

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 1999

## SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 21, 1999

The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Stephen Cook, Immanuel Lutheran Church, Princeton, Minnesota.

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

The roll was called and the following members were present:

Abeler	Dorn	Howes	Mahoney	Pawlenty	Tingelstad
Abrams	Entenza	Huntley	Mares	Paymar	Tomassoni
Anderson, B.	Erhardt	Jaros	Mariani	Pelowski	Trimble
Anderson, I.	Erickson	Jennings	Marko	Peterson	Tuma
Bakk	Finseth	Johnson	McCollum	Pugh	Tunheim
Biernat	Folliard	Juhnke	McElroy	Rest	Van Dellen
Bishop	Fuller	Kahn	McGuire	Reuter	Vanderveer
Boudreau	Gerlach	Kalis	Milbert	Rhodes	Wagenius
Bradley	Gleason	Kelliher	Molnau	Rifenberg	Wejzman
Broecker	Goodno	Kielkucki	Mulder	Rostberg	Wenzel
Buesgens	Gray	Knoblach	Mullery	Rukavina	Westerberg
Carlson	Greenfield	Koskinen	Munger	Schumacher	Westfall
Carruthers	Greiling	Krinkie	Murphy	Seagren	Westrom
Cassell	Gunther	Kubly	Ness	Seifert, J.	Wilkin
Chaudhary	Haake	Kuisle	Nornes	Seifert, M.	Winter
Clark, J.	Haas	Larsen, P.	Olson	Skoe	Wolf
Clark, K.	Hackbarth	Larsen, D.	Opatz	Skoglund	Workman
Daggett	Harder	Leighton	Orfield	Smith	Spk. Sviggum
Davids	Hasskamp	Lenczewski	Osskopp	Solberg	
Dawkins	Hausman	Leppik	Osthoff	Stanek	
Dehler	Hilty	Lieder	Otremba	Stang	
Dempsey	Holberg	Lindner	Ozment	Storm	
Dorman	Holsten	Luther	Paulsen	Swenson	

A quorum was present.

Sykora was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Fuller moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mares from the Committee on Education Policy to which was referred:

H. F. No. 15, A bill for an act relating to education; implementing the recommendations of the standards advisory panel; amending profile of learning requirements; eliminating state performance packages; requiring school districts to implement core learning areas; allowing districts to implement other learning areas; limiting the number of required content standards; comparing 11th grade students' educational performance with students from other states and nations; establishing an advisory group to make recommendations on students who may be unable to meet high school graduation requirements; amending Minnesota Statutes 1998, sections 120B.02; 120B.03, subdivisions 1 and 2; and 120B.30, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy without further recommendation.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 74, A bill for an act relating to health; modifying the suggested health care directive form, amending Minnesota Statutes 1998, section 145C.16.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 133, A bill for an act relating to local government; repealing authority for certain local residency requirements; repealing Laws 1993, chapter 260; and Laws 1994, chapter 570.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 139, A bill for an act relating to the campaign finance and public disclosure board; specifying member qualifications; amending Minnesota Statutes 1998, section 10A.02, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 22, delete "do not"

Page 1, line 23, strike "the same" and insert "different" and strike "party" and before the semicolon insert "parties"

Page 2, line 3, strike "not" and strike the second "the"

Page 2, line 4, strike "same" and insert "different" and strike "party" and insert "parties"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 133 and 139 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Opatz introduced:

H. F. No. 185, A bill for an act relating to education; creating a pilot program to examine the effect of allowing elementary and middle school teachers to remain with their students for multiple, consecutive school years; appropriating money.

The bill was read for the first time and referred to the Committee on Education Policy.

Mares introduced:

H. F. No. 186, A bill for an act relating to insurance; mandating coverage for cochlear implants; proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the first time and referred to the Committee on Commerce.

Mares, Workman, Molnau, Lieder and Juhnke introduced:

H. F. No. 187, A bill for an act relating to highways; mandating directional sign on I-694 for Century College.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Kuisle; Rifenberg; Anderson, I.; Rostberg; Storm; Abeler; Hackbarth; Ness; Olson; Cassell; Swenson; Otremba; Davids; Stang; Dehler; Westrom; Dorman; Osskopp; Tuma; Broecker; Paulsen; Goodno; Gunther; Boudreau; Westfall; Finseth; Kielkucki; Daggett; Howes; Seifert, J.; Erickson; Knoblach; Krinkie; Seifert, M., and Mulder introduced:

H. F. No. 188, A bill for an act relating to health; waiving immediate jeopardy fines imposed by the department of health.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Dempsey, Molnau, Rifenberg, Osthoff and Lieder introduced:

H. F. No. 189, A bill for an act relating to transportation; appropriating money for port development assistance.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Harder, Abrams, Rest, Erhardt and Sviggum introduced:

H. F. No. 190, A bill for an act relating to taxation; providing for conformity with federal tax treatment of certain S corporations; amending Minnesota Statutes 1998, sections 290.01, subdivisions 19a, 19b, and 19f; 290.06, subdivision 2c; 290.091, subdivisions 2 and 6; and 290.9725.

