

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

SIXTH DAY

St. Paul, Minnesota, Thursday, January 21, 1999

The Senate met at 9:00 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, Imam Matthew L. Ramadan.

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

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

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 Berg, Lourey, Neuville and Pappas were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

January 20, 1999

The Honorable Allan H. Spear
President of the Senate

Dear Senator Spear:

As Minority Leader of the Senate, I have made the following appointments and/or reappointments:

Pursuant to Minnesota Statutes 1998

3.97: Legislative Audit Commission - Senators Belanger, Kiscaden, Knutson, Neuville and Robling

Respectfully,
Dick Day
Senate Republican Leader

MOTIONS AND RESOLUTIONS

Senator Betzold moved that the name of Senator Murphy be added as a co-author to S.F. No. 90. The motion prevailed.

Senator Wiger moved that the name of Senator Marty be added as a co-author to S.F. No. 96. The motion prevailed.

Senator Hottinger moved that the names of Senators Ten Eyck and Marty be added as co-authors to S.F. No. 119. The motion prevailed.

Senator Scheevel moved that the name of Senator Kelly, R.C. be added as a co-author to S.F. No. 140. The motion prevailed.

Senator Marty moved that the name of Senator Johnson, D.E. be added as a co-author to S.F. No. 145. The motion prevailed.

Senator Johnson, J.B. moved that the name of Senator Solon be added as a co-author to S.F. No. 151. The motion prevailed.

Senator Cohen moved that the name of Senator Johnson, J.B. be added as a co-author to S.F. No. 158. The motion prevailed.

Senator Cohen moved that the name of Senator Johnson, J.B. be added as a co-author to S.F. No. 159. The motion prevailed.

Senator Metzen moved that the name of Senator Johnson, J.B. be added as a co-author to S.F. No. 167. The motion prevailed.

Senator Scheid moved that the name of Senator Runbeck be added as a co-author to S.F. No. 177. The motion prevailed.

Senator Day moved that the name of Senator Wiger be added as a co-author to S.F. No. 190. The motion prevailed.

Senator Kelly, R.C. moved that the name of Senator Knutson be added as a co-author to S.F. No. 198. The motion prevailed.

Senator Johnson, D.J. moved that the name of Senator Knutson be added as a co-author to S.F. No. 199. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Ourada introduced--

S.F. No. 203: A bill for an act relating to education; providing for a certain debt service levy rate for independent school district No. 728, Elk River.

Referred to the Committee on Children, Families and Learning.

Senator Ourada introduced--

S.F. No. 204: A bill for an act relating to education; providing for a fund transfer for independent school district No. 882, Monticello.

Referred to the Committee on Children, Families and Learning.

Senators Ourada and Stevens introduced--

S.F. No. 205: A bill for an act relating to drainage; allowing transfer of access easements from drainage systems to storm sewer improvement districts; proposing coding for new law in Minnesota Statutes, chapter 103E.

Referred to the Committee on Environment and Natural Resources.

Senators Fischbach, Metzen, Stevens and Kleis introduced--

S.F. No. 206: A bill for an act relating to motor vehicles; allowing surviving spouses to continue to purchase special license plates issued to veterans; amending Minnesota Statutes 1998, section 168.123, by adding a subdivision; and 168.124, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Scheevel, Robling, Fischbach, Larson and Ourada introduced--

S.F. No. 207: A bill for an act relating to health; waiving immediate jeopardy fines imposed by the department of health.

Referred to the Committee on Health and Family Security.

Senator Wiger introduced--

S.F. No. 208: A bill for an act relating to insurance; mandating coverage for cochlear implants; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

Senator Ten Eyck introduced--

S.F. No. 209: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Hubbard county.

Referred to the Committee on Environment and Natural Resources.

Senators Neuville, Fischbach, Robling, Samuelson and Berg introduced--

S.F. No. 210: A bill for an act relating to health; prohibiting partial-birth abortions; providing criminal and civil penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Senators Kiscaden, Sams, Robertson, Solon and Oliver introduced--

S.F. No. 211: A bill for an act relating to taxation; reducing and then repealing MinnesotaCare provider taxes; amending Minnesota Statutes 1998, sections 62J.041, subdivision 1; 62Q.095, subdivision 6; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; 270B.14, subdivision 1; and

295.52, subdivisions 1, 1a, 2, and 3; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

Referred to the Committee on Health and Family Security.

Senators Kiscaden, Ten Eyck, Betzold and Berglin introduced--

S.F. No. 212: A bill for an act relating to government data practices; providing data privacy for certain public utility customer data; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Senators Kiscaden, Ten Eyck, Betzold and Berglin introduced--

S.F. No. 213: A bill for an act relating to health; modifying certain definitions; amending Minnesota Statutes 1998, section 144.335, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Johnson, D.E.; Knutson; Pogemiller; Scheid and Scheevel introduced--

S.F. No. 214: A bill for an act relating to education; authorizing a magnet school for independent school district No. 347, Willmar; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Dille, Metzen, Wiger, Stevens and Johnson, D.E. introduced--

S.F. No. 215: A bill for an act relating to veterans; appropriating money for a national World War II memorial.

Referred to the Committee on Governmental Operations and Veterans.

Senators Runbeck, Belanger, Novak and Oliver introduced--

S.F. No. 216: A bill for an act relating to taxation; income; excluding certain charitable contributions from alternative minimum taxable income; amending Minnesota Statutes 1998, section 290.091, subdivision 2.

Referred to the Committee on Taxes.

Senators Moe, R.D.; Berglin; Kiscaden; Terwilliger and Junge introduced--

S.F. No. 217: A bill for an act relating to health; creating a medical education and research endowment fund, a children's endowment fund, and a tobacco prevention endowment fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 62J; and 144; proposing coding for new law as Minnesota Statutes, chapter 119C.

Referred to the Committee on Health and Family Security.

Senators Solon, Belanger, Novak and Robling introduced--

S.F. No. 218: A bill for an act relating to commerce; regulating the safety of persons on amusement rides; amending Minnesota Statutes 1998, section 184B.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 184B.

Referred to the Committee on Commerce.

Senators Vickerman, Metzen, Murphy, Betzold and Robertson introduced--

S.F. No. 219: A bill for an act relating to veterans; expanding coverage of veterans preference termination rights to state employees; amending Minnesota Statutes 1998, section 197.46.

Referred to the Committee on Governmental Operations and Veterans.

Senators Lessard, Janezich and Johnson, D.J. introduced--

S.F. No. 220: A bill for an act relating to employment; requiring the commissioner of natural resources to maintain a trained force of firefighters; modifying the definition of public employee; amending Minnesota Statutes 1998, sections 88.12, by adding a subdivision; and 179A.03, subdivision 14.

Referred to the Committee on Environment and Natural Resources.

Senator Wiger introduced--

S.F. No. 221: A bill for an act relating to taxes; sales and use tax; reducing the rate; amending Minnesota Statutes 1998, section 297A.02, subdivision 1.

Referred to the Committee on Taxes.

Senator Wiger introduced--

S.F. No. 222: A bill for an act relating to taxation; sales and use; exempting sales to political subdivisions of a state; amending Minnesota Statutes 1998, sections 297A.25, subdivision 11; and 297A.47.

Referred to the Committee on Taxes.

Senators Dille, Scheevel and Berg introduced--

S.F. No. 223: A bill for an act relating to the environment; modifying signature requirements for an environmental assessment worksheet; amending Minnesota Statutes 1998, section 116D.04, subdivision 2a.

Referred to the Committee on Environment and Natural Resources.

Senators Lesewski, Vickerman, Olson, Dille and Stumpf introduced--

S.F. No. 224: A bill for an act relating to the environment; repealing the requirement to obtain a certificate of need for new disposal capacity for mixed municipal solid waste outside the metropolitan area; repealing Minnesota Statutes 1998, section 115A.917.

Referred to the Committee on Environment and Natural Resources.

Senators Moe, R.D.; Johnson, D.E.; Metzen; Wiener and Stevens introduced--

S.F. No. 225: A bill for an act relating to professions; regulating advanced practice registered nursing; amending Minnesota Statutes 1998, sections 62A.15, subdivision 3a; 148.171; 148.191, subdivision 2; 148.235, subdivision 3, and by adding subdivisions; 148.261, subdivisions 1 and 5; 148.262, subdivision 1; 148.263, subdivisions 3 and 4; 148.271; 148.281, subdivision 1; 148.283; 245.462, subdivision 18; 245.4871, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1998, section 148.235, subdivisions 1, 2, 4, 5, and 6.

Referred to the Committee on Health and Family Security.

Senators Murphy; Johnson, D.J.; Lessard and Stumpf introduced--

S.F. No. 226: A bill for an act relating to game and fish; modifying legal firearm requirements for taking big game; amending Minnesota Statutes 1998, section 97B.031, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Vickerman, Morse, Frederickson, Stumpf and Lessard introduced--

S.F. No. 227: A bill for an act relating to appropriations; appropriating money for a grant and a loan to the city of Tracy for a sewer separation project to deal with combined sewer overflow; authorizing state bonds.

Referred to the Committee on Environment and Natural Resources.

Senator Murphy introduced--

S.F. No. 228: A bill for an act relating to education; abolishing the profile of learning; amending Minnesota Statutes 1998, sections 120B.02; 120B.04; 120B.30, subdivision 1; 120B.31, subdivision 4; and 136A.233, subdivision 4; repealing Minnesota Statutes 1998, sections 120B.03; and 120B.05; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469.

