

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

ONE HUNDRED FOURTH DAY

St. Paul, Minnesota, Monday, April 10, 2000

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

CALL OF THE SENATE

Senator Kleis 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. Paul O. Monson.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 6, 2000

The Honorable Allan H. Spear
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 2676, 2828, 2546, 3025, 3554 and 624.

Sincerely,
Jesse Ventura, Governor

April 7, 2000

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2000 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2000	Date Filed 2000
2676		335	3:45 p.m. April 6	April 6
2828		336	3:48 p.m. April 6	April 6
2546		337	3:50 p.m. April 6	April 6
3025		338	3:53 p.m. April 6	April 6
	3134	339	3:54 p.m. April 6	April 6
	3122	340	3:55 p.m. April 6	April 6
	3510	341	3:56 p.m. April 6	April 6
	2656	342	3:57 p.m. April 6	April 6
3554		343	3:58 p.m. April 6	April 6
624		344	4:00 p.m. April 6	April 6

Sincerely,
Mary Kiffmeyer
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 3633, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 3633 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 2000

CONFERENCE COMMITTEE REPORT ON H.F. NO. 3633

A bill for an act relating to state observances; designating Mighty Eighth Air Force Week; proposing coding for new law in Minnesota Statutes, chapter 10.

April 4, 2000

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. 3633, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 3633 be further amended as follows:

Page 1, line 14, after "thereafter" insert ", until 2099,"

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

House Conferees: (Signed) Jim Rhodes, Jim Rostberg, Betty McCollum

Senate Conferees: (Signed) Roy W. Terwilliger, Martha R. Robertson, Deanna L. Wiener

Senator Terwilliger moved that the foregoing recommendations and Conference Committee Report on H.F. No. 3633 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. 3633 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2563 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2563 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 2000

CONFERENCE COMMITTEE REPORT ON 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.

April 4, 2000

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. 2563, 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. 2563, the unofficial engrossment, be further amended as follows:

Page 2, line 21, after "any" insert "shareholders," and after "corporation" insert "who are"

Page 2, line 24, delete "a shareholder" and insert "any shareholders, officers, directors, or agents"

Page 2, line 25, delete "receives" and insert "receive"

Page 2, line 27, delete "is" and insert "are"

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

House Conferees: (Signed) Julie Storm, Elaine Harder, Tim Mahoney

Senate Conferees: (Signed) John C. Hottinger, Dennis R. Frederickson, Twyla Ring

Senator Hottinger moved that the recommendations and Conference Committee Report on H.F. No. 2563 be rejected and that the bill be re-referred to the Conference Committee as formerly constituted for further consideration. 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. 3387: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, unintended results, and technical errors in human services and prekindergarten-grade 12 education code; appropriating money; amending Minnesota Statutes 1998, sections 125A.21, subdivision 1; and 256B.501, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 124D.65, subdivision 4; 126C.052; 126C.10, subdivisions 2 and 23; 126C.12, subdivision 1; and 256B.77, subdivision 10; Laws 1999, chapters 241, articles 1, section 70; and 4, section 29; 245, articles 1, section 3, subdivision 2; and 4, section 121; repealing Laws 1999, chapter 241, article 10, section 5.

Senate File No. 3387 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 2000

CONCURRENCE AND REPASSAGE

Senator Samuelson moved that the Senate concur in the amendments by the House to S.F. No. 3387 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Senator Moe, R.D. imposed a call of the Senate for the balance of the proceedings on S.F. No. 3387. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Samuelson motion.

The roll was called, and there were yeas 37 and nays 30, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.J.	Larson	Ourada	Stumpf
Berg	Kelly, R.C.	Lesewski	Pariseau	Terwilliger
Day	Kierlin	Lessard	Robling	Vickerman
Dille	Kinkel	Limmer	Runbeck	Wiger
Fischbach	Kleis	Metzen	Sams	Ziegler
Frederickson	Knutson	Neuville	Samuelson	
Hanson	Laidig	Oliver	Scheevel	
Johnson, D.E.	Langseth	Olson	Stevens	

Those who voted in the negative were:

Anderson	Higgins	Kiscaden	Novak	Ring
Berglin	Hottinger	Krentz	Pappas	Robertson
Betzold	Janezich	Lourey	Piper	Scheid
Cohen	Johnson, D.H.	Marty	Pogemiller	Solon
Flynn	Junge	Moe, R.D.	Price	Spear
Foley	Kelley, S.P.	Murphy	Ranum	Wiener

The motion prevailed.

S.F. No. 3387: A bill for an act relating to health; requiring informed consent of a female upon whom an abortion is performed; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

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 37 and nays 30, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.J.	Larson	Ourada	Stumpf
Berg	Kelly, R.C.	Lesewski	Pariseau	Terwilliger
Day	Kierlin	Lessard	Robling	Vickerman
Dille	Kinkel	Limmer	Runbeck	Wiger
Fischbach	Kleis	Metzen	Sams	Ziegler
Frederickson	Knutson	Neuville	Samuelson	
Hanson	Laidig	Oliver	Scheevel	
Johnson, D.E.	Langseth	Olson	Stevens	

Those who voted in the negative were:

Anderson	Higgins	Kiscaden	Novak	Ring
Berglin	Hottinger	Krentz	Pappas	Robertson
Betzold	Janezich	Lourey	Piper	Scheid
Cohen	Johnson, D.H.	Marty	Pogemiller	Solon
Flynn	Junge	Moe, R.D.	Price	Spear
Foley	Kelley, S.P.	Murphy	Ranum	Wiener

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

RECONSIDERATION

Having voted on the prevailing side, Senator Neuville moved that the vote whereby S.F. No. 3387 was passed by the Senate on April 10, 2000, be now reconsidered. The motion prevailed. So the vote was reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 30 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Kiscaden	Novak	Ring
Berglin	Hottinger	Krentz	Pappas	Robertson
Betzold	Janezich	Lourey	Piper	Scheid
Cohen	Johnson, D.H.	Marty	Pogemiller	Solon
Flynn	Junge	Moe, R.D.	Price	Spear
Foley	Kelley, S.P.	Murphy	Ranum	Wiener

Those who voted in the negative were:

Belanger	Johnson, D.J.	Larson	Ourada	Stumpf
Berg	Kelly, R.C.	Lesewski	Pariseau	Terwilliger
Day	Kierlin	Lessard	Robling	Vickerman
Dille	Kinkel	Limmer	Runbeck	Wiger
Fischbach	Kleis	Metzen	Sams	Ziegler
Frederickson	Knutson	Neuville	Samuelson	
Hanson	Laidig	Oliver	Scheevel	
Johnson, D.E.	Langseth	Olson	Stevens	

The motion did not prevail. So the vote was not reconsidered.

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. 1870: A bill for an act relating to motor vehicles; regulating motor vehicle fuel franchises and marketing agreements; amending Minnesota Statutes 1998, section 80C.01, subdivision 4, and by adding subdivisions; proposing coding for new law as Minnesota Statutes, chapter 80F.

Senate File No. 1870 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 2000

Senator Hottinger moved that S.F. No. 1870 be laid on the table. The motion prevailed.

Senator Hottinger moved that S.F. No. 1870 be taken from the table. The motion prevailed.

Senator Hottinger moved that the Senate do not concur in the amendments by the House to S.F. No. 1870, 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. 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, subdivision 22, and by adding subdivisions; 149A.08, subdivisions 1, 3, 4, and by adding a subdivision; 149A.70, by adding subdivisions; 149A.71, subdivisions 1, 2, 3, and 4; 149A.72, subdivisions 5, 6, 7, 9, 10, 11, 12, and 13; 149A.73, subdivisions 1, 3, 4, and by adding a subdivision; 149A.75; and 149A.97, subdivisions 1, 2, 3, 6, 9, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 149A.

Senate File No. 2686 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Senator Robling moved that the Senate do not concur in the amendments by the House to S.F. No. 2686, 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. 2521: A bill for an act relating to local government; establishing standards for the creation of corporations by political subdivisions; providing for the continuation of existing corporations created by political subdivisions; amending Minnesota Statutes 1998, section 238.08, subdivision 3; proposing coding for new law in Minnesota Statutes 1998, chapter 465; repealing Minnesota Statutes 1998, section 465.715, subdivisions 1, 2, and 3; Minnesota Statutes 1999 Supplement, section 465.715, subdivision 1a.

Senate File No. 2521 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Senator Vickerman moved that the Senate do not concur in the amendments by the House to S.F. No. 2521, 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. 1231: A bill for an act relating to professions; modifying provisions relating to optometrist licensing; amending Minnesota Statutes 1998, sections 148.57, subdivision 1; and 148.61, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 148.

Senate File No. 1231 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

CONCURRENCE AND REPASSAGE

Senator Hottinger moved that the Senate concur in the amendments by the House to S.F. No. 1231 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1231 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2845: A bill for an act relating to crimes; increasing criminal penalties and driver license sanctions for underage persons who use any type of false identification to purchase or attempt to purchase alcoholic beverages or tobacco; authorizing peace officers to transport alleged truants from the child's home to school or to a truancy service center; authorizing retailers to seize false identification; amending Minnesota Statutes 1998, sections 171.171; 340A.702; and 609.685, subdivisions 1a, 2, and 3; Minnesota Statutes 1999 Supplement, sections 260B.235, subdivision 4; 260C.143, subdivision 4; and 340A.503, subdivision 6.

Senate File No. 2845 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 2000

Senator Knutson moved that the Senate do not concur in the amendments by the House to S.F. No. 2845, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 2785: A bill for an act relating to motor vehicles; exempting utility-owned vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding a subdivision.

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

Workman, Buesgens and Juhnke.

Senate File No. 2785 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

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

S.F. No. 3234: A bill for an act relating to state government; authorizing legislative governmental operations committees to formally object to administrative rules; modifying the review of proposed rules; creating a rules task force; providing appointments; amending Minnesota Statutes 1998, sections 3.842, subdivision 4a; and 14.15, subdivision 4; Minnesota Statutes 1999 Supplement, section 14.26, subdivision 3.

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

Seifert, M.; Rhodes and Pelowski.

Senate File No. 3234 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

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

S.F. No. 2500: A bill for an act relating to charitable organizations; changing definitions; amending Minnesota Statutes 1998, section 309.501, subdivision 1.

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

Luther, Van Dellen and Wenzel.

Senate File No. 2500 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

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

S.F. No. 2870: A bill for an act relating to financial institutions; regulating certain loan charges and payments; making various technical changes; amending Minnesota Statutes 1998, sections 47.59, subdivisions 7, 10, and by adding a subdivision; 47.60, subdivision 2; 48.56; 52.04, subdivision 1; 56.131, subdivision 4; 58.02, subdivision 10; 58.04, subdivisions 2 and 3; 58.05, by adding a subdivision; 58.08, as amended; 58.10, subdivision 1; and 168.72, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 47.52; and 58.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 58; repealing Minnesota Statutes 1998, sections 58.02, subdivision 15; and 58.05, subdivision 2; Minnesota Rules, part 2675.4180.

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

Davids, Rifenberg and Entenza.

Senate File No. 2870 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

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

S.F. No. 3002: A bill for an act relating to natural resources; adding to and deleting from state parks; amending Minnesota Statutes 1998, section 85.012, subdivision 32a.

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

Swansen, Ozment and Bakk.

Senate File No. 3002 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

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

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

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

Goodno, Knoblach and Greenfield.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

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

S.F. No. 1288: A bill for an act relating to natural resources; exempting trappers from blaze orange requirements; providing that for certain turkey license applicants qualifying land may be noncontiguous; increasing hunting and fishing license fees; appropriating money; amending Minnesota Statutes 1998, sections 97A.435, subdivision 4; 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; 97A.485, subdivision 12; and 97B.071.

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

Holsten, Bakk and Hackbarth.

Senate File No. 1288 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2826:

H.F. No. 2826: A bill for an act relating to elections; clarifying provisions and conforming procedures under the Minnesota election law and related provisions; amending Minnesota Statutes 1998, sections 103C.305, subdivision 6; 103C.315, subdivision 2; 123B.09, subdivision 1; 201.061, subdivision 3; 201.171; 203B.02, by adding a subdivision; 203B.06, subdivision 6; 204B.09, subdivision 1a; 204B.12, subdivision 1; 204B.14, subdivisions 2, 5, and 6; 204B.16, subdivision 1; 204B.18, subdivision 1; 204B.19, subdivision 6; 204B.40; 204B.45, subdivision 1; 204C.32, subdivision 1; 204C.37; 204D.13, subdivision 1; 204D.25, subdivision 1; 204D.27, subdivision 8; 205.13, subdivision 6, and by adding a subdivision; 205.17, subdivision 1; 205A.06, subdivision 5, and by adding a subdivision; 206.90, subdivision 6; and 447.32, subdivision 1; Minnesota Statutes 1999 Supplement, sections 10A.31, subdivision 3a; 203B.04, subdivision 1; 203B.085; 367.03, subdivision 4; and 447.32, subdivision 4; repealing Minnesota Statutes 1998, sections 203B.02, subdivision 1a; 204B.09, subdivision 2; and 204B.45, subdivision 1a.

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

Seifert, M.; Paulsen and Wenzel have been appointed as such committee on the part of the House.

House File No. 2826 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 April 6, 2000

Senator Larson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2826, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 3259, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 3259: A bill for an act relating to the state building code; providing for certain energy code rules to remain in effect.

Senate File No. 3259 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 2000

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. 2363, and repassed said bill in accordance with the report of the Committee, so adopted.

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 April 10, 2000

Mr. President:

I have the honor to announce the following change in the membership of the Conference Committee on Senate File No. 2500:

Delete the name of Van Dellen and add the name of Anderson, B.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 2000

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. 3213 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3213	2878				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3213 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3213 and insert the language after the enacting clause of S.F. No. 2878, the first engrossment; further, delete the title of H.F. No. 3213 and insert the title of S.F. No. 2878, the first engrossment.

And when so amended H.F. No. 3213 will be identical to S.F. No. 2878, and further recommends that H.F. No. 3213 be given its second reading and substituted for S.F. No. 2878, 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. Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 3642 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3642	2847				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3642 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3642 and insert the language after the enacting clause of S.F. No. 2847, the first engrossment; further, delete the title of H.F. No. 3642 and insert the title of S.F. No. 2847, the first engrossment.

And when so amended H.F. No. 3642 will be identical to S.F. No. 2847, and further recommends that H.F. No. 3642 be given its second reading and substituted for S.F. No. 2847, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2833 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2833	2891				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2833 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2833 and insert the language after the enacting clause of S.F. No. 2891, the first engrossment; further, delete the title of H.F. No. 2833 and insert the title of S.F. No. 2891, the first engrossment.

And when so amended H.F. No. 2833 will be identical to S.F. No. 2891, and further recommends that H.F. No. 2833 be given its second reading and substituted for S.F. No. 2891, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 3839 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3839	2474				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3839 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3839 and insert the language after the enacting clause of S.F. No. 2474; further, delete the title of H.F. No. 3839 and insert the title of S.F. No. 2474.

And when so amended H.F. No. 3839 will be identical to S.F. No. 2474, and further recommends that H.F. No. 3839 be given its second reading and substituted for S.F. No. 2474, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 3516 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3516	3071				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3516 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3516 and insert the language after the enacting clause of S.F. No. 3071, the first engrossment; further, delete the title of H.F. No. 3516 and insert the title of S.F. No. 3071, the first engrossment.

And when so amended H.F. No. 3516 will be identical to S.F. No. 3071, and further recommends that H.F. No. 3516 be given its second reading and substituted for S.F. No. 3071, 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. 3213, 3642, 2833, 3839 and 3516 were read the second time.

MOTIONS AND RESOLUTIONS

Senators Higgins, Spear, Ranum, Berglin and Pogemiller introduced--

Senate Resolution No. 152: A Senate resolution congratulating the Minneapolis Patrick Henry High School Boys basketball team on winning the 2000 State High School Class 3A Boys Basketball Tournament.

Referred to the Committee on Rules and Administration.

Senator Runbeck introduced--

Senate Resolution No. 153: A Senate resolution congratulating the Mounds View High School mathematics team on winning the 2000 Minnesota High School Math League State Tournament.

Referred to the Committee on Rules and Administration.

Senator Hanson moved that S.F. No. 3740, No. 38 on General Orders, be stricken and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

Senator Robertson moved that her name be stricken as a co-author to S.F. No. 3387. The motion prevailed.

Senator Kiscaden moved that her name be stricken as a co-author to S.F. No. 3387. 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:

S.F. No. 2521: Senators Vickerman; Kelley, S.P. and Lesewski.

S.F. No. 1870: Senators Hottinger, Runbeck and Solon.

S.F. No. 2686: Senators Robling, Wiener and Belanger.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Pogemiller moved that his name be stricken as a co-author to S.F. No. 3387. The motion prevailed.

Senator Samuelson moved that the names of Senators Stevens, Hanson and Fischbach be added as co-authors to S.F. No. 3387. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Ranum and Knutson introduced--

S.F. No. 3819: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 1998, section 268.059.

Referred to the Committee on Rules and Administration.

Senators Stevens, Ziegler, Pariseau and Scheevel introduced--

S.F. No. 3820: A bill for an act relating to crimes; authorizing imposition of the death penalty for committing first degree murder by causing death of a human being while committing criminal sexual conduct in the first or second degree with force or violence under aggravating circumstances; providing a statutory framework, including procedures and criteria, consistent with due process for determining when the imposition of the death penalty is appropriate; providing for automatic appellate review of death penalty cases; providing an administrative framework for implementing the death penalty; amending Minnesota Statutes 1998, sections 243.05, subdivision 1; 609.10, subdivision 1; 609.12, subdivision 1; 609.135, subdivision 1; and 609.185; proposing coding for new law as Minnesota Statutes, chapter 244A.

Referred to the Committee on Crime Prevention.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Senator Moe, R.D. moved that his name be stricken as a co-author to S.F. No. 3387. The motion prevailed.

MEMBERS EXCUSED

Senator Janezich was excused from the Session of today from 9:00 to 10:25 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Tuesday, April 11, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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