

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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NINETY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, March 29, 2000

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, Rev. Patrick L. Hall.

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

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

The President declared a quorum present.

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2510, 3369, 2894, 3055 and 3283.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 2000

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. 1733:** A bill for an act relating to alcoholic beverages; imposing civil third-party

liability for damages caused by intoxication of persons under age 21; prohibiting certain subrogation claims; proposing coding for new law in Minnesota Statutes, chapter 340A.

Senate File No. 1733 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 2000

Senator Betzold moved that the Senate do not concur in the amendments by the House to S.F. No. 1733, 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. 2363:** A bill for an act relating to health; regulating dental benefit plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Senate File No. 2363 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 2000

Senator Sams moved that the Senate do not concur in the amendments by the House to S.F. No. 2363, 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 House File, herewith transmitted: H.F. No. 2731.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 28, 2000

### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

**H.F. No. 2731:** A bill for an act relating to commerce; motor vehicle sales and distribution; regulating unfair practices by manufacturers, distributors, and factory branches; amending Minnesota Statutes 1998, sections 80E.13; and 80E.14, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2753, 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. 2506** 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:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2506	2684				

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.

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

**H.F. No. 3576** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3576	3361				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3576 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3576 and insert the language after the enacting clause of S.F. No. 3361, the first engrossment; further, delete the title of H.F. No. 3576 and insert the title of S.F. No. 3361, the first engrossment.

And when so amended H.F. No. 3576 will be identical to S.F. No. 3361, and further recommends that H.F. No. 3576 be given its second reading and substituted for S.F. No. 3361, and that the Senate File be indefinitely postponed.

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

## SECOND READING OF HOUSE BILLS

H.F. Nos. 2506 and 3576 were read the second time.

## MOTIONS AND RESOLUTIONS

Senator Cohen moved that the name of Senator Kelley, S.P. be added as a co-author to S.F. No. 887. The motion prevailed.

**Senator Moe, R.D. introduced--**

**Senate Resolution No. 141:** A Senate resolution congratulating the Fosston High School Girls basketball team on winning the 2000 State High School Class A Girls basketball Tournament.

Referred to the Committee on Rules and Administration.

**Senator Lesewski introduced--**

**Senate Resolution No. 142:** A Senate resolution congratulating the Southwest Minnesota

Christian High School Boys basketball team on winning the 2000 State High School Class 1A Boys basketball Tournament.

Referred to the Committee on Rules and Administration.

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 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. 3005:** A bill for an act relating to health and human services; establishing the right to seek licensure for excluded adult foster care providers; changing requirements to background studies for licensed programs; establishing tribal licensing agency access to criminal history data; amending Minnesota Statutes 1998, sections 245A.03, subdivision 2, and by adding a subdivision; and 245A.04, subdivisions 3 and 3b; Minnesota Statutes 1999 Supplement, section 245A.04, subdivision 3d; proposing coding for new law in Minnesota Statutes, chapter 245A.

Senate File No. 3005 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 2000

### CONCURRENCE AND REPASSAGE

Senator Ranum moved that the Senate concur in the amendments by the House to S.F. No. 3005 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 3005:** A bill for an act relating to health and human services; establishing the right to seek licensure for excluded adult foster care providers; changing requirements to background studies for licensed programs; establishing tribal licensing agency access to criminal history data; clarifying tort liability licensing exception for county agencies; amending Minnesota Statutes 1998, sections 245A.03, subdivision 2, and by adding a subdivision; and 245A.04, subdivisions 3 and 3b; Minnesota Statutes 1999 Supplement, section 245A.04, subdivision 3d.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Olson	Scheid
Belanger	Hanson	Langseth	Ourada	Solon
Berg	Higgins	Larson	Pappas	Spear
Berglin	Hottinger	Limmer	Pariseau	Stevens
Betzold	Janezich	Lourey	Piper	Stumpf
Cohen	Johnson, D.E.	Marty	Price	Terwilliger
Day	Kierlin	Metzen	Ranum	Vickerman
Dille	Kinkel	Moe, R.D.	Robertson	Wiger
Fischbach	Kiscaden	Murphy	Robling	Ziegler
Flynn	Kleis	Neuville	Sams	
Foley	Knutson	Oliver	Scheevel	

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. 2444:** A bill for an act relating to state lands; authorizing conveyance of certain surplus state land in Stearns county.

