

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

FIFTY-SEVENTH DAY

St. Paul, Minnesota, Tuesday, May 4, 1999

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

CALL OF THE SENATE

Senator Foley 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. Kevin M. McDonough.

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

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

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 that the House refuses to concur in the Senate amendments to House File No. 2420:

H.F. No. 2420: A bill for an act relating to financing state and local government; providing a sales tax rebate; reducing individual income tax rates; making changes to income, sales and use, property, excise, mortgage registry and deed, health care provider, motor fuels, cigarette and tobacco, liquor, insurance premiums, aircraft registration, lawful gambling, taconite production, solid waste, and special taxes; establishing an agricultural homestead credit; changing and allowing tax credits, subtractions, and exemptions; changing property tax valuation, assessment, levy, classification, homestead, credit, aid, exemption, review, appeal, abatement, and distribution provisions; extending levy limits and changing levy authority; providing for reverse referenda on certain levy increases; phasing out health care provider taxes; extending the suspension of the tax on certain insurance premiums; reducing tax rates on lawful gambling; changing tax increment

financing law and providing special authority for certain cities; authorizing water and sanitary sewer districts; providing for the funding of courts in certain judicial districts; changing tax forfeiture and delinquency provisions; changing and clarifying tax administration, collection, enforcement, and penalty provisions; freezing the taconite production tax and providing for its distribution; providing for funding for border cities; changing fiscal note requirements; providing for deposit of tobacco settlement funds; providing for allocation of certain budget surpluses; requiring studies; establishing a task force; and providing for appointments; transferring funds; appropriating money; amending Minnesota Statutes 1998, sections 3.986, subdivision 2; 3.987, subdivision 1; 16A.152, subdivision 2, and by adding a subdivision; 16A.1521; 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 92.51; 97A.065, subdivision 2; 214.16, subdivisions 2 and 3; 270.07, subdivision 1; 270.65; 270.67, by adding a subdivision; 270B.01, subdivision 8; 270B.14, subdivision 1, and by adding a subdivision; 271.01, subdivision 5; 271.21, subdivision 2; 272.02, subdivision 1; 272.027; 272.03, subdivision 6; 273.11, subdivisions 1a and 16; 273.111, by adding a subdivision; 273.124, subdivisions 1, 7, 8, 13, 14, and by adding a subdivision; 273.13, subdivisions 22, 23, 24, 25, 31, and by adding a subdivision; 273.1382; 273.1398, subdivisions 2, 8, and by adding a subdivision; 273.1399, subdivision 6; 273.20; 274.01, subdivision 1; 275.065, subdivisions 3, 5a, 6, 8, and by adding a subdivision; 275.07, subdivision 1; 275.71, subdivisions 2, 3, and 4; 276.131; 279.37, subdivisions 1, 1a, and 2; 281.23, subdivisions 2, 4, and 6; 282.01, subdivisions 1, 4, and 7; 282.04, subdivision 2; 282.05; 282.08; 282.09; 282.241; 282.261, subdivision 4, and by adding a subdivision; 283.10; 287.01, subdivision 3, as amended; 287.05, subdivisions 1, as amended, and 1a, as amended; 289A.02, subdivision 7; 289A.18, subdivision 4; 289A.20, subdivision 4; 289A.31, subdivision 2; 289A.40, subdivisions 1 and 1a; 289A.50, subdivision 7, and by adding a subdivision; 289A.56, subdivision 4; 289A.60, subdivisions 3 and 21; 290.01, subdivisions 7, 19, 19a, 19b, 19f, 31, and by adding a subdivision; 290.06, subdivisions 2c, 2d, and by adding subdivisions; 290.0671, subdivision 1; 290.0672, subdivision 1; 290.0674, subdivisions 1 and 2; 290.091, subdivisions 1, 2, and 6; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivisions 3, 4, and 6; 290.191, subdivisions 2 and 3; 290.9725; 290.9726, by adding a subdivision; 290A.03, subdivisions 3 and 15; 290B.03, subdivision 1; 290B.04, subdivisions 3 and 4; 290B.05, subdivision 1; 291.005, subdivision 1; 295.50, subdivision 4; 295.52, subdivision 7; 295.53, subdivision 1; 295.55, subdivisions 2 and 3; 296A.16, by adding subdivisions; 297A.01, subdivision 15; 297A.15, subdivision 5; 297A.25, subdivisions 9, 11, 63, 73, and by adding subdivisions; 297A.48, by adding a subdivision; 297B.01, subdivision 7; 297B.03; 297E.01, by adding a subdivision; 297E.02, subdivisions 1, 3, 4, and 6; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.05; 297H.06, subdivision 2; 298.24, subdivision 1; 298.28, subdivision 9a; 299D.03, subdivision 5; 357.021, subdivision 1a; 360.55, by adding a subdivision; 375.192, subdivision 2; 383C.482, subdivision 1; 465.82, by adding a subdivision; 469.169, subdivision 12, and by adding a subdivision; 469.1735, by adding a subdivision; 469.176, subdivision 4g; 469.1763, by adding a subdivision; 469.1771, subdivision 1, and by adding a subdivision; 469.1791, subdivision 3; 469.1813, subdivisions 1, 2, 3, 6, and by adding a subdivision; 469.1815, subdivision 2; 473.249, subdivision 1; 473.252, subdivision 2; 473.253, subdivision 1; 477A.03, subdivision 2; 477A.06, subdivision 1; 485.018, subdivision 5; 487.02, subdivision 2; 487.32, subdivision 3; 487.33, subdivision 5; and 574.34, subdivision 1; Laws 1988, chapter 645, section 3; Laws 1997, chapter 231, article 1, section 19, subdivisions 1 and 3; Laws 1997, chapter 231, article 3, section 9; Laws 1997, First Special Session chapter 3, section 27; Laws 1997, Second Special Session chapter 2, section 6; Laws 1998, chapter 389, article 1, section 1; and Laws 1998, chapter 389, article 8, section 44, subdivisions 5, 6, and 7, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 62Q; 256L; 275; 297A; 469; and 473; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 16A.724; 16A.76; 92.22; 144.1484, subdivision 2; 256L.02, subdivision 3; 273.11, subdivision 10; 280.27; 281.13; 281.38; 284.01; 284.02; 284.03; 284.04; 284.05; 284.06; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; 295.59; 297E.12, subdivision 3; 297F.19, subdivision 4; 297G.18, subdivision 4; and 473.252, subdivisions 4 and 5; Laws 1997, chapter 231, article 1, section 19, subdivision 2; and Laws 1998, chapter 389, article 3, section 45.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Abrams, McElroy, Kuisle, Van Dellen and Rest have been appointed as such committee on the part of the House.