Referred to the Committee on Children, Families and Learning.

Senators Stumpf; Sams; Langseth; Moe, R.D. and Beckman introduced--

S.F. No. 229: A resolution memorializing the United States Congress to design and implement timely financial relief for livestock and commodity grain farmers.

Referred to the Committee on Agriculture and Rural Development.

Senators Higgins; Kelley, S.P.; Murphy; Anderson and Belanger introduced--

S.F. No. 230: A bill for an act relating to the metropolitan radio board; changing qualifications for one member; amending Minnesota Statutes 1998, section 473.893, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

Senators Higgins; Kelley, S.P.; Murphy; Anderson and Belanger introduced--

S.F. No. 231: A bill for an act relating to public safety; authorizing grants and loans for public safety radio equipment; authorizing state bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Local and Metropolitan Government.

Senators Ranum; Moe, R.D.; Krentz; Scheid and Knutson introduced--

S.F. No. 232: A bill for an act relating to education; ensuring that all children are able to read by second grade; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Solon, Wiener, Neuville and Knutson introduced--

S.F. No. 233: A bill for an act relating to real property; providing for definite and specific descriptions for certain easements; applying the requirement retroactively to all easements whenever created; amending Minnesota Statutes 1998, section 300.045.

Referred to the Committee on Judiciary.

Senators Higgins, Murphy, Anderson, Belanger and Kelley, S.P. introduced--

S.F. No. 234: A bill for an act relating to the metropolitan radio board; extending the sunset date for the board; amending Laws 1995, chapter 195, article 1, section 18.

Referred to the Committee on Local and Metropolitan Government.

Senator Metzen introduced--

S.F. No. 235: A bill for an act relating to retirement; Minnesota state retirement system general state employees retirement plan; authorizing the purchase of service credit as a department of transportation laborer 1 by certain persons.

Referred to the Committee on Governmental Operations and Veterans.

Senators Johnson, D.H.; Laidig; Knutson; Ranum and Kelly, R.C. introduced--

S.F. No. 236: A bill for an act relating to sheriffs; authorizing sheriffs to expend money from the sheriff's contingent fund for investigating DWI-related violations; amending Minnesota Statutes 1998, section 387.213.

Referred to the Committee on Crime Prevention.

Senators Johnson, D.H.; Kelly, R.C.; Knutson and Ranum introduced--

S.F. No. 237: A bill for an act relating to corrections; clarifying the law authorizing transfer of prisoners between jails and workhouses; amending Minnesota Statutes 1998, section 643.01.

Referred to the Committee on Crime Prevention.

Senators Solon; Murphy; Johnson, D.E.; Belanger and Johnson, D.J. introduced--

S.F. No. 238: A bill for an act relating to taxation; providing for conformity with federal tax treatment of certain S corporations; amending Minnesota Statutes 1998, sections 290.01, subdivisions 19a, 19b, and 19f; 290.06, subdivision 2c; 290.091, subdivisions 2 and 6; and 290.9725.

Referred to the Committee on Taxes.

Senators Sams, Dille, Ten Eyck and Samuelson introduced--

S.F. No. 239: A bill for an act relating to health; providing for an automatic inflation adjustment to the appropriation for the emergency medical services fund; amending Minnesota Statutes 1998, section 144E.50, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Sams, Day, Dille, Ten Eyck and Samuelson introduced--

S.F. No. 240: A bill for an act relating to health; establishing a comprehensive advanced life

support training program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144E.

Referred to the Committee on Health and Family Security.

Senators Sams, Stevens, Ten Eyck and Samuelson introduced--

S.F. No. 241: A bill for an act relating to health; modifying volunteer ambulance attendant provisions; amending Minnesota Statutes 1998, sections 144E.001, by adding a subdivision; and 144E.35, subdivision 2.

Referred to the Committee on Health and Family Security.

Senators Stumpf, Langseth, Sams, Lesewski and Beckman introduced--

S.F. No. 242: A bill for an act relating to agricultural assistance; providing payments to certain farmers and property tax relief to certain livestock producers; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

Senators Cohen, Scheid, Piper, Hanson and Solon introduced--

S.F. No. 243: A bill for an act relating to insurance; health; requiring coverage for eyeglasses and hearing aids; amending Minnesota Statutes 1998, sections 62E.06, subdivision 1; and 62L.05, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce.

Senators Samuelson, Stumpf, Sams, Kleis and Frederickson introduced--

S.F. No. 244: A bill for an act proposing an amendment to the Minnesota Constitution, by adding a section to article XIII; establishing the same constitutional standard for the Minnesota Constitution and the United States Constitution for issues relating to abortion.

Referred to the Committee on Health and Family Security.

Senator Oliver introduced--

S.F. No. 245: A bill for an act relating to motor vehicles; converting to single license plate system for vehicle registration; making technical changes; amending Minnesota Statutes 1998, sections 168.012, subdivision 1c; 168.013, subdivision 3; 168.021; 168.041, subdivision 6; 168.10, subdivisions 1g and 1i; 168.12, subdivision 1; 168.123, subdivisions 1 and 4; 168.125, subdivision 2; 168.1281, subdivision 1; 168.129, subdivision 1; 168.1292, subdivision 1; 168.1296, subdivision 1; and 169.79.

Referred to the Committee on Transportation.

Senators Pappas, Ranum, Junge and Pogemiller introduced--

S.F. No. 246: A bill for an act relating to education; expanding the first-grade preparedness program; appropriating money; amending Minnesota Statutes 1998, section 124D.081, subdivisions 2, 4, 5, 6, and by adding subdivisions; repealing Minnesota Statutes 1998, section 124D.081, subdivisions 1, 3, 7, and 8.

Referred to the Committee on Children, Families and Learning.

Senators Robling, Fischbach, Stevens and Metzen introduced--

S.F. No. 247: A bill for an act relating to taxation; individual income; allowing a subtraction for military pay; amending Minnesota Statutes 1998, section 290.01, subdivision 19b.

Referred to the Committee on Governmental Operations and Veterans.

Senators Fischbach, Vickerman and Scheevel introduced--

S.F. No. 248: A bill for an act relating to natural resources; creating a board of natural resources; transferring certain powers and duties of the commissioner to board of natural resources; amending Minnesota Statutes 1998, sections 84.027, subdivision 2; 84.029, subdivision 2; 84.03; 84.033; 84.035, subdivisions 8 and 10; 84.0895, subdivisions 3 and 7; 84.45; 84.80, subdivision 1; 84.86, subdivision 1; 84.942, subdivisions 2 and 3; 84.944; 84A.55, subdivisions 9 and 11; 84A.56; 85.052, subdivision 1; 86B.205, subdivision 9; 88.09; 89.002; 89.01, subdivision 2; 89.032; 89.19; 90.041, subdivision 2; 92.06, subdivision 4; 92.35; 92.45; 93.47, subdivisions 2 and 3; 97A.055, subdivision 4a; 97A.101, subdivision 2; 97A.141, subdivision 4; 97A.145; 97C.205; 97C.211, subdivision 2; 103B.511, subdivision 1; 103B.531, subdivision 3; 103F.155; 103F.221, subdivision 2; 103F.325, subdivision 4; 103F.335, subdivisions 1 and 2; 103F.601, subdivision 1; 103G.121, subdivision 2; 103G.315, subdivisions 3 and 5; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Senator Berglin introduced--

S.F. No. 249: A bill for an act relating to organizations; regulating certain nonprofit and charitable organizations; defining a nonprofit health care trust; establishing requirements for certain agreements and transactions between nonprofit health care trusts and noncharitable entities; requiring that financial statements of charitable organizations contain certain information; amending Minnesota Statutes 1998, sections 13.99, by adding a subdivision; 309.53, subdivision 3; 317A.141, subdivision 4; and 317A.811, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 501B.

Referred to the Committee on Health and Family Security.

Senators Oliver; Belanger; Johnson, D.H. and Metzen introduced--

S.F. No. 250: A bill for an act relating to taxation; reducing individual income tax rates; amending Minnesota Statutes 1998, sections 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, and 6.

Referred to the Committee on Taxes.

Senator Johnson, D.J. introduced--

S.F. No. 251: A bill for an act relating to transportation; reducing rates of taxation on passenger automobiles; creating a Minnesota transportation trust fund for highways and transit; requiring appropriations for the state patrol to be made from the general fund; proposing an amendment to the Minnesota Constitution, article XIV, to require all proceeds from the motor vehicle sales tax to be deposited in the Minnesota transportation trust fund; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; 297B.09, subdivision 1; 299D.01, by adding a subdivision; and 299D.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

Senator Larson introduced--

S.F. No. 252: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Douglas county.

Referred to the Committee on Environment and Natural Resources.

Senators Moe, R.D.; Junge; Robling; Oliver and Lourey introduced--

S.F. No. 253: A bill for an act relating to health; creating a tobacco prevention board; appropriating money; amending Minnesota Statutes 1998, section 10A.01, subdivision 18; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 10:30 a.m., Monday, January 25, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, January 21, 1999

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 79 to 80

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
90	.....80		
96	.....80		
119	.....80		
140	.....80		
145	.....80		
151	.....80		
158	.....80		
159	.....80		
167	.....80		
177	.....80		
190	.....80		
198	.....80		
199	.....80		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 203 to 253 Pages 80 to 88

