

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 2000

 ONE HUNDRED TWELFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 26, 2000

The House of Representatives convened at 11:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Milbert was excused.

Carruthers and Osthoff were excused until 11:45 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Westerberg 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. 3020 and H. F. No. 3001, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pugh moved that the rules be so far suspended that S. F. No. 3020 be substituted for H. F. No. 3001 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. No. 3020 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Seifert, M., introduced:

H. F. No. 4164, A bill for an act relating to taxation; individual income; exempting active duty military pay from taxation; amending Minnesota Statutes 1999 Supplement, section 290.01, subdivision 19b.

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

Tuma introduced:

H. F. No. 4165, A bill for an act relating to local government; encouraging local planning; requiring the office of strategic and long-range planning to assist local governments in planning; amending Minnesota Statutes 1998, sections 4A.08; 4A.09; 4A.10; 394.22, subdivision 9, and by adding a subdivision; 394.232, subdivisions 1, 2, 3, 4, 5, 6, and by adding subdivisions; 462.352, subdivision 5; 462.3535, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; Laws 1999, chapter 250, article 1, sections 115 and 116; proposing coding for new law in Minnesota Statutes, chapter 4A; repealing Minnesota Statutes 1998, sections 394.232, subdivisions 7 and 8; and 462.3535, subdivisions 5 and 10.

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

Abeler and Entenza introduced:

H. F. No. 4166, A bill for an act relating to preservation of historic structures; creating a historic preservation grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 138.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3020, A bill for an act relating to human services; modifying provisions in long-term care; amending Minnesota Statutes 1998, sections 256B.411, subdivision 2; and 256B.431, subdivisions 1, 3a, 10, 16, 18, 21, 22, and 25; Minnesota Statutes 1999 Supplement, sections 256B.0913, subdivision 5; 256B.431, subdivisions 17 and 26; and 256B.434, subdivisions 3 and 4; repealing Minnesota Statutes 1998, sections 256B.03, subdivision 2; 256B.431, subdivisions 2, 2a, 2f, 2h, 2m, 2p, 2q, 3, 3b, 3d, 3h, 3j, 4, 5, 7, 8, 9, 9a, 12, and 24; 256B.48, subdivision 9; 256B.50, subdivision 3; and 256B.74, subdivision 3.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3047, A bill for an act relating to real property; title insurance; modifying mortgage release certificate language to include assignment of rents and profits; amending Minnesota Statutes 1998, sections 507.401, subdivisions 1, 3, and 6; and 559.17, by adding a subdivision; repealing Minnesota Statutes 1998, section 507.401, subdivision 7.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3312, A bill for an act relating to agriculture; changing the scope of the value-added agricultural product processing and marketing grant program; establishing a certification pilot program; changing meeting provisions and duties of the board of grain standards; changing certain fees; making technical changes to pesticide and fertilizer laws; clarifying the scope of certain regulation of wholesale produce dealers; updating certain food standards; simplifying certain language; providing for uniformity in meat and poultry inspection; changing certain reporting

requirements; increasing the amount of livestock dealer bonds; clarifying status of certain grain buying transactions; changing certain grain storage provisions; changing the corporate and partnership farming law; amending Minnesota Statutes 1998, sections 17.101, subdivision 5; 17A.05, subdivision 2; 17B.07; 17B.12; 18C.005, subdivision 34, and by adding a subdivision; 18C.215, subdivisions 1, 2, and by adding a subdivision; 18C.411, subdivision 1; 18C.421, subdivision 1; 18D.201, subdivision 3; 27.01, subdivision 8; 27.19, subdivision 1; 31.101, as amended; 31.102, subdivision 1; 31.103, subdivision 1; 31.104; 31.632; 31.633, subdivision 1; 31.651; 31A.02, subdivisions 5, 6, 10, 13, and 14; 31A.03; 31A.05; 31A.06; 31A.07, subdivisions 1 and 2; 31A.08; 31A.10; 31A.13; 31A.16; 31A.17; 223.16, subdivision 5; 223.17, subdivision 5; 223.175; 232.21, by adding a subdivision; 232.23, subdivisions 1, 3, and 6; 500.24, subdivisions 3a, 3b, 4, and 5; and 500.245, subdivision 2; Minnesota Statutes 1999 Supplement, sections 17B.15, subdivision 1; 28A.075; 31A.01; 31A.15, subdivision 1; 31B.07, subdivision 3; 500.24, subdivisions 2 and 3; and 500.245, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 17.

PATRICK E. FLAHAVEN, Secretary of the Senate

Finseth moved that the House refuse to concur in the Senate amendments to H. F. No. 3312, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2575, A bill for an act relating to economic development; regulating eligibility of farmers for the dislocated worker program; amending Minnesota Statutes 1999 Supplement, section 268.975, subdivision 3.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Stumpf, Janezich and Lesewski.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Tunheim moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2575. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2833, A bill for an act relating to crime; authorizing certain behavioral data on students to be disclosed to the juvenile justice system; providing that when a juvenile has been adjudicated delinquent for certain violations of criminal law that the disposition order shall be shared with certain school officials, law enforcement, and specified others; providing for data sharing between probation officers and school officials for juveniles on probation;

amending Minnesota Statutes 1998, section 13.32, subdivision 8; Minnesota Statutes 1999 Supplement, sections 13.99, by adding a subdivision; and 260B.171, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 121A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McGuire moved that the House concur in the Senate amendments to H. F. No. 2833 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2833, A bill for an act relating to crime; authorizing certain behavioral data on students to be disclosed to the juvenile justice system; providing that when a juvenile has been adjudicated delinquent for certain violations of criminal law that the disposition order shall be shared with certain school officials, law enforcement, and specified others; providing for data sharing between probation officers and school officials for juveniles on probation; amending Minnesota Statutes 1998, section 13.32, subdivision 8; Minnesota Statutes 1999 Supplement, sections 13.99, by adding a subdivision; and 260B.171, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

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 bills to be placed on the Calendar for the Day, immediately following the remaining bills on the Calendar for the Day, for Wednesday, April 26, 2000:

H. F. No. 849; and S. F. Nos. 1048 and 2854.

CALENDAR FOR THE DAY

H. F. No. 3659 was reported to the House.

Wenzel moved that H. F. No. 3659 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 3156 was reported to the House.

Goodno moved that S. F. No. 3156 be re-referred to the Committee on Ways and Means. The motion prevailed.

S. F. No. 3300, A bill for an act relating to courts; extending the streamlined dissolution procedure project; modifying the duties and powers of a referee for the duration of a family court block calendar pilot program; amending Laws 1996, chapter 365, section 3, as amended.

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 121 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Erickson	Holberg	Olson
Buesgens	Gerlach	Krinkie	Vandever

The bill was passed and its title agreed to.

H. F. No. 3852 was reported to the House.

Westfall, Rhodes and Rest moved to amend H. F. No. 3852, the first engrossment, as follows:

Page 1, delete line 8, and insert "Each state agency shall encourage telecommuting."

Page 1, line 9, delete everything before "Agencies"

The motion prevailed and the amendment was adopted.

McCollum was excused between the hours of 11:50 a.m. and 12:30 p.m.

Westrom, Stang, Cassell, Juhnke and Nornes offered an amendment to H. F. No. 3852, the first engrossment, as amended.

Ness requested a division of the Westrom et al amendment to H. F. No. 3852, the first engrossment, as amended.

The first portion of the Westrom et al amendment to H. F. No. 3852, the first engrossment, as amended, reads as follows:

Page 1, after line 21, insert:

"Sec. 2. [RELOCATION OF DEPARTMENT OF AGRICULTURE PRINCIPAL OFFICES.]

The commissioner of administration, in consultation with the commissioner of agriculture, shall develop comprehensive plans and timelines for relocation of the principal offices of the department of agriculture to a location within Minnesota, outside the metropolitan counties listed in Minnesota Statutes, section 473.121, subdivision 4."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Rukavina moved to amend the first portion of the Westrom et al amendment to H. F. No. 3852, the first engrossment, as amended, as follows:

Page 1, line 7, delete "commissioner" and insert "commissioners" and after "agriculture" insert "and natural resources"

Page 1, line 9, delete "department" and insert "departments" and after "agriculture" insert "and natural resources"

Page 1, line 9, delete "a"

Page 1, line 9, delete "location" and insert "locations"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Jaros	Ness	Schumacher	Vandever
Anderson, I.	Finseth	Jennings	Nornes	Seifert, M.	Wenzel
Bakk	Fuller	Johnson	Opatz	Skoe	Westfall
Biernat	Goodno	Juhnke	Osskopp	Smith	Westrom
Bishop	Gunther	Kalis	Otremba	Solberg	Winter
Cassell	Haas	Kielkucki	Pawlenty	Stang	Wolf
Clark, J.	Harder	Kubly	Pelowski	Storm	Spk. Sviggum
Daggett	Hasskamp	Kuise	Peterson	Swapinski	
Davids	Hilty	Leighton	Rifenberg	Swenson	
Dehler	Howes	Lieder	Rostberg	Tomassoni	
Dorman	Huntley	Mulder	Rukavina	Tunheim	

Those who voted in the negative were:

Abrams	Erhardt	Holsten	Mahoney	Paulsen	Trimble
Anderson, B.	Erickson	Kahn	Mares	Paymar	Tuma
Boudreau	Folliard	Kelliher	Mariani	Pugh	Van Dellen
Bradley	Gerlach	Knoblach	Marko	Rest	Wagenius
Broecker	Gleason	Koskinen	McElroy	Reuter	Wejcman
Buesgens	Gray	Krinkie	McGuire	Rhodes	Westerberg
Carlson	Greenfield	Larsen, P.	Molnau	Seagren	Wilkin
Carruthers	Greiling	Larson, D.	Mullery	Seifert, J.	Workman
Chaudhary	Haake	Lenczewski	Olson	Skoglund	
Dawkins	Hackbarth	Leppik	Orfield	Stanek	
Dempsey	Hausman	Lindner	Osthoff	Sykora	
Entenza	Holberg	Luther	Ozment	Tingelstad	

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

The question recurred on the first portion of the Westrom et al amendment and the roll was called. There were 75 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abeler	Bishop	Cassell	Davids	Dorn	Goodno
Anderson, B.	Boudreau	Chaudhary	Dehler	Erickson	Gunther
Anderson, I.	Bradley	Clark, J.	Dempsey	Finseth	Haake
Bakk	Broecker	Daggett	Dorman	Fuller	Haas

Hackbarth	Kalis	Ness	Rifenberg	Stang	Wenzel
Harder	Kielkucki	Nornes	Rostberg	Storm	Westfall
Hasskamp	Kubly	Olson	Rukavina	Swapinski	Westrom
Hilty	Kuisle	Opatz	Schumacher	Swenson	Winter
Howes	Larson, D.	Osskopp	Seagren	Sykora	Wolf
Huntley	Leighton	Otremba	Seifert, M.	Tomassoni	Spk. Sviggum
Jaros	Lieder	Pawlenty	Skoe	Tuma	
Jennings	Molnau	Pelowski	Smith	Tunheim	
Juhnke	Mulder	Peterson	Solberg	Vandevveer	

Those who voted in the negative were:

Abrams	Gleason	Knoblach	Mariani	Paymar	Van Dellen
Biernat	Gray	Koskinen	Marko	Pugh	Wagenius
Buesgens	Greenfield	Krinkie	McElroy	Rest	Wejzman
Carlson	Greiling	Larsen, P.	McGuire	Reuter	Westerberg
Carruthers	Hausman	Lenczewski	Mullery	Rhodes	Wilkin
Dawkins	Holberg	Leppik	Murphy	Seifert, J.	Workman
Entenza	Holsten	Lindner	Orfield	Skoglund	
Erhardt	Johnson	Luther	Osthoff	Stanek	
Folliard	Kahn	Mahoney	Ozment	Tingelstad	
Gerlach	Kelliher	Mares	Paulsen	Trimble	

The motion prevailed and the first portion of the Westrom et al amendment was adopted.

The second portion of the Westrom et al amendment to H. F. No. 3852, the first engrossment, as amended, reads as follows:

Page 1, after line 21, insert:

"Sec. 2. [RELOCATION OF DEPARTMENT OF AGRICULTURE PRINCIPAL OFFICES.]

The relocation must be completed no later than June 30, 2003, the date on which the current lease on the department headquarters at 90 West Plato Boulevard, Saint Paul, Minnesota expires."

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the second portion of the Westrom et al amendment was adopted.

Kahn moved that H. F. No. 3852, the first engrossment, as amended, be re-referred to the Committee on State Government Finance.

A roll call was requested and properly seconded.

The question was taken on the Kahn motion and the roll was called. There were 49 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abrams	Entenza	Hausman	Lindner	Osthoff	Wagenius
Biernat	Erickson	Johnson	Luther	Paymar	Wejcman
Buesgens	Folliard	Kahn	Mahoney	Pugh	Westerberg
Carlson	Gerlach	Kelliher	Mariani	Reuter	Wilkin
Carruthers	Gleason	Knoblach	Marko	Rhodes	
Chaudhary	Gray	Koskinen	McGuire	Seagren	
Clark, K.	Greenfield	Krinkie	Mullery	Seifert, J.	
Dawkins	Greiling	Larsen, P.	Olson	Skoglund	
Dorn	Haake	Leppik	Orfield	Sykora	

Those who voted in the negative were:

Abeler	Dorman	Huntley	Molnau	Rifenberg	Tomassoni
Anderson, B.	Erhardt	Jaros	Mulder	Rostberg	Trimble
Anderson, I.	Finseth	Jennings	Murphy	Rukavina	Tuma
Bakk	Fuller	Juhnke	Ness	Schumacher	Tunheim
Bishop	Goodno	Kalis	Nornes	Seifert, M.	Van Dellen
Boudreau	Gunther	Kielkucki	Opatz	Skoe	Wenzel
Bradley	Haas	Kubly	Osskopp	Smith	Westfall
Broecker	Hackbarth	Kuisle	Otremba	Solberg	Westrom
Cassell	Harder	Larson, D.	Ozment	Stanek	Winter
Clark, J.	Hasskamp	Leighton	Paulsen	Stang	Wolf
Daggett	Hilty	Lenczewski	Pawlenty	Storm	Workman
Davids	Holberg	Lieder	Pelowski	Swapinski	Spk. Sviggum
Dehler	Holsten	Mares	Peterson	Swenson	
Dempsey	Howes	McElroy	Rest	Tingelstad	

The motion did not prevail.

H. F. No. 3852, A bill for an act relating to state government; authorizing decentralization of state government; proposing coding for new law in Minnesota Statutes, chapter 15.

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

The question was taken on the passage of the bill and the roll was called. There were 75 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark, J.	Finseth	Hasskamp	Kielkucki	Molnau
Anderson, B.	Daggett	Fuller	Hilty	Knoblach	Mulder
Anderson, I.	Davids	Goodno	Howes	Kubly	Murphy
Bakk	Dehler	Gunther	Jaros	Kuisle	Ness
Bishop	Dempsey	Haake	Jennings	Larson, D.	Nornes
Boudreau	Dorman	Haas	Johnson	Leighton	Olson
Bradley	Dorn	Hackbarth	Juhnke	Lieder	Opatz
Cassell	Erickson	Harder	Kalis	Mares	Osskopp

Otremba	Rifenberg	Skoe	Swapinski	Tunheim	Wolf
Ozment	Rostberg	Solberg	Swenson	Wenzel	Spk. Sviggum
Pawlenty	Rukavina	Stanek	Sykora	Westfall	
Pelowski	Schumacher	Stang	Tomassoni	Westrom	
Peterson	Seifert, M.	Storm	Tuma	Winter	

Those who voted in the negative were:

Abrams	Erhardt	Huntley	Mahoney	Pugh	Van Dellen
Biernat	Folliard	Kahn	Mariani	Rest	Vandever
Broecker	Gerlach	Kelliher	Marko	Reuter	Wagenius
Buesgens	Gleason	Koskinen	McElroy	Rhodes	Wejcman
Carlson	Gray	Krinkie	McGuire	Seagren	Westerberg
Carruthers	Greenfield	Larsen, P.	Mullery	Seifert, J.	Wilkin
Chaudhary	Greiling	Lenczewski	Orfield	Skoglund	
Clark, K.	Hausman	Leppik	Osthoff	Smith	
Dawkins	Holberg	Lindner	Paulsen	Tingelstad	
Entenza	Holsten	Luther	Paymar	Trimble	

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

S. F. No. 2570 was reported to the House.

Tomassoni moved to amend S. F. No. 2570 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1998, section 375.47, subdivision 1, is amended to read:

Subdivision 1. [REASONABLE.] Except in Hennepin ~~and St. Louis counties~~ county, the board of county commissioners of each county may, by resolution, set a reasonable allowance for expenses or a per diem allowance in lieu of expenses and a mileage allowance to be paid the members of boards or agencies authorized by statute, and members of advisory boards or committees, performing duties for all or part of the county, when the board or agency does not itself have power to make expense allowances for its members. The allowances shall be paid from the funds under the administration of the boards or agencies. Members of the board of county commissioners shall not receive any per diem pursuant to this subdivision."

Page 2, after line 35, insert:

"Sec. 3. [REPEALER.]

Minnesota Statutes 1998, section 383C.073, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 2570, A bill for an act relating to St. Louis county; increasing the authorized number for a position in the unclassified service; amending Minnesota Statutes 1998, section 383C.035.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler	Entenza	Huntley	Mariani	Pelowski	Tomassoni
Abrams	Erhardt	Jaros	Marko	Peterson	Trimble
Anderson, I.	Finseth	Jennings	McCollum	Pugh	Tuma
Bakk	Folliard	Johnson	McElroy	Rest	Tunheim
Biernat	Fuller	Juhnke	McGuire	Rhodes	Van Dellen
Bishop	Gleason	Kahn	Molnau	Rostberg	Vandever
Boudreau	Goodno	Kalis	Mulder	Rukavina	Wagenius
Bradley	Gray	Kelliher	Mullery	Schumacher	Wejcman
Broecker	Greenfield	Knoblach	Murphy	Seagren	Wenzel
Carlson	Greiling	Koskinen	Ness	Skoe	Westfall
Carruthers	Gunther	Kubly	Nornes	Skoglund	Westrom
Cassell	Haake	Kuisle	Opatz	Smith	Winter
Chaudhary	Haas	Larson, D.	Orfield	Solberg	Wolf
Clark, K.	Hackbarth	Leighton	Osskopp	Stanek	Workman
Daggett	Harder	Lenczewski	Osthoff	Stang	Spk. Sviggum
Dawkins	Hasskamp	Leppik	Otremba	Storm	
Dehler	Hausman	Lieder	Ozment	Swapinski	
Dempsey	Hilty	Luther	Paulsen	Swenson	
Dorman	Holsten	Mahoney	Pawlenty	Sykora	
Dom	Howes	Mares	Paymar	Tingelstad	

Those who voted in the negative were:

Anderson, B.	Davids	Holberg	Larsen, P.	Reuter	Seifert, M.
Buesgens	Erickson	Kielkucki	Lindner	Rifenberg	Westerberg
Clark, J.	Gerlach	Krinkie	Olson	Seifert, J.	Wilkin

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

S. F. No. 3210 was reported to the House.

Kuisle moved to amend S. F. No. 3210 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3369, the second engrossment:

"Section 1. Minnesota Statutes 1998, section 18C.005, is amended by adding a subdivision to read:

Subd. 1a. [ANHYDROUS AMMONIA.] "Anhydrous ammonia" means a compound formed by the chemical combination of the elements nitrogen and hydrogen in the molar proportion of one part nitrogen to three parts hydrogen. This relationship is shown by the chemical formula, NH₃. On a weight basis, the ratio is 14 parts nitrogen to three parts hydrogen or approximately 82 percent nitrogen to 18 percent hydrogen. Anhydrous ammonia may exist in either a gaseous or a liquid state.

Sec. 2. Minnesota Statutes 1998, section 18C.005, is amended by adding a subdivision to read:

Subd. 35a. [TAMPER.] "Tamper" means action taken by a person not authorized to take that action by law or by the owner or authorized custodian of an anhydrous ammonia container or of equipment where anhydrous ammonia is used, stored, distributed, or transported.

Sec. 3. Minnesota Statutes 1998, section 18C.201, is amended by adding a subdivision to read:

Subd. 6. [ANHYDROUS AMMONIA.] (a) A person may not:

(1) place, have placed, or possess anhydrous ammonia in a container that is not designed, constructed, maintained, and authorized to contain or transport anhydrous ammonia;

(2) transport anhydrous ammonia in a container that is not designed, constructed, maintained, and authorized to transport anhydrous ammonia;

(3) use, deliver, receive, sell, or transport a container designed and constructed to contain anhydrous ammonia without the express consent of the owner or authorized custodian of the container; or

(4) tamper with any equipment or facility used to contain, store, or transport anhydrous ammonia.

(b) For the purposes of this subdivision, containers designed and constructed for the storage and transport of anhydrous ammonia are described in Minnesota Rules, chapter 1513, adopted under section 18C.121, subdivision 1, or in Code of Federal Regulations, title 49.

Sec. 4. Minnesota Statutes 1998, section 18D.331, is amended by adding a subdivision to read:

Subd. 5. [ANHYDROUS AMMONIA CONTAINMENT, TAMPERING, THEFT, TRANSPORT.] A person who knowingly violates section 18C.201, subdivision 6, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$50,000, or both."

Delete the title and insert:

"A bill for an act relating to agriculture; prohibiting tampering with anhydrous ammonia; imposing penalties; amending Minnesota Statutes 1998, sections 18C.005, by adding subdivisions; 18C.201, by adding a subdivision; and 18D.331, by adding a subdivision."

Peterson moved that S. F. No. 3210 be temporarily laid over on the Calendar for the Day. The motion prevailed.

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

H. F. No. 849, A bill for an act relating to metropolitan government; modifying the authority to expand or upgrade minor use airports; amending Minnesota Statutes 1998, section 473.641, subdivision 4.

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 78 yeas and 53 nays as follows:

Those who voted in the affirmative were:

- | | | | | | |
|--------------|----------|----------|-----------|---------|---------|
| Abeler | Bishop | Broecker | Clark, J. | Dawkins | Dorman |
| Abrams | Boudreau | Buesgens | Daggett | Dehler | Entenza |
| Anderson, B. | Bradley | Cassell | Davids | Dempsey | Erhardt |

Erickson	Hasskamp	Marko	Osthoff	Seifert, J.	Tuma
Finseth	Hausman	McCollum	Ozment	Seifert, M.	Van Dellen
Fuller	Holberg	McElroy	Paulsen	Smith	Vandever
Gerlach	Howes	McGuire	Pawlenty	Stanek	Wenzel
Goodno	Kielkucki	Molnau	Paymar	Stang	Westerberg
Gunther	Knoblach	Mulder	Reuter	Storm	Westfall
Haake	Kuisle	Ness	Rhodes	Swenson	Westrom
Haas	Leppik	Nornes	Rifenberg	Sykora	Wolf
Hackbarth	Lindner	Olson	Rostberg	Tingelstad	Workman
Harder	Mares	Osskopp	Seagren	Tomassoni	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Gleason	Johnson	Larson, D.	Otremba	Solberg
Bakk	Gray	Juhnke	Lenczewski	Pelowski	Swapinski
Biernat	Greenfield	Kahn	Lieder	Peterson	Trimble
Carlson	Greiling	Kalis	Luther	Pugh	Tunheim
Carruthers	Hilty	Kelliher	Mahoney	Rest	Wagenius
Chaudhary	Holsten	Koskinen	Mullery	Rukavina	Wejcman
Clark, K.	Huntley	Krinkie	Murphy	Schumacher	Wilkin
Dorn	Jaros	Kubly	Opatz	Skoe	Winter
Folliard	Jennings	Larsen, P.	Orfield	Skoglund	

The bill was passed and its title agreed to.

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

S. F. No. 1048, A bill for an act relating to utilities; creating advisory selection process for public utility commissioners; regulating ex parte communications with commissioners; amending Minnesota Statutes 1998, sections 216A.03, subdivisions 1 and 1a; and 216A.037; proposing coding for new law in Minnesota Statutes, chapter 216A.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Carruthers	Entenza	Haake	Johnson	Larson, D.
Abrams	Cassell	Erhardt	Haas	Juhnke	Lenczewski
Anderson, B.	Chaudhary	Erickson	Hackbarth	Kahn	Leppik
Anderson, I.	Clark, J.	Finseth	Harder	Kalis	Lieder
Bakk	Clark, K.	Fuller	Hasskamp	Kelliher	Lindner
Biernat	Daggett	Gerlach	Hilty	Kielkucki	Luther
Bishop	Davids	Gleason	Holberg	Knoblach	Mahoney
Boudreau	Dawkins	Goodno	Holsten	Koskinen	Mares
Bradley	Dehler	Gray	Howes	Krinkie	Mariani
Broecker	Dempsey	Greenfield	Huntley	Kubly	Marko
Buesgens	Dorman	Greiling	Jaros	Kuisle	McCollum
Carlson	Dorn	Gunther	Jennings	Larsen, P.	McElroy

McGuire	Osskopp	Rest	Skoe	Tingelstad	Westerberg
Molnau	Osthoff	Reuter	Skoglund	Tomassoni	Westfall
Mulder	Otremba	Rhodes	Smith	Trimble	Westrom
Mullery	Ozment	Rifenberg	Solberg	Tuma	Wilkin
Murphy	Paulsen	Rostberg	Stanek	Tunheim	Winter
Ness	Pawlenty	Rukavina	Stang	Van Dellen	Workman
Nornes	Paymar	Schumacher	Storm	Vandever	Spk. Sviggum
Olson	Pelowski	Seagren	Swapinski	Wagenius	
Opatz	Peterson	Seifert, J.	Swenson	Wejzman	
Orfield	Pugh	Seifert, M.	Sykora	Wenzel	

The bill was passed and its title agreed to.

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

S. F. No. 2854 was reported to the House.

Skoglund, Bishop and Smith moved to amend S. F. No. 2854 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 253B.185, is amended by adding a subdivision to read:

Subd. 1b. [COUNTY ATTORNEY ACCESS TO DATA.] Notwithstanding sections 144.335; 245.467, subdivision 6; 245.4876, subdivision 7; 260.161; 260.195, subdivision 6; and 609.749, subdivision 6, or any provision of chapter 13, or any other provision of state law, prior to filing a petition for commitment as a sexual psychopathic personality or as a sexually dangerous person, upon notice to the proposed patient, the county attorney or the county attorney's designee, may move the court for an order granting access to any records or data, to the extent it relates to the proposed patient, for the purposes of determining whether good cause exists to file a petition and, if a petition is filed, to support the allegations set forth in the petition.

The court shall grant such motion if: (1) the department of corrections refers the case for commitment as a sexual psychopathic personality or a sexually dangerous person; or (2) upon a showing that the requested category of data or records may be relevant to the determination by the county attorney or designee. Notice to the proposed patient need not be given upon a showing that such notice may result in harm or harassment of interested persons or potential witnesses.

Data collected pursuant to this subdivision shall retain their original status and, if not public, are inadmissible in any court proceeding unrelated to civil commitment, unless otherwise permitted."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 2854, A bill for an act relating to civil commitment; requiring the commissioner of corrections before releasing persons convicted of criminal sexual conduct or sentenced as patterned offenders to send his determination whether a petition under the sexual psychopath law is necessary to certain county attorneys; allowing county

attorneys or their designee to have access to certain information for purposes of determining whether good cause exists to file a commitment proceeding; amending Minnesota Statutes 1998, sections 244.05, subdivision 7; and 253B.185, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS

Abeler moved that the names of Storm and Wenzel be added as authors on H. F. No. 4162. The motion prevailed.

Abeler moved that H. F. No. 2598 be recalled from the Senate for further consideration by the House. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3312:

Finseth, Ness and Wenzel.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2575:

Tunheim, McElroy and Gunther.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 8:30 a.m., Friday, April 28, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 8:30 a.m., Friday, April 28, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