The bill was read for the first time and referred to the Committee on Taxes.

Rifenberg introduced:

H. F. No. 191, A bill for an act relating to state lands; authorizing private sale of certain surplus state land in Houston county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Greiling, Mares, Smith and Johnson introduced:

H. F. No. 192, A bill for an act relating to retirement; volunteer firefighter relief associations; eliminating the 30-year service cap on volunteer firefighter relief associations providing monthly benefit service pensions; repealing Minnesota Statutes 1998, section 424A.02, subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Paymar introduced:

H. F. No. 193, A bill for an act relating to crime; providing that interference with an emergency call is a crime; amending Minnesota Statutes 1998, section 609.78.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Juhnke introduced:

H. F. No. 194, A bill for an act relating to education; authorizing a magnet school for independent school district No. 347, Willmar; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Howes and Fuller introduced:

H. F. No. 195, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Hubbard county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Anderson, B.; Schumacher; Olson and Hackbarth introduced:

H. F. No. 196, A bill for an act relating to drainage; allowing transfer of access easements from drainage systems to storm sewer improvement districts; proposing coding for new law in Minnesota Statutes, chapter 103E.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Pawlenty, Stanek, Broecker, Wenzel and Carruthers introduced:

H. F. No. 197, A bill for an act relating to criminal procedure; specifying that the prosecution may reply in rebuttal to the closing argument of the defense; amending Minnesota Statutes 1998, section 631.07.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Carruthers, Rest, Pugh, Erhardt and Pawlenty introduced:

H. F. No. 198, A bill for an act relating to taxation; extending the 1997 and 1998 property tax rebates to seasonal recreational property.

The bill was read for the first time and referred to the Committee on Taxes.

Bishop introduced:

H. F. No. 199, A bill for an act relating to public administration; providing a sales tax rebate; providing a permanent procedure for tax rebates; providing for deposit of tobacco settlement proceeds; abolishing certain accounts; converting capital project financing from general fund cash to general obligation bonding; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; appropriating money; amending Laws 1998, chapter 404, section 27, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1998, sections 16A.152, subdivision 2; and 16A.1521.

The bill was read for the first time and referred to the Committee on Taxes.

Milbert, Van Dellen, Pugh, Rukavina and Pawlenty introduced:

H. F. No. 200, A bill for an act relating to taxation; property; limiting increases in market value; amending Minnesota Statutes 1998, section 273.11, subdivision 1a.

The bill was read for the first time and referred to the Committee on Taxes.

Mulder, Fuller, Haake, Gerlach, Howes, Molnau, Dempsey, Daggett, Knoblach, Lindner, Boudreau, Harder, Tingelstad, Stang, Kielkucki, Vandever, Stanek, Sykora, Tuma and Holberg introduced:

H. F. No. 201, A bill for an act relating to taxation; providing an income tax rebate; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

Boudreau introduced:

H. F. No. 202, A bill for an act relating to cities; ratifying certain tax increment activities by the city of Faribault.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Greenfield, Pugh, Huntley, Rest and Solberg introduced:

H. F. No. 203, A bill for an act relating to health; creating a medical education and research endowment fund, a children's endowment fund, and a tobacco prevention endowment fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 62J; and 144; proposing coding for new law as Minnesota Statutes, chapter 119C.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Entenza; Stanek; Larsen, P.; Chaudhary and Pawlenty introduced:

H. F. No. 204, A bill for an act relating to crimes; lowering per se level for alcohol impairment offenses from 0.10 to 0.08 for hunting, for handling explosives, and for operating a motor vehicle, recreational vehicle, or watercraft; amending Minnesota Statutes 1998, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169.121, subdivision 1; 169.123, subdivisions 2, 4, 5a, and 6; 192A.555; and 609.21, subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Workman introduced:

H. F. No. 205, A bill for an act relating to occupations; amending provisions governing the practice of professional engineering; amending Minnesota Statutes 1998, sections 326.02, subdivisions 1, 3, 5, and by adding subdivisions; 326.03, subdivisions 1 and 2; 326.04; 326.07; 326.09; 326.10, subdivision 1; 326.111, subdivisions 1, 6, and by adding a subdivision; 326.12, by adding subdivisions; and 326.14; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the first time and referred to the Committee on Commerce.