House File No. 2420 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 3, 1999

Senator Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2420, and that a Conference Committee of 5 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 House Files, herewith transmitted: H.F. Nos. 180, 935, 553, 1621, 649, 928, 1026, 1291, 1607, 1778 and 1825.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 3, 1999

FIRST READING OF HOUSE BILLS

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

H.F. No. 180: A bill for an act relating to commerce; regulating the safety of persons on amusement rides; amending Minnesota Statutes 1998, section 184B.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 184B.

Referred to the Committee on Judiciary.

H.F. No. 935: A bill for an act relating to education; authorizing lap and shoulder belts on school buses; requiring training on appropriately using lap and shoulder belts; amending Minnesota Statutes 1998, sections 123B.90, subdivisions 2, 3, and by adding a subdivision; 169.447, by adding subdivisions; and 169.4502, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

H.F. No. 553: A bill for an act relating to employment; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Jobs, Energy and Community Development.

H.F. No. 1621: A bill for an act relating to the environment; modifying provisions relating to judicial review of agency decisions; modifying requirements for incinerator monitors; amending Minnesota Statutes 1998, sections 115.05, subdivision 11; and 116.85, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1734, now on General Orders.

H.F. No. 649: A bill for an act relating to employment; establishing standards for employment support programs and services for persons with mental illness; requiring the commissioner of economic security to request funding for employment support services; amending Minnesota Statutes 1998, sections 268A.13; and 268A.14; proposing coding for new law in Minnesota Statutes, chapter 245.

Referred to the Committee on Jobs, Energy and Community Development.

H.F. No. 928: A bill for an act relating to recreational vehicles; prohibiting the use of metal traction devices on paved public trails; requiring a metal traction device sticker; defining terms; providing for duplicate state trail and metal traction device stickers; appropriating money;

amending Minnesota Statutes 1998, sections 84.81, by adding a subdivision; and 84.8205, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 1998, section 84.871, subdivision 2; Laws 1998, chapter 401, section 23; and Laws 1999, chapter 4, section 2, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 1026: A bill for an act relating to landlords and tenants; clarifying the application of housing discrimination law with respect to section 8 housing; amending Minnesota Statutes 1998, section 363.02, subdivision 2.

Referred to the Committee on Judiciary.

H.F. No. 1291: A bill for an act relating to traffic regulations; modifying provisions relating to school buses and drivers; amending Minnesota Statutes 1998, sections 169.01, subdivision 6; 169.03, subdivision 6; and 171.3215, subdivisions 2 and 4.

Referred to the Committee on Children, Families and Learning.

H.F. No. 1607: A bill for an act relating to peace officers; authorizing federally recognized tribes to exercise concurrent criminal jurisdictional authority with the local sheriff within the geographical boundaries of the tribe's reservation; establishing requirements for the exercise of such authority; amending Minnesota Statutes 1998, section 626.84, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1674, now on General Orders.

H.F. No. 1778: A bill for an act relating to telecommunications; providing for telecommunications pricing plans for state government under oversight of public utilities commission; proposing coding for new law in Minnesota Statutes, chapter 237.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1785, now on General Orders.

H.F. No. 1825: A bill for an act relating to lawful gambling; specifying locations where pull-tab dispensing machines may be used; requiring certain information to be printed on raffle tickets; authorizing certain tipboard games and tipboard rules; increasing maximum consolation prizes for bingo games; specifying maximum tipboard prizes; amending Minnesota Statutes 1998, sections 349.151, subdivision 4b, and by adding a subdivision; 349.1711, by adding a subdivision; and 349.211, subdivision 2, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1619, now on General Orders.

REPORTS OF COMMITTEES

Senator Cohen from the Committee on State Government Finance, to which was re-referred the following appointment as reported in the Journal for April 30, 1999:

DEPARTMENT OF FINANCE
COMMISSIONER

Pam Wheelock

Reports the same back with the recommendation that the appointment be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Novak from the Committee on Jobs, Energy and Community Development, to which were referred the following appointments as reported in the Journal for January 7, 1999:

BOARD OF INVENTION

Philip M. Goldman

MINNESOTA HOUSING FINANCE AGENCY

Michael Finch

Pamela K. Sleet

Reports the same back with the recommendation that the appointments be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Novak from the Committee on Jobs, Energy and Community Development, to which were referred the following appointments as reported in the Journal for February 22, 1999:

BUREAU OF MEDIATION SERVICES

COMMISSIONER

Lance Teachworth

DEPARTMENT OF LABOR AND INDUSTRY

COMMISSIONER

Gretchen B. Maglich

Reports the same back with the recommendation that the appointments be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Novak from the Committee on Jobs, Energy and Community Development, to which was referred the following appointment as reported in the Journal for March 18, 1999:

IRON RANGE RESOURCES AND REHABILITATION

COMMISSIONER

John Swift

Reports the same back with the recommendation that the appointment be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Runbeck introduced--

Senate Resolution No. 81: A Senate resolution congratulating Christopher Boder for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Sams and Langseth introduced--

S.F. No. 2248: A bill for an act relating to appropriations; appropriating wastewater funding for the city of Clarissa; authorizing state bonds; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senators Kleis, Metzen, Robertson, Stevens and Samuelson introduced--

S.F. No. 2249: A bill for an act relating to taxation; allowing compensation for certain armed forces service as a subtraction from federal taxable income for certain state income tax purposes; amending Minnesota Statutes 1998, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senators Janezich; Metzen; Vickerman; Johnson, D.J. and Terwilliger introduced--

S.F. No. 2250: A bill for an act relating to sports facilities; restructuring the metropolitan sports facilities commission as the Minnesota sports facilities commission; amending Minnesota Statutes 1998, sections 3.9741; 340A.504, subdivision 1; 469.071, subdivision 4; 473.121, subdivision 5a; 473.1623, subdivision 2; 473.164; 473.553, subdivisions 1, 2, 3, 4, 5, 6, and 7; repealing Minnesota Statutes 1998, sections 13.99, subdivision 98a; 473.551, subdivisions 10, 11, 12, 13, 14, 15, 16, and 17; 473.552; 473.553, subdivisions 9 and 14; 473.556, subdivisions 7, 14, and 17; 473.595, subdivisions 1a, 4, and 5; 473.598; and 473.599.

Referred to the Committee on Local and Metropolitan Government.

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 refuses to concur in the Senate amendments to House File No. 726:

H.F. No. 726: A bill for an act relating to capital improvements; providing standards for state assistance to capital improvement projects of political subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Knoblach, Vandever and Kalis have been appointed as such committee on the part of the House.

House File No. 726 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 3, 1999

Senator Cohen moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 726, 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.

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.

S.F. No. 1636, H.F. No. 1414, S.F. Nos. 1721, 1762 and 615.

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 Frederickson moved to amend S.F. No. 1636 as follows:

Page 2, line 31, after "required" insert ":

(1)"

Page 2, line 32, before the period, insert ":

(2) to comply with a court order;

(3) to protect the public health, safety, or welfare; or

(4) to protect natural resources or prevent degradation of the environment"

Senator Stumpf moved that S.F. No. 1636 be laid on the table. The motion prevailed.

SPECIAL ORDER

H.F. No. 1414: A bill for an act relating to human services; making changes to deaf and hard-of-hearing services division; modifying interpreter services; amending Minnesota Statutes 1998, sections 237.51, subdivision 5a; 256C.233, subdivisions 1 and 2; and 256C.25.

Senator Wiger moved to amend H.F. No. 1414 as follows:

Page 1, after line 7, insert:

"Section 1. [62A.3094] [COVERAGE FOR COCHLEAR IMPLANTS.]

Subdivision 1. [SCOPE OF COVERAGE.] This section applies to all health plans as defined in section 62A.011, subdivision 3, including the coverages described in clauses (7) and (10) of that subdivision.

Subd. 2. [REQUIRED COVERAGE.] A health plan must provide medical benefits for cochlear implantation, the cochlear prosthesis, and associated surgical and medical costs, including follow-up rehabilitation, speech therapy, auditory training, internal and external replacement parts,

and replacement to new technology. This section requires coverage only when the implantation satisfies criteria for cochlear implantation established for the device by the federal Food and Drug Administration."

Page 4, after line 3, insert:

"Sec. 6. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective August 1, 1999, and applies to health plans issued, renewed, or continued, as defined in Minnesota Statutes, section 60A.02, subdivision 2a, to provide coverage to a Minnesota resident on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Kiscaden questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

H.F. No. 1414 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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1721: A bill for an act relating to public employees; ratifying certain labor agreements and compensation plans; providing for transfer of vacation and sick leave for certain employees; modifying per diem provision for special mediators; modifying procedures for the listing of arbitrators; exempting epidemiologists from a salary cap; making technical changes; amending Minnesota Statutes 1998, sections 3.096; 43A.17, subdivision 4; 179.02, subdivision 2; 179A.03, subdivision 14; 179A.04, subdivision 3; 179A.10, subdivision 1; and 179A.16, subdivision 2; repealing Minnesota Statutes 1998, section 43A.17, subdivision 12.

Senator Kiscaden moved to amend S.F. No. 1721 as follows:

Page 2, after line 28, insert:

"Subd. 9. [DIRECTOR; HIGHER EDUCATION SERVICES OFFICE.] The director of the higher education services office shall have a salary of \$85,880 effective July 1, 1999."

The motion prevailed. So the amendment was adopted.

Senator Kelly, R.C. moved to amend S.F. No. 1721 as follows:

Page 2, after line 28, insert:

"Subd. 9. [CORRECTIONS OMBUDSMAN.] The salary of the corrections ombudsman shall be \$67,500 effective July 1, 1999."

The motion prevailed. So the amendment was adopted.

S.F. No. 1721 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 50 and nays 14, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Laidig	Oliver	Samuelson
Berg	Johnson, D.H.	Langseth	Olson	Scheid
Betzold	Johnson, D.J.	Larson	Ourada	Solon
Cohen	Johnson, J.B.	Lesewski	Pariseau	Spear
Flynn	Junge	Lessard	Piper	Stumpf
Foley	Kelley, S.P.	Lourey	Pogemiller	Ten Eyck
Frederickson	Kelly, R.C.	Metzen	Price	Terwilliger
Hanson	Kierlin	Moe, R.D.	Ranum	Vickerman
Higgins	Kiscaden	Neuville	Robertson	Wiener
Hottinger	Krentz	Novak	Runbeck	Wiger

Those who voted in the negative were:

Anderson	Dille	Knutson	Pappas	Scheevel
Berglin	Fischbach	Limmer	Robling	Ziegler
Day	Kleis	Marty	Sams	

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

SPECIAL ORDER

S.F. No. 1762: A bill for an act relating to transportation; modifying state contract requirements; allowing department of transportation to contract for land surveying; clarifying requirements for notaries and filing corrections to maps and plats relating to highways; providing for transfer of certain revolving loan accounts to transportation revolving loan fund; correcting trunk highway route description; modifying filing requirements for highway route location orders; increasing dollar amount for contracts negotiated by commissioner of transportation for highway construction or maintenance work; modifying provisions for estimates and agency costs relating to county state-aid highway and municipal state-aid street funds; authorizing commissioner of transportation to determine dates for seasonal load restrictions; modifying provision requiring certification for disbursement from state transportation fund; requiring commissioner of transportation to be responsible for design, construction, and operation of commuter rail; establishing design approval process for commuter rail; creating commuter rail corridor coordinating committee; changing period of hours of service exemption for drivers transporting sugar beets; authorizing commissioner to convey excess rail bank corridor land to state agency or political subdivision; modifying provisions governing state grants for local airports; limiting powers and duties of counties with respect to light rail and commuter rail transit planning; modifying deadlines for metropolitan transit performance evaluation reports by metropolitan council; establishing priority order for light rail transit construction; requiring metropolitan council to develop regional master plan for transit; making technical corrections; appropriating money; amending Minnesota Statutes 1998, sections 16C.05, subdivision 2; 16C.09; 160.085, subdivisions 1 and 1a; 161.04, subdivision 3, and by adding a subdivision; 161.115, subdivision 164; 161.16, subdivision 2; 161.32, subdivision 2; 162.06, subdivisions 1, 2, and 6; 162.12, subdivisions 1, 2, and 5; 169.87, subdivision 2; 174.02, by adding a subdivision; 174.50, subdivision 5; 221.0314, subdivision 9a; 222.63, subdivision 4; 360.0151, subdivision 2; 360.032, subdivision 1a; 360.305, subdivision 4; 398A.04, subdivision 2; 446A.085, subdivisions 3 and 6; 473.1466; 473.399; 473.3993, subdivision 3; and 473.3994, subdivisions 3, 4, and 10; Laws 1998, chapter 404, section

17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 1998, sections 169.832, subdivision 13; 473.3994, subdivision 12; and 473.3998.

Senator Laidig moved to amend S.F. No. 1762 as follows:

Page 3, after line 28, insert:

"Sec. 3. [138.767] [TRADITIONAL CULTURAL PROPERTY PRESERVATION.]

The state recognizes Coldwater Springs and the adjoining Oak Savannah area south of 54th Street, in Hennepin county, as potential traditional cultural properties, which are entitled to study for inclusion in the National Register of Historic Places, as well as for preservation and protection by the state historic preservation office, the Minnesota Indian affairs council, the department of transportation, and other state agencies. Any construction project which potentially impacts the flow of Coldwater Springs or the integrity of the Oak Savannah must comply with Presidential Executive Order 13007, until completion of appropriate federal and state processes to evaluate these sites for preservation and protection."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "establishing the Coldwater Springs and Oak Savannah Traditional Cultural Property Preservation;"

Senator Flynn questioned whether the amendment was germane.

The President ruled that the amendment was germane.

CALL OF THE SENATE

Senator Flynn imposed a call of the Senate for the balance of the proceedings on the Laidig amendment to S.F. No. 1762. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Laidig amendment. The motion did not prevail. So the amendment was not adopted.

S.F. No. 1762 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	Hanson	Knutson	Ourada	Solon
Belanger	Higgins	Krentz	Pappas	Spear
Berg	Hottinger	Laidig	Piper	Stumpf
Berglin	Johnson, D.E.	Langseth	Pogemiller	Ten Eyck
Betzold	Johnson, D.H.	Larson	Ranum	Terwilliger
Cohen	Johnson, D.J.	Lessard	Robertson	Vickerman
Dille	Johnson, J.B.	Lourey	Robling	Wiener
Fischbach	Junge	Moe, R.D.	Runbeck	Wiger
Flynn	Kelley, S.P.	Novak	Sams	
Foley	Kelly, R.C.	Oliver	Samuelson	
Frederickson	Kiscaden	Olson	Scheid	

Those who voted in the negative were:

Day	Kleis	Limmer	Scheevel	Ziegler
Kierlin	Lesewski	Neuville		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 615: A bill for an act relating to the Minneapolis park and recreation board; providing for the appointment of various employees; amending Laws 1969, chapter 1024, section 1, as amended.

