

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

FORTY-FOURTH DAY

St. Paul, Minnesota, Thursday, April 15, 1999

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator 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. Rodney L. Anderson.

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

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

Senator Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 385: A bill for an act relating to the city of Duluth; authorizing the refunding of convention center bonds.

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

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

Senator Novak from the Committee on Jobs, Energy and Community Development, to which was referred

H.F. No. 585: A bill for an act relating to capital investment; reducing an appropriation; making a conforming change; excluding an authorization for certain kitchen facilities; amending a match requirement for the Isle Community Center grant; amending Laws 1998, chapter 404, section 5, subdivision 4.

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

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

MOTIONS AND RESOLUTIONS

Senator Oliver moved that the name of Senator Foley be added as a co-author to S.F. No. 562. The motion prevailed.

Senator Kelly, R.C. moved that the name of Senator Kelley, S.P. be added as a co-author to S.F. No. 971. The motion prevailed.

Senator Johnson, D.H. moved that the name of Senator Limmer be added as a co-author to S.F. No. 1404. The motion prevailed.

Senator Metzen introduced--

Senate Resolution No. 67: A Senate resolution honoring VFW Post 295 for being declared a "100th Anniversary Commemorative Post."

Referred to the Committee on Rules and Administration.

SPECIAL ORDERS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately.

H.F. No. 837, S.F. Nos. 1645, 807, 383 and 148.

SPECIAL ORDER

H.F. No. 837: A bill for an act relating to insurance; regulating insurers, agents, and coverages; modifying reporting requirements; regulating the rehabilitation and liquidation of insurers; modifying certain notice and disclosure provisions; modifying certain definitions; making technical changes; amending Minnesota Statutes 1998, sections 60A.02, subdivision 1a, and by adding a subdivision; 60A.052, subdivision 2, and by adding a subdivision; 60A.06, subdivisions 1 and 2; 60A.075, by adding a subdivision; 60A.092, subdivisions 6 and 11; 60A.10, subdivision 1; 60A.111, subdivision 1; 60A.13, subdivision 1; 60A.16, subdivisions 2, 3, and 4; 60A.19, subdivision 1; 60A.32; 60B.21, subdivision 2; 60B.25; 60B.26, subdivision 1; 60B.39, subdivision 2; 60B.44, subdivisions 4, 6, and by adding subdivisions; 60D.20, subdivision 2; 60K.02, subdivision 1; 60K.03, subdivisions 2 and 3; 60K.19, subdivision 8; 61A.276, subdivision 2; 61A.60, subdivision 1; 61B.19, subdivision 3; 62A.04, subdivision 3; 62A.135, subdivision 5; 62A.50, subdivision 3; 62A.61; 62A.65, subdivision 5; 62B.04, subdivision 2; 62D.12, subdivision 2; 62E.02, subdivision 1; 62E.05, subdivision 1; 62E.09; 62E.13, subdivisions 6 and 8; 62E.14, subdivision 2; 62E.15, subdivision 2; 62I.07, subdivision 1; 62L.02, subdivision 24; 62L.03, subdivision 5; 62L.05, subdivision 5; 62L.14, subdivision 7; 62Q.185; 62S.01, subdivision 14; 62S.05, subdivision 2; 65A.01, subdivision 1; 65A.27, subdivision 4; 65A.29, subdivision 4; 65B.02, subdivision 2; 65B.44, subdivision 1; 65B.48, subdivision 5; 72A.125, subdivision 3; 72A.20, subdivision 29; 72B.04, subdivision 10; 79A.01, subdivision 10, and by adding a subdivision; 79A.02, subdivisions 1 and 4; 79A.03, subdivisions 6, 7, 9, 10, and by adding a

subdivision; 79A.21, subdivision 2; 79A.23, subdivisions 1 and 2; and 256B.0644; proposing coding for new law in Minnesota Statutes, chapter 60B; repealing Minnesota Statutes 1998, sections 60A.11, subdivision 24a; 60B.36; 60B.44, subdivisions 3 and 5; 60K.08; 65A.29, subdivision 12; and 79A.04, subdivision 8; Minnesota Rules, part 2780.0500, item C.

Senator Wiener moved to amend H.F. No. 837, as amended pursuant to Rule 49, adopted by the Senate March 17, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 1205.)

Page 87, line 6, delete "7, 51, 73, 80, and 81" and insert "3, 5 to 8, 10, 11, 17, 20, 22, 24 to 27, 29, 31, 35, 38, 39, 44 to 51, 54, 55, 57 to 59, 62, 64, 65, 67, and 69 to 86"

Page 87, line 14, after the period, insert "Section 32 is effective July 1, 2000."

The motion prevailed. So the amendment was adopted.

Senator Wiener then moved to amend H.F. No. 837, as amended pursuant to Rule 49, adopted by the Senate March 17, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 1205.)

Page 58, after line 12, insert:

"Sec. 57. Minnesota Statutes 1998, section 62Q.30, is amended to read:

62Q.30 [EXPEDITED FACT FINDING AND DISPUTE RESOLUTION PROCESS.]

The commissioner shall establish an expedited fact finding and dispute resolution process to assist enrollees of health plan companies with contested treatment, coverage, and service issues to be in effect July 1, 1999 2001. If the disputed issue relates to whether a service is appropriate and necessary, the commissioner shall issue an order only after consulting with appropriate experts knowledgeable, trained, and practicing in the area in dispute, reviewing pertinent literature, and considering the availability of satisfactory alternatives. The commissioner shall take steps including but not limited to fining, suspending, or revoking the license of a health plan company that is the subject of repeated orders by the commissioner that suggests a pattern of inappropriate underutilization."

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Pursuant to Rule 22, Senator Olson moved that she be excused from voting on H.F. No. 837. The motion prevailed.

H.F. No. 837 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kleis	Murphy	Ranum
Belanger	Higgins	Knutson	Neuville	Robertson
Berg	Hottinger	Krentz	Novak	Robling
Betzold	Johnson, D.E.	Langseth	Oliver	Runbeck
Day	Johnson, D.H.	Larson	Ourada	Sams
Dille	Johnson, D.J.	Lesewski	Pappas	Samuelson
Fischbach	Johnson, J.B.	Lessard	Pariseau	Scheevel
Flynn	Junge	Limmer	Piper	Solon
Foley	Kelley, S.P.	Lourey	Pogemiller	Spear
Frederickson	Kelley, R.C.	Marty	Price	Stevens

Ten Eyck
Terwilliger

Vickerman

Wiener

Wiger

Ziegler

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

SPECIAL ORDER

S.F. No. 1645: A bill for an act relating to traffic regulations; exempting vehicles carrying milk from seasonal weight restrictions under certain circumstances; amending Minnesota Statutes 1998, section 169.87, 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 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Foley

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 807: A bill for an act relating to human services; requiring counties to offer an enhanced registration category to child care providers; requiring counties to pay licensed child care providers directly for child care expenses; extending unlicensed child care to certain providers for one year; amending Minnesota Statutes 1998, sections 119B.09, by adding a subdivision; and 119B.13, subdivision 6; Laws 1997, chapter 248, section 46, as amended.

Senator Lourey moved to amend S.F. No. 807 as follows:

Page 3, line 26, delete "2001" and insert "2000"

Page 3, line 28, strike "or three"

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

CALL OF THE SENATE

Senator Berglin imposed a call of the Senate for the balance of the proceedings on S.F. No. 807. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 807 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 44 and nays 18, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.J.	Larson	Olson	Scheid
Berg	Kelley, S.P.	Lesewski	Ourada	Solon
Day	Kelly, R.C.	Limmer	Pariseau	Stevens
Dille	Kiscaden	Lourey	Robertson	Ten Eyck
Fischbach	Kleis	Metzen	Robling	Terwilliger
Hanson	Knutson	Murphy	Runbeck	Wiener
Janezich	Krentz	Neuville	Sams	Wiger
Johnson, D.E.	Laidig	Novak	Samuelson	Ziegler
Johnson, D.H.	Langseth	Oliver	Scheevel	

Those who voted in the negative were:

Anderson	Flynn	Johnson, J.B.	Piper	Spear
Berglin	Foley	Junge	Pogemiller	Vickerman
Betzold	Higgins	Marty	Price	
Cohen	Hottinger	Pappas	Ranum	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 383: A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100.

Senator Pappas moved to amend S.F. No. 383 as follows:

Page 1, line 17, after "is" insert "approved or"

Page 1, line 19, delete everything after "(MEAC)" and insert a period

Page 1, delete line 20

Page 2, line 16, delete "36" and insert "37"

Page 2, line 31, after "shall" insert "habitually"

Page 4, lines 14 and 15, delete ", if indicated"

Page 4, line 17, delete "if indicated"

Page 7, line 31, after "must" insert "complete and file a birth certificate and"

Page 10, line 13, delete "births" and insert "homebirths"

Page 10, line 14, delete "participation as"

Senator Pappas then moved to amend the Pappas amendment to S.F. No. 383 as follows:

Page 1, delete line 7

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

The question recurred on the adoption of the Pappas amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Ranum moved to amend S.F. No. 383 as follows:

Page 16, line 21, delete "five-member" and insert "six-member"

Page 16, line 29, after the period, insert "One member shall be a certified nurse-midwife appointed from a list of names submitted to the board by Minnesota Families for Midwifery."

The motion prevailed. So the amendment was adopted.

S.F. No. 383 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 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Betzold

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

SPECIAL ORDER

S.F. No. 148: A bill for an act relating to commerce; providing for the protection of structured settlements; proposing coding for new law in Minnesota Statutes, chapter 549.

Senator Johnson, D.H. moved to amend S.F. No. 148 as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1998, section 176.175, subdivision 2, is amended to read:

Subd. 2. [NONASSIGNABILITY.] No claim for compensation or settlement of a claim for compensation owned by an injured employee or dependents is assignable. Except as otherwise provided in this chapter, any claim for compensation owned by an injured employee or dependents is exempt from seizure or sale for the payment of any debt or liability."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Spear moved to amend S.F. No. 148 as follows:

Page 3, line 2, delete "or workers' compensation claim"

Page 3, lines 7 and 8, delete "or for periodic payments in settlement of a workers' compensation claim"

Page 4, line 14, delete "\$5,000" and insert "\$10,000"

Page 6, line 16, delete "\$5,000" and insert "\$10,000"

Page 8, lines 29 and 31, delete "structured settlement" and insert "workers' compensation"

Senator Johnson, D.H. requested division of the Spear amendment as follows:

First portion:

Page 3, line 2, delete "or workers' compensation claim"

Page 3, lines 7 and 8, delete "or for periodic payments in settlement of a workers' compensation claim"

Page 8, lines 29 and 31, delete "structured settlement" and insert "workers' compensation"

The question was taken on the adoption of the first portion of the Spear amendment. The motion prevailed. So the first portion of the Spear amendment was adopted.

Second portion:

Page 4, line 14, delete "\$5,000" and insert "\$10,000"

Page 6, line 16, delete "\$5,000" and insert "\$10,000"

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

The roll was called, and there were yeas 13 and nays 43, as follows:

Those who voted in the affirmative were:

Betzold	Kelly, R.C.	Marty	Scheid	Stevens
Cohen	Knutson	Piper	Solon	
Fischbach	Limmer	Sams	Spear	

Those who voted in the negative were:

Anderson	Higgins	Laidig	Pappas	Scheevel
Belanger	Hottinger	Langseth	Pariseau	Ten Eyck
Berg	Johnson, D.E.	Lesewski	Pogemiller	Terwilliger
Berglin	Johnson, D.H.	Lourey	Price	Vickerman
Day	Johnson, J.B.	Metzen	Ranum	Wiener
Dille	Junge	Murphy	Robertson	Wiger
Flynn	Kelley, S.P.	Neuville	Robling	Ziegler
Foley	Kiscaden	Oliver	Runbeck	
Hanson	Krentz	Olson	Samuelson	

The motion did not prevail. So the second portion of the Spear amendment was not adopted.

Senator Kelley, S.P. moved to amend S.F. No. 148 as follows:

Page 6, after line 30, insert:

"Subd. 2a. [UNENFORCEABLE CONFESSIONS OF JUDGMENT.] A confession of judgment executed by a payee for the benefit of a transferee is unenforceable to the extent the amount of the judgment would exceed the amount paid by the transferee to the payee, less any payments received from the structured settlement obligor or the payee."

The motion prevailed. So the amendment was adopted.

S.F. No. 148 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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Limmer

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 Orders of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

Senator Junge moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Berglin from the Committee on Human Resources Finance, to which was referred

S.F. No. 2221: A bill for an act relating to crime prevention and judiciary finance; appropriating money for the judicial branch, public safety, corrections, public defense, human rights, crime victims, and related purposes; establishing grant programs, task forces, and pilot projects; requiring reports and studies; increasing the number of judges; transferring the office of drug policy and violence prevention; increasing the membership and expanding the duties of the criminal and juvenile justice policy group; authorizing a lease-purchase agreement for a northern satellite laboratory facility and additional work related to a new facility in St. Paul for the bureau of criminal apprehension; clarifying and expanding certain criminal and civil penalties; establishing a work program for certain repeat DWI offenders and repealing the existing work program for nonviolent offenders; requiring counties to pay the costs of placing juvenile females at Minnesota correctional facility-Sauk Centre; requiring the department of corrections to submit an annual performance report; requiring the issuance of a request for proposals to operate the new Rush City prison; privatizing the educational program at Minnesota correctional facility-Red Wing; making certain changes related to part-time peace officers; requiring policies and training and making certain other changes related to police pursuits; increasing the state's fiscal responsibility for certain persons prior to civil commitment; establishing requirements relating to out-of-home placements of juveniles; providing for state funding of certain programs and personnel; providing for state funding of court administration costs in specified judicial districts; requesting further study; establishing collective bargaining provisions for court employees; imposing taxes; requiring a study of correctional staffing; establishing a critical incident stress management grant program; amending Minnesota Statutes 1998, sections 2.722, subdivision 1; 3.739, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.31, subdivision 3; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 169.121, subdivisions 3, 3e, and by adding subdivisions; 169.129, subdivision 2; 179A.03, subdivisions 7, 14, 15, and by adding a subdivision; 179A.06, subdivision 2; 179A.10, subdivision 4; 179A.12, subdivision 4; 179A.22, subdivisions 2 and 3; 241.016; 242.192; 243.50; 253B.185, by adding a subdivision; 253B.23, subdivisions 1 and 8; 256.01, subdivision 2; 257.69,

subdivision 2; 260.151, subdivision 3; 260.161, subdivision 1; 260.181, by adding a subdivision; 260.185, by adding a subdivision; 260.251, subdivisions 2 and 5; 260.56; 299C.65, subdivisions 2, 5, and by adding subdivisions; 340A.415; 340A.703; 466.01, subdivision 6; 480.181, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2 and 6; 485.03; 485.27; 487.02, subdivision 2; 487.10, subdivision 4; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 609.035, subdivisions 1, 2, and by adding a subdivision; 609.135, subdivision 2; 609.531, subdivision 1; 609.5315, by adding a subdivision; 611.33, subdivision 3; 626.5532, subdivision 1; 626.845, subdivision 1; 626.8462; 626.8463, subdivision 1; and 626.8465, subdivision 2; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 179A; 241; 260; 299A; 299L; 480; and 626; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; 241.277; 256D.05, subdivisions 3 and 3a; 357.021, subdivision 2a; 563.01, subdivision 1; 609.113; 626.5532, subdivision 2; and 626.8463, subdivision 2; Laws 1997, chapter 238, section 4.

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

Page 2, line 44, delete "550,238,000" and insert "550,113,000" and delete "583,234,000" and insert "583,359,000"

Page 2, line 50, delete "561,123,000" and insert "560,998,000" and delete "593,755,000" and insert "593,880,000"

Page 4, line 22, delete "27" and insert "28"

Page 5, line 31, delete "44,805,000" and insert "45,380,000" and delete "44,253,000" and insert "44,828,000"

Page 5, line 34, delete "42,608,000" and insert "43,183,000" and delete "42,012,000" and insert "42,587,000"

Page 6, line 57, delete "33" and insert "34"

Page 7, line 35, delete "7,123,000" and insert "7,698,000" and delete "6,211,000" and insert "6,786,000"

Page 9, line 61, delete "32" and insert "33"

Page 10, line 9, delete "28" and insert "29"

Page 11, after line 2, insert:

"\$75,000 the first year and \$75,000 the second year are to make the Kid Care grants under article 2, section 30. The commissioner may use a reasonable amount of this appropriation to administer the grant program.

\$500,000 the first year and \$500,000 the second year are for Asian-American juvenile crime intervention and prevention grants under Minnesota Statutes, section 256.486. The powers and duties of the department of human services, with respect to that program, are transferred to the department of public safety under Minnesota Statutes, section 15.039."

Page 12, line 47, delete "34" and insert "35"

Page 14, line 15, delete "325,757,000" and insert "325,882,000" and delete "343,628,000" and insert "343,753,000"

Page 14, line 17, delete "324,635,000" and insert "324,760,000" and delete "342,506,000" and insert "342,631,000"

Page 14, after line 42, insert:

"Notwithstanding any contrary provisions in this subdivision, the commissioner may not transfer money or positions to the department's management services division."

Page 15, line 49, delete "93,697,000" and insert "93,822,000" and delete "96,121,000" and insert "96,246,000"

Page 17, after line 33, insert:

"\$100,000 the first year and \$100,000 the second year are for county probation officer reimbursements."

Page 17, after line 36, insert:

"\$25,000 the first year and \$25,000 the second year are for probation and supervised release services."

Page 17, line 51, delete "31" and insert "32"

Page 18, line 24, delete "4,750,000" and insert "4,500,000"

Page 18, delete lines 25 to 29

Page 18, line 44, delete "675,000" and insert "600,000" in both places

Page 19, delete lines 4 to 9

Page 19, delete section 22

Page 19, line 34, after the period, insert "This appropriation is available the day following final enactment."

Page 25, after line 28, insert:

"Sec. 10. Minnesota Statutes 1998, section 256.486, subdivision 1, is amended to read:

Subdivision 1. [GRANT PROGRAM.] The commissioner of ~~human services~~ public safety shall establish a grant program for coordinated, family-based crime intervention and prevention services for Asian-American youth. The commissioners of human services, children, families, and learning, and public safety shall work together to coordinate grant activities."

Page 37, line 34, delete "economic security" and insert "public safety"

Page 44, after line 1, insert:

" 256.486 299A.2892 "

Page 44, line 6, delete "11 and 12" and insert "12 and 13"

Page 76, after line 9, insert:

"(c) The county shall submit an invoice to the state court administrator for reimbursement of the state's share of the cost of confinement.

"(d) Notwithstanding paragraph (b), the state's responsibility for reimbursement is limited to the amount appropriated for this purpose."

Page 122, after line 12, insert:

"Subd. 4. [EFFECTIVE DATE CONTINGENCY.] Notwithstanding subdivisions 1 to 3, sections 1 to 44 and 46 do not take effect unless an appropriation and off-setting state aids and fine transfers specified in the 1999 omnibus tax bill take effect in fiscal year 2001."

Renumber the sections in sequence

Amend the title as follows:

Page 2, line 5, after the second semicolon, insert "256.486, subdivision 1;"

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

Senator Langseth from the Committee on Education Finance, to which was referred

S.F. No. 2222: A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, self-sufficiency and lifelong learning, and resources and referral programs; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405, subdivision 2; 119A.45; 119B.01, subdivisions 1, 2, 10, 12, 13, 15, 16, 17, and by adding a subdivision; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.07; 119B.075; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, 5, 7, and by adding subdivisions; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.19, subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 6, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 124D.19, subdivision 11; 124D.22; 124D.23, by adding a subdivision; 124D.53, subdivision 3; 124D.54, subdivision 1; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, chapter 162, article 2, section 28, subdivision 6; and Laws 1997, chapter 248, section 46, as amended; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 12a; 119B.03, subdivision 7; 119B.05, subdivision 6; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; and 124D.14.

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

Page 10, lines 13 and 14, reinstate the stricken language

Pages 41 and 42, delete sections 55 and 56 and insert:

"Sec. 55. [CONSOLIDATION PLAN.]

The commissioner of children, families, and learning shall identify potential obstacles to the consolidation of MFIP, transition year, and basic sliding fee child care programs into one child care assistance program and shall study ways to achieve this consolidation during the 2002-2003 biennium. The commissioner shall testify before relevant house and senate committees on this matter during the year 2000 session."

Page 44, line 35, after the period, insert "Funds appropriated but not expended in the biennium beginning July 1, 1999, do not cancel and must be deposited in the child care reserve account under Minnesota Statutes, section 119B.075."

Page 52, delete lines 35 and 36

Page 53, delete lines 1 to 4

Renumber the sections in sequence

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

Senator Cohen from the Committee on State Government Finance, to which was referred

S.F. No. 2217: A bill for an act relating to transportation; appropriating money for the department of transportation and other agencies; exempting from registration taxes vehicles owned by a commercial driving school and used exclusively in driver education and training; allowing payment of prorated license fee following transfer of vehicle from dealer; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable postcard to be provided in a vehicle's certificate of title and completed; increasing fees paid to deputy registrars for vehicle registration applications; establishing 25-mile per hour speed limit in school zones; allowing certain lighting devices mounted on delivery vehicles; requiring adult driver license applicant to hold instruction permit for six months; changing definition of "directional signs"; requiring commissioner of transportation to be responsible for design, construction, and operation of commuter rail; requiring adoption of commuter rail system plan; establishing design approval process for commuter rail; creating commuter rail corridor coordinating committee; modifying provisions relating to motor carriers of passengers; modifying provisions relating to regional rail authorities; requiring commissioner to study feasibility of extending Northstar commuter rail corridor from St. Cloud to Little Falls; requiring report of metropolitan radio board; extending existence of metropolitan radio board; establishing priority for construction of light rail transit; requiring metropolitan council and others to develop regional master transit plan; requiring commissioner of transportation to study restoration of Amtrak rail passenger service; requiring commissioner of public safety to make recommendations concerning allowable vehicle lighting; requiring office of strategic and long-range planning to establish state development strategy and report to legislature concerning I-94 corridor; extending life of radio board and requiring a report; proposing an amendment to the Minnesota Constitution, article XIV, by adding a section to dedicate proceeds of sales tax on motor vehicles; amending Minnesota Statutes 1998, sections 168.011, subdivision 35; 168.012, subdivision 1; 168.013, subdivisions 2 and 6; 168.17; 168.301, subdivisions 3 and 4; 168.33, subdivision 7; 168A.05, subdivision 5; 168A.10, subdivisions 1, 2, and 5; 168A.30, subdivision 2; 169.01, by adding a subdivision; 169.122, subdivision 5; 169.14, subdivisions 2, 4, 5, and 5a; 169.55, subdivision 1; 169.58, by adding a subdivision; 171.04, subdivision 1; 171.05, subdivision 1a; 171.061, subdivision 4; 173.02, subdivision 6; 174A.02, subdivision 4; 174A.06; 221.011, subdivisions 15, 37, 38, and by adding subdivisions; 221.021; 221.022; 221.025; 221.0251; 221.026, subdivision 2; 221.031, subdivisions 1, 2, and 6; 221.036, subdivisions 1 and 3; 221.091; 221.122, subdivision 1; 221.124; 221.131, subdivision 2; 221.141, subdivision 1; 221.172, subdivision 10; 221.185, subdivisions 1, 2, 3, 4, 9, and by adding a subdivision; 221.221, subdivision 3; 221.291, subdivision 4; 221.55; 297B.09, subdivision 1; 360.531, subdivision 3; 360.55, subdivision 4; 368.01, subdivision 12; 398A.04, subdivision 2; 412.221, subdivision 20; 458A.06, subdivision 5; 473.399; 473.3993, subdivision 3; 473.3994, subdivisions 3, 4, and 10; and 609.671, subdivision 5; Laws 1995, chapter 195, article 1, section 18; Laws 1997, chapter 159, article 1, sections 2, subdivision 7; and 4, subdivision 3; and Laws 1998, chapter 404, section 17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; 221; and 473; repealing Minnesota Statutes 1998, sections 168.011, subdivision 36; 168.1281; 221.011, subdivisions 7, 9, 20, 21, 32, and 34; 221.041; 221.051; 221.061; 221.071; 221.081; 221.121, subdivisions 6b and 6h; 221.172, subdivision 9; 221.281; 221.85; and 473.3998.

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

Page 6, lines 52 and 53, delete "\$2,500,000" and insert "\$2,358,000"

Page 9, line 1, delete "\$1,581,000" and insert "\$1,572,000"

Pages 28 and 29, delete section 16

Page 30, lines 8 to 10, delete the new language and insert " The commissioner shall establish a maximum speed limit of 25 miles per hour in a school zone on a trunk highway after a school board and local authority jointly request this action for a school zone within their jurisdictions."

Pages 30 to 32, delete section 19 and insert:

"Sec. 18. Minnesota Statutes 1998, section 169.14, subdivision 5a, is amended to read:

Subd. 5a. [SPEED ZONING IN SCHOOL ZONE; SURCHARGE.] Local authorities may establish a school speed limit within a school zone of a public or nonpublic school upon the basis of an engineering and traffic investigation as prescribed by the commissioner of transportation. The establishment of a school speed limit on any trunk highway shall be with the consent of the commissioner of transportation, except where a 25 mile per hour speed limit has been requested under section 169.14, subdivision 4. Such school speed limits shall be in effect when children are present, going to or leaving school during opening or closing hours or during school recess periods. The school speed limit shall not be lower than 15 miles per hour and shall not be more than 20 miles per hour below the established speed limit on an affected street or highway if the established speed limit is 40 miles per hour or greater, except where a 25 mile per hour speed limit has been requested under section 169.14, subdivision 4.

The school speed limit shall be effective upon the erection of appropriate signs designating the speed and indicating the beginning and end of the reduced speed zone. Any speed in excess of such posted school speed limit is unlawful. All such signs shall be erected by the local authorities on those streets and highways under their respective jurisdictions and by the commissioner of transportation on trunk highways.

~~For the purpose of this subdivision, "school zone" means that section of a street or highway which abuts the grounds of a school where children have access to the street or highway from the school property or where an established school crossing is located provided the school advance sign prescribed by the manual on uniform traffic control devices adopted by the commissioner of transportation pursuant to section 169.06 is in place. All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices.~~

Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established under this subdivision is assessed an additional surcharge equal to the amount of the fine imposed for the violation, but not less than \$25."

Page 37, after line 26, insert:

"Sec. 25. Minnesota Statutes 1998, section 174.24, subdivision 3b, is amended to read:

Subd. 3b. [OPERATING ASSISTANCE.] The commissioner shall determine the total operating cost of any public transit system receiving or applying for assistance in accordance with generally accepted accounting principles. To be eligible for financial assistance, an applicant or recipient shall provide to the commissioner all financial records and other information and shall permit any inspection reasonably necessary to determine total operating cost and correspondingly the amount of assistance which may be paid to the applicant or recipient. Where more than one county or municipality contributes assistance to the operation of a public transit system, the commissioner shall identify one as lead agency for the purpose of receiving moneys under this section.

Prior to distributing operating assistance to eligible recipients for any contract period, the commissioner shall place all recipients into one of the following classifications: large urbanized area service, urbanized area service, small urban area service, rural area service, and elderly and handicapped service. The commissioner shall distribute funds under this section so that the percentage of total operating cost paid by any recipient from local sources will not exceed the percentage for that recipient's classification, except as provided in an undue hardship case. The percentages shall be: for large urbanized area service, ~~55~~ 50 percent; for urbanized area service and small urban area service, 40 percent; for rural area service, 35 percent; and for elderly and handicapped service, 35 percent. The remainder of the total operating cost will be paid from state funds less any assistance received by the recipient from any federal source. For purposes of this subdivision "local sources" means all local sources of funds and includes all operating revenue, tax levies, and contributions from public funds, except that the commissioner may exclude from the total assistance contract revenues derived from operations the cost of which is excluded from the computation of total operating cost.

If a recipient informs the commissioner in writing after the establishment of these percentages but prior to the distribution of financial assistance for any year that paying its designated

percentage of total operating cost from local sources will cause undue hardship, the commissioner may reduce the percentage to be paid from local sources by the recipient and increase the percentage to be paid from local sources by one or more other recipients inside or outside the classification, provided that no recipient shall have its percentage thus reduced or increased for more than two years successively. If for any year the funds appropriated to the commissioner to carry out the purposes of this section are insufficient to allow the commissioner to pay the state share of total operating cost as provided in this paragraph, the commissioner shall reduce the state share in each classification to the extent necessary."

Page 66, after line 6, insert:

"Sec. 67. Minnesota Statutes 1998, section 296A.18, subdivision 3, is amended to read:

Subd. 3. [SNOWMOBILE.] Approximately one percent in fiscal years 1998 and 1999, and ~~three-fourths of one percent thereafter~~, of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, one percent in fiscal years 1998 and 1999, and ~~three-fourths of one percent thereafter~~, of such revenues is the amount of tax on fuel used in snowmobiles operated in this state."

Page 78, line 40, delete "planning or"

Page 80, delete section 86 and insert:

"Sec. 87. [TAXI REGULATION STUDY.]

The metropolitan council shall study and make recommendations to the legislature no later than February 1, 2000, concerning regulation by a single agency of taxicabs in the metropolitan area."

Page 82, line 21, delete "91" and insert "92"

Page 82, line 34, delete "22" and insert "21"

Page 83, line 7, delete "20, 21, 79, 81, 87, 88, and 93" and insert "19, 20, 67, 80, 82, 88, 89, and 94"

Page 83, line 8, delete "20 and 21" and insert "19 and 20"

Page 83, line 9, delete "and 16 to 19" and insert ", 17, and 18"

Page 83, line 10, delete "70, 72, 73" and insert "71, 73, 74"

Page 83, line 11, delete "80" and insert "81"

Page 83, line 12, after the period, insert "Section 26 is effective July 1, 2001." and delete "67" and insert "68"

Page 83, lines 14 and 16, delete "91" and insert "92"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon, insert "changing percentage of gas tax attributed to snowmobiles;"

Page 1, line 39, delete everything after the semicolon

Page 1, line 40, delete everything before "proposing"

Page 2, line 4, delete "2,"

Page 2, line 7, after the first semicolon, insert "174.24, subdivision 2;"

Page 2, line 16, after the second semicolon, insert "296A.18, subdivision 3;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2221, 2222 and 2217 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Price, Frederickson, Betzold, Cohen and Metzen introduced--

S.F. No. 2223: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative and administrative expenses of state government with certain conditions; amending Minnesota Statutes 1998, sections 3.17; 3C.12, subdivision 2; 8.15, subdivisions 1, 2, and 3; 13.03, subdivision 2; 13.05, by adding a subdivision; 13.073, by adding a subdivision; 16A.102, subdivision 1; 16A.129, subdivision 3; 16A.28, subdivisions 1 and 2; 16A.45, subdivision 1; 16A.85, subdivision 1; 16B.03; 16B.104; 16B.24, subdivision 5; 16B.31, subdivision 2; 16B.42, subdivision 1; 16B.465, subdivision 3; 16B.72; 16B.73; 16D.04, subdivision 2; 16E.01, subdivision 1; 16E.02; 16E.08; 43A.047; 43A.22; 43A.23, subdivisions 1 and 2; 43A.31, subdivision 2, and by adding a subdivision; 138.17, subdivisions 7 and 8; 192.49, subdivision 3; 197.79, subdivision 10; 204B.25, subdivision 2, and by adding a subdivision; 204B.27, by adding a subdivision; 204B.28, subdivision 1; 240A.09; 297F.08, by adding a subdivision; 325K.03, by adding a subdivision; 325K.04; 325K.05, subdivision 1; 325K.09, by adding a subdivision; 325K.10, subdivision 5; 325K.14, by adding a subdivision; 325K.15, by adding a subdivision; and 349.163, subdivision 4; Laws 1993, chapter 192, section 16; Laws 1994, chapter 643, section 69, subdivision 1; Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended; Laws 1997, chapter 202, article 2, section 61; and Laws 1998, chapter 366, section 2; proposing coding for new law in Minnesota Statutes, chapters 16B; 240A; and 325F; repealing Minnesota Statutes 1998, sections 16A.103, subdivision 3; 16E.11; 16E.12; and 16E.13; Minnesota Rules, part 8275.0045, subpart 2.

Referred to the Committee on State Government Finance.

Senators Ranum, Betzold and Knutson introduced--

S.F. No. 2224: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 1998, section 322B.115, subdivision 4.

Referred to the Committee on Judiciary.

MEMBERS EXCUSED

Senator Stumpf was excused from the Session of today. Senator Metzen was excused from the Session of today from 8:15 to 9:00 a.m. Senator Moe, R.D. was excused from the Session of today from 8:45 to 11:15 a.m. Senator Frederickson was excused from the Session of today at 9:00 a.m. Senator Lessard was excused from the Session of today at 9:45 a.m. Senator Kleis was excused from the Session of today at 10:00 a.m. Senators Ourada and Larson were excused from the Session of today at 10:45 a.m. Senator Johnson, D.J. was excused from the Session of today at 11:15 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Friday, April 16, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, April 15, 1999

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
385	1499		585	1500	
2217	1510	1513			
2221	1506	1513			
2222	1509	1513			

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
562	1500		
971	1500		
1404	1500		
Sen. Res. No. 67	1500		

SPECIAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
148	1504	837	1500
383	1503		
807	1502		
1645	1502		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 2223 to 2224Page 1513