Entenza, Boudreau, Paulsen, Gunther and Koskinen introduced:

H. F. No. 206, A bill for an act relating to professions and occupations; requiring certification and registration for certain interpreters and transliterators; providing criminal and civil penalties; requiring a study; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256C.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Winter, Mulder, Munger, Murphy and Trimble introduced:

H. F. No. 207, A bill for an act relating to utilities; clarifying requirement for electric energy installed capacity generated by wind energy conversion systems; amending Minnesota Statutes 1998, section 216B.2423, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Commerce.

Haas, Davids, Huntley, Goodno and Jennings introduced:

H. F. No. 208, A bill for an act relating to insurance; permitting reductions in certain insurance-related assessments; continuing state funding for the Minnesota comprehensive health association; repealing the sunset on current provisions specifying the relationship between medical assistance and the Minnesota comprehensive health association; appropriating money; repealing Laws 1997, chapter 225, article 6, section 8.

The bill was read for the first time and referred to the Committee on Commerce.

Bishop and Knoblach introduced:

H. F. No. 209, A bill for an act relating to public administration; converting capital project financing from general fund cash to general obligation bonding; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; restoring certain money to the general fund; appropriating money; amending Laws 1998, chapters 389, article 9, section 2, as amended; and 404, section 27, subdivision 1.

The bill was read for the first time and referred to the Committee on Capital Investment.

Tuma, Dehler, Entenza, Stang and Mariani introduced:

H. F. No. 210, A bill for an act relating to education; modifying assigned student share in determining grant stipends; indexing private college tuition cap to inflation rate; amending Minnesota Statutes 1998, section 136A.121, subdivisions 5 and 6.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Abrams, Fuller, Carruthers, Kuisle and Haake introduced:

H. F. No. 211, A bill for an act relating to taxation; property; reducing the class rates on the second tier of noncommercial seasonal residential recreational property; amending Minnesota Statutes 1998, sections 273.13, subdivision 25; and 273.1398, subdivision 1a.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I.; Skoe; Finseth; Lieder and Fuller introduced:

H. F. No. 212, A bill for an act relating to capital improvements; appropriating money for the Big Bear Country Education Center; authorizing state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Greiling, Mares and Anderson, B., introduced:

H. F. No. 213, A bill for an act relating to education; exempting teachers of oral deaf education from the requirements for American sign language; amending Minnesota Statutes 1998, section 122A.28; Laws 1993, chapter 224, article 3, section 32, as amended.

The bill was read for the first time and referred to the Committee on Education Policy.

Goodno, Fuller, Davids, Juhnke and Greenfield introduced:

H. F. No. 214, A bill for an act relating to health; modifying volunteer ambulance attendant provisions; amending Minnesota Statutes 1998, sections 144E.001, by adding a subdivision; and 144E.35, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Howes, Huntley, Davids, Juhnke and Greenfield introduced:

H. F. No. 215, A bill for an act relating to health; establishing a comprehensive advanced life support training program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144E.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Stanek, Broecker, Skoglund and McGuire introduced:

H. F. No. 216, A bill for an act relating to corrections; clarifying the law authorizing transfer of prisoners between jails and workhouses; amending Minnesota Statutes 1998, section 643.01.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Rhodes, Paymar, Abrams, Bradley and Leppik introduced:

H. F. No. 217, A bill for an act relating to health; creating a religious exemption to mandated autopsies; amending Minnesota Statutes 1998, sections 145.132; 299F.04, subdivision 5; 383B.225, subdivisions 7 and 8; 390.11, subdivisions 2, 2a, and 3; and 390.32, subdivisions 2, 2a, and 3; proposing coding for new law in Minnesota Statutes, chapter 390.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Tingelstad, Entenza, Stanek, Goodno and Wejcman introduced:

H. F. No. 218, A bill for an act relating to human services; appropriating money for youth housing programs.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Wagenius, Mares, Ness, Dempsey and Greiling introduced:

H. F. No. 219, A bill for an act relating to education; ensuring that all children are able to read by second grade; appropriating money.

The bill was read for the first time and referred to the Committee on Education Policy.

Solberg, Kalis and Winter introduced:

H. F. No. 220, A bill for an act relating to taxation; property; changing the distribution of property tax penalties and interest; amending Minnesota Statutes 1998, section 276.131.

The bill was read for the first time and referred to the Committee on Taxes.

Solberg and Kalis introduced:

H. F. No. 221, A bill for an act relating to sales and use tax; exempting admission to regional high school league tournaments from the sales tax; amending Minnesota Statutes 1998, section 297A.25, subdivision 30.

The bill was read for the first time and referred to the Committee on Taxes.