Senator Higgins moved to amend S.F. No. 615 as follows:

Page 2, line 9, strike "and"

Page 2, delete line 10 and insert:

~~"(r) park police chief~~ (s) director, park safety, and

(t) any other position which meets the definition of "confidential employee," "supervisory employee," or "professional employee" under Minnesota Statutes, section 179A.03, provided the position is not included in a collective bargaining unit or, if included, the position is subject to the provisions of Minnesota Statutes, chapter 179A,"

The motion prevailed. So the amendment was adopted.

Senator Knutson moved to amend S.F. No. 615 as follows:

Page 2, after line 16, insert:

"Sec. 2. [CITY OF LAKEVILLE; EVEN-NUMBERED YEAR ELECTIONS.]

Notwithstanding Minnesota Statutes, section 205.07, subdivision 3, or any other law to the contrary, the governing body of the city of Lakeville may by ordinance provide that the municipal general election shall be held on the first Tuesday after the first Monday in November in every even-numbered year. The ordinance shall be effective after passage and publication, unless within 60 days after passage and publication of the ordinance, a petition requesting a referendum on the ordinance, signed by eligible voters equal in number to ten percent of the total number of votes cast in the city at the last municipal general election, is filed with the city clerk. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by a majority of the voters voting on the question at a general or special election. If the petition is filed, the governing body may reconsider its action in adopting the ordinance."

Page 2, line 17, delete "2" and insert "3"

Page 2, line 18, delete "This act" and insert "Section 1"

Page 2, line 20, after the period, insert "Section 2 is effective without local approval on the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "the Minneapolis park and recreation board" and insert "local government"

Page 1, line 3, before the semicolon, insert "of the Minneapolis park and recreation board; authorizing the city of Lakeville to change its general municipal elections to even-numbered years"

The motion prevailed. So the amendment was adopted.

S.F. No. 615 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Senator Metzen moved that the following members be excused for a Conference Committee on H.F. No. 7 at 10:35 a.m.:

Senators Metzen, Price and Pariseau. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Stumpf moved that S.F. No. 1636 be taken from the table. The motion prevailed.

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 Frederickson withdrew his amendment.

Senator Frederickson then moved to amend S.F. No. 1636 as follows:

Page 2, line 16, after "that" insert ":

(1)"

Page 2, line 18, before the period, insert ";

(2) the rule is required to comply with a court order; or

(3) the rule is required by federal law or is required to maintain authority to administer a federal program"

Page 2, delete lines 30 and 31

Page 2, line 32, delete everything before the period and insert "The standards of need and reasonableness in the hearing are the same as those in place when the rule that is the subject of the petition was adopted or amended"

The motion prevailed. So the amendment was adopted.

S.F. No. 1636 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	Kleis	Neuville	Sams
Belanger	Higgins	Knutson	Novak	Scheevel
Berg	Hottinger	Krentz	Oliver	Scheid
Berglin	Johnson, D.E.	Laidig	Olson	Solon
Betzold	Johnson, D.H.	Langseth	Ourada	Spear
Cohen	Johnson, D.J.	Larson	Pappas	Stumpf
Day	Johnson, J.B.	Lesewski	Piper	Ten Eyck
Dille	Junge	Lessard	Pogemiller	Terwilliger
Fischbach	Kelley, S.P.	Limmer	Ranum	Vickerman
Flynn	Kelly, R.C.	Lourey	Robertson	Wiener
Foley	Kierlin	Marty	Robling	Wiger
Frederickson	Kiscaden	Moe, R.D.	Runbeck	Ziegler

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 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. 1615: A bill for an act relating to human services; establishing a task force to develop a new day training and habilitation payment rate structure with technical assistance from the commissioner of human services.

Senate File No. 1615 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1999

CONCURRENCE AND REPASSAGE

Senator Sams moved that the Senate concur in the amendments by the House to S.F. No. 1615 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1615 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 0, as follows:

Those who voted in the affirmative were:

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

Scheid
SolonSpear
StumpfTen Eyck
TerwilligerVickerman
WienerWiger
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. 1821: A bill for an act relating to housing; modifying provision for amending zoning ordinance by cities of the first class; modifying housing finance agency provisions; authorizing agency to make equity take-out loans to owners of federally subsidized housing under certain circumstances; allowing participants to receive rental assistance for family stabilization for up to 60 months; clarifying purposes for which community rehabilitation funds may be used; establishing account to provide homeownership opportunities for disabled; modifying low-income housing credits; amending Minnesota Statutes 1998, sections 462.357, subdivision 5; 462A.073, subdivision 2; 462A.205, subdivisions 1, 2, 5, 6, and 9; 462A.206, subdivision 2; 462A.21, by adding a subdivision; 462A.222, subdivision 3; and 462A.223, subdivision 2; repealing Minnesota Statutes 1998, section 462A.073, subdivision 3.

Senate File No. 1821 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1999

Senator Higgins moved that the Senate do not concur in the amendments by the House to S.F. No. 1821, 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. 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.

