

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 2, 1999

The House of Representatives convened at 11:30 a.m. and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Munger and Murphy were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Rifenberg 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 CHIEF CLERK

S. F. No. 343 and H. F. No. 382, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Seifert, J., moved that the rules be so far suspended that S. F. No. 343 be substituted for H. F. No. 382 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 464 and H. F. No. 536, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Broecker moved that S. F. No. 464 be substituted for H. F. No. 536 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 484, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 1998, sections 204C.19, subdivision 2; 204C.27; 204C.33; 204D.11, by adding a subdivision; 204D.15; 204D.16; and 204D.165; proposing coding for new law in Minnesota Statutes, chapter 3B.

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.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 542, A bill for an act relating to courts; increasing the number of district court judges; appropriating money; amending Minnesota Statutes 1998, section 2.722, subdivision 1.

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

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 652, A bill for an act relating to crime; providing that the disorderly conduct law applies to individuals who commit certain acts in the presence of peace officers or public safety personnel; amending Minnesota Statutes 1998, section 609.72, subdivision 1.

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

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 905, A bill for an act relating to crime; providing criminal penalties for persons who own, operate, or have physical control of vehicles with intent to conceal or transport contraband in specially designated compartments; authorizing the civil forfeiture of vehicles containing illegal compartments; amending Minnesota Statutes 1998, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 1118, A bill for an act relating to criminal justice information; adding members to the criminal and juvenile justice information task force; requiring the criminal and juvenile justice information policy group to review plans for creating and implementing integrated criminal justice information systems in counties statewide; authorizing the commissioner of public safety to award grants to local agencies to develop and implement these integration plans; appropriating money; amending Minnesota Statutes 1998, section 299C.65, subdivisions 2 and 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 652 and 905 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 343 and 464 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Clark, J.; Kuisle and Harder introduced:

H. F. No. 1295, A bill for an act relating to taxation; property; providing homestead treatment for certain property leased to a family farm corporation; amending Minnesota Statutes 1998, section 273.124, subdivision 8.

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

Mares introduced:

H. F. No. 1296, A bill for an act relating to education; providing for a swimming pool levy; amending Minnesota Statutes 1998, section 126C.45.

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

Wenzel introduced:

H. F. No. 1297, A bill for an act relating to economic development; providing for a planning grant to the city of Little Falls for a fishing museum and environmental education center; appropriating money.

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

Storm; Rhodes; Clark, K.; Wejcman; Gunther and Sykora introduced:

H. F. No. 1298, A bill for an act relating to housing; appropriating money for the housing finance agency's bridges program.

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

Howes introduced:

H. F. No. 1299, A bill for an act relating to natural resources; providing for the disposition of fees collected for the Minnesota conservation corps; appropriating money; amending Minnesota Statutes 1998, section 84.98, subdivision 6.

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

Hackbarth introduced:

H. F. No. 1300, A bill for an act relating to agriculture; providing that insurers must defend against claims relating to the use of agricultural chemicals; amending Minnesota Statutes 1998, sections 18D.101; and 60A.08, by adding a subdivision.

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

Vandever; Davids; Mares; Pelowski; Bakk; Larsen, P., and Seifert, J., introduced:

H. F. No. 1301, A bill for an act relating to natural resources; renaming a state park; adding to and deleting from state parks; authorizing a land exchange in a state park; transferring land from a state wayside to a state park and abolishing a state wayside; authorizing a private sale of surplus land in Rock county; amending Minnesota Statutes 1998, section 85.012, subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 85; repealing Minnesota Statutes 1998, section 85.013, subdivision 8.

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

Pugh, Johnson, Lenczewski, Ness, Mares and Larson, D., introduced:

H. F. No. 1302, A bill for an act relating to retirement; increasing earnings limitations for persons who resume teaching service after retirement; amending Minnesota Statutes 1998, sections 354.44, subdivision 5; and 354A.31, subdivision 3.

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

Goodno, Davids, Abrams, Wejcman and Tomassoni introduced:

H. F. No. 1303, A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external appeal process; appropriating money; 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, subdivisions 4 and 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; 62Q.11; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; and 4685.1700.

