

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

EIGHTY-FIFTH DAY

St. Paul, Minnesota, Thursday, March 5, 1998

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 Senator Pat Piper.

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

Anderson	Higgins	Laidig	Oliver	Scheevel
Beckman	Hottinger	Langseth	Olson	Scheid
Belanger	Janezich	Larson	Ourada	Solon
Berg	Johnson, D.E.	Lesewski	Pappas	Spear
Berglin	Johnson, D.H.	Lessard	Pariseau	Stevens
Betzold	Johnson, D.J.	Limmer	Piper	Stumpf
Cohen	Johnson, J.B.	Lourey	Pogemiller	Ten Eyck
Day	Junge	Marty	Price	Terwilliger
Dille	Kelley, S.P.	Metzen	Ranum	Vickerman
Fischbach	Kelly, R.C.	Moe, R.D.	Robertson	Wiener
Flynn	Kiscaden	Morse	Robling	Wiger
Foley	Kleis	Murphy	Runbeck	
Frederickson	Knutson	Neuville	Sams	
Hanson	Krentz	Novak	Samuelson	

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 File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3354: A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government; modifying provisions relating to state government operations; modifying budget preparation provisions; providing for reimbursement of the health care access fund; amending Minnesota Statutes 1996, sections 3.3005, by adding a subdivision; 16A.055, subdivision 6; 16A.10, as amended; 16A.11, subdivision 3, and by adding a subdivision; 16A.501; 16A.72; 16B.04, subdivision 4; 16B.30; 17.03, subdivision 11; 43A.04, subdivision 1a; 43A.317, subdivision 8; 45.012; 84.027, subdivision 14; 116.03, subdivision 2a; 116J.011; 144.05, subdivision 2; 174.02, subdivision 1a;

175.001, subdivision 6; 190.09, subdivision 2; 196.05, subdivision 2; 216A.07, subdivision 6; 268.0122, subdivision 6; 270.02, subdivision 3a; 299A.01, subdivision 1a; 352D.12; 363.05, subdivision 3; and 469.177, subdivision 11; Minnesota Statutes 1997 Supplement, sections 16A.11, subdivision 1; 120.0111; 241.01, subdivision 3b; and 245.03, subdivision 2; Laws 1994, chapter 632, article 3, section 12, as amended; Laws 1997 chapter 202, article 1, section 11; and Laws 1997, Second Special Session chapter 2, section 8; proposing coding for new law in Minnesota Statutes, chapters 16B; 214; and 325G; repealing Minnesota Statutes 1996, sections 3.971, subdivision 3; 15.90; 15.91; and 15.92; Minnesota Statutes 1997 Supplement, sections 16A.11, subdivision 3c; and 241.015.

Senate File No. 3354 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 4, 1998

Mr. Price moved that the Senate do not concur in the amendments by the House to S.F. No. 3354, 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 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. 3367: A bill for an act relating to economic development; appropriating money for housing, economic development, and related purposes; establishing pilot projects; providing for a municipal reimbursement; modifying certain loan criteria; requiring studies; establishing a revolving loan fund; requiring the commissioner of labor and industry to provide a brochure; regulating housing; uniform acts; unclaimed property; enacting the Uniform Unclaimed Property Act of 1995; making conforming changes; providing for the Minnesota family assets for independence initiative; amending Minnesota Statutes 1996, sections 16A.45, subdivisions 1 and 4; 80C.03; 116J.415, subdivision 5; 198.231; 276.19, subdivision 4; 308A.711, subdivisions 1 and 2; 356.65, subdivision 2; 462A.222, subdivision 3; 474A.061, subdivision 2a; and 624.68; Minnesota Statutes 1997 Supplement, sections 16A.6701, subdivision 1; 116J.421, subdivision 1, and by adding a subdivision; and 462A.05, subdivision 39; proposing coding for new law in Minnesota Statutes, chapters 116J; 181; 345; and 471; proposing coding for new law as Minnesota Statutes, chapter 119C; repealing Minnesota Statutes 1996, sections 345.31; 345.32; 345.33; 345.34; 345.35; 345.36; 345.37; 345.38; 345.381; 345.39; 345.40; 345.41; 345.42; 345.43; 345.44; 345.45; 345.46; 345.47; 345.485; 345.49; 345.50; 345.51; 345.515; 345.52; 345.525; 345.53; 345.54; 345.55; 345.56; 345.57; 345.58; 345.59; and 345.60; Minnesota Statutes 1997 Supplement, section 345.48.

Senate File No. 3367 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 4, 1998

Mr. Beckman moved that the Senate do not concur in the amendments by the House to S.F. No. 3367, 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.

REPORTS OF COMMITTEES

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

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

H.F. No. 668 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				668	668

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 668 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 668 and insert the language after the enacting clause of S.F. No. 668, the second engrossment; further, delete the title of H.F. No. 668 and insert the title of S.F. No. 668, the second engrossment.

And when so amended H.F. No. 668 will be identical to S.F. No. 668, and further recommends that H.F. No. 668 be given its second reading and substituted for S.F. No. 668, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2500 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2500	2540				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2708 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2708	2414				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2708 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2708 and insert the language after the enacting clause of S.F. No. 2414, the first engrossment; further, delete the title of H.F. No. 2708 and insert the title of S.F. No. 2414, the first engrossment.

And when so amended H.F. No. 2708 will be identical to S.F. No. 2414, and further recommends that H.F. No. 2708 be given its second reading and substituted for S.F. No. 2414, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 668, 2500 and 2708 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Marty moved that his name be stricken as a co-author to S.F. No. 3071. The motion prevailed.

Mr. Kelley, S.P. moved that S.F. No. 2098, No. 18 on General Orders, be stricken and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 3388 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 3388: A bill for an act relating to capital improvements; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 1996, sections 16A.105; 16A.11, subdivision 3a; 17.117, subdivision 3; 85.019, subdivision 4a, and by adding a subdivision; 103F.725, subdivision 1a; 116.16, subdivision 5; 116.182, subdivision 1, and by adding a subdivision; and 446A.072, subdivisions 2, 4, 7, 9, and 12; Minnesota Statutes 1997 Supplement, sections 16A.641, subdivision 4; 84.027, subdivision 15; 116.18, subdivision 3c; and 268.917; Laws 1986, chapter 396, section 2, subdivision 1, as amended; Laws 1990, chapter 610, article 1, section 16, subdivision 4; Laws 1994, chapter 643, sections 2, subdivision 13; 8, subdivision 2; and 15, subdivision 6; Laws 1997, chapter 202, article 1, section 35, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 85; and 116J; repealing Minnesota Statutes 1997 Supplement, section 446A.072, subdivision 4a; Laws 1986, chapter 396, section 2, subdivision 2.

Mr. Langseth moved to amend S.F. No. 3388 as follows:

Page 14, line 3, after the period, insert "This appropriation is from the bond proceeds fund."

The motion prevailed. So the amendment was adopted.

Mr. Langseth then moved to amend S.F. No. 3388 as follows:

Page 62, line 39, strike "\$565,457,000" and insert "\$538,765,000"

The motion prevailed. So the amendment was adopted.

Mr. Morse moved to amend S.F. No. 3388 as follows:

Page 57, line 21, after "or" insert "to reduce a municipality's monthly residential sewer service charge to"

The motion prevailed. So the amendment was adopted.

Mr. Morse then moved to amend S.F. No. 3388 as follows:

Page 15, delete lines 6 to 9

Renumber the subdivisions in sequence

Page 32, line 8, delete "150,000" and insert "250,000"

Correct the section totals and the appropriation summary accordingly

Ms. Robertson requested division as follows:

First portion:

Page 15, delete lines 6 to 9

Renumber the subdivisions in sequence

Correct the section totals and the appropriation summary accordingly

Second portion:

Page 32, line 8, delete "150,000" and insert "250,000"

Correct the section totals and the appropriation summary accordingly

The question was taken on the adoption of the first portion of the amendment.

The roll was called, and there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Langseth	Ourada	Scheevel
Beckman	Higgins	Larson	Pappas	Scheid
Belanger	Hottinger	Lesewski	Pariseau	Solon
Berg	Johnson, D.E.	Lessard	Piper	Spear
Berglin	Johnson, D.H.	Limmer	Pogemiller	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Morse	Robertson	Vickerman
Dille	Kelly, R.C.	Murphy	Robling	Wiener
Fischbach	Kiscaden	Neuville	Runbeck	Wiger
Flynn	Kleis	Oliver	Sams	
Foley	Krentz	Olson	Samuelson	

Those who voted in the negative were:

Frederickson	Knutson	Laidig	Metzen	Stevens
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The motion prevailed. So the first portion of the amendment was adopted.

The question was taken on the adoption of the second portion of the amendment.

The roll was called, and there were yeas 34 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Ourada	Spear
Beckman	Johnson, D.H.	Larson	Piper	Stumpf
Cohen	Johnson, J.B.	Lessard	Pogemiller	Ten Eyck
Foley	Junge	Lourey	Price	Vickerman
Frederickson	Kelley, S.P.	Metzen	Sams	Wiener
Hanson	Kelly, R.C.	Morse	Scheid	Wiger
Higgins	Laidig	Murphy	Solon	

Those who voted in the negative were:

Belanger	Fischbach	Krentz	Olson	Scheevel
Berg	Flynn	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.E.	Limmer	Ranum	Terwilliger
Betzold	Kiscaden	Marty	Robertson	
Day	Kleis	Neuville	Robling	
Dille	Knutson	Oliver	Runbeck	

The motion prevailed. So the second portion of the amendment was adopted.

CALL OF THE SENATE

Mr. Morse imposed a call of the Senate for the balance of the proceedings on S.F. No. 3388. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Neuville moved to amend S.F. No. 3388 as follows:

Page 1, line 29, delete "general" and insert "bond proceeds"

Page 6, line 4, before "One-third" insert "The board of regents shall pay" and after "the" insert "debt service on state bonds sold to finance the"

Page 6, line 11, delete ", is from the bond" and insert a period

Page 6, delete lines 12 to 14

Page 6, line 15, delete "appropriations"

Page 6, line 22, after "by" insert "one-third of"

Page 10, line 35, before "One-third" insert "The board of trustees of the Minnesota state colleges and universities shall pay" and after "the" insert "debt service on state bonds sold to finance the"

Page 10, line 38, delete the comma and insert a period

Page 10, delete lines 39 to 43

Page 10, line 50, after "by" insert "one-third of"

Page 11, line 49, after the period, insert "This appropriation is from the general fund."

Page 13, lines 16 and 31, after the period, insert "This appropriation is from the general fund."

Page 14, lines 3 and 17, after the period, insert "This appropriation is from the general fund."

Page 15, line 9, after "Moines." insert "This appropriation is from the general fund."

Page 18, line 45, after the period, insert "This appropriation is from the general fund."

Page 25, lines 41 and 50, after the period, insert "This appropriation is from the general fund."

Page 26, lines 3 and 44, after the period, insert "This appropriation is from the general fund."

Page 27, line 2, after the period, insert "This appropriation is from the general fund."

Page 28, lines 2, 13, and 26, after the period, insert "This appropriation is from the general fund."

Page 29, lines 37 and 40, after the period, insert "This appropriation is from the general fund."

Page 30, line 1, after the period, insert "This appropriation is from the general fund."

Page 31, line 46, after the period, insert "This appropriation is from the general fund."

Page 32, lines 6, 11, 21, and 25, after the period, insert "This appropriation is from the general fund."

Page 33, line 28, after the period, insert "This appropriation is from the general fund."

Page 34, line 45, after the period, insert "This appropriation is from the general fund."

Page 35, lines 5, 23, and 27, after the period, insert "This appropriation is from the general fund."

Page 36, lines 25, 52, and 59, after the period, insert "This appropriation is from the general fund."

Page 40, line 4, after the period, insert "This appropriation is from the general fund."

Page 40, after line 44, insert:

"Sec. 31. INDIVIDUAL INCOME
TAX REDUCTION ACCOUNT 687,000,000

This appropriation is from the general fund to the commissioner of finance for transfer to the individual income tax reduction account created by section 35."

Page 42, after line 6, insert:

"Sec. 35. [16A.1522] [INDIVIDUAL INCOME TAX REDUCTION ACCOUNT.]

The individual income tax reduction account is established in the general fund. Amounts in the account are available for and may only be used to reduce individual income taxes. The governor shall recommend to the legislature uses of money in the account to reduce individual income taxes. The balance in the account does not cancel and remains in the account until used to reduce individual income taxes. Investment earnings on the account are credited to the account.

Correct the appropriation summary and the bond sale authorization accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 41, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Laidig	Oliver	Robling
Berg	Johnson, D.E.	Larson	Olson	Runbeck
Day	Kiscaden	Lesewski	Ourada	Scheevel
Dille	Kleis	Limmer	Pariseau	Stevens
Fischbach	Knutson	Neuville	Robertson	Terwilliger

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Piper	Stumpf
Beckman	Janezich	Lessard	Pogemiller	Ten Eyck
Berglin	Johnson, D.H.	Lourey	Price	Vickerman
Betzold	Johnson, D.J.	Marty	Ranum	Wiener
Cohen	Johnson, J.B.	Metzen	Sams	Wiger
Flynn	Junge	Moe, R.D.	Samuelson	
Foley	Kelley, S.P.	Morse	Scheid	
Hanson	Kelly, R.C.	Murphy	Solon	
Higgins	Krentz	Pappas	Spear	

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

Mr. Oliver moved to amend S.F. No. 3388 as follows:

Page 39, after line 38, insert:

"Subd. 27. Eastern Carver
Community Collaborative Project 50,000

For a grant to independent school district No. 112, Chaska, as fiscal agent for the eastern Carver community collaborative project for capital project planning."

Correct the section total and the appropriation summary accordingly

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

Mrs. Robling moved to amend S.F. No. 3388 as follows:

Page 38, delete lines 54 to 57

Page 39, delete lines 1 to 3

Page 39, line 4, delete "23" and insert "22"

Page 39, line 11, delete "24" and insert "23"

Page 39, line 23, delete "25" and insert "24"

Page 39, line 33, delete "26" and insert "25"

Correct the section total and the appropriation summary accordingly

The question was taken on the adoption of the amendment.

Mr. Beckman moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Krentz	Morse	Robling
Belanger	Frederickson	Laidig	Neuville	Scheevel
Berg	Johnson, D.E.	Larson	Oliver	Stevens
Betzold	Kiscaden	Lesewski	Olson	Terwilliger
Day	Kleis	Limmer	Pariseau	Wiener
Dille	Knutson	Marty	Robertson	

Those who voted in the negative were:

Beckman	Janezich	Langseth	Pappas	Solon
Cohen	Johnson, D.H.	Lessard	Piper	Spear
Flynn	Johnson, D.J.	Lourey	Pogemiller	Stumpf
Foley	Johnson, J.B.	Metzen	Price	Ten Eyck
Hanson	Junge	Moe, R.D.	Ranum	Vickerman
Higgins	Kelley, S.P.	Murphy	Sams	Wiger
Hottinger	Kelly, R.C.	Novak	Samuelson	

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

Mr. Marty moved to amend S.F. No. 3388 as follows:

Page 30, after line 40, insert:

"This \$46,000,000 appropriation, and the \$10,000,000 appropriation in section 62, may not be used for study, engineering, design, or construction of any transit projects until the metropolitan council first officially adopts findings determining that the mode of transit selected and the corridors selected are the most efficient and cost-effective means to achieve the goals of increasing overall transit ridership in the metropolitan area, reducing highway congestion,

reducing urban sprawl, and providing the fastest, most convenient transportation for transit users. In developing its findings, the council must examine the ability of light rail transit in the Hiawatha Avenue corridor to achieve these goals efficiently and cost-effectively in comparison with results that could be achieved by using this same appropriation with the same federal and local matches for other transit improvements, including construction around the metropolitan area of several exclusive busways; purchase of new, clean-fuel buses; design and construction of safe, comfortable transit stations; and development of other transit amenities to increase ridership and improve service to transit users. After the council has adopted findings required by this paragraph, these appropriations are available for use for transit improvements consistent with the findings of the council. The council shall work aggressively to secure all possible federal and local funds to match this appropriation.

The metropolitan council shall work with federal officials to ensure that federal matching funds are provided in a manner that is flexible and best meets the transit needs of the Twin Cities metropolitan area."

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

Mr. Kelly, R.C. moved to amend S.F. No. 3388 as follows:

Page 34, line 18, delete "1,781,000" and insert "1,731,000"

Page 34, after line 26, insert:

"Subd. 4. Northeast Law Enforcement
Training Center

50,000

For a grant to Ramsey county for the predesign of the northeast law enforcement training center."

Renumber the subdivisions in sequence

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 3388 as follows:

Page 33, line 35, after the period, insert "The living units must be double-bunked."

The motion prevailed. So the amendment was adopted.

Ms. Wiener moved to amend S.F. No. 3388 as follows:

Page 43, line 31, after the period, insert "Unless otherwise specifically provided, the state grant must not be paid out until the commissioner or other official or board to whom the appropriation was made has determined that the necessary additional financing, if any, to complete a fully functional project has been committed from nonstate sources."

The motion prevailed. So the amendment was adopted.

Ms. Kiscaden moved to amend S.F. No. 3388 as follows:

Page 42, after line 6, insert:

"Sec. 34. Minnesota Statutes 1996, section 16A.11, is amended by adding a subdivision to read:

Subd. 6. [BUILDING MAINTENANCE.] The detailed operating budget must include amounts necessary to maintain state buildings. The commissioner of finance, in consultation with the commissioner of administration, appropriate legislative committees, the board of trustees of the Minnesota state colleges and universities, and the regents of the University of Minnesota, shall establish budget guidelines for building maintenance appropriations. The budget documents submitted to the legislature by the commissioner of finance must include budget guidelines for building maintenance appropriations."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Oliver moved to amend S.F. No. 3388 as follows:

Page 4, line 12, delete "1,000,000" and insert "53,600,000"

Page 4, line 13, after "Design" insert ", construct, furnish, and equip"

Page 4, line 14, after the period, insert "This appropriation is from the bond proceeds fund. The board of regents shall pay one-third of the debt service on state bonds sold to finance this appropriation, in the manner provided in subdivision 7. The commissioner of finance shall reduce the board's assessment each year by one-third of the net income from investment of the proceeds of these bonds."

Correct the subdivision and section totals, the appropriation summary, and the bond sale authorization accordingly

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

Mr. Laidig moved to amend S.F. No. 3388 as follows:

Page 33, after line 35, insert:

"Subd. 4. Administrative
Segregation Unit, Lino Lakes

344,000

To construct, furnish, and equip an 80-cell administrative segregation unit to provide more restrictive and staff efficient housing for inmates who are unable to live in the general population. This appropriation is contingent upon \$7,592,000 in federal matching funds."

Renumber the subdivisions in sequence

Correct the section total and the appropriation summary accordingly

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

Mr. Ourada moved to amend S.F. No. 3388 as follows:

Page 25, delete section 14

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

S.F. No. 3388 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 45 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kelly, R.C.	Morse	Scheid
Beckman	Higgins	Krentz	Murphy	Solon
Berg	Hottinger	Laidig	Novak	Spear
Berglin	Janezich	Langseth	Pappas	Stumpf
Betzold	Johnson, D.E.	Larson	Piper	Ten Eyck
Cohen	Johnson, D.H.	Lessard	Pogemiller	Terwilliger
Dille	Johnson, J.B.	Lourey	Price	Vickerman
Flynn	Junge	Metzen	Ranum	Wiener
Foley	Kelley, S.P.	Moe, R.D.	Sams	Wiger

Those who voted in the negative were:

Belanger	Kiscaden	Marty	Pariseau	Scheevel
Day	Kleis	Neuville	Robertson	Stevens
Fischbach	Knutson	Oliver	Robling	
Frederickson	Lesewski	Olson	Runbeck	
Johnson, D.J.	Limmer	Ourada	Samuelson	

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

Mr. Langseth moved that S.F. No. 3388 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 3389. The motion prevailed.

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 3389: A bill for an act relating to game and fish; prohibiting the use of underwater video cameras to take fish; amending Minnesota Statutes 1996, section 97C.325.

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

Page 1, line 15, strike the second "or"

Page 1, line 16, after "fish" insert "; or

(5) underwater video equipment"

Page 1, line 18, after "(a)" insert ", clauses (1) to (4),"

Page 1, line 23, delete everything after "(d)"

Page 1, delete lines 24 and 25

Page 2, delete lines 1 and 2 and insert "The commissioner may issue a permit to allow the use of underwater video equipment to take fish for the production of educational or entertainment programs."

Sec. 2. [UNDERWATER VIDEO EQUIPMENT STUDY.]

The commissioner of natural resources shall, after consultation with the affected parties, make a recommendation to the legislature and the chairs of the senate and house environment and natural resources committees by January 15, 1999, concerning the use of underwater video equipment to take fish."

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

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring the commissioner of natural resources to study the use of underwater video cameras to take fish;"

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

Ms. Berglin from the Committee on Human Resources Finance, to which was re-referred

S.F. No. 2783: A bill for an act relating to health care; providing for assessments of proposed health coverage mandates; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 62J.152, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] The health technology advisory committee established in section 62J.15 shall:

- (1) develop criteria and processes for evaluating health care technology assessments made by other entities;
- (2) conduct evaluations of specific technologies and their specific use and application;
- (3) provide the legislature with scientific evaluations of proposed benefit mandates that utilize health care technologies for a specific use and application;
- (4) report the results of the evaluations to the commissioner and the legislative commission on health care access; ~~and~~
- (5) conduct mandated health benefit proposal assessments as defined in section 62J.153; and
- (6) carry out other duties relating to health technology assigned by the legislature or the legislative commission on health care access.

Sec. 2. Minnesota Statutes 1996, section 62J.152, subdivision 7, is amended to read:

Subd. 7. [DATA GATHERING.] In evaluating a specific technology or conducting a mandated health benefit proposal assessment under section 62J.153, the health technology advisory committee may seek the use of data collected by manufacturers, health plans, professional and trade associations, nonprofit organizations, academic institutions, or any other organization or association that may have data relevant to the committee's technology evaluation. All information obtained under this subdivision shall be considered nonpublic data under section 13.02, subdivision 9, unless the data is already available to the public generally or upon request.

Sec. 3. [62J.153] [ASSESSMENT OF PROPOSED HEALTH COVERAGE MANDATES.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given unless the context otherwise requires:

(1) "mandated health benefit proposal" means a proposal that would statutorily require a health plan to do the following:

(i) provide coverage or increase the amount of coverage for the treatment of a particular disease, condition, or other health care need; or

(ii) provide coverage or increase the amount of coverage of a particular type of health care treatment or service or of equipment, supplies, or drugs used in connection with a health care treatment or service.

"Mandated health benefit proposal" does not include health benefit proposals amending the scope of practice of a licensed health care professional;

(2) "health technology advisory committee" means the advisory committee convened under section 62J.15; and

(3) "health plan" means a health plan as defined in section 62A.011, subdivision 3, but includes coverage listed in clauses (7) and (10), of that definition.

Subd. 2. [HEALTH COVERAGE MANDATE ASSESSMENT PROCESS.] The health technology advisory committee, in consultation with the commissioners of health, commerce, human services, and employee relations, shall establish and administer a process for the review, assessment, and analysis of mandated health benefit proposals. The purpose of the assessment is to provide the legislature with a complete and timely analysis of all ramifications of any mandated health benefit proposal. The assessment must include, in addition to other relevant information, the following:

(1) scientific and medical information on the proposed health benefit, on the potential for harm or benefit to the patient, and on the comparative benefit or harm from alternative forms of treatment; and

(2) public health, economic, and fiscal impact of the proposed mandate on persons receiving health services in Minnesota, on the relative cost effectiveness of the benefit, and on the health care system in general.

The health technology advisory committee shall summarize the nature and quality of available information in these areas, and, if possible, shall provide preliminary information to the public as part of the written public comment process required in subdivision 5. The health technology advisory committee may conduct research into these issues, or may certify existing research as sufficient to meet the informational needs of the legislature.