Senate File No. 2444 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 2000

**CONCURRENCE AND REPASSAGE**

Senator Larson moved that the Senate concur in the amendments by the House to S.F. No. 2444 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2444 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knutson	Neuville	Sams
Belanger	Hanson	Krentz	Oliver	Scheevel
Berg	Higgins	Laidig	Olson	Scheid
Berglin	Hottinger	Langseth	Ourada	Solon
Betzold	Janezich	Larson	Pappas	Spear
Cohen	Johnson, D.E.	Limmer	Pariseau	Stevens
Day	Kelley, S.P.	Lourey	Piper	Stumpf
Dille	Kierlin	Marty	Price	Terwilliger
Fischbach	Kinkel	Metzen	Ranum	Vickerman
Flynn	Kiscaden	Moe, R.D.	Robertson	Wiger
Foley	Kleis	Murphy	Robling	Ziegler

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. 2905:** A bill for an act relating to municipalities; increasing certain dollar limits in the Uniform Municipal Contracting Law; providing an exemption for certain cooperative purchasing; authorizing county purchases on credit cards; providing for personal liability for county officers and employees for unauthorized credit card purchases; amending Minnesota Statutes 1998, section 471.345, subdivisions 3, 4, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 375.

Senate File No. 2905 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 2000

### CONCURRENCE AND REPASSAGE

Senator Kelley, S.P. moved that the Senate concur in the amendments by the House to S.F. No. 2905 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2905 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 54 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knutson	Oliver	Scheevel
Belanger	Hanson	Krentz	Olson	Scheid
Berg	Higgins	Laidig	Ourada	Solon
Berglin	Hottinger	Langseth	Pappas	Spear
Betzold	Janezich	Larson	Pariseau	Stevens
Cohen	Johnson, D.E.	Lessard	Piper	Stumpf
Day	Kelley, S.P.	Lourey	Price	Terwilliger
Dille	Kelly, R.C.	Metzen	Robertson	Vickerman
Fischbach	Kierlin	Moe, R.D.	Robling	Wiger
Flynn	Kinkel	Murphy	Sams	Ziegler
Foley	Kiscaden	Neuville	Samuelson	

Those who voted in the negative were:

Kleis                      Limmer

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

### MOTIONS AND RESOLUTIONS - CONTINUED

#### 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. Nos. 2563, 3505, 2940, 2803, S.F. Nos. 887, 2851, 3002, 2655, 173, 2848, 2659 and 2987.

#### SPECIAL ORDER

**H.F. No. 2563:** A bill for an act relating to liens; modifying mechanics' lien penalties; creating a civil cause of action; authorizing attorney fees; providing that proceeds are exempt from execution; imposing criminal penalties; amending Minnesota Statutes 1998, sections 514.02, subdivision 1, and by adding a subdivision; and 550.37, by adding a subdivision.

Senator Hottinger moved that the amendment made to H.F. No. 2563 by the Committee on Rules and Administration in the report adopted March 22, 2000, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Senator Hottinger then moved to amend H.F. No. 2563 as follows:

Page 2, delete lines 24 to 28 and insert:

"(2) a shareholder of the corporation not responsible for the theft who knowingly receives proceeds of the payment as salary, dividend, loan repayment, capital distribution, or otherwise, is civilly liable for that amount as provided in subdivision 1a."

Page 3, line 9, delete "property" and insert "estate"

The motion prevailed. So the amendment was adopted.