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

Pugh and Pawlenty introduced:

H. F. No. 1304, A bill for an act proposing amendments to the Minnesota Constitution; article IV, sections 4, 12, 18, 20, and 23; providing for unicameral enactment of certain laws; changing the length of terms of senators and representatives; reducing the size of the legislature; amending Minnesota Statutes 1998, section 2.021.

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

Sviggum introduced:

H. F. No. 1305, A bill for an act relating to highways; requiring commissioner of transportation to transfer excess highway easements to city of Kenyon.

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

Clark, K., and Rhodes introduced:

H. F. No. 1306, A bill for an act relating to health; providing medical assistance coverage of lead center services; requiring the commissioner of human services to seek federal waivers to allow medical assistance coverage of window replacement; amending Minnesota Statutes 1998, section 256B.0625, by adding a subdivision.

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

Clark, K., introduced:

H. F. No. 1307, A bill for an act relating to health; medical assistance coverage for disabled working individuals; amending Minnesota Statutes 1998, section 256B.057, by adding a subdivision.

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

Skoglund and Goodno introduced:

H. F. No. 1308, A bill for an act relating to motor vehicles; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable form to be provided in a vehicle's certificate of title and completed under certain circumstances; appropriating money; amending Minnesota Statutes 1998, sections 168.17; 168A.05, subdivision 5; and 168A.10, subdivisions 1, 2, and 5.

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

Bradley, Mulder, Tomassoni, Howes and Greenfield introduced:

H. F. No. 1309, A bill for an act relating to professions; modifying provisions relating to nursing home administrator licensing, the board of examiners for nursing home administrators, immunity for complainants, board members, and staff, and acting administrator permits; amending Minnesota Statutes 1998, sections 144A.19, subdivision 1; 144A.20, subdivision 1; 144A.22; 144A.24; and 144A.27; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 1998, sections 144A.19, subdivision 3; 144A.20, subdivision 2; and 144A.29.

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

Goodno, Holberg, Stanek and Anderson, B., introduced:

H. F. No. 1310, A bill for an act relating to juvenile justice; recodifying, clarifying, and relocating provisions relating to juvenile delinquency and child protection; providing separate areas of law dealing with child protection and delinquency; amending Minnesota Statutes 1998, section 260.011, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 260; proposing coding for new law as Minnesota Statutes, chapters 260B; and 260C; repealing Minnesota Statutes 1998, sections 257.069; 257.071; 257.0711; 257.072; 257.35; 257.351; 257.352; 257.353; 257.354; 257.355; 257.356; 257.3571; 257.3572; 257.3573; 257.3574; 257.3575; 257.3576; 257.3577; 257.3578; 257.3579; 257.40; 257.41; 257.42; 257.43; 257.44; 257.45; 257.46; 257.47; 257.48; 260.011, subdivision 2; 260.012; 260.013; 260.015; 260.092; 260.094; 260.096; 260.101; 260.111; 260.115; 260.121; 260.125; 260.126; 260.131; 260.132; 260.133; 260.135; 260.141; 260.145; 260.151; 260.152; 260.155; 260.157; 260.161; 260.162; 260.165; 260.171; 260.172; 260.173; 260.1735; 260.174; 260.181; 260.185; 260.191; 260.192; 260.193; 260.195; 260.211; 260.215; 260.221; 260.241; 260.242; 260.245; 260.251; 260.255; 260.261; 260.271; 260.281; 260.291; 260.301; 260.315; 260.35; 260.36; 260.39; and 260.40.

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

Dawkins introduced:

H. F. No. 1311, A bill for an act relating to taxes; removing the application requirement in certain cases for the "this old house" program; amending Minnesota Statutes 1998, section 273.11, subdivision 16.

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

McElroy, Kahn, Leppik and Reuter introduced:

H. F. No. 1312, A bill for an act relating to commerce; regulating the duties of the secretary as a licensed certification authority; modifying the effective period of emerging suspensions of certificates; specifying the consequences of accepting certain digital signatures; regulating fees; appropriating money; amending Minnesota Statutes 1998, sections 325K.03, by adding a subdivision; 325K.04; 325K.05, subdivision 1; 325K.09, by adding a subdivision; 325K.10, subdivision 5; 325K.14, by adding a subdivision; and 325K.15, by adding a subdivision; repealing Minnesota Rules, part 8275.0045, subpart 2.

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

CALENDAR FOR THE DAY

Pawlenty moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Hackbarth moved that his name be stricken as an author on H. F. No. 712. The motion prevailed.

Skoglund moved that his name be stricken as an author on H. F. No. 801. The motion prevailed.

Leighton moved that his name be stricken as an author on H. F. No. 801. The motion prevailed.

Dawkins moved that the name of Hausman be added as an author on H. F. No. 899. The motion prevailed.

Mariani moved that the name of Abeler be added as an author on H. F. No. 942. The motion prevailed.

Jennings moved that the names of Wejcman and Dorn be added as authors on H. F. No. 943. The motion prevailed.

Huntley moved that the names of Seifert, J.; Dorn and Wejcman be added as authors on H. F. No. 945. The motion prevailed.

Abeler moved that the name of Mahoney be added as an author on H. F. No. 949. The motion prevailed.

Workman moved that the names of Westerberg and Kubly be added as authors on H. F. No. 974. The motion prevailed.

Abrams moved that the name of Abeler be added as an author on H. F. No. 1022. The motion prevailed.

Mulder moved that the name of Clark, J., be added as an author on H. F. No. 1062. The motion prevailed.

Howes moved that the name of Abeler be added as an author on H. F. No. 1070. The motion prevailed.

Davids moved that the names of Olson and Anderson, B., be added as authors on H. F. No. 1085. The motion prevailed.

Harder moved that the names of Olson; Anderson, B.; Osskopp; Tuma; Dehler; Stang; Westrom and Cassell be added as authors on H. F. No. 1087. The motion prevailed.

Rifenberg moved that the names of Davids and Kuisle be added as authors on H. F. No. 1089. The motion prevailed.

Kuisle moved that the name of Wilkin be added as an author on H. F. No. 1099. The motion prevailed.

McGuire moved that the name of Dehler be added as an author on H. F. No. 1125. The motion prevailed.

Kuisle moved that the names of Rifenberg; Seifert, J.; Tingelstad; Westerberg and Dorman be added as authors on H. F. No. 1138. The motion prevailed.

Rhodes moved that the name of Paymar be added as an author on H. F. No. 1156. The motion prevailed.

Rifenberg moved that the name of Cassell be added as an author on H. F. No. 1158. The motion prevailed.

Chaudhary moved that the name of Luther be added as an author on H. F. No. 1166. The motion prevailed.

Harder moved that the names of Storm and Mulder be added as authors on H. F. No. 1200. The motion prevailed.

Rostberg moved that the names of Cassell and Mulder be added as authors on H. F. No. 1204. The motion prevailed.

Pelowski moved that the name of Rifenberg be added as an author on H. F. No. 1215. The motion prevailed.

Buesgens moved that the name of Daggett be added as an author on H. F. No. 1218. The motion prevailed.

Ozment moved that the name of Mulder be added as an author on H. F. No. 1226. The motion prevailed.

Ozment moved that the name of Dempsey be added as an author on H. F. No. 1276. The motion prevailed.

Gray moved that H. F. No. 740 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

MOTION TO FIX TIME TO RECONVENE

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 4, 1999. The motion prevailed.

Pawlenty moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

RECESS

RECONVENED

The Speaker called the House to order at 11:45 a.m.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by Robert Westerhaus, Deaf Community Church, Richfield, Minnesota.

The roll being called the following Senators answered to their names: Anderson, Beckman and Belanger.

Senator Moe, R. D., moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Kathleen A. Blatz, Chief Justice of the Supreme Court, and the Associate Justices of the Supreme Court, plus the Honorable Edward Toussaint, Jr., Chief Judge of the Court of Appeals of the State of Minnesota. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Mary Kiffmeyer, Secretary of State; Judith H. Dutcher, State Auditor; Carol C. Johnson, State Treasurer and Mike Hatch, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former Governors Wendell R. Anderson, Al Quie and Arne Carlson. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Mae Schunk, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Jesse Ventura, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Jesse Ventura was presented by the President of the Joint Convention, the Honorable Steve Sviggum, and the Governor delivered his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Senator Moe, R. D., moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 4, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives