

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 1999

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 SIXTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 12, 1999

The House of Representatives convened at 9:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Senator Pat Piper, District 27, Austin, 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       | Entenza    | Howes      | Luther   | Paulsen     | Sykora       |
| Abrams       | Erhardt    | Huntley    | Mahoney  | Pawlenty    | Tingelstad   |
| Anderson, B. | Erickson   | Jaros      | Mares    | Paymar      | Trimble      |
| Bakk         | Finseth    | Jennings   | Mariani  | Peterson    | Tuma         |
| Biernat      | Folliard   | Johnson    | Marko    | Pugh        | Tunheim      |
| Bishop       | Fuller     | Juhnke     | McCollum | Rest        | Van Dellen   |
| Boudreau     | Gerlach    | Kahn       | McElroy  | Reuter      | Vandever     |
| Bradley      | Gleason    | Kalis      | McGuire  | Rhodes      | Wagenius     |
| Broecker     | Goodno     | Kelliher   | Milbert  | Rifenberg   | Wejman       |
| Buesgens     | Gray       | Kielkucki  | Molnau   | Rostberg    | Wenzel       |
| Carlson      | Greenfield | Knoblach   | Mulder   | Rukavina    | Westerberg   |
| Carruthers   | Greiling   | Koskinen   | Mullery  | Schumacher  | Westfall     |
| Cassell      | Gunther    | Krinkie    | Murphy   | Seagren     | Westrom      |
| Chaudhary    | Haake      | Kubly      | Ness     | Seifert, J. | Wilkin       |
| Clark, J.    | Haas       | Kuisle     | Nornes   | Seifert, M. | Winter       |
| Daggett      | Hackbarth  | Larsen, P. | Olson    | Skoe        | Wolf         |
| Davids       | Harder     | Larsen, D. | Opatz    | Skoglund    | Workman      |
| Dawkins      | Hasskamp   | Leighton   | Orfield  | Smith       | Spk. Sviggum |
| Dehler       | Hausman    | Lenczewski | Osskopp  | Solberg     |              |
| Dempsey      | Hilty      | Leppik     | Osthoff  | Stang       |              |
| Dorman       | Holberg    | Lieder     | Otremba  | Storm       |              |
| Dorn         | Holsten    | Lindner    | Ozment   | Swenson     |              |

A quorum was present.

Clark, K.; Munger; Pelowski; Stanek and Tomassoni were excused.

Anderson, I., was excused until 10:15 a.m.

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

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 10, 1999

The Honorable Steve Sviggum  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1568, relating to the state building code; transferring authority to adopt energy portions of the building code from the commissioner of public service to the commissioner of administration; setting an effective date for the energy code; requiring implementation of locally adopted optional code provisions; requiring a report.

H. F. No. 1359, relating to crime victims; clarifying the procedure for the deposit of unclaimed restitution funds; expanding coverage for crime victims reparations to include moving expense for victims of crime; extending the time limit for filing of claims to three years and allowing an exception to the time limit for all child abuse cases.

H. F. No. 1051, relating to employment; requiring the commissioner of economic security to collect certain information about employment and training programs.

Sincerely,

JESSE VENTURA  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S.F.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Time and<br/>Date Approved<br/>1999</i> | <i>Date Filed<br/>1999</i> |
|---------------------|---------------------|-------------------------------------|--|----------------------------|
|                     | 1568                | 135                                 | 1:00 p.m. May 10                           | May 10                     |
|                     | 1359                | 136                                 | 1:04 p.m. May 10                           | May 10                     |
| 1715                |                     | 137                                 | 1:10 p.m. May 10                           | May 10                     |
|                     | 1051                | 138                                 | 1:07 p.m. May 10                           | May 10                     |

Sincerely,

MARY KIFFMEYER  
Secretary of State

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Abeler, Opatz, Mares, Seagren and Carruthers introduced:

H. F. No. 2446, A bill for an act relating to education; providing for a basic level of competency in reading and mathematics; amending Minnesota Statutes 1998, section 120B.35.

