

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

NINETY-NINTH DAY

St. Paul, Minnesota, Monday, April 15, 2002

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Betzold 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. Lonnie Titus.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Anderson	Frederickson	Langseth	Orfield	Scheevel
Bachmann	Higgins	Larson	Ourada	Scheid
Belanger	Johnson, Dave	Lesewski	Pariseau	Schwab
Berg	Johnson, Dean	Lessard	Pogemiller	Solon, Y.P.
Berglin	Johnson, Debbie	Limmer	Price	Stumpf
Betzold	Johnson, Doug	Lourey	Reiter	Terwilliger
Chaudhary	Kelley, S.P.	Marty	Rest	Tomassoni
Cohen	Kierlin	Metzen	Ring	Vickerman
Day	Kinkel	Moe, R.D.	Robertson	Wiener
Dille	Kiscaden	Murphy	Robling	Wiger
Fischbach	Kleis	Neuville	Sabo	
Foley	Knutson	Oliver	Sams	
Fowler	Krentz	Olson	Samuelson	

The President declared a quorum present.

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

MEMBERS EXCUSED

Senators Hottinger, Moua, Pappas, Ranum and Stevens were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 10, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2002	Date Filed 2002
3015		331	3:05 p.m. April 10	April 10
	2719	332	3:10 p.m. April 10	April 10

Sincerely,
Mary Kiffmeyer
Secretary of State

April 12, 2002

The Honorable Don Samuelson
President of the Senate

Dear President Samuelson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 3028.

Sincerely,
Jesse Ventura, Governor

April 12, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2002	Date Filed 2002
	1517	333	1:36 p.m. April 12	April 12
3028		334	1:35 p.m. April 12	April 12

Sincerely,
Mary Kiffmeyer
Secretary of State

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. 3431: A bill for an act relating to employment; regulating eligibility for unemployment compensation benefits; providing for a special assessment for interest on federal loans; providing for extended unemployment compensation benefits; providing for unemployment insurance and workforce development fund taxes; providing extended benefits for airline industry, Fingerhut Companies, Inc., Farmland Foods Company, Potlatch Corporation, Harsco, Incorporated, and SPX-DeZurik employees; making housekeeping changes related to the department of trade and economic development; repealing certain authority given to city of Chisago relating to annexation arguments; requiring an OSHA ergonomics standard; prohibiting employers from charging certain expenses to employees; regulating redevelopment grants; allowing foster parents to take certain leaves; providing certain youth employment to construct early childhood program facilities; reinstating a repealed law; providing unemployment benefits to certain employees doing food service contract work for school districts; requiring the public utilities commission to study criteria for certain energy source acquisitions; requiring a study on unemployment trust fund solvency by the unemployment insurance advisory council; regulating use of state dislocated worker program grants; amending Minnesota Statutes 2000, sections 48.24, subdivision 5; 116J.565, subdivision 1; 116J.58, subdivision 1; 116J.9665, subdivisions 1, 4, 6; 116M.14, subdivision 4; 116M.18, subdivisions 2, 3, 4, 4a, 5, 8, by adding a subdivision; 119A.45; 181.9412, by adding a subdivision; 268.035, subdivision 24; 268.051, subdivision 8; 268.085, subdivision 8; 298.22, subdivision 7, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 116L.17, subdivision 5; 268.022, subdivision 1; 268.035, subdivision 4; 268.07, subdivisions 1, 2; Laws 2001, First Special Session chapter 4, article 1, section 2, subdivision 5; Laws 2001, First Special Session chapter 4, article 2, section 31; proposing coding for new law in Minnesota Statutes, chapter 181; repealing Minnesota Statutes 2000, sections 116J.9672; 116J.9673; Laws 2001, First Special Session chapter 5, article 3, section 88.

Senate File No. 3431 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 2002

Senator Anderson moved that the Senate do not concur in the amendments by the House to S.F. No. 3431, 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 to be appointed on the part of the House. The motion prevailed.

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. 2960: A bill for an act relating to employment; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Hackbarth, Holsten and Rukavina.