H.F. No. 2563 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

**H.F. No. 3505:** A bill for an act relating to commerce; regulating certain disclosures; authorizing insurance against vicarious liability for certain damages; specifying the license term and fees of a managing general agent; regulating securities broker-dealers and investment advisers; authorizing the commissioner to withdraw certain inactive registration applications; extending a real estate continuing education pilot project; regulating the contractor recovery fund; making collection agencies responsible for the acts of collectors; providing standards of conduct for notarial acts; regulating unclaimed property; amending Minnesota Statutes 1998, sections 45.027, subdivision 7a; 60H.03, by adding a subdivision; 60K.03, subdivision 4; 80A.04, subdivisions 2 and 3; 80A.07, subdivision 1; 80A.10, subdivision 2; 80C.05, subdivision 4; 80C.07; 82.22, subdivision 13; 82A.04, subdivision 4, and by adding a subdivision; 82B.14; 83.23, by adding a subdivision; 308A.711, subdivision 1; 326.975, subdivision 1; and 345.515; Minnesota Statutes 1999 Supplement, sections 60A.06, subdivision 1; and 80A.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 332; and 359.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 2940:** A bill for an act relating to the environment; modifying the drycleaner environmental response and reimbursement law; amending Minnesota Statutes 1998, section 115B.49, subdivision 4, as amended, and 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 2803:** A bill for an act relating to courts; authorizing court reporters in certain judicial districts to organize under the Public Employment Labor Relations Act; amending Minnesota Statutes 1999 Supplement, sections 179A.03, subdivision 14; and 179A.101, subdivisions 1 and 2.

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 56 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Ourada	Solon
Belanger	Higgins	Langseth	Pappas	Spear
Berg	Janezich	Larson	Piper	Stumpf
Berglin	Johnson, D.E.	Lessard	Price	Terwilliger
Betzold	Johnson, D.H.	Limmer	Ranum	Vickerman
Cohen	Kelley, S.P.	Lourey	Robertson	Wiener
Day	Kelly, R.C.	Marty	Robling	Wiger
Dille	Kierlin	Metzen	Runbeck	Ziegler
Fischbach	Kinkel	Moe, R.D.	Sams	
Flynn	Kleis	Murphy	Samuelson	
Foley	Knutson	Novak	Scheevel	
Frederickson	Krentz	Olson	Scheid	

Those who voted in the negative were:

Lesewski	Neuville	Oliver	Pariseau	Stevens
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So the bill passed and its title was agreed to.



**SPECIAL ORDER**

**S.F. No. 887:** A bill for an act relating to crime; providing additional penalty enhancements for certain crimes motivated by bias; requiring mandatory education and community service for certain juveniles petitioned or adjudicated delinquent for violating the bias-motivated crime; amending Minnesota Statutes 1998, sections 609.595, subdivisions 2 and 3; 609.749, subdivision 3; and 624.712, subdivision 5; Minnesota Statutes 1999 Supplement, section 260B.198, subdivision 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1998, sections 609.2231, subdivision 4; and 609.595, subdivision 1a.

**CALL OF THE SENATE**

Senator Cohen imposed a call of the Senate for the balance of the proceedings on S.F. No. 887. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 887 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 11, as follows:

Those who voted in the affirmative were:

Anderson	Janezich	Langseth	Pariseau	Scheid
Belanger	Johnson, D.E.	Lessard	Piper	Solon
Berglin	Johnson, D.H.	Limmer	Pogemiller	Spear
Betzold	Kelley, S.P.	Lourey	Price	Stumpf
Cohen	Kelly, R.C.	Marty	Ranum	Terwilliger
Fischbach	Kinkel	Metzen	Ring	Vickerman
Flynn	Kiscaden	Moe, R.D.	Robertson	Wiener
Foley	Kleis	Murphy	Robling	Wiger
Frederickson	Knutson	Oliver	Runbeck	
Higgins	Krentz	Ourada	Sams	
Hottinger	Laidig	Pappas	Samuelson	

Those who voted in the negative were:

Berg	Hanson	Lesewski	Olson	Stevens
Day	Kierlin	Neuville	Scheevel	Ziegler
Dille				

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**S.F. No. 2851:** A bill for an act relating to labor; increasing penalties for violations of child labor laws; amending Minnesota Statutes 1998, section 181A.12, subdivision 1.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Day	Hanson	Kelley, S.P.	Knutson
Belanger	Dille	Higgins	Kelly, R.C.	Krentz
Berg	Fischbach	Hottinger	Kierlin	Langseth
Berglin	Flynn	Janezich	Kinkel	Lesewski
Betzold	Foley	Johnson, D.E.	Kiscaden	Lessard
Cohen	Frederickson	Johnson, D.H.	Kleis	Limmer

Lourey	Oliver	Ranum	Scheevel	Vickerman
Marty	Olson	Ring	Scheid	Wiener
Metzen	Ourada	Robertson	Solon	Wiger
Moe, R.D.	Pappas	Robling	Spear	Ziegler
Murphy	Pariseau	Runbeck	Stevens	
Neuville	Pogemiller	Sams	Stumpf	
Novak	Price	Samuelson	Terwilliger	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 3002:** A bill for an act relating to natural resources; adding to and deleting from state parks; renaming the visitors' center at Lake Bronson state park; amending Minnesota Statutes 1998, section 85.012, subdivision 32a.

Senator Frederickson moved to amend S.F. No. 3002 as follows:

Page 6, delete sections 4 and 5

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "amending"

The motion prevailed. So the amendment was adopted.

S.F. No. 3002 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

**S.F. No. 2655:** A bill for an act relating to taxation; recodifying insurance tax laws; providing for civil and criminal penalties; appropriating money; amending Minnesota Statutes 1998, sections 43A.316, subdivision 9; 43A.317, subdivision 8; 60A.19, subdivision 8; 60A.198, subdivision 3; 60A.208, subdivision 8; 60A.209, subdivision 3; 60C.17; 60E.04, subdivision 4; 60E.095; 61B.30, subdivision 1; 62C.01, subdivision 3; 62E.10, subdivision 1; 62E.13, subdivision 10; 62L.13, subdivision 3; 62T.10; 64B.24; 71A.04, subdivision 1; 79.252, subdivision 4; 79.34, subdivision 1a; 176A.08; 290.35, subdivisions 2, 3, and 6; 295.58; and 424.165; Minnesota Statutes 1999 Supplement, sections 43A.23, subdivision 1; and 60A.19, subdivision 6; proposing coding for new law as Minnesota Statutes, chapter 297I; repealing Minnesota Statutes 1998, sections 60A.15;

60A.152; 60A.198, subdivision 6; 60A.199, subdivisions 2, 3, 4, 5, 6, 6a, 7, 8, 9, 10, and 11; 60A.209, subdivisions 4 and 5; 69.54; 69.55; 69.56; 69.57; 69.58; 69.59; 69.60; 69.61; 71A.04, subdivision 2; 299F.21; 299F.22; 299F.23; 299F.24; 299F.25; and 299F.26; Minnesota Rules, part 2765.1500, subpart 6.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 173:** A bill for an act relating to natural resources; allowing the possession of wild animals taken under the Red Lake Band's conservation code on Red Lake Reservation lands north of the 49th parallel; amending Minnesota Statutes 1998, section 97A.505, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 2848:** A bill for an act relating to public employment; adding certain supervisory or confidential employees to the list of employees who may be represented by the same exclusive representative that represents employees who are not supervisory or confidential; amending Minnesota Statutes 1999 Supplement, section 179A.06, subdivision 2.

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 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Flynn

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 2659:** A bill for an act relating to crime prevention; imposing felony penalties on persons convicted of a fourth or more impaired driving offense within a ten-year period; providing a sunset for the felony penalties; requiring studies and reports to the legislature; amending Minnesota Statutes 1998, sections 169.121, subdivision 3b; and 169.129, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 169.121, subdivisions 3, 3d, and 3f; 169.1217, subdivision 7; 169.129, subdivision 1; and 609.135, subdivision 2.

Senator Johnson, D.H. moved to amend S.F. No. 2659 as follows:

Page 3, line 25, delete "(1)" and insert "(i)"

Page 3, line 28, delete "(2)" and insert "(ii)"

Page 11, line 23, delete "(1)" and insert "(i)"

Page 11, line 26, delete "(2)" and insert "(ii)"

Page 15, line 26, delete "2001" and insert "2000"

The motion prevailed. So the amendment was adopted.

Senator Johnson, D.H. then moved that S.F. No. 2659 be laid on the table. The motion prevailed.

### SPECIAL ORDER

**S.F. No. 2987:** A bill for an act relating to cooperatives; amending provisions on the financing and distribution of income for cooperatives; amending Minnesota Statutes 1998, section 308A.705, subdivision 3; Minnesota Statutes 1999 Supplement, section 80A.15, subdivision 2; repealing Minnesota Statutes 1998, sections 308A.031; and 308A.161.

Senator Vickerman moved to amend S.F. No. 2987 as follows:

Page 9, line 31, strike "capital" and insert "common"

Page 9, delete lines 33 and 34 and insert "cooperative for the previous fiscal year is sufficient. The Unless otherwise provided in the articles of incorporation,"

The motion prevailed. So the amendment was adopted.

Senator Runbeck moved to amend S.F. No. 2987 as follows:

Page 9, after line 35, insert:

"Sec. 3. [308A.706] [CAPITAL CREDIT PAYMENTS.]

A cooperative must provide a full return of a former member's capital credit no later than six months following a request for the return and termination of membership."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2987 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	Laidig	Oliver	Sams
Belanger	Hottinger	Langseth	Olson	Samuelson
Berg	Janezich	Larson	Ourada	Scheevel
Berglin	Johnson, D.E.	Lesewski	Pappas	Scheid
Betzold	Johnson, D.H.	Lessard	Pariseau	Solon
Cohen	Johnson, D.J.	Limmer	Piper	Spear
Day	Kelley, S.P.	Lourey	Pogemiller	Stevens
Dille	Kelly, R.C.	Marty	Price	Stumpf
Fischbach	Kierlin	Metzen	Ranum	Terwilliger
Flynn	Kinkel	Moe, R.D.	Ring	Vickerman
Foley	Kiscaden	Murphy	Robertson	Wiener
Frederickson	Kleis	Neuville	Robling	Ziegler
Hanson	Knutson	Novak	Runbeck	

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 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 under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 2686:** A bill for an act relating to health; establishing requirements for the sale of funeral goods and services and preneed funeral arrangements; modifying the enforcement authority of the commissioner of health; modifying licensing requirements for funeral establishments; prohibiting certain solicitations of sales by funeral providers; requiring certain

disclosures by funeral providers; prohibiting certain deceptive acts and practices for funeral providers; establishing requirements for preneed funeral agreements; amending Minnesota Statutes 1998, sections 149A.02, subdivisions 22, 23, and by adding subdivisions; 149A.08, subdivisions 1, 3, 4, and by adding a subdivision; 149A.50, subdivision 1; 149A.70, by adding subdivisions; 149A.71, subdivisions 2 and 4; 149A.73, subdivision 3, and by adding a subdivision; and 149A.97, subdivision 6, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 149A.

Reports the same back with the recommendation that the report from the Committee on Health and Family Security, shown in the Journal for March 20, 2000, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

**Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 2484:** A bill for an act relating to traffic regulations; requiring vehicles to be driven in the right-hand lane unless overtaking slower vehicles; amending Minnesota Statutes 1998, section 169.18, subdivision 7.

Reports the same back with the recommendation that the report from the Committee on Transportation, shown in the Journal for March 17, 2000, be adopted; that committee recommendation being:

"the bill do pass". Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2686 and 2484 were read the second time.

## 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:

S.F. No. 2363: Senators Sams, Berglin and Belanger.

S.F. No. 1733: Senators Betzold, Hottinger and Knutson.

H.F. No. 4078: Senators Berglin, Cohen, Langseth, Stumpf and Scheevel.

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

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

**Senators Solon; Metzen; Samuelson; Johnson, D.J. and Pogemiller introduced--**

**S.F. No. 3812:** A bill for an act relating to health; requiring drug manufacturers to provide rebates for drugs purchased by the uninsured; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

**MEMBERS EXCUSED**

Senator Junge was excused from the Session of today. Senators Lesewski and Wiener were excused from the Session of today from 9:00 to 9:35 a.m. Senator Johnson, D.H. was excused from the Session of today from 9:00 to 9:45 a.m. Senator Runbeck was excused from the Session of today from 9:00 to 9:50 a.m. Senator Pogemiller was excused from the Session of today from 9:00 to 10:00 a.m. Senator Johnson, D.J. was excused from the Session of today from 9:00 to 11:30 a.m. Senator Ring was excused from the Session of today from 9:15 to 10:15 a.m. Senator Ranum was excused from the Session of today from 9:25 to 9:55 a.m. Senator Lessard was excused from the Session of today from 9:30 to 10:00 a.m. Senator Wiger was excused from the Session of today from 10:50 to 11:05 a.m.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 30, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate





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