

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

SIXTY-THIRD DAY

St. Paul, Minnesota, Wednesday, May 12, 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, Dr. John Eagen.

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

Anderson	Hottinger	Langseth	Ourada	Solon
Belanger	Janezich	Larson	Pappas	Spear
Berg	Johnson, D.E.	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.H.	Lessard	Piper	Stumpf
Betzold	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.	Moe, R.D.	Robling	Wiger
Flynn	Kierlin	Murphy	Runbeck	Ziegler
Foley	Kleis	Neuville	Sams	
Frederickson	Knutson	Novak	Samuelson	
Hanson	Krentz	Oliver	Scheevel	
Higgins	Laidig	Olson	Scheid	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 10, 1999

The Honorable Allan H. Spear
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 1715.

Sincerely,
Jesse Ventura, Governor

May 11, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1999	Date Filed 1999
	1568	135	1:00 p.m. May 10	May 10
	1359	136	1:04 p.m. May 10	May 10
1715		137	1:10 p.m. May 10	May 10
	1051	138	1:07 p.m. May 10	May 10

Sincerely,
Mary Kiffmeyer
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1329: A bill for an act relating to cities; limiting license fees on coin and currency activated amusement machines; proposing coding for new law in Minnesota Statutes, chapter 449.

Senate File No. 1329 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1999

CONCURRENCE AND REPASSAGE

Senator Vickerman moved that the Senate concur in the amendments by the House to S.F. No. 1329 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1329 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Berglin	Day	Flynn	Higgins
Belanger	Betzold	Dille	Foley	Hottinger
Berg	Cohen	Fischbach	Hanson	Janezich

Johnson, D.E.	Krentz	Murphy	Price	Spear
Johnson, D.J.	Langseth	Neuville	Ranum	Stevens
Johnson, J.B.	Larson	Novak	Robertson	Stumpf
Junge	Lesewski	Oliver	Robling	Ten Eyck
Kelley, S.P.	Lessard	Olson	Runbeck	Terwilliger
Kelly, R.C.	Limmer	Ourada	Sams	Vickerman
Kierlin	Lourey	Pappas	Samuelson	Wiener
Kleis	Marty	Pariseau	Scheevel	Wiger
Knutson	Metzen	Pogemiller	Scheid	Ziegler

Those who voted in the negative were:

Frederickson

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 516: A bill for an act relating to elections and ethics; clarifying definitions; giving the board of campaign finance and public disclosure jurisdiction over the ban on gifts to local officials; facilitating reports of last-minute contributions; clarifying campaign finance requirements; increasing certain campaign contribution and spending limits; requiring return of public subsidies under certain conditions; making advisory opinions public data; clarifying certain definitions and prohibitions; clarifying and authorizing exceptions to the ban on gifts; providing civil penalties; providing for updated voter records; amending Minnesota Statutes 1998, sections 10A.01, subdivisions 7, 11, and 18; 10A.02, subdivisions 11, 12, and 13; 10A.03, subdivision 3; 10A.04, subdivisions 5 and 7; 10A.065, subdivisions 1, 3, and by adding a subdivision; 10A.071; 10A.08; 10A.09, subdivisions 3 and 7; 10A.14, subdivision 4; 10A.15, subdivisions 3, 5, and by adding a subdivision; 10A.20, subdivisions 2, 3, 5, 12, and by adding a subdivision; 10A.23; 10A.25, subdivisions 2 and 10; 10A.255, subdivision 1; 10A.27, subdivision 10; 10A.29; 10A.31, subdivisions 7 and 10; 10A.315; 10A.322, subdivisions 1 and 4; 10A.324, subdivision 1; 10A.34; 200.02, by adding a subdivision; 201.13, by adding a subdivision; 211A.02, subdivision 2; 211A.12; 290.06, subdivision 23; and 471.895; proposing coding for new law in Minnesota Statutes, chapter 211A.

Senate File No. 516 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1999

Senator Price, for Senator Junge, moved that the Senate do not concur in the amendments by the House to S.F. No. 516, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 319: A bill for an act relating to retirement; various pension plans; providing special benefit coverage for privatized employees of the Laverne public hospital, the Waconia Ridgeview medical center, and the Glencoe area health center; creating a local government correctional service retirement plan; modifying actuarial cost provision; providing a special property tax levy for certain county retirement contributions; providing an ad hoc postretirement adjustment to

Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; providing a targeted early retirement incentive program for certain employees of the metropolitan council; permitting the purchase of service credit by various public employees; mandating certain school district service credit purchase payments; making miscellaneous changes in the legislators retirement plan, the Minnesota state colleges and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; including supplemental needs trusts as recipients of optional annuity forms; eliminating the service credit maximum for monthly benefit volunteer fire relief associations; mandating school district repayment of certain omitted deduction interest charges; expanding the membership of the state correctional employees retirement plan to include certain Minnesota extended treatment options program employees; downsizing the early retirement reduction rates for various public safety plans; grandparenting public employee police and fire plan coverage for certain Rice county correctional employees; requiring Rice county to repay certain police state aid amounts; providing employer penalties for pension plan membership certification failures or errors; providing special retirement coverage for certain state fire marshal employees; authorizing the purchase of credit for certain periods of prior military service, out-of-state public teaching service, maternity leaves, maternity breaks-in-employment, parochial or private school teaching service, Peace Corps service or VISTA service; clarifying various Minneapolis employees retirement plan survivor benefit provisions; increasing the number of vendors for certain tax-sheltered annuities for educational employees; modifying various benefit provisions for certain Minnesota state colleges and universities employees; reducing the membership of the legislative commission on pensions and retirement; requiring a study; authorizing the Minnesota state retirement system, the public employees retirement association, and the teachers retirement association to purchase or construct an administrative building; authorizing the issuance of certain revenue bonds; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3, 11, and 12; 3A.02, subdivision 1b; 43A.27, subdivision 3; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 136F.48; 273.1385, subdivision 2; 352.03, subdivision 1; 352.90; 352.91, by adding a subdivision; 352.92, subdivisions 1 and 2; 352.93, subdivision 2a; 352B.08, subdivision 2a; 353.01, subdivisions 2b, 10, and 16; 353.03, subdivision 4; 353.27, subdivisions 2 and 3; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 353.651, subdivision 4; 353A.083, by adding a subdivision; 353A.09, subdivisions 4, 5, and by adding a subdivision; 354.05, subdivision 40; 354.06, subdivisions 1 and 7; 354.10, subdivision 4; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; 354B.25, subdivisions 2, 3, and 5; 354C.11; 354C.12, subdivision 4; 356.19, by adding subdivisions; 356.20, subdivision 2; 356.215, subdivision 4g; 356.24, subdivision 1; 356.30, subdivision 3; 356.302, subdivision 7; and 356.303, subdivision 4; 356.55, subdivisions 1 and 6; 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; and 422A.23; 423A.02, subdivisions 1b, 2, and by adding subdivisions; and 423B.07; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 352; 353; 354; 354A; 354B; 356; and 422A; proposing coding for new law as Minnesota Statutes, chapters 353E; and 353F; repealing Minnesota Statutes 1998, sections 353.33, subdivision 3a; 353.65, subdivision 3a; 422A.16, subdivision 3a; and 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

Senate File No. 319 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1999

Senator Pogemiller moved that the Senate do not concur in the amendments by the House to S.F. No. 319, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 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.

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

Tunheim, Rhodes and Bakk.

Senate File No. 709 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1999

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 14:

H.F. No. 14: A bill for an act relating to education; providing that a person convicted of child abuse or sexual abuse is ineligible to be licensed as a teacher; providing for reconsideration in cases of reversal by a court; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

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

Fuller, Westerberg and Entenza have been appointed as such committee on the part of the House.

House File No. 14 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1999

Senator Neuville moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 14, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1572: A bill for an act relating to natural resources; modifying provisions for the exchange or sale of leased lakeshore lots; amending Laws 1998, chapter 389, article 16, section 31, subdivisions 2, 3, and 4.

Senate File No. 1572 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1999

CONCURRENCE AND REPASSAGE

Senator Frederickson moved that the Senate concur in the amendments by the House to S.F. No. 1572 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1572 was read the third time, as amended by the House, and placed on its repassage.

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1195 and 1608.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1999

FIRST READING OF HOUSE BILLS

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

H.F. No. 1195: A bill for an act relating to landlords and tenants; providing for certain eviction records to be sealed; modifying requirements for tenant screening reports in the second and fourth judicial districts; amending Minnesota Statutes 1998, section 504.30, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 484.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2029, now on General Orders.