Senate File No. 2960 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 2002

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3203:

H.F. No. 3203: A bill for an act relating to public safety; modifying vehicle registration provisions; regulating certain motor vehicle dealer transactions; modifying provisions governing road inspections, first hauls, and weight allowances for commercial motor vehicles and requiring a study; allowing certain transactions with department of public safety to be conducted electronically; setting vehicle title fees; modifying bicycle registration provisions; modifying certain traffic regulations; requiring proof of legal presence in this country to obtain driver's license, permit, or identification card; modifying certain license plate display requirements; authorizing special veteran and patriot license plates; modifying commercial driver's license exemption for snowplow drivers; providing for driver's license to be issued to legally emancipated minor; modifying commercial driver's license provisions to conform to federal law; exempting certain funds from matching requirements; authorizing rules; making technical and clarifying changes; amending Minnesota Statutes 2000, sections 168.011, subdivisions 4, 17, 34; 168.013, subdivision 3; 168.09, subdivisions 1, 3; 168.10, subdivision 1c; 168.123, subdivision 2; 168.27, as amended; 168.31, subdivision 4; 168.33, subdivision 6, by adding a subdivision; 168A.01, subdivisions 2, 24, by adding a subdivision; 168A.04, subdivision 5; 168A.05, subdivision 5a; 168A.09, subdivision 1; 168A.11, subdivision 2; 168A.12, subdivisions 1, 2; 168A.154; 168A.18; 168A.19, subdivision 2; 168A.20, subdivisions 2, 3, 4; 168A.24, subdivision 1; 168A.29, subdivision 1; 168C.02, subdivisions 1, 5; 168C.03; 168C.04, subdivision 1; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.11; 168C.12; 168C.13, subdivision 1; 169.06, by adding a subdivision; 169.26, subdivision 1; 169.28, subdivision 1; 169.771, subdivisions 2, 3; 169.85, subdivisions 1, 2; 169.851, subdivision 3; 169.86, subdivision 5; 169.974, subdivision 5; 171.02, subdivisions 1, 5; 171.04, subdivision 1; 171.05, subdivision 2; 171.055, subdivision 1; 171.06, subdivisions 1, 3; 171.07, subdivision 3; 171.13, subdivision 2; 171.165; Minnesota Statutes 2001 Supplement, sections 168.012, subdivision 1; 169.781, subdivision 2; 169.79, subdivisions 3, 8, by adding a subdivision; 171.07, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 168; repealing Minnesota Statutes 2000, sections 115A.908, subdivision 2; 171.30, subdivision 3; Minnesota Statutes 2001 Supplement, section 115A.908, subdivision 1.

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

Kuisle; Clark, J. and Marko have been appointed as such committee on the part of the House.

House File No. 3203 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 April 11, 2002

Senator Moe, R.D., for Senator Murphy, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 3203, 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.

MOTIONS AND RESOLUTIONS

Senator Higgins introduced--

Senate Resolution No. 218: A Senate resolution congratulating the student athletes of North Minneapolis high schools.

Referred to the Committee on Rules and Administration.

Senators Metzen, Larson, Tomassoni, Pogemiller and Moe, R.D. introduced--

Senate Resolution No. 219: A Senate resolution congratulating the University of Minnesota's Gophers hockey team on winning the men's 2002 Frozen Four NCAA Championship.

Referred to the Committee on Rules and Administration.

Senators Larson, Schwab, Stumpf, Metzen and Bachmann introduced--

Senate Resolution No. 220: A Senate resolution honoring Dorothy McIntyre on the occasion of her retirement.

Referred to the Committee on Rules and Administration.

S.F. No. 2909 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 2909

A bill for an act relating to health; permitting a health maintenance organization rural demonstration project; modifying enrollee cost-sharing provisions for health maintenance organizations; amending Minnesota Statutes 2000, sections 62D.02, subdivision 8; 62D.30, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62D.

April 11, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 2909, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 2909 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 62D.30, is amended by adding a subdivision to read:

Subd. 8. [RURAL DEMONSTRATION PROJECT.] (a) The commissioner may permit demonstration projects to allow health maintenance organizations to extend coverage to a health improvement and purchasing coalition located in rural Minnesota, comprised of the health maintenance organization and members from a geographic area. For purposes of this subdivision, rural is defined as greater Minnesota excluding the seven-county metropolitan area of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. The coalition must be designed in such a way that members will:

- (1) become better informed about health care trends and cost increases;
- (2) be actively engaged in the design of health benefit options that will meet the needs of their community;
- (3) pool their insurance risk;
- (4) purchase these products from the health maintenance organization involved in the demonstration project; and

(5) actively participate in health improvement decisions for their community.

(b) The commissioner must consider the following when approving applications for rural demonstration projects:

(1) the extent of consumer involvement in development of the project;

(2) the degree to which the project is likely to reduce the number of uninsured or to maintain existing coverage; and

(3) a plan to evaluate and report to the commissioner and legislature as prescribed by paragraph (e).

(c) For purposes of this subdivision, the commissioner must waive compliance with the following statutes and rules: the cost-sharing restrictions under section 62D.02, subdivision 8, which for purposes of this subdivision is the sum of the annual copayments and deductible which is prohibited from exceeding the maximum out-of-pocket expenses allowable for a number three qualified plan under section 62E.06 or \$5,000 per family and an annual deductible of \$1,000 per person and Minnesota Rules, part 4685.0801, subparts 1 to 7; for a period of at least two years, participation in government programs under section 62D.04, subdivision 5, in the counties of the demonstration project if that compliance would have been required solely due to participation in the demonstration project and shall continue to waive this requirement beyond two years if the enrollment in the demonstration project is less than 10,000 enrollees; small employer marketing under section 62L.05, subdivisions 1 to 3; and small employer geographic premium variations under section 62L.08, subdivision 4. The commissioner shall approve enrollee cost-sharing features desired by the coalition that appropriately share costs between employers, individuals, and the health maintenance organization.

(d) The health maintenance organization may make the starting date of the project contingent upon a minimum number of enrollees as cited in the application, provide for an initial term of contract with the purchasers of a minimum of three years, and impose a reasonable penalty for employers who withdraw early from the project. For purposes of this subdivision, loss ratios are to be determined as if the policies issued under this section are considered individual or small employer policies pursuant to section 62A.021, subdivision 1, paragraph (f). The health maintenance organization may consider businesses of one to be a small employer under section 62L.02, subdivision 26. The health maintenance organization may limit enrollment and establish enrollment criteria for businesses of one. Health improvement and purchasing coalitions under this subdivision are not associations under section 62L.045, subdivision 1, paragraph (a).

(e) The health improvement and purchasing coalition must report to the commissioner and legislature annually on the progress of the demonstration project and, to the extent possible, any significant findings in the criteria listed in clauses (1), (2), and (3) for the final report. The coalition must submit a final report five years from the starting date of the project. The final report must detail significant findings from the project and must include, to the extent available, but should not be limited to, information on the following:

(1) the extent to which the project had an impact on the number of uninsured in the project area;

(2) the effect on health coverage premiums for groups in the project's geographic area, including those purchasing health coverage outside the health improvement and purchasing coalition; and

(3) the degree to which health care consumers were involved in the development and implementation of the demonstration project.

(f) The commissioner must limit the number of demonstration projects under this subdivision to five projects.

(g) Approval of the application for the demonstration project is deemed to be in compliance with sections 62E.03 and 62E.06, subdivisions 1, paragraph (a), 2, and 3.

(h) Subdivisions 2 to 7 apply to demonstration projects under this subdivision. Waivers permitted under subdivision 1 do not apply to demonstration projects under this subdivision.

(i) If a demonstration project under this subdivision works in conjunction with a purchasing alliance formed under chapter 62T, that chapter will apply to the purchasing alliance except to the extent that chapter 62T is inconsistent with this subdivision.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; permitting a health maintenance organization rural demonstration project; amending Minnesota Statutes, section 62D.30, by adding a subdivision."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Dallas C. Sams, Linda Berglin, Sheila M. Kiscaden

House Conferees: (Signed) Maxine Penas, Fran Bradley, Rod Skoe

Senator Sams moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2909 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2909 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fowler	Krentz	Olson	Sams
Bachmann	Frederickson	Langseth	Orfield	Samuelson
Belanger	Higgins	Larson	Ourada	Scheevel
Berg	Johnson, Dave	Lesewski	Pariseau	Scheid
Berglin	Johnson, Dean	Lessard	Pogemiller	Schwab
Betzold	Johnson, Debbie	Limmer	Price	Solon, Y.P.
Chaudhary	Kelley, S.P.	Lourey	Reiter	Stumpf
Cohen	Kierlin	Marty	Rest	Terwilliger
Day	Kinkel	Metzen	Ring	Tomassoni
Dille	Kiscaden	Moe, R.D.	Robertson	Vickerman
Fischbach	Kleis	Murphy	Robling	Wiener
Foley	Knutson	Neuville	Sabo	Wiger

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 2960 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 2960

A bill for an act relating to employment; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; proposing coding for new law in Minnesota Statutes, chapter 181.

April 12, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 2960, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 2960 be further amended as follows:

Page 1, line 14, delete "ten" and insert "20"

Page 1, line 21, delete "40" and insert "20"

Page 2, after line 8, insert:

"Sec. 2. Minnesota Statutes 2000, section 624.20, subdivision 1, is amended to read:

Subdivision 1. (a) As used in sections 624.20 to 624.25, the term "fireworks" means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, Roman candles, daygo bombs, sparklers, or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other device containing any explosive substance and commonly used as fireworks.

(b) The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing 25/100 grains or less of explosive compound are used and toy pistol caps which contain less than 20/100 grains of explosive mixture.

(c) The term also does not include wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical mixture per tube or a total of 200 grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture. This paragraph does not authorize the purchase of items listed in it by persons younger than 18 years of age. The age of a purchaser of items listed in this paragraph must be verified by photographic identification.

Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to public safety; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; modifying the definition of fireworks; amending Minnesota Statutes 2000, section 624.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 181."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Debbie J. Johnson, David J. Tomassoni, James P. Metzen

House Conferees: (Signed) Tom Hackbarth, Mark William Holsten, Tom Rukavina

Senator Johnson, Debbie moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2960 be now adopted, and that the bill be repassed as amended by the Conference Committee.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings on S.F. No. 2960. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Johnson, Debbie motion. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2960 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

Senator Rest moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Doug	Lessard	Olson	Samuelson
Berg	Kiscaden	Limmer	Ourada	Scheevel
Day	Kleis	Metzen	Pariseau	Scheid
Fischbach	Knutson	Murphy	Robertson	Stumpf
Johnson, Dean	Langseth	Neuville	Robling	Tomassoni
Johnson, Debbie	Lesewski	Oliver	Sams	

Those who voted in the negative were:

Anderson	Foley	Kinkel	Pogemiller	Solon, Y.P.
Belanger	Fowler	Krentz	Price	Terwilliger
Berglin	Frederickson	Larson	Reiter	Vickerman
Betzold	Higgins	Lourey	Rest	Wiener
Chaudhary	Johnson, Dave	Marty	Ring	Wiger
Cohen	Kelley, S.P.	Moe, R.D.	Sabo	
Dille	Kierlin	Orfield	Schwab	

So the bill, as amended by the Conference Committee, failed to pass.

RECONSIDERATION

Senator Frederickson moved that the vote whereby S.F. No. 2960 failed to pass the Senate on April 15, 2002, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 38 and nays 23, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, Doug	Lessard	Pariseau	Schwab
Berg	Kierlin	Metzen	Reiter	Solon, Y.P.
Day	Kinkel	Moe, R.D.	Robertson	Stumpf
Dille	Kiscaden	Murphy	Robling	Tomassoni
Fischbach	Kleis	Neuville	Sams	Wiener
Frederickson	Knutson	Oliver	Samuelson	Wiger
Higgins	Langseth	Olson	Scheevel	
Johnson, Debbie	Lesewski	Ourada	Scheid	

Those who voted in the negative were:

Anderson	Cohen	Kelley, S.P.	Orfield	Sabo
Belanger	Foley	Krentz	Pogemiller	Terwilliger
Berglin	Fowler	Larson	Price	Vickerman
Betzold	Johnson, Dave	Lourey	Rest	
Chaudhary	Johnson, Dean	Marty	Ring	

The motion prevailed. So the vote was reconsidered.

RECONSIDERATION

Senator Johnson, Debbie then moved that the vote whereby the Conference Committee Report on S.F. No. 2960 was adopted by the Senate on April 15, 2002, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Senator Johnson, Debbie then moved that S.F. No. 2960 be re-referred to the Conference Committee as formerly constituted for further consideration. The motion prevailed.

RECESS

Senator 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

Senator 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. 3203: Senators Murphy; Johnson, Dave and Ourada.

S.F. No. 3172: Senators Knutson, Neuville and Ranum.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1755 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1755: A bill for an act relating to public employees; establishing a committee to gather information and make recommendations for the design of a school employee health insurance plan.

Senator Stumpf moved to amend S.F. No. 1755 as follows:

Page 2, line 25, after the period, insert "Health insurance providers offering coverage to employees of eligible employers on the effective date of this section shall provide to the committee all data on the employee groups' claims experiences that the committee requires to establish rate structures for a school employee insurance plan."

Page 3, after line 7, insert:

"Sec. 2. [APPROPRIATION.]

\$1,360,000 is appropriated from the general fund to the commissioner of employee relations for purposes of section 1. If a school employee insurance plan is implemented, the rate structure for the plan must include an amount sufficient to enable the plan administrator to repay \$1,360,000 to the general fund within ten years."

Page 3, line 9, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, before the period, insert "; appropriating money"

Senator Stumpf then moved to amend the Stumpf amendment to S.F. No. 1755 as follows:

Page 1, line 15, delete "ten" and insert "five"

The motion prevailed. So the amendment to the amendment was adopted.

Pursuant to Rule 7.7, Senator Robertson raised a point of order as to whether the first Stumpf amendment was in order.

The President ruled the point of order well taken, so the first Stumpf amendment was not in order.

Senator Stumpf moved that S.F. No. 1755 be laid on the table. The motion prevailed.

Senator Stumpf then moved that S.F. No. 1755 be taken from the table. The motion prevailed.

Senator Stumpf then moved that S.F. No. 1755 be stricken and re-referred to the Committee on Finance. The motion prevailed.

RECESS

Senator 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

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

S.F. No. 3431: Senators Anderson; Johnson, Dave; Metzen; Higgins and Frederickson.

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

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 10.00 a.m., Thursday, April 18, 2002. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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Monday, April 15, 2002

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