The bill was read for the first time and referred to the Committee on Education 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. 7, A bill for an act relating to motor vehicles; modifying the motor vehicle emissions inspection program and providing for termination of inspection by January 1, 2000, or earlier if redesignated to attainment for carbon monoxide before January 1, 2000; amending Minnesota Statutes 1998, sections 116.60, subdivision 1, and by adding a subdivision; 116.61, subdivision 1, and by adding a subdivision; 116.62, subdivisions 2, 3, 5, and by adding a subdivision; and 116.63, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 116.63; and 116.64.

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 accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 14, A bill for an act relating to education; providing that a person convicted of child abuse or sexual abuse is ineligible to be licensed as a teacher; providing for reconsideration in cases of reversal by a court; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

The Senate has appointed as such committee:

Senators Neuville, Scheid and Pappas.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the following change in the membership of the Conference Committee on S. F. No. 23:

The name of Ten Eyck has been stricken, and the name of Cohen has been added.

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. 621, A bill for an act relating to public safety; adding various arson definitions relating to flammability; imposing penalties on students who use ignition devices inside educational buildings; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; and 609.5631, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

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. 837, A bill for an act relating to insurance; regulating insurers, agents, and coverages; modifying reporting requirements; regulating the rehabilitation and liquidation of insurers; modifying certain notice and disclosure provisions; modifying certain definitions; making technical changes; amending Minnesota Statutes 1998,

sections 60A.02, subdivision 1a, and by adding a subdivision; 60A.052, subdivision 2, and by adding a subdivision; 60A.06, subdivisions 1 and 2; 60A.075, by adding a subdivision; 60A.092, subdivisions 6 and 11; 60A.10, subdivision 1; 60A.111, subdivision 1; 60A.13, subdivision 1; 60A.16, subdivisions 2, 3, and 4; 60A.19, subdivision 1; 60A.32; 60B.21, subdivision 2; 60B.25; 60B.26, subdivision 1; 60B.39, subdivision 2; 60B.44, subdivisions 4, 6, and by adding subdivisions; 60D.20, subdivision 2; 60K.02, subdivision 1; 60K.03, subdivisions 2 and 3; 60K.19, subdivision 8; 61A.276, subdivision 2; 61A.60, subdivision 1; 61B.19, subdivision 3; 62A.04, subdivision 3; 62A.135, subdivision 5; 62A.50, subdivision 3; 62A.61; 62A.65, subdivision 5; 62B.04, subdivision 2; 62D.12, subdivision 2; 62E.02, subdivision 1; 62E.05, subdivision 1; 62E.09; 62E.13, subdivisions 6 and 8; 62E.14, subdivision 2; 62E.15, subdivision 2; 62I.07, subdivision 1; 62L.02, subdivision 24; 62L.03, subdivision 5; 62L.05, subdivision 5; 62L.14, subdivision 7; 62Q.185; 62S.01, subdivision 14; 62S.05, subdivision 2; 65A.01, subdivision 1; 65A.27, subdivision 4; 65A.29, subdivision 4; 65B.02, subdivision 2; 65B.44, subdivision 1; 65B.48, subdivision 5; 72A.125, subdivision 3; 72A.20, subdivision 29; 72B.04, subdivision 10; 79A.01, subdivision 10, and by adding a subdivision; 79A.02, subdivisions 1 and 4; 79A.03, subdivisions 6, 7, 9, 10, and by adding a subdivision; 79A.21, subdivision 2; 79A.23, subdivisions 1 and 2; and 256B.0644; proposing coding for new law in Minnesota Statutes, chapter 60B; repealing Minnesota Statutes 1998, sections 60A.11, subdivision 24a; 60B.36; 60B.44, subdivisions 3 and 5; 60K.08; 65A.29, subdivision 12; and 79A.04, subdivision 8; Minnesota Rules, part 2780.0500, item C.

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 accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1235, A bill for an act relating to agriculture; exempting livestock production facilities from the ambient hydrogen sulfide standards on days manure is being removed from barns or manure storage facilities; amending Minnesota Statutes 1998, section 116.0713.

The Senate has appointed as such committee:

Senators Dille, Frederickson and Murphy.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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

The Senate has appointed as such committee:

Senators Vickerman, Janezich and Larson.

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:

S. F. No. 841.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 841

A bill for an act relating to insurance; providing an alternative benefit plan for small employers; authorizing a small employer alternative benefit plan pilot project; modifying certain health plan company requirements; amending Minnesota Statutes 1998, sections 62L.02, subdivision 16; 62L.05, subdivision 5, and by adding a subdivision; 62Q.095, subdivision 1; and 62Q.51, subdivision 4.

May 6, 1999

The Honorable Allan H. Spear  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 841, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 841 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 62L.02, subdivision 16, is amended to read:

Subd. 16. [HEALTH CARRIER.] "Health carrier" means an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a health service plan corporation licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; a community integrated service network operating under chapter 62N; an accountable provider network regulated under chapter 62T; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; a multiple employer welfare arrangement, as defined in United States Code, title 29, section 1002(40), as amended. Any use of this definition in another chapter by reference does not include a community integrated service network, unless otherwise specified. For the purpose of this chapter, companies that are affiliated companies or that are eligible to file a consolidated tax return must be treated as one

health carrier, except that any insurance company or health service plan corporation that is an affiliate of a health maintenance organization located in Minnesota, or any health maintenance organization located in Minnesota that is an affiliate of an insurance company or health service plan corporation, or any health maintenance organization that is an affiliate of another health maintenance organization in Minnesota, may treat the health maintenance organization as a separate health carrier.

Sec. 2. Minnesota Statutes 1998, section 62L.05, is amended by adding a subdivision to read:

Subd. 4a. [ALTERNATIVE BENEFIT PLAN.] In addition to the small employer benefit plans described in subdivisions 1 to 4, a health carrier may offer to a small employer a benefit plan that differs from those plans in the following respects:

- (1) the plan may include different copayments and deductibles; and
- (2) the plan may offer coverage on a per diem, fixed indemnity, or nonexpense incurred basis.

Sec. 3. Minnesota Statutes 1998, section 62L.05, subdivision 5, is amended to read:

Subd. 5. [PLAN VARIATIONS.] (a) No health carrier shall offer to a small employer a health benefit plan that differs from the two small employer plans described in subdivisions 1 to 4, unless the health benefit plan complies with all provisions of chapters 62A, 62C, 62D, 62E, 62H, 62N, and 64B that otherwise apply to the health carrier, except as expressly permitted by paragraph (b).

(b) As an exception to paragraph (a), a health benefit plan is deemed to be a small employer plan and to be in compliance with paragraph (a) if it differs from one of the two small employer plans described in subdivisions 1 to 4 only by providing benefits in addition to those described in subdivision 4, provided that the health benefit plan has an actuarial value that exceeds the actuarial value of the benefits described in subdivision 4 by no more than two percent. "Benefits in addition" means additional units of a benefit listed in subdivision 4 or one or more benefits not listed in subdivision 4.

Sec. 4. [62L.055] [SMALL EMPLOYER ALTERNATIVE BENEFIT PLANS; PILOT PROJECT.]

(a) Notwithstanding any provision of this chapter or other law to the contrary, the commissioner of commerce shall develop a pilot project by January 1, 2000, to authorize health carriers to offer alternative health benefit plans to small employers if the following requirements are satisfied:

(1) the health carrier is assessed less than three percent of the total amount assessed by the Minnesota comprehensive health association;

(2) the health plans must be offered in compliance with this chapter, except as otherwise permitted in this section;

(3) the health plans to be offered must be designed to enable employers and covered persons to better manage costs and coverage options through the use of copays, deductibles, and other cost-sharing arrangements;

(4) the health plans must be issued and administered in compliance with sections 62E.141; 62L.03, subdivision 6; and 62L.12, subdivisions 3 and 4, relating to prohibitions against enrolling in the Minnesota comprehensive health association persons eligible for employer group coverage;

(5) the health plans must meet a 71 percent loss ratio for small employers with fewer than ten employees, and a 75 percent loss ratio for all other plans;

(6) the health plans may alter or eliminate coverages that would otherwise be required by law, other than the requirement that care provided for covered services by osteopaths, optometrists, and chiropractors, or registered nurses meeting the requirements of section 62A.15, subdivision 3a, be reimbursed on a nondiscriminatory basis; and

(7) each health plan must be approved by the commissioner of commerce.

(b) The definitions in section 62L.02 apply to this section as modified by this section.

(c) This section expires August 1, 2003.

Sec. 5. Minnesota Statutes 1998, section 62Q.095, subdivision 1, is amended to read:

Subdivision 1. [PROVIDER ACCEPTANCE REQUIRED.] Each health plan company, with the exception of any health plan company with 50,000 or fewer enrollees in its commercial health plan products and health plan companies that are exempt under subdivision 6, shall establish an expanded network of allied independent health providers, in addition to a preferred network. A health plan company shall accept as a provider in the expanded network any allied independent health provider who: (1) meets the health plan company's credentialing standards; (2) agrees to the terms of the health plan company's provider contract; and (3) agrees to comply with all managed care protocols of the health plan company. A preferred network shall be considered an expanded network if all allied independent health providers who meet the requirements of clauses (1), (2), and (3) are accepted into the preferred network. A community integrated service network may offer to its enrollees an expanded network of allied independent health providers as described under this section.

Sec. 6. Minnesota Statutes 1998, section 62Q.51, subdivision 4, is amended to read:

Subd. 4. [EXEMPTION.] This section does not apply to a health plan company with fewer than 50,000 enrollees in its commercial health plan products."

Delete the title and insert:

"A bill for an act relating to insurance; providing an alternative benefit plan for small employers; authorizing a small employer alternative benefit plan pilot project; modifying certain health plan company requirements; amending Minnesota Statutes 1998, sections 62L.02, subdivision 16; 62L.05, subdivision 5, and by adding a subdivision; 62Q.095, subdivision 1; and 62Q.51, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62L."

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

Senate Conferees: LINDA SCHEID, JOHN C. HOTTINGER AND EDWARD C. OLIVER.

House Conferees: BILL HAAS, GREGORY M. DAVIDS AND BOB MILBERT.

Haas moved that the report of the Conference Committee on S. F. No. 841 be adopted and that the bill be repassed as amended by the Conference Committee.

The Speaker called Abrams to the Chair.

Huntley moved that the House refuse to adopt the Conference Committee report on S. F. No. 841, and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

On the motion of Anderson, B., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

McElroy moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Huntley motion and the roll was called.

Seifert, M., moved that those not voting be excused from voting. The motion prevailed.

There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

|              |            |            |            |          |            |
|--------------|------------|------------|------------|----------|------------|
| Anderson, I. | Gleason    | Johnson    | Lenczewski | Opatz    | Schumacher |
| Bakk         | Gray       | Juhnke     | Lieder     | Orfield  | Skoe       |
| Biernat      | Greenfield | Kahn       | Luther     | Osthoff  | Skoglund   |
| Carlson      | Greiling   | Kalis      | Mahoney    | Otremba  | Solberg    |
| Carruthers   | Hasskamp   | Kelliher   | Mariani    | Paymar   | Trimble    |
| Chaudhary    | Hausman    | Koskinen   | Marko      | Peterson | Tunheim    |
| Dawkins      | Hilty      | Krinkie    | McCollum   | Pugh     | Wagenius   |
| Dorn         | Huntley    | Kubly      | McGuire    | Rest     | Wejzman    |
| Entenza      | Jaros      | Larson, D. | Mullery    | Reuter   | Wenzel     |
| Folliard     | Jennings   | Leighton   | Murphy     | Rukavina | Winter     |