Senate File No. 1539 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1999

CONCURRENCE AND REPASSAGE

Senator Stumpf moved that the Senate concur in the amendments by the House to S.F. No. 1539 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1539: A bill for an act relating to the environment; regulating limited well/boring contractors and the installation of vertical heat exchangers; amending Minnesota Statutes 1998, sections 103I.005, subdivisions 12, 13, and 20; 103I.101, subdivisions 2 and 5; 103I.105;

103I.205, subdivisions 2 and 4; 103I.301, subdivisions 2 and 3; 103I.501; 103I.531; and 103I.641, subdivisions 1 and 3.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Knutson	Novak	Samuelson
Belanger	Higgins	Krentz	Oliver	Scheevel
Berg	Hottinger	Laidig	Olson	Scheid
Berglin	Johnson, D.E.	Langseth	Ourada	Solon
Betzold	Johnson, D.H.	Larson	Pappas	Spear
Cohen	Johnson, J.B.	Lesewski	Piper	Stumpf
Day	Junge	Lessard	Pogemiller	Ten Eyck
Dille	Kelley, S.P.	Limmer	Ranum	Terwilliger
Fischbach	Kelly, R.C.	Lourey	Robertson	Vickerman
Flynn	Kierlin	Marty	Robling	Wiener
Foley	Kiscaden	Moe, R.D.	Runbeck	Wiger
Frederickson	Kleis	Neuville	Sams	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. 1645: A bill for an act relating to traffic regulations; exempting vehicles carrying milk from seasonal weight restrictions under certain circumstances; amending Minnesota Statutes 1998, section 169.87, by adding a subdivision.

Senate File No. 1645 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1999

CONCURRENCE AND REPASSAGE

Senator Johnson, D.E. moved that the Senate concur in the amendments by the House to S.F. No. 1645 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1645 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 0, as follows:

Those who voted in the affirmative were:

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

Moe, R.D.
Neuville
Novak
Oliver
Olson

Ourada
Pappas
Piper
Pogemiller
Ranum

Robertson
Robling
Runbeck
Sams
Samuelson

Scheevel
Scheid
Spear
Stumpf
Ten Eyck

Terwilliger
Vickerman
Wiener
Wiger
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. 148: A bill for an act relating to commerce; providing for the protection of structured settlements; amending Minnesota Statutes 1998, section 176.175, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 549.

Senate File No. 148 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1999

Senator Oliver moved that the Senate do not concur in the amendments by the House to S.F. No. 148, 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 adopted the recommendation and report of the Conference Committee on Senate File No. 1471, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1471: A bill for an act relating to landlords and tenants; requiring certain limitations on tenant screening fees; proposing coding for new law in Minnesota Statutes, chapter 504.

Senate File No. 1471 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1999

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1330, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1330: A bill for an act relating to financial institutions; regulating fees, charges, and time periods; authorizing certain part-time banking locations; authorizing reverse stock splits; making corrections and conforming changes; amending Minnesota Statutes 1998, sections 46.041, subdivisions 1 and 3; 46.048, subdivisions 1 and 2b; 46.131, subdivision 10; 47.0156; 47.101, subdivision 3; 47.20, subdivision 6b; 47.203; 47.204, subdivision 1; 47.27, subdivision 3; 47.52; 47.54, subdivisions 2 and 3; 47.59, subdivision 12; 47.60, subdivision 3; 48.15, subdivisions 2a and 3; 48A.15, subdivision 1; 49.36, subdivision 1; 52.01; 53.03, subdivisions 1, 6, and 7; 55.04, subdivision 2; 56.02; 56.131, subdivision 1; 59A.03, subdivision 2; 168.67; 168.71; 303.25, subdivision 5; 332.15, subdivisions 2 and 3; 332.17; and 332.30; proposing coding for new law in Minnesota Statutes, chapters 48; 52; and 334.

Senate File No. 1330 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 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. 2225: A bill for an act relating to human services; appropriating money for the departments of human services and health, the veterans nursing homes board, the health-related boards, the emergency medical services board, the council on disability, the ombudsman for mental health and mental retardation, and the ombudsman for families; establishing the state board of physical therapy; amending Minnesota Statutes 1998, sections 13.99, subdivision 38a, and by adding a subdivision; 16A.76, subdivision 2; 16C.10, subdivision 5; 60A.15, subdivision 1; 62A.045; 62E.11, by adding a subdivision; 62J.69; 116L.02; 125A.08; 125A.21, subdivision 1; 125A.74, subdivisions 1 and 2; 144.065; 144.148; 144.1761, subdivision 1; 144.99, subdivision 1, and by adding a subdivision; 144A.073, subdivision 5; 144A.10, by adding subdivisions; 144A.46, subdivision 2; 144D.01, subdivision 4; 144E.001, by adding subdivisions; 144E.10, subdivision 1; 144E.11, by adding a subdivision; 144E.16, subdivision 4; 144E.18; 144E.27, by adding subdivisions; 144E.50, by adding a subdivision; 145.924; 145.9255, subdivisions 1 and 4; 145A.02, subdivision 10; 145.9255, subdivisions 1 and 4; 148.5194, subdivisions 2, 3, 4, and by adding a subdivision; 148.66; 148.67; 148.70; 148.705; 148.71; 148.72, subdivisions 1, 2, and 4; 148.73; 148.74; 148.75; 148.76; 148.78; 148B.32, subdivision 1; 150A.10, subdivision 1; 214.01, subdivision 2; 245.462, subdivisions 4 and 17; 245.4711, subdivision 1; 245.4712, subdivision 2; 245.4871, subdivisions 4 and 26; 245.4881, subdivision 1; 245A.04, subdivision 3a; 245A.08, subdivision 5; 245A.30; 245B.05, subdivision 7; 245B.07, subdivisions 5, 8, and 10; 246.18, subdivision 6; 252.28, subdivision 1; 252.291, by adding a subdivision; 252.32, subdivision 3a; 252.46, subdivision 6; 253B.045, by adding subdivisions; 253B.07, subdivision 1; 253B.185, by adding a subdivision; 254B.01, by adding a subdivision; 254B.03, subdivision 2; 254B.04, subdivision 1; 254B.05, subdivision 1; 256.01, subdivision 2; 256.015, subdivisions 1 and 3; 256.87, subdivision 1a; 256.955, subdivisions 3, 4, 7, 8, and 9; 256.9685, subdivision 1a; 256.969, subdivision 1; 256B.04, subdivision 16, and by adding a subdivision; 256B.042, subdivisions 1, 2, and 3; 256B.055, subdivision 3a; 256B.056, subdivision 4; 256B.057, subdivision 3, and by adding a subdivision; 256B.0575; 256B.061; 256B.0625, subdivisions 6a, 8, 8a, 13, 19c, 20, 26, 28, 30, 32, 35, and by adding subdivisions; 256B.0627, subdivisions 1, 2, 4, 5, 8, and by adding subdivisions; 256B.0635, subdivision 3; 256B.064, subdivisions 1a, 1b, 1c, 2, and by adding a subdivision; 256B.0911, subdivision 6; 256B.0913, subdivisions 5, 10, 12, and 16; 256B.0917, subdivision 8; 256B.094, subdivisions 3, 5, and 6; 256B.37, subdivision 2; 256B.431, subdivisions 2i, 17, 26, and by adding a subdivision; 256B.434, subdivisions 3, 4, 13, and by adding a subdivision; 256B.435; 256B.48, subdivisions 1, 1a, 1b, and 6; 256B.50, subdivision 1e; 256B.501, subdivision 8a, and by adding a subdivision; 256B.5011, subdivisions 1 and 2; 256B.69, subdivisions 3a, 5b, 6a, 6b, and by adding subdivisions; 256B.692, subdivision 2; 256B.75; 256B.76; 256B.77, subdivisions 7a, 8, and by adding subdivisions; 256D.03, subdivisions 3, 4, and 8; 256D.051, subdivision 2a, and by adding a subdivision; 256D.053, subdivision 1; 256D.06, subdivision 5; 256F.03, subdivision 5; 256F.05, subdivision 8; 256F.10, subdivisions 1, 4, 6, 7, 8, 9, and 10; 256I.04, subdivision 3; 256I.05, subdivisions 1 and 1a; 256J.08, subdivisions 11, 24, 65, 82, 83, 86a, and by adding subdivisions; 256J.11, subdivisions 2 and 3; 256J.12, subdivisions 1a and 2; 256J.14; 256J.20, subdivision 3; 256J.21, subdivisions 2, 3, and 4; 256J.24, subdivisions 2, 3, 7, 8, 9, and by adding a subdivision; 256J.26, subdivision 1; 256J.30, subdivisions 2, 7, 8, and 9; 256J.31, subdivisions 5 and 12; 256J.32, subdivisions 4 and 6; 256J.33; 256J.34, subdivisions 1, 3, and 4; 256J.35; 256J.36; 256J.37, subdivisions 1, 1a, 2, 9, and 10; 256J.38, subdivision 4; 256J.42, subdivisions 1, 5, and by adding a subdivision; 256J.43; 256J.45, subdivision 1; 256J.46, subdivisions 1, 2, and 2a; 256J.47, subdivision 4; 256J.48, subdivisions 2 and 3; 256J.50, subdivision 1; 256J.515; 256J.52, subdivisions 1, 4, 8, and by adding a subdivision; 256J.55, subdivision 4; 256J.56; 256J.57, subdivision 1; 256J.62, subdivisions 1, 6, 7, 8, 9, and by adding a subdivision; 256J.67, subdivision 4; 256J.74,

subdivision 2; 256J.76, subdivisions 1, 2, and 4; 256L.03, subdivisions 5 and 6; 256L.04, subdivisions 2, 7, 8, 11, and 13; 256L.05, subdivision 4, and by adding a subdivision; 256L.06, subdivision 3; 256L.07; 256L.15, subdivisions 1, 1b, 2, and 3; 257.071, subdivisions 1, 1a, 1c, 1d, 1e, 3, and 4; 257.66, subdivision 3; 257.75, subdivision 2; 257.85, subdivisions 2, 3, 4, 5, 6, 7, 9, and 11; 259.29, subdivision 2; 259.67, subdivisions 6 and 7; 259.73; 259.85, subdivisions 2, 3, and 5; 259.89, by adding a subdivision; 260.011, subdivision 2; 260.012; 260.015, subdivisions 2a, 13, and 29; 260.131, subdivision 1a; 260.133, subdivisions 1 and 2; 260.135, by adding a subdivision; 260.172, subdivision 1, and by adding a subdivision; 260.181, subdivision 3; 260.191, subdivisions 1, 1a, 1b, and 3b; 260.192; 260.221, subdivisions 1, 1a, 1b, 1c, 3, and 5; 326.40, subdivisions 2, 4, and 5; 518.10; 518.158, subdivisions 1 and 2; 518.551, by adding a subdivision; 518.5853, by adding a subdivision; 626.556, subdivisions 2, 3, 4, 7, 10, 10b, 10d, 10e, 10f, 10i, 10j, 11, 11b, 11c, and by adding a subdivision; and 626.558, subdivision 1; Laws 1995, chapter 178, article 2, section 46, subdivision 10; chapter 207, article 8, section 41, as amended; Laws 1997, chapter 203, article 9, section 19; Laws 1998, chapter 407, article 7, section 2, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 10; 62J; 116L; 137; 144; 144A; 144E; 148; 214; 245; 246; 252; 254A; 256; 256B; 256J; and 626; proposing coding for new law as Minnesota Statutes, chapter 256M; repealing Minnesota Statutes 1998, sections 62J.77; 62J.78; 62J.79; 144.0723; 144E.16, subdivisions 1, 2, 3, and 6; 144E.17; 144E.25; 144E.30, subdivisions 1, 2, and 6; 145.46; 256B.434, subdivision 17; 256B.501, subdivision 3g; 256B.5011, subdivision 3; 256B.74, subdivisions 2 and 5; 256D.051, subdivisions 6 and 19; 256D.053, subdivision 4; 256J.03; 256J.30, subdivision 6; 256J.53, subdivision 4; 256J.62, subdivisions 2, 3, and 5; 257.071, subdivisions 8 and 10; and 462A.208; Laws 1997, chapter 85, article 1, section 63; chapter 203, article 4, section 55; chapter 225, article 6, section 8; Laws 1998, chapter 407, article 2, section 104; Minnesota Rules, parts 4690.0100, subparts 4, 13, 15, 19, 20, 21, 22, 23, 24, 26, 27, and 29; 4690.0300; 4690.0400; 4690.0500; 4690.0600; 4690.0700; 4690.0800, subparts 1 and 2; 4690.0900; 4690.1000; 4690.1100; 4690.1200; 4690.1300; 4690.1600; 4690.1700; 4690.2100; 4690.2200, subparts 1, 3, 4, and 5; 4690.2300; 4690.2400, subparts 1, 2, and 3; 4690.2500; 4690.2900; 4690.3000; 4690.3700; 4690.3900; 4690.4000; 4690.4100; 4690.4200; 4690.4300; 4690.4400; 4690.4500; 4690.4600; 4690.4700; 4690.4800; 4690.4900; 4690.5000; 4690.5100; 4690.5200; 4690.5300; 4690.5400; 4690.5500; 4690.5700; 4690.5800; 4690.5900; 4690.6000; 4690.6100; 4690.6200; 4690.6300; 4690.6400; 4690.6500; 4690.6600; 4690.6700; 4690.6800; 4690.7000; 4690.7100; 4690.7200; 4690.7300; 4690.7400; 4690.7500; 4690.7600; 4690.7700; 4690.7800; 4690.8300, subparts 1, 2, 3, 4, and 5; and 4735.5000.

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

Goodno; Bradley; Seifert, J.; Boudreau and Greenfield.

Senate File No. 2225 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1999

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. 371, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 371 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1999

CONFERENCE COMMITTEE REPORT ON H.F. NO. 371

A bill for an act relating to local government; removing the limit on the amount a local government may contribute for historical work; permitting local governments to make

contributions to public or private, nonprofit senior citizen centers or youth centers; amending Minnesota Statutes 1998, section 471.93; proposing coding for new law in Minnesota Statutes, chapter 471.

April 29, 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. 371, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment and that H.F. No. 371 be further amended as follows:

Page 1, line 24, after "SENIOR" insert ", YOUTH"

Page 2, line 1, before the period, insert "or youth center"

Amend the title as follows:

Page 1, line 6, before the semicolon, insert "or youth centers"

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

House Conferees: (Signed) Doug Stang, Steve Dehler, Al Juhnke

Senate Conferees: (Signed) Michelle L. Fischbach, Jim Vickerman, Dallas C. Sams

Senator Fischbach moved that the foregoing recommendations and Conference Committee Report on H.F. No. 371 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. 371 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 60, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 60 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1999

CONFERENCE COMMITTEE REPORT ON H.F. NO. 60

A bill for an act relating to health; allowing reimbursement for supplemental private duty nursing services provided by spouses of recipients under the community alternative care home and community-based waived services program; amending Minnesota Statutes 1998, section 256B.49, by adding a subdivision.

April 29, 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. 60, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments.

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

House Conferees: (Signed) Bill Haas, Darlene Luther, Andy Westerberg

Senate Conferees: (Signed) Don Betzold, Linda Berglin, Sheila M. Kiscaden

Senator Betzold moved that the foregoing recommendations and Conference Committee Report on H.F. No. 60 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. 60 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, 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. 1219: A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external review process; amending Minnesota Statutes 1998, sections 62D.11, subdivision 1; 62M.01; 62M.02, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, 12, 17, 20, 21, and by adding a subdivision; 62M.03, subdivisions 1 and 3; 62M.04, subdivisions 1, 2, 3, and 4; 62M.05; 62M.06; 62M.07; 62M.09, subdivision 3; 62M.10, subdivisions 2, 5, and 7; 62M.12; 62M.15; 62Q.106; 62Q.19, subdivision 5a; 62T.04; 72A.201, subdivision 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62D; and 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; 4685.1010, subpart 3; and 4685.1700.

Senate File No. 1219 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1999

Senator Berglin moved that the Senate do not concur in the amendments by the House to S.F. No. 1219, 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 refuses to concur in the Senate amendments to House File No. 2333:

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.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Seagren, Mares, Kielkucki, Wolf and Dorn have been appointed as such committee on the part of the House.

House File No. 2333 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 4, 1999

Senator Pogemiller moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2333, and that a Conference Committee of 5 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.

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. 2420: Senators Johnson, D.J.; Vickerman; Murphy; Hottinger and Belanger.

H.F. No. 726: Senators Cohen, Wiener and Laidig.

H.F. No. 2333: Senators Pogemiller, Scheid, Pappas, Scheevel and Robertson.

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

MEMBERS EXCUSED

Senators Janezich, Murphy and Stevens were excused from the Session of today. Senator Johnson, D.H. was excused from the Session of today from 9:00 to 10:25 a.m. Senator Lessard was excused from the Session of today from 9:45 to 10:05 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Wednesday, May 5, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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