Olson introduced:

H. F. No. 222, A bill for an act relating to education; providing for a fund transfer for independent school district No. 882, Monticello.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Leppik, Greenfield, Tingelstad, Otremba and Mulder introduced:

H. F. No. 223, A bill for an act relating to health; creating a tobacco prevention board; appropriating money; amending Minnesota Statutes 1998, section 10A.01, subdivision 18; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Ozment introduced:

H. F. No. 224, A bill for an act relating to taxation; income; excluding certain charitable contributions from alternative minimum taxable income; amending Minnesota Statutes 1998, section 290.091, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Krinkie, Van Dellen, Vandever, Workman, Broecker, Wilkin, Buesgens, Westerberg, Olson, Osskopp, Gerlach and Kielkucki introduced:

H. F. No. 225, A bill for an act relating to taxation; changing income tax rates and brackets; repealing the property tax reform account; amending Minnesota Statutes 1998, section 290.06, subdivisions 2c and 2d.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I.; Bishop; Lieder; Solberg and Sviggum introduced:

H. F. No. 226, A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV, section 23; providing for veto override sessions of the legislature.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Osskopp, Smith, Molnau, Hasskamp, Skoe, Dempsey, Ness, Juhnke, Solberg, Kubly and Koskinen introduced:

H. F. No. 227, A bill for an act relating to retirement; providing special benefit coverage for state fire marshals; proposing coding for new law in Minnesota Statutes, chapter 352.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Bishop, Stanek, Skoglund and Murphy introduced:

H. F. No. 228, A bill for an act relating to crime prevention; requiring certain persons committed as mentally ill and dangerous to the public to register as predatory sex offenders and to be subject to the community notification law; amending Minnesota Statutes 1998, sections 243.166, subdivisions 1, 2, and 6; and 244.052, subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Jaros, Huntley and Munger introduced:

H. F. No. 229, A bill for an act relating to economic development; appropriating money for the Duluth Technology Village.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Munger, Huntley and Jaros introduced:

H. F. No. 230, A bill for an act relating to economic development; appropriating money for the Lake Superior Mississippi Railroad scenic railway.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Schumacher, Juhnke, Kubly, Opatz and Chaudhary introduced:

H. F. No. 231, A bill for an act relating to taxation; sales and use; exempting sales to political subdivisions of a state; amending Minnesota Statutes 1998, sections 297A.25, subdivision 11; and 297A.47.

The bill was read for the first time and referred to the Committee on Taxes.

Bishop, Stanek, Smith, Skoglund and Leighton introduced:

H. F. No. 232, A bill for an act relating to courts; providing for the size of petit juries in civil and criminal cases; proposing coding for new law in Minnesota Statutes, chapter 593.

The bill was read for the first time and referred to the Committee on Civil Law.

Rukavina, Osskopp, Finseth and Tomassoni introduced:

H. F. No. 233, A bill for an act relating to public safety; authorizing limited personal use of fireworks; requiring an affidavit of safety guidelines; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the first time and referred to the Committee on Commerce.

Lindner, Buesgens, Storm, Otremba and Gleason introduced:

H. F. No. 234, A bill for an act relating to taxation; sales and use; exempting sales to political subdivisions of a state; amending Minnesota Statutes 1998, sections 297A.25, subdivision 11; and 297A.47.

The bill was read for the first time and referred to the Committee on Taxes.

Hackbarth and Erhardt introduced:

H. F. No. 235, A bill for an act relating to taxation; extending the agricultural property tax classification to property used for the production for sale of insects; amending Minnesota Statutes 1998, section 273.13, subdivision 23.

The bill was read for the first time and referred to the Committee on Taxes.

Dawkins introduced:

H. F. No. 236, A bill for an act relating to retirement; authorizing a purchase of service credit from the public employees retirement association.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Skoglund, Stanek, Entenza and Bishop introduced:

H. F. No. 237, A bill for an act relating to motor vehicles; requiring commissioner of public safety to adopt rules governing automobile insurance identification cards; amending Minnesota Statutes 1998, section 169.792, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Stanek, Rhodes, Pugh, Skoglund and Carruthers introduced:

H. F. No. 238, A bill for an act relating to workers' compensation; providing that posttraumatic stress syndrome for a peace officer is an occupational disease; amending Minnesota Statutes 1998, section 176.011, subdivision 16.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Rukavina, Jaros, Bishop, Bakk and Solberg introduced:

H. F. No. 239, A bill for an act relating to liquor; lowering the drinking age to 18 years of age; instructing the revisor to make conforming changes; amending Minnesota Statutes 1998, section 340A.503.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Smith, Stanek, Skoglund, Broecker and McGuire introduced:

H. F. No. 240, A bill for an act relating to sheriffs; authorizing sheriffs to expend money from the sheriff's contingent fund for investigating DWI-related violations; amending Minnesota Statutes 1998, section 387.213.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Dawkins introduced:

H. F. No. 241, A bill for an act relating to education; authorizing integration revenue to follow students to a charter school; amending Minnesota Statutes 1998, sections 124D.11, by adding a subdivision; and 124D.86, subdivision 6.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Dawkins introduced:

H. F. No. 242, A bill for an act relating to education; modifying compensatory revenue to reflect changes in enrollment; amending Minnesota Statutes 1998, section 126C.10, subdivision 3.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Dawkins introduced:

H. F. No. 243, A bill for an act relating to government data practices; building code violations; classifying data; amending Minnesota Statutes 1998, section 504.23; proposing coding for new law in Minnesota Statutes, chapter 13.

The bill was read for the first time and referred to the Committee on Civil Law.

Erhardt introduced:

H. F. No. 244, A bill for an act relating to state finance; changing the allocation of certain additional revenues; amending Laws 1998, chapter 389, article 9, section 2, as amended.

The bill was read for the first time and referred to the Committee on Capital Investment.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Calendar for the Day for Thursday, January 21, 1999:

H. F. No. 6.

Milbert was excused for the remainder of today's session.

#### CALENDAR FOR THE DAY

H. F. No. 6 was reported to the House.

McCollum, Marko, Chaudhary, Gleason, Munger, Wagenius, Jennings, Wejcman, Pugh, Greiling, Kelliher, Huntley, Mullery, Hausman, Folliard, Trimble and Gray moved to amend H. F. No. 6 as follows:

Page 2, after line 32, insert:

"Sec. 2. Minnesota Statutes 1998, section 84.8715, subdivision 1, is amended to read:

Subdivision 1. [STICKER REQUIRED; FEE.] A person may not operate a snowmobile with a track equipped with metal traction devices unless a metal traction device sticker is affixed to the snowmobile. The commissioner shall issue a metal traction device sticker upon application and payment of a ~~\$50~~ \$10 fee. The sticker is valid for one year following June 30 in the year it is issued. Applicants for the sticker may send in the fee amount and receive the sticker by mail, or in an electronic transaction when available. Fees collected under this section shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund. Money deposited under this section must be used for repair of paved public trails and payment of claims to homeowners experiencing paved surface damage after verification by the commissioner, except that any money not necessary for this purpose may be used for the grant-in-aid snowmobile trail system."

Page 3, line 1, reinstate the stricken "public" and delete "state" and after "trail" insert "that receives state funding for construction"

Page 4, after line 35, insert:

"Sec. 4. [REPORT.]

The commissioner of natural resources must report to the house and senate natural resources finance committees by January 15, 2000, on the use of the sticker fee money under section 3, where it is being spent and if there is any shortfall for paved surface repair."

Page 5, line 9, before the first semicolon, insert "subdivision 4"

Page 5, line 12, delete "5" and insert "7"

Renumber the sections in sequence

A roll call was requested and properly seconded.

The question was taken on the McCollum et al amendment and the roll was called. There were 36 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Biernat	Folliard	Hilty	Koskinen	Munger	Pugh
Chaudhary	Gleason	Huntley	Mariani	Opatz	Schumacher
Clark, K.	Greenfield	Jennings	Marko	Orfield	Skoglund
Dawkins	Greiling	Juhnke	McCollum	Osthoff	Trimble
Dorn	Hasskamp	Kahn	McGuire	Paymar	Wagenius
Entenza	Hausman	Kelliher	Mullery	Peterson	Wejcmán

Those who voted in the negative were:

Abeler	Boudreau	Cassell	Dorman	Goodno	Holberg
Abrams	Bradley	Clark, J.	Erhardt	Gunther	Holsten
Anderson, B.	Broecker	Daggett	Erickson	Haake	Howes
Anderson, I.	Buesgens	Davids	Finseth	Haas	Jaros
Bakk	Carlson	Dehler	Fuller	Hackbarth	Johnson
Bishop	Carruthers	Dempsey	Gerlach	Harder	Kalis

Kielkucki	Lieder	Nornes	Rhodes	Stanek	Wenzel
Knoblach	Lindner	Olson	Rifenberg	Stang	Westerberg
Krinkie	Luther	Osskopp	Rostberg	Storm	Westfall
Kubly	Mahoney	Otremba	Rukavina	Swenson	Westrom
Kuisle	Mares	Ozment	Seagren	Tingelstad	Wilkin
Larsen, P.	McElroy	Paulsen	Seifert, J.	Tomassoni	Winter
Larson, D.	Molnau	Pawlenty	Seifert, M.	Tuma	Wolf
Leighton	Mulder	Pelowski	Skoe	Tunheim	Workman
Lenczewski	Murphy	Rest	Smith	Van Dellen	Spk. Sviggum
Leppik	Ness	Reuter	Solberg	Vandev eer	

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

#### POINT OF ORDER

Kahn raised a point of order pursuant to rule 4.10, relating to Finance Bills, that H. F. No. 6 be re-referred to the Committee on Ways and Means. The Speaker ruled the point of order not well taken.

The Speaker called Boudreau to the Chair.

Jennings moved to amend H. F. No. 6 as follows:

Page 3, line 1, reinstate the stricken "public" and delete "state"

A roll call was requested and properly seconded.

The question was taken on the Jennings amendment and the roll was called. There were 46 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Biernat	Gleason	Jaros	Luther	Orfield	Solberg
Carruthers	Gray	Jennings	Mahoney	Osthoff	Tomassoni
Chaudhary	Greenfield	Juhnke	Mariani	Paymar	Trimble
Clark, K.	Greiling	Kahn	Marko	Peterson	Wagenius
Dawkins	Hasskamp	Kelliher	McCollum	Pugh	Wejzman
Dorn	Hausman	Koskinen	McGuire	Schumacher	Winter
Entenza	Hilty	Kubly	Mullery	Skoe	
Folliard	Huntley	Lieder	Munger	Skoglund	

Those who voted in the negative were:

Abeler	Broecker	Dempsey	Gunther	Johnson	Leighton
Abrams	Buesgens	Dorman	Haake	Kalis	Lenczewski
Anderson, B.	Carlson	Erhardt	Haas	Kielkucki	Leppik
Anderson, I.	Cassell	Erickson	Hackbarth	Knoblach	Lindner
Bakk	Clark, J.	Finseth	Harder	Krinkie	Mares
Bishop	Daggett	Fuller	Holberg	Kuisle	McElroy
Boudreau	Davids	Gerlach	Holsten	Larsen, P.	Molnau
Bradley	Dehler	Goodno	Howes	Larson, D.	Mulder

Murphy	Ozment	Rifenberg	Stanek	Van Dellen	Wolf
Ness	Paulsen	Rostberg	Stang	Vandever	Workman
Nornes	Pawlenty	Rukavina	Storm	Wenzel	Spk. Sviggum
Olson	Pelowski	Seagren	Swenson	Westerberg	
Opatz	Rest	Seifert, J.	Tingelstad	Westfall	
Osskopp	Reuter	Seifert, M.	Tuma	Westrom	
Otremba	Rhodes	Smith	Tunheim	Wilkin	

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

Kahn, Hausman and Osthoff moved to amend H. F. No. 6 as follows:

Page 3, line 1, delete "state" and insert "state-funded"

Page 3, line 2, before the period, insert "or roadway"

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 38 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Biernat	Gleason	Huntley	Lieder	Murphy	Trimble
Chaudhary	Gray	Jaros	Mahoney	Orfield	Wagenius
Clark, K.	Greenfield	Jennings	Mariani	Osthoff	Wejeman
Dawkins	Greiling	Kahn	McCollum	Paymar	
Dorn	Hasskamp	Kalis	McGuire	Pugh	
Entenza	Hausman	Kelliher	Mullery	Skoe	
Folliard	Hilty	Koskinen	Munger	Skoglund	

Those who voted in the negative were:

Abeler	Dehler	Howes	McElroy	Rhodes	Tuma
Abrams	Dempsey	Johnson	Molnau	Rifenberg	Tunheim
Anderson, B.	Dorman	Juhnke	Mulder	Rostberg	Van Dellen
Anderson, I.	Erhardt	Kielkucki	Ness	Rukavina	Vandever
Bakk	Erickson	Knoblach	Nornes	Schumacher	Wenzel
Bishop	Finseth	Krinkie	Olson	Seagren	Westerberg
Boudreau	Fuller	Kubly	Opatz	Seifert, J.	Westfall
Bradley	Gerlach	Kuisle	Osskopp	Seifert, M.	Westrom
Broecker	Goodno	Larsen, P.	Otremba	Smith	Wilkin
Buesgens	Gunther	Larson, D.	Ozment	Solberg	Winter
Carlson	Haake	Leighton	Paulsen	Stanek	Wolf
Carruthers	Haas	Lenczewski	Pawlenty	Stang	Workman
Cassell	Hackbarth	Leppik	Pelowski	Storm	Spk. Sviggum
Clark, J.	Harder	Lindner	Peterson	Swenson	
Daggett	Holberg	Luther	Rest	Tingelstad	
Davids	Holsten	Mares	Reuter	Tomassoni	

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

Trimble offered an amendment to H. F. No. 6.

#### POINT OF ORDER

Molnau raised a point of order pursuant to rule 3.21 that the Trimble amendment was not in order. Speaker pro tempore Boudreau ruled the point of order well taken and the Trimble amendment out of order.

Trimble appealed the decision of Speaker pro tempore Boudreau.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Boudreau stand as the judgment of the House?" and the roll was called.

There were 78 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Haas	Leppik	Paulsen	Storm
Abrams	Dorman	Hackbarth	Lindner	Pawlenty	Swenson
Anderson, B.	Dorn	Harder	Mares	Reuter	Tingelstad
Bishop	Erhardt	Holberg	McElroy	Rhodes	Tuma
Boudreau	Erickson	Holsten	Molnau	Rifenberg	Van Dellen
Bradley	Finseth	Howes	Mulder	Rostberg	Vandever
Broecker	Folliard	Huntley	Munger	Seagren	Westerberg
Buesgens	Fuller	Jennings	Ness	Seifert, J.	Westfall
Cassell	Gerlach	Kielkucki	Nornes	Seifert, M.	Westrom
Clark, J.	Gleason	Knoblach	Olson	Skoglund	Wilkin
Daggett	Goodno	Krinkie	Opatz	Smith	Wolf
Davids	Gunther	Kuise	Osskopp	Stanek	Workman
Dehler	Haake	Larsen, P.	Ozment	Stang	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Gray	Kahn	Luther	Osthoff	Skoe
Bakk	Greenfield	Kalis	Mahoney	Otremba	Solberg
Biernat	Greiling	Kelliher	Mariani	Paymar	Tomassoni
Carlson	Hasskamp	Koskinen	Marko	Pelowski	Trimble
Carruthers	Hausman	Kubly	McCollum	Peterson	Tunheim
Chaudhary	Hilty	Larson, D.	McGuire	Pugh	Wagenius
Clark, K.	Jaros	Leighton	Mullery	Rest	Wejzman
Dawkins	Johnson	Lenczewski	Murphy	Rukavina	Wenzel
Entenza	Juhnke	Lieder	Orfield	Schumacher	Winter

So it was the judgment of the House that the decision of Speaker pro tempore Boudreau should stand.

The Speaker resumed the Chair.

H. F. No. 6, A bill for an act relating to recreational vehicles; modifying rulemaking authority; modifying certain restrictions on the use of snowmobile metal traction devices; modifying certain definitions; amending Minnesota Statutes 1998, sections 84.86, subdivision 1; 85.015, subdivision 1c; and 169.1217, subdivision 1; Laws 1998, chapter 401, section 61; repealing Minnesota Statutes 1998, sections 84.871, subdivision 2; and 84.8715; Laws 1998, chapter 401, section 23.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 108 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Howes	Lindner	Pawlenty	Stang
Abrams	Dempsey	Huntley	Luther	Pelowski	Storm
Anderson, B.	Dorman	Jennings	Mahoney	Peterson	Swenson
Anderson, I.	Erhardt	Johnson	Mares	Pugh	Tingelstad
Bakk	Erickson	Juhnke	Marko	Rest	Tomassoni
Biernat	Finseth	Kalis	McElroy	Reuter	Tuma
Bishop	Fuller	Kielkucki	Molnau	Rhodes	Tunheim
Boudreau	Gerlach	Knoblach	Mulder	Rifenberg	Van Dellen
Bradley	Goodno	Koskinen	Mullery	Rostberg	Vandever
Broecker	Gunther	Krinkie	Murphy	Rukavina	Wenzel
Buesgens	Haake	Kubly	Ness	Schumacher	Westerberg
Carlson	Haas	Kuisle	Nornes	Seagren	Westfall
Carruthers	Hackbarth	Larsen, P.	Olson	Seifert, J.	Westrom
Cassell	Harder	Larson, D.	Opatz	Seifert, M.	Wilkin
Chaudhary	Hasskamp	Leighton	Osskopp	Skoe	Winter
Clark, J.	Hilty	Lenczewski	Otremba	Smith	Wolf
Daggett	Holberg	Leppik	Ozment	Solberg	Workman
Davids	Holsten	Lieder	Paulsen	Stanek	Spk. Sviggum

Those who voted in the negative were:

Clark, K.	Folliard	Greiling	Kelliher	Munger	Skoglund
Dawkins	Gleason	Hausman	Mariani	Orfield	Trimble
Dorn	Gray	Jaros	McCollum	Osthoff	Wagenius
Entenza	Greenfield	Kahn	McGuire	Paymar	Wejman

The bill was passed and its title agreed to.

### MOTIONS AND RESOLUTIONS

Haas moved that the name of Abeler be added as an author on H. F. No. 52. The motion prevailed.

Finseth moved that the name of Abeler be added as an author on H. F. No. 54. The motion prevailed.

Haas moved that the name of Abeler be added as an author on H. F. No. 61. The motion prevailed.

Seifert, M., moved that the name of Paulsen be added as an author on H. F. No. 82. The motion prevailed.

Rest moved that the name of McElroy be added as an author on H. F. No. 89. The motion prevailed.

Sviggum moved that the names of Westerberg and Gerlach be added as authors on H. F. No. 90. The motion prevailed.

Dehler moved that the name of Daggett be added as an author on H. F. No. 97. The motion prevailed.

Osskopp moved that the names of Tingelstad and Westerberg be added as authors on H. F. No. 99. The motion prevailed.

Pawlenty moved that the name of Gerlach be added as an author on H. F. No. 108. The motion prevailed.

Pawlenty moved that the name of Gerlach be added as an author on H. F. No. 109. The motion prevailed.

Bishop moved that the names of Smith; Larsen, P.; Mahoney; Westerberg; Mullery and Knoblach be added as authors on H. F. No. 112. The motion prevailed.

Rostberg moved that the name of Knoblach be added as an author on H. F. No. 120. The motion prevailed.

Stanek moved that the names of Tingelstad, Koskinen and Lenczewski be added as authors on H. F. No. 133. The motion prevailed.

Ness moved that the name of Chaudhary be added as an author on H. F. No. 145. The motion prevailed.

Greiling moved that the names of McCollum, Rest and Luther be added as authors on H. F. No. 150. The motion prevailed.

Skoglund moved that his name be stricken as an author on H. F. No. 156. The motion prevailed.

Sviggum moved that the names of Westerberg and Tingelstad be added as authors on H. F. No. 159. The motion prevailed.

Ozment moved that the names of Johnson, Tomassoni and Luther be added as authors on H. F. No. 161. The motion prevailed.

Molnau moved that the names of Hackbarth and Rest be added as authors on H. F. No. 162. The motion prevailed.

Erhardt moved that the names of Clark, J., and Ness be added as authors on H. F. No. 164. The motion prevailed.

Mulder moved that the name of Rest be added as an author on H. F. No. 168. The motion prevailed.

Mulder moved that the names of Harder and Kubly be added as authors on H. F. No. 169. The motion prevailed.

Entenza moved that the name of Rest be added as an author on H. F. No. 173. The motion prevailed.

Murphy moved that the names of Luther and Kubly be added as authors on H. F. No. 175. The motion prevailed.

Mulder moved that the name of Kalis be added as an author on H. F. No. 177. The motion prevailed.

Boudreau moved that the names of Knoblach; Abeler; Harder; Larsen, P.; Molnau; Murphy; Sykora; Mulder; Osskopp; Howes and Daggett be added as authors on H. F. No. 178. The motion prevailed.

Kielkucki moved that the name of Knoblach be added as an author on H. F. No. 179. The motion prevailed.

Krinkie moved that the names of Vandev eer, Westerberg, Workman and Trimble be added as authors on H. F. No. 184. The motion prevailed.

Luther moved that H. F. No. 38 be returned to its author. The motion prevailed.

Anderson, I., moved that H. F. No. 18 be recalled from the Committee on Education Policy and be re-referred to the Committee on Capital Investment. The motion prevailed.

#### PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the action taken to change House Rule 1.01 on January 11, 1999 by the Minnesota House of Representatives.

The old House Rule 1.01 preserved foundational religious liberties freely exercised through prayer in this body since territorial days. If the new House rule 1.01 is enforced in the Minnesota House, whether it be through deference from the minority or by the majority will of the body, the effect will be to eliminate the free exercise of religion and destroy our foundational religious liberties which have kept this state and nation under God.

To require that all prayers be non-denominational and represent all diverse religious beliefs is impossible. To further establish this demand for every day there is an exercise of prayer before the House has the effect of requiring that one single homogeneous religious belief be represented for all members. The new Rule 1.01 eliminates our freedom of speech and religion established under the First Amendment to the United States Constitution.

The long-standing custom and usage under the old House Rule 1.01 has reflected the religious diversity of this body. We, the undersigned, therefore request members to consider every citizen's duty to preserve the long-standing foundational religious liberties and continue that which made America great.

Signed:

MARK OLSON  
JOHN TUMA  
JIM KNOBLACH  
JIM SEIFERT  
MARY LIZ HOLBERG  
JIM ABELER  
MICHELLE RIFENBERG  
JIM CLARK  
CAROL MOLNAU  
PHILIP KRINKIE  
TONY KIELKUCKI  
ARLON W. LINDNER  
BUD NORNES  
RICHARD MULDER  
DENNIS OZMENT  
MARTY SEIFERT  
HOWARD SWENSON  
JERRY DEMPSEY  
TORREY WESTROM  
WILLIAM HAAS  
MARK BUESGENS  
HARRY MARES

MIKE OSSKOPP  
SONDRA ERICKSON  
PEG LARSEN  
ELAINE HARDER  
SHERRY BROECKER  
GREG DAVIDS  
TIM PAWLENTY  
CHRIS GERLACH  
ANDREW WESTERBERG  
DOUG REUTER  
STEVE DEHLER  
GEORGE W. CASSELL  
STEVE SMITH  
BOB NESS  
BOB GUNTHER  
WILLIAM KUISLE  
DOUG FULLER  
BOB WESTFALL  
DOUG STANG  
TIM WILKIN  
BRUCE ANDERSON

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following committee assignment:

Taxes/Property Tax Division: Add the name of Jennings.

## ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, January 25, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, January 25, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives