

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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FIFTY-SECOND DAY

St. Paul, Minnesota, Tuesday, April 27, 1999

The Senate met at 9:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

Senator Belanger 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. Larry Frick.

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	Stumpf
Dille	Junge	Lourey	Pogemiller	Ten Eyck
Fischbach	Kelley, S.P.	Marty	Price	Terwilliger
Flynn	Kierlin	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.

## MEMBERS EXCUSED

Senators Kelly, R.C. and Stevens were excused from the Session of today.

## MESSAGES FROM THE HOUSE

Mr. President:

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

**S.F. No. 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.

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

Abeler; Clark, K. and Otremba.

Senate File No. 383 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1999

Mr. President:

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

**S.F. No. 1202:** A bill for an act relating to health; establishing protocol for occupational exposure to bloodborne pathogens in certain settings; providing criminal penalties; amending Minnesota Statutes 1998, sections 13.99, subdivision 38, and by adding a subdivision; 72A.20, subdivision 29; 144.4804, by adding a subdivision; 214.18, subdivision 5, and by adding a subdivision; 214.19; 214.20; 214.22; 214.23, subdivisions 1 and 2; 214.25, subdivision 2; and 611A.19, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 144; and 241; repealing Minnesota Statutes 1998, sections 144.761; 144.762; 144.763; 144.764; 144.765; 144.766; 144.767; 144.768; 144.769; and 144.7691.

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

Goodno, Knoblach and Wenzel.

Senate File No. 1202 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1999

Mr. President:

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

**S.F. No. 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 responsibility for the office of drug policy and violence prevention, the Asian-Pacific juvenile crime intervention and prevention grant program, the juvenile weekend program at Camp Ripley, and the operation and maintenance of the state land and buildings that compose MCF-Sauk Centre; 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; imposing criminal penalties for persons taking responsibility for criminal acts; providing for sanction conference procedures to dispose of technical violations of probation; providing a posttraumatic stress syndrome benefit; providing for recovery of damages when there is an unauthorized release of animals; 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; establishing collective bargaining provisions for court employees; extending the sunset date for a juvenile records provision; requiring that the continued operation of the new Rush City prison beyond July 1, 2001, be specifically authorized by law; 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; 243.05, subdivision 1; 243.50; 244.052, subdivision 1, and by adding a subdivision; 244.19, subdivision 3a; 253B.185, by adding a subdivision; 253B.23, subdivisions 1 and 8; 256.01, subdivision 2; 256.486, subdivisions 1 and 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; 346.56; 346.56; 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, subdivisions 1 and 2; 609.495, by adding a subdivision; 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; 243; 244; 260; 299A; 299L; 401; 480; and 626; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; 241.277; 256D.05, subdivisions 3 and 3a; 357.021, subdivision 2a; 401.02, subdivision 5; 563.01, subdivision 1; 609.113; 626.5532, subdivision 2; and 626.8463, subdivision 2; Laws 1997, chapter 238, section 4.

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

Broecker; Larsen, P.; Holberg; Murphy and Stanek.

Senate File No. 2221 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1999

## MOTIONS AND RESOLUTIONS

### SPECIAL ORDERS

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

S.F. Nos. 1539, 709, 1636, 2044, 851, 884, 1268 and H.F. No. 1426.

### SPECIAL ORDER

**S.F. No. 1539:** A bill for an act relating to the environment; providing a new license category under the well code for a vertical heat exchanger contractor; establishing training requirements for well contractors installing vertical heat exchangers; amending Minnesota Statutes 1998, sections 103I.005, subdivision 20; 103I.101, subdivisions 2 and 5; 103I.105; 103I.501; and 103I.641, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 103I.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 709:** A bill for an act relating to state procurement; authorizing the commissioner of administration to award a preference of as much as six percent in the amount bid for specified goods or services to small businesses; amending Minnesota Statutes 1998, section 16C.16, subdivision 7; repealing Minnesota Rules, part 1230.1860, item A.

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 43 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Langseth	Pappas	Solon
Berg	Hottinger	Larson	Piper	Spear
Betzold	Janezich	Lesewski	Pogemiller	Stumpf
Cohen	Johnson, D.J.	Lessard	Price	Ten Eyck
Dille	Johnson, J.B.	Limmer	Ranum	Vickerman
Fischbach	Junge	Lourey	Runbeck	Wiger
Foley	Kelley, S.P.	Metzen	Sams	Ziegler
Frederickson	Krentz	Novak	Samuelson	
Hanson	Laidig	Oliver	Scheid	

Those who voted in the negative were:

Belanger	Johnson, D.E.	Knutson	Ourada	Scheevel
Berglin	Johnson, D.H.	Murphy	Pariseau	Terwilliger
Day	Kierlin	Neuville	Robertson	
Flynn	Kleis	Olson	Robling	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1636:** A bill for an act relating to governmental operations; providing for regulatory relief for local units of government; proposing coding for new law in Minnesota Statutes, chapter 14.

Senator Cohen moved that S.F. No. 1636 be re-referred to the Committee on State Government Finance. The motion prevailed.

**SPECIAL ORDER**

**S.F. No. 2044:** A bill for an act relating to gambling; authorizing dice games in retail establishments licensed to sell alcoholic beverages under certain circumstances; amending Minnesota Statutes 1998, sections 340A.410, subdivision 5; and 609.761, 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 45 and nays 16, as follows:

Those who voted in the affirmative were:

Berg	Janezich	Larson	Oliver	Scheid
Betzold	Johnson, D.E.	Lesewski	Olson	Solon
Cohen	Johnson, D.J.	Lessard	Ourada	Stumpf
Day	Johnson, J.B.	Lourey	Pappas	Ten Eyck
Dille	Kelley, S.P.	Metzen	Pariseau	Terwilliger
Fischbach	Kierlin	Moe, R.D.	Pogemiller	Vickerman
Frederickson	Kleis	Murphy	Robling	Wiener
Hanson	Knutson	Neuville	Sams	Wiger
Higgins	Langseth	Novak	Samuelson	Ziegler

Those who voted in the negative were:

Anderson	Foley	Krentz	Piper	Runbeck
Belanger	Hottinger	Laidig	Ranum	Scheevel
Berglin	Junge	Limmer	Robertson	Spear
Flynn				

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**S.F. No. 851:** A bill for an act relating to local government; removing the expiration of corporations created by political subdivisions; establishing a task force to develop legislation relating to establishment of corporations by political subdivisions; amending Minnesota Statutes 1998, section 465.715, subdivision 1a.

Senator Scheevel moved to amend S.F. No. 851 as follows:

Page 1, line 17, reinstate the stricken "This subdivision expires July 1," and after the stricken "1999" insert "2000" and reinstate the stricken period

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

S.F. No. 851 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 52 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knutson	Novak	Solon
Belanger	Hanson	Krentz	Oliver	Spear
Berg	Higgins	Laidig	Ourada	Stumpf
Berglin	Hottinger	Langseth	Pappas	Ten Eyck
Betzold	Johnson, D.E.	Larson	Piper	Terwilliger
Cohen	Johnson, D.J.	Lesewski	Pogemiller	Vickerman
Day	Johnson, J.B.	Lessard	Ranum	Wiener
Dille	Junge	Lourey	Robling	Wiger
Fischbach	Kelley, S.P.	Metzen	Sams	
Flynn	Kierlin	Moe, R.D.	Samuelson	
Foley	Kleis	Neuville	Scheid	

Those who voted in the negative were:

Limmer	Olson	Robertson	Scheevel	Ziegler
Marty	Pariseau	Runbeck		

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 884:** A bill for an act relating to marriage; providing for a reduced marriage license fee for couples who obtain premarital education; increasing filing fee for marriage dissolution proceedings; amending Minnesota Statutes 1998, sections 357.021, subdivision 2; and 517.08, subdivisions 1b and 1c.

Senator Robertson moved to amend S.F. No. 884 as follows:

Pages 1 to 3, delete section 1

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. 884 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Higgins	Pappas	Robertson	Spear
Flynn				

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1268:** A bill for an act relating to health; requiring prompt payments by health maintenance organizations and nonprofit health service plan corporations of certain claims made by home care providers; requiring claim errors to be reported within a certain time; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 62D.

Senator Kiscaden moved to amend S.F. No. 1268 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [62D.108] [PROMPT PAYMENTS TO HOME CARE PROVIDERS.]

Subdivision 1. [APPLICABILITY.] This section applies to health maintenance organizations regulated under this chapter.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given them:

(1) "clean claim" means an original paper or electronic claim with correct data elements, prepared in accordance with the health maintenance organization's published specifications for claims preparation, that does not require an attachment or text information to pay or deny the claim;

(2) "home care provider" has the meaning given in section 144A.43, subdivision 4; and

(3) "valid home care provider claim" means a clean claim submitted directly to the health maintenance organization by an eligible home care provider for home care services provided to an eligible enrollee.

Subd. 3. [CLAIMS PAYMENTS TO HOME CARE PROVIDERS.] A health maintenance organization must pay or deny a valid home care provider claim for home care services within 30 days of receiving the claim and all other information from third parties required to process the claim in accordance with the health maintenance organization's specifications for claims processing. A health maintenance organization must notify a home care provider of an incorrect, defective, or improper claim within 30 days of receipt of the original claim. If the health maintenance organization is unable to pay or deny the claim within 30 days because additional information, other than information from the home care provider, is required to complete the processing of the claim, the health maintenance organization shall disclose to the home care provider the nature of the additional information needed to process the claim. The disclosure shall be made consistent with state and federal law. Where evidence of suspected fraud is present, the requirement to disclose additional information need not be specific.

Subd. 4. [PAYMENT OF INTEREST ON LATE PAYMENTS.] (a) If a health maintenance organization fails to pay or deny a valid home care provider claim within 30 days as specified in subdivision 3, the health maintenance organization must pay interest to the home care provider on the claim with interest accruing from the 30th day. If a negotiated contract or agreement between a home care provider and a health maintenance organization requires an audit by the health maintenance organization before acceptance and payment of the claim, interest payments do not apply until 30 days after the timely completion of the audit by the health maintenance organization. Before any interest payment is made, the home care provider must bill the health maintenance organization for the interest.

(b) The rate of interest paid by a health maintenance organization under this subdivision shall be 1.5 percent per month or any part of the month.

(c) A home care provider who prevails in a civil action to collect interest payments from a health maintenance organization shall be awarded the costs and disbursements, including attorney fees, incurred in bringing the action.

(d) The minimum monthly interest payment that a health maintenance organization must pay to a home care provider for the unpaid balance for any single overdue claim equal to or exceeding \$100 is \$10. For unpaid balances of less than \$100, the health maintenance organization must pay the actual interest payment due to the home care provider.

(e) A health maintenance organization is not required to make an interest payment on a claim for which payment has been delayed for purposes of reviewing potentially fraudulent or abusive billing practices.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1999, and applies to claims made under health maintenance organization contracts with home care providers entered into or renewed on or after that date."

Delete the title and insert:

"A bill for an act relating to health; requiring prompt payments by health maintenance organizations of certain claims made by home care providers; requiring health maintenance organizations to pay interest on late payments; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 62D."

The motion prevailed. So the amendment was adopted.

S.F. No. 1268 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

**H.F. No. 1426:** A bill for an act relating to health; modifying well notification fees; modifying provisions for grants to rural hospitals and community health centers; modifying student loan repayment provisions for health professionals; amending Minnesota Statutes 1998, sections 103I.208, subdivision 1; 144.147, subdivisions 2, 3, 4, and 5; 144.1484, subdivision 1; 144.1486, subdivisions 3, 4, and 8; 144.1488, subdivisions 1, 3, and 4; 144.1489, subdivisions 2 and 4; 144.1490, subdivision 2; 144.1494, subdivisions 2, 3, and 5; 144.1495, subdivisions 3 and 4; and 144.1496, subdivisions 2 and 5.

Senator Kiscaden moved that the amendment made to H.F. No. 1426 by the Committee on Rules and Administration in the report adopted April 12, 1999, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1426 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Junge	Lesewski	Oliver
Belanger	Frederickson	Kelley, S.P.	Lessard	Olson
Berg	Hanson	Kierlin	Limmer	Ourada
Berglin	Higgins	Kiscaden	Lourey	Pappas
Betzold	Hottinger	Kleis	Marty	Pariseau
Cohen	Janezich	Knutson	Metzen	Piper
Day	Johnson, D.E.	Krentz	Moe, R.D.	Pogemiller
Dille	Johnson, D.H.	Laidig	Murphy	Ranum
Fischbach	Johnson, D.J.	Langseth	Neuville	Robertson
Flynn	Johnson, J.B.	Larson	Novak	Robling



Runbeck  
Sams  
Samuelson

Scheevel  
Scheid  
Solon

Spear  
Stumpf  
Ten Eyck

Terwilliger  
Vickerman  
Wiener

Wiger  
Ziegler

So the bill 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 Messages From the House and First Reading of House Bills.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2333.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 26, 1999

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

**H.F. No. 2333:** A bill for an act relating to education; prekindergarten through grade 12; providing for general education; special programs; lifework development; facilities and technology; education excellence; other programs; nutrition programs; libraries; education policy; and state agencies; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 43A.18, subdivision 4a; 119A.01, subdivisions 1 and 2; 120A.22, subdivision 5; 120A.24, subdivision 1; 120A.41; 121A.15, subdivision 1; 121A.23; 121A.45, subdivision 2; 122A.07, subdivision 1; 122A.18, by adding a subdivision; 122A.28; 122A.60, subdivision 3; 122A.61, subdivisions 1 and 2; 123A.05, subdivision 2; 123A.48, subdivision 10; 123B.195; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.53, subdivisions 4, 5, and 6; 123B.54; 123B.57, subdivision 4; 123B.61; 123B.75, by adding a subdivision; 123B.79, by adding a subdivision; 123B.92, subdivision 9; 123B.93; 124C.55, by adding a subdivision; 124D.10, subdivisions 3, 4, 5, 6, 10, 11, and by adding a subdivision; 124D.11, subdivisions 4, 6, 7, 8, and by adding a subdivision; 124D.453, subdivision 3; 124D.454; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.87; 124D.88, subdivision 3; 124D.94, subdivisions 3, 6, and 7; 125A.09, subdivision 4; 125A.50, subdivisions 2 and 5; 125A.75, subdivision 8; 125A.76, subdivisions 1, 4, and 5; 125A.79, subdivisions 1, 2, and by adding subdivisions; 125B.05, subdivision 3; 125B.20; 126C.05, subdivisions 1, 3, 15, and by adding a subdivision; 126C.10, subdivisions 1, 2, 3, 4, 10, 14, 19, 21, and by adding subdivisions; 126C.12; 126C.13, subdivisions 1 and 2; 126C.15; 126C.17, subdivisions 2, 5, and 6; 126C.40, subdivision 4; 126C.42, subdivisions 1 and 2; 126C.46; 126C.63, subdivisions 5 and 8; 126C.69, subdivisions 2 and 9; 127A.44, subdivision 2; 127A.45, subdivisions 2, 3, 4, 13, and by adding a subdivision; 127A.47, subdivisions 2 and 7; 127A.49, subdivisions 2 and 3; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; 128C.20; and 626.556, by adding a subdivision; Laws 1993, chapter 224, article 3, section 32, as amended; Laws 1995, First Special Session chapter 3, article 12, section 7, as amended; Laws 1996, chapter 412, article 1, section 35; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 1, 2, 3, as amended, and 4; article 2, section 51, subdivision 29, as amended; article 8, section 4; article 9, section 13; and Laws 1998, chapter 397, article 12, section 8; chapter 398, article 6, sections 38 and 39; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 124D; 125A; 125B; 128C; and 134; repealing Minnesota Statutes 1998, sections 120B.05; 122A.31, subdivision 4; 123B.05; 123B.64, subdivisions 1, 2, 3, and 4; 123B.92, subdivisions 2, 4, 6, 7, 8, and 10; 124D.112; 124D.113;

124D.116; 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; 124D.32; 124D.453; 124D.65, subdivision 3; 124D.67; 124D.70; 124D.90; 125A.76, subdivision 6; 125A.77; 125A.79, subdivision 3; 126C.05, subdivision 4; 126C.06; 127A.45, subdivision 5; 134.155; 135A.081; Laws 1995, First Special Session chapter 3, article 3, section 11; Laws 1997, First Special Session chapter 4, article 1, section 62, subdivision 5; article 2, section 51, subdivision 10; article 3, section 5; and article 8, section 5; and Laws 1998, chapter 398, article 2, section 57.

Senator Moe, R.D. moved that H.F. No. 2333 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 Order of Business of Messages From the House.

### **MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 270, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 270 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 26, 1999

### **CONFERENCE COMMITTEE REPORT ON H.F. NO. 270**

A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

April 22, 1999

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

We, the undersigned conferees for H.F. No. 270, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 270 be further amended as follows:

Page 1, line 15, delete "\$3,000,000" and insert "\$2,800,000"

Amend the title as follows:

Page 1, line 2, delete "prohibiting a" and insert "increasing the"

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

House Conferees: (Signed) Mike Osskopp, Gregory M. Davids, Tom Osthoff

Senate Conferees: (Signed) Steve L. Murphy, Deanna L. Wiener, Edward C. Oliver

Senator Murphy moved that the foregoing recommendations and Conference Committee Report on H.F. No. 270 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 270 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MEMBERS EXCUSED

Senator Wiener was excused from the Session of today from 9:00 to 10:45 a.m. Senator Kiscaden was excused from the Session of today from 10:00 to 11:20 a.m. Senator Price was excused from the Session of today at 10:25 a.m. Senator Johnson, D.H. was excused from the Session of today from 10:50 to 11:15 a.m.

### ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Wednesday, April 28, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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