	Limmer	Pappas	Spear
Chandler	Kiscaden	Marty	Pariseau	Stevens
Cohen	Kleis	Merriam	Piper	Terwilliger
Day	Knutson	Metzen	Pogemiller	Vickerman
Fischbach	Kramer	Mondale	Price	Wiener
Flynn	Krentz	Morse	Ranum	
Frederickson	Kroening	Murphy	Reichgott Junge	

Mses. Johnston and Robertson voted in the negative.

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 2275:** A bill for an act relating to crime; requiring victim's account of domestic assault or harassment to be considered in determining arrested person's release; requiring notice to certain law enforcement agencies, battered women's programs, and sexual assault programs of release of arrested persons; requiring notice of bail hearings to victims of domestic assault and harassment; amending Minnesota Statutes 1994, section 629.72, by adding a subdivision; Minnesota Statutes 1995 Supplement, section 629.72, subdivisions 2 and 6.

Senate File No. 2275 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Ms. Reichgott Junge moved that S.F. No. 2275 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 2410:** A bill for an act relating to data practices; providing for the classification of and

access to government data; clarifying data provisions; prohibiting agreements limiting the disclosure and discussion of personnel data; requiring notice and approval of employment settlements by the commissioner of employee relations; modifying the requirements for health care provider identification numbers; establishing procedures for disclosing certain nonpublic data to related group purchasers; requiring the office of mental health practice to establish procedures for the exchange of information; authorizing the release of certain birth information on unwed mothers to family service collaboratives; regulating the disclosure of personal information contained in motor vehicle records; regulating certain criminal justice information; amending Minnesota Statutes 1994, sections 13.02, by adding a subdivision; 13.03, subdivision 4; 13.32, subdivision 5; 13.37, by adding a subdivision; 13.43, by adding subdivisions; 13.82, subdivision 13, and by adding a subdivision; 43A.04, by adding a subdivision; 62J.51, by adding subdivisions; 62J.56, subdivision 2; 62J.60, subdivisions 2 and 3; 144.225, subdivision 2, and by adding a subdivision; 145.64, by adding a subdivision; 148B.66, by adding a subdivision; 150A.081; 168.346; 171.12, subdivision 7, and by adding a subdivision; 260.161, subdivisions 1 and 1a; and 299C.095; Minnesota Statutes 1995 Supplement, sections 13.43, subdivision 2; 13.46, subdivision 2; 62J.451, subdivisions 7, 9, and 12; 62J.54, subdivisions 1, 2, and 3; 62J.58; 62Q.03, subdivision 9; 144.335, subdivision 3a; and 268.12, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 13.

Senate File No. 2410 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1996

Ms. Ranum moved that the Senate do not concur in the amendments by the House to S.F. No. 2410, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

### **Mr. Price introduced--**

**S.F. No. 2876:** A bill for an act relating to insurance; requiring infertility treatment coverage; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce and Consumer Protection.

## MEMBERS EXCUSED

Messrs. Chmielewski and Finn were excused from the Session of today. Messrs. Laidig and Riveness were excused from the Session of today from 9:00 to 10:00 a.m. Ms. Ranum was excused from the Session of today from 9:00 to 9:45 a.m. Mr. Kelly was excused from the Session of today from 10:10 to 11:15 a.m. Mr. Samuelson was excused from the Session of today from 9:00 to 10:15 a.m. Mr. Day was excused from the Session of today from 9:00 to 11:30 a.m. Mr. Beckman was excused from the Session of today from 1:15 to 1:30 p.m. Ms. Olson was excused from the Session of today from 1:25 to 1:50 p.m. Mr. Kramer was excused from the Session of today from 1:30 to 1:50 p.m. Ms. Reichgott Junge was excused from the Session of today from 11:45 a.m. to 2:00 p.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 14, 1996. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate





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