Subd. 3. [REQUESTS FOR ASSESSMENT.] Whenever a legislative measure containing a mandated health benefit proposal is introduced as a bill or offered as an amendment to a bill or is likely to be introduced or offered as an amendment, the chairs of the standing committees having jurisdiction over the proposal shall request that the health technology advisory committee complete an assessment of the proposal in order to facilitate any committee action by either house of the legislature. If multiple requests are received, the health technology advisory committee shall consult with the chairs of the standing legislative committees having jurisdiction over mandated health benefit proposals to prioritize the requests. The health technology advisory committee shall not be required to direct all of its activities to this type of assessment.

Subd. 4. [ASSESSMENT OF PROPOSED MANDATES; REPORT TO THE LEGISLATURE.] The health technology advisory committee, in consultation with the commissioners of health, commerce, human services, and employee relations shall conduct an assessment of each mandated health benefit proposal selected for assessment and submit a report to the legislature no later than 180 days after the request. The health technology advisory committee shall, in consultation with the chairs of the standing committees having jurisdiction

over the proposal, develop a reporting date for each proposal to be assessed. The health technology advisory committee may seek the assistance and advice of consultants, contractors, researchers, community leaders, or other persons or organizations with relevant expertise. The health technology advisory committee may certify existing research as sufficient to meet the informational needs of the legislature. Prior to completion of an assessment report, the health technology advisory committee must gather the information required under subdivisions 2 and 5.

Subd. 5. [PUBLIC COMMENT.] The health technology advisory committee shall solicit written comments and recommendations on a mandated health benefit proposal from any interested persons and organizations during a 60-day comment period. The health technology advisory committee shall also seek the comments and recommendations of representatives of health care consumers and employers. The health technology advisory committee shall summarize the various comments and recommendations received in its report to the legislature.

Subd. 6. [ADVICE AND RECOMMENDATIONS.] The health technology advisory committee may appoint an ad hoc advisory panel of providers, consumer representatives, health plan companies, medical technology companies, economists, actuaries, and other expert persons to assist the health technology advisory committee in completing a mandate review.

Subd. 7. [REPORT.] The health technology advisory committee shall provide a summary report of all findings and recommendations to the relevant committee chairs and to the author of the proposed benefit mandate."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 1996, section 62J.152, subdivision 7; Minnesota Statutes 1997 Supplement, section 62J.152, subdivision 1;"

Page 1, line 4, delete "62A" and insert "62J"

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

SECOND READING OF SENATE BILLS

S.F. No. 2783 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Kelley, S.P. moved that S.F. No. 1979, No. 11 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Foley moved that S.F. No. 2187, No. 3 on General Orders, be stricken and re-referred to the Committee on Transportation. The motion prevailed.

Mr. Johnson, D.E. moved that S.F. No. 2298, No. 15 on General Orders, be stricken and re-referred to the Committee on Transportation. The motion prevailed.

Mrs. Lourey moved that S.F. No. 3000, No. 39 on General Orders, be stricken and re-referred to the Committee on Health and Family Security. The motion prevailed.

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:

S.F. No. 3345: Messrs. Kelly, R.C.; Spear; Ms. Ranum, Messrs. Neuville and Knutson.

Mr. Moe, R.D. moved that the foregoing appointments be approved. 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. Kelly, R.C.; Ms. Higgins and Mr. Kleis introduced--

S.F. No. 3393: A bill for an act relating to claims; providing for payment of certain claims against the state; authorizing reimbursement of certain costs and fees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on State Government Finance.

MEMBERS EXCUSED

Mr. Johnson, D.J. was excused from the Session of today from 10:40 a.m. to 12:10 p.m. Mr. Ourada was excused from the Session of today from 1:40 to 3:00 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Friday, March 6, 1998. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, March 5, 1998

MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

S.F. Nos.	Message Page	H.F. Nos.	Message Page	1st Reading Page
3354	..... 5819			
3367	..... 5820			

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
2783	..... 5830	5832	668	.....5821	5822
3389	..... 5829		2500	.....5821	5822
			2708	.....5821	5822

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
1979	.....5832		
2098	.....5822		
2187	.....5832		
2298	.....5832		
3000	.....5832		
3071	.....5822		

APPOINTMENTS TO CONFERENCE COMMITTEES

S.F. Nos.	Page	H.F. Nos.	Page
3345	.....5833		

SPECIAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
3388	.....5822		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. No. 3393Page 5833