H.F. No. 1608: A bill for an act relating to health; imposing lifetime limit on certain medical benefit coverage; changing the expiration date of the consumer advisory board; modifying the Minnesota Health Care Administrative Simplification Act; modifying maternal and child health provisions; modifying provisions for speech-language pathologists, audiologists, unlicensed mental health practitioners, alcohol and drug counselors, and hearing instrument dispensers; restricting state funding to family planning services; amending Minnesota Statutes 1998, sections 62E.04, subdivision 4; 62J.51, by adding subdivisions; 62J.52, subdivisions 1, 2, and 5; 62J.60, subdivision 1; 62J.75; 62Q.64; 145.881, subdivision 2; 145.882, subdivision 7, and by adding a subdivision; 145.885, subdivision 2; 148.511; 148.515, subdivision 3; 148.517, by adding a subdivision; 148B.60, subdivision 3; 148B.68, subdivision 1; 148B.69, by adding a subdivision;

148B.71, subdivision 1; 148C.01, subdivisions 2, 7, 9, 10, and by adding a subdivision; 148C.03, subdivision 1; 148C.04, by adding subdivisions; 148C.06, subdivision 1; 148C.09, subdivisions 1 and 1a; 153A.13, subdivision 9, and by adding subdivisions; 153A.14, subdivisions 1, 2a, 2h, 4, 4a, and by adding subdivisions; and 153A.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62J; and 145; repealing Minnesota Statutes 1998, sections 145.882, subdivisions 3 and 4; and 148C.04, subdivision 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1966, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 595 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
595	365				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 595 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 595 and insert the language after the enacting clause of S.F. No. 365, the second engrossment; further, delete the title of H.F. No. 595 and insert the title of S.F. No. 365, the second engrossment.

And when so amended H.F. No. 595 will be identical to S.F. No. 365, and further recommends that H.F. No. 595 be given its second reading and substituted for S.F. No. 365, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1940 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1940	1792				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1940 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1940 and insert the language after the enacting clause of S.F. No. 1792, the first engrossment; further, delete the title of H.F. No. 1940 and insert the title of S.F. No. 1792, the first engrossment.

And when so amended H.F. No. 1940 will be identical to S.F. No. 1792, and further recommends that H.F. No. 1940 be given its second reading and substituted for S.F. No. 1792, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2425 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2425	2232				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2425 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2425 and insert the language after the enacting clause of S.F. No. 2232, the first engrossment; further, delete the title of H.F. No. 2425 and insert the title of S.F. No. 2232, the first engrossment.

And when so amended H.F. No. 2425 will be identical to S.F. No. 2232, and further recommends that H.F. No. 2425 be given its second reading and substituted for S.F. No. 2232, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1024 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1024	1424				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 595, 1940, 2425 and 1024 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Moe, R.D. moved that H.F. No. 420 be withdrawn from the Committee on Taxes, given a second reading and placed on General Orders. The motion prevailed.

H.F. No. 420 was read the second time.

S.F. No. 1204 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1204

A bill for an act relating to the state building code; clarifying the supervision of the state fire marshal; modifying elevator installation provisions; amending Minnesota Statutes 1998, sections 16B.61, subdivision 2; and 16B.745, subdivision 3.

May 6, 1999

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1204, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: (Signed) Dave Johnson, David J. Ten Eyck, Kenric J. Scheevel

House Conferees: (Signed) Jim Rostberg, Jim Rhodes, Mark S. Gleason

Senator Johnson, D.H. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1204 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1204 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Ourada	Solon
Belanger	Janezich	Larson	Pappas	Spear
Berg	Johnson, D.E.	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.H.	Lessard	Piper	Stumpf
Betzold	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.	Moe, R.D.	Robling	Wiger
Flynn	Kierlin	Murphy	Runbeck	Ziegler
Foley	Kleis	Neuville	Sams	
Frederickson	Knutson	Novak	Samuelson	
Hanson	Krentz	Oliver	Scheevel	
Higgins	Laidig	Olson	Scheid	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 233 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON 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; providing that certain deficiency judgment requirements do not apply to property that is not used for agricultural production by the mortgagor; amending Minnesota Statutes 1998, sections 300.045; and 582.30, subdivision 1.

May 11, 1999

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 233, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 233 be further amended as follows:

Page 2, lines 14 and 18, reinstate the stricken language and after "in" insert "paragraph (b),"

Page 2, line 19, reinstate the stricken language

Page 2, line 29, after "produced" insert "and delivered"

Page 2, line 30, after the comma, insert "and provided that the property owner has not within 30 days responded to the public service corporation with a written objection to the terms of the property description,"

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

Senate Conferees: (Signed) David J. Ten Eyck, David L. Knutson, Don Betzold

House Conferees: (Signed) Dave Bishop, Len Biernat, John Tuma

Senator Ten Eyck moved that the foregoing recommendations and Conference Committee Report on S.F. No. 233 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 233 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Ourada	Solon
Belanger	Janezich	Larson	Pappas	Spear
Berg	Johnson, D.E.	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.H.	Lessard	Piper	Stumpf
Betzold	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.	Moe, R.D.	Robling	Wiger
Flynn	Kierlin	Murphy	Runbeck	Ziegler
Foley	Kleis	Neuville	Sams	
Frederickson	Knutson	Novak	Samuelson	
Hanson	Krentz	Oliver	Scheevel	
Higgins	Laidig	Olson	Scheid	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 851 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON 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.

May 11, 1999

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 851, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 851 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 465.715, subdivision 1a, is amended to read:

Subd. 1a. [APPLICATION.] Except as provided by subdivision 2, subdivision 1 only applies to a corporation for which a certificate of incorporation is issued by the secretary of state on or after June 1, 1997. A corporation that had been issued a certificate of incorporation before June 1, 1997, may continue to operate as if it had been created in compliance with subdivision 1. This subdivision expires July 1, 1999 2001.

Sec. 2. [TASK FORCE ON CORPORATIONS CREATED BY POLITICAL SUBDIVISIONS.]

Subdivision 1. [ESTABLISHED; PURPOSE.] (a) A task force on corporations created by political subdivisions is established to review and consider the findings and recommendations of the January 29, 1999, report of the state auditor on corporations created by public entities and to determine:

(1) whether existing public corporations established by political subdivisions should be authorized to continue as public corporations, be dissolved, or be restructured as private corporations;

(2) whether political subdivisions of the state should be authorized to create new corporations, and if so, under general law or special law, and for what purposes; and

(3) what requirements or restrictions imposed by state law on political subdivisions should be imposed on existing public corporations that are authorized to continue as public corporations.

(b) The requirements or restrictions under paragraph (a), clause (3), may relate to the powers and limitations of the public corporations, including, but not limited to, the applicability of laws such as those relating to open meetings, data practices, contracting, compensation of employees and officers, budgeting, auditing, tort liability, debt limitations, investments, and conflicts of interests.

(c) By December 31, 1999, the task force shall report to the chairs of the house and senate committees with jurisdiction over local government issues. The report must include proposed legislation to implement the task force's recommendations.

Subd. 2. [MEMBERS.] (a) The task force consists of 11 voting members, appointed as follows:

(1) two state representatives, one appointed by the speaker of the house, and one appointed by the minority caucus leader;

(2) two state senators, appointed by the subcommittee on committees of the committee on rules and administration, at least one of whom must be a member of the minority caucus;

(3) two representatives of cities, appointed by the league of Minnesota cities, one of whom must be a representative of an existing corporation created by a city;

(4) two representatives of counties, appointed by the association of Minnesota counties, one of whom must be a representative of an existing corporation created by a county;

(5) two representatives of school districts, appointed by the Minnesota school boards association, one of whom must be a representative of an existing corporation created by a school district; and

(6) the state auditor or her designee.

(b) In addition, the attorney general or his designee and the secretary of state or her designee shall serve on the task force ex officio as nonvoting members. Members must be appointed as soon as practicable after the effective date of this section. Vacancies and removal of members is governed by Minnesota Statutes, section 15.059, subdivision 4.

(c) The state auditor shall convene the first meeting of the task force as soon as practicable after the members are appointed, but no later than September 1, 1999, at which time the task force shall elect its chair or co-chairs.

Subd. 3. [STAFF AND ADMINISTRATIVE ASSISTANCE.] Legislative staff shall provide staff and administrative assistance to the task force.

Subd. 4. [EXPIRATION.] This section expires June 30, 2000.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to local government; delaying the expiration of an applicability provision relating to restrictions on corporations created by political subdivisions; establishing a task force to make determinations and propose legislation relating to establishment of corporations by political subdivisions; amending Minnesota Statutes 1998, section 465.715, subdivision 1a."

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

Senate Conferees: (Signed) Jim Vickerman, Steve Kelley, Dennis R. Frederickson

House Conferees: (Signed) Ann H. Rest, Ron Abrams, Elaine Harder

Senator Vickerman moved that the foregoing recommendations and Conference Committee Report on S.F. No. 851 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 851 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 2044 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON 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.

May 11, 1999

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 2044, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 2044 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 340A.410, subdivision 5, is amended to read:

Subd. 5. [GAMBLING PROHIBITED.] (a) Except as otherwise provided in this subdivision, no retail establishment licensed to sell alcoholic beverages may keep, possess, or operate, or permit the keeping, possession, or operation on the licensed premises of dice or any gambling device as defined in section 349.30, or permit gambling therein ~~except as provided in this subdivision.~~

(b) Gambling equipment may be kept or operated and raffles conducted on licensed premises and adjoining rooms when the use of the gambling equipment is authorized by (1) chapter 349, (2) a tribal ordinance in conformity with the Indian Gaming Regulatory Act, Public Law Number 100-497, or (3) a tribal-state compact authorized under section 3.9221.

(c) Lottery tickets may be purchased and sold within the licensed premises as authorized by the director of the lottery under chapter 349A.

(d) Dice may be kept and used on licensed premises and adjoining rooms as authorized by section 609.761, subdivision 4.

Sec. 2. Minnesota Statutes 1998, section 609.761, is amended by adding a subdivision to read:

Subd. 4. [SOCIAL DICE GAMES.] Sections 609.755 and 609.76 do not prohibit dice games conducted on the premises and adjoining rooms of a retail establishment licensed to sell alcoholic beverages if the following requirements are satisfied:

(1) the games consist of board games played with dice or commonly known dice games such as "shake-a-day," "3-2-1," "who buys," "last chance," "liar's poker," "6-5-4," "horse," and "aces";

(2) wagers or prizes for the games are limited to food or beverages; and

(3) the retail establishment does not organize or participate financially in the games.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

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

Senate Conferees: (Signed) Jim Vickerman, Steve Kelley, Pat Pariseau

House Conferees: (Signed) Steve Dehler, Tony Kielkucki, David Tomassoni

Senator Vickerman moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2044 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2044 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 45 and nays 17, as follows:

Those who voted in the affirmative were:

Berg	Johnson, D.E.	Langseth	Oliver	Scheid
Day	Johnson, D.H.	Larson	Ourada	Solon
Dille	Johnson, D.J.	Lesewski	Pariseau	Stevens
Fischbach	Johnson, J.B.	Lessard	Price	Stumpf
Flynn	Junge	Lourey	Robertson	Ten Eyck
Hanson	Kelley, S.P.	Metzen	Robling	Terwilliger
Higgins	Kelly, R.C.	Moe, R.D.	Runbeck	Vickerman
Hottinger	Kierlin	Murphy	Sams	Wiger
Janezich	Kleis	Neuville	Samuelson	Ziegler

Those who voted in the negative were:

Anderson	Cohen	Krentz	Pappas	Spear
Belanger	Foley	Laidig	Piper	
Berglin	Frederickson	Limmer	Ranum	
Betzold	Knutson	Marty	Scheevel	

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

RECESS

Senator Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

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

H.F. No. 14: Senators Neuville, Scheid and Pappas.

S.F. No. 516: Senators Junge, Ourada and Flynn.

S.F. No. 319: Senators Pogemiller, Betzold and Terwilliger.

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

MEMBERS EXCUSED

Senator Kiscaden was excused from the Session of today. Senator Piper was excused from the Session of today from 9:00 to 9:40 a.m. Senator Johnson, D.H. was excused from the Session of today from 9:20 to 9:40 a.m. Senator Wiener was excused from the Session of today at 9:55 a.m. Senator Olson was excused from the Session of today at 10:00 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, May 13, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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