Those who voted in the negative were:

|              |           |          |           |            |         |
|--------------|-----------|----------|-----------|------------|---------|
| Abeler       | Buesgens  | Dorman   | Gunther   | Howes      | Mares   |
| Abrams       | Cassell   | Erhardt  | Haake     | Kielkucki  | McElroy |
| Anderson, B. | Clark, J. | Erickson | Haas      | Knoblach   | Milbert |
| Bishop       | Daggett   | Finseth  | Hackbarth | Kuisle     | Molnau  |
| Boudreau     | Davids    | Fuller   | Harder    | Larsen, P. | Mulder  |
| Bradley      | Dehler    | Gerlach  | Holberg   | Leppik     | Ness    |
| Broecker     | Dempsey   | Goodno   | Holsten   | Lindner    | Nornes  |

|          |             |             |            |            |              |
|----------|-------------|-------------|------------|------------|--------------|
| Olson    | Rhodes      | Seifert, M. | Sykora     | Westerberg | Workman      |
| Osskopp  | Rifenberg   | Smith       | Tingelstad | Westfall   | Spk. Sviggum |
| Ozment   | Rostberg    | Stang       | Tuma       | Westrom    |              |
| Paulsen  | Seagren     | Storm       | Van Dellen | Wilkin     |              |
| Pawlenty | Seifert, J. | Swenson     | Vandever   | Wolf       |              |

The motion did not prevail.

The question recurred on the Haas motion that the report of the Conference Committee on S. F. No. 841 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 841, A bill for an act relating to insurance; providing an alternative benefit plan for small employers; authorizing a small employer alternative benefit plan pilot project; modifying certain health plan company requirements; amending Minnesota Statutes 1998, sections 62L.02, subdivision 16; 62L.05, subdivision 5, and by adding a subdivision; 62Q.095, subdivision 1; and 62Q.51, subdivision 4.

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

The question was taken on the repassage of the bill and the roll was called. There were 90 yeas and 39 nays as follows:

Those who voted in the affirmative were:

|              |           |            |         |             |              |
|--------------|-----------|------------|---------|-------------|--------------|
| Abeler       | Dorman    | Holberg    | Leppik  | Pawlenty    | Sykora       |
| Abrams       | Dorn      | Holsten    | Lieder  | Peterson    | Tingelstad   |
| Anderson, B. | Erhardt   | Howes      | Lindner | Rest        | Tuma         |
| Bishop       | Erickson  | Jennings   | Mares   | Rhodes      | Tunheim      |
| Boudreau     | Finseth   | Johnson    | McElroy | Rifenberg   | Van Dellen   |
| Bradley      | Fuller    | Juhnke     | Milbert | Rostberg    | Vandever     |
| Broecker     | Gerlach   | Kalis      | Molnau  | Schumacher  | Wenzel       |
| Buesgens     | Goodno    | Kielkucki  | Mulder  | Seagren     | Westerberg   |
| Carlson      | Gunther   | Knoblach   | Ness    | Seifert, J. | Westfall     |
| Cassell      | Haake     | Krinkie    | Nornes  | Seifert, M. | Westrom      |
| Clark, J.    | Haas      | Kubly      | Olson   | Skoe        | Wilkin       |
| Daggett      | Hackbarth | Kuisle     | Opatz   | Smith       | Winter       |
| Davids       | Harder    | Larsen, P. | Osskopp | Stang       | Wolf         |
| Dehler       | Hasskamp  | Larson, D. | Ozment  | Storm       | Workman      |
| Dempsey      | Hilty     | Lenczewski | Paulsen | Swenson     | Spk. Sviggum |

Those who voted in the negative were:

|              |            |          |          |          |          |
|--------------|------------|----------|----------|----------|----------|
| Anderson, I. | Folliard   | Jaros    | Mariani  | Osthoff  | Solberg  |
| Bakk         | Gleason    | Kahn     | Marko    | Otremba  | Trimble  |
| Biernat      | Gray       | Kelliher | McCollum | Paymar   | Wagenius |
| Carruthers   | Greenfield | Koskinen | McGuire  | Pugh     | Wejcman  |
| Chaudhary    | Greiling   | Leighton | Mullery  | Reuter   |          |
| Dawkins      | Hausman    | Luther   | Murphy   | Rukavina |          |
| Entenza      | Huntley    | Mahoney  | Orfield  | Skoglund |          |

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

## CALL OF THE HOUSE LIFTED

Reuter moved that the call of the House be suspended. The motion prevailed and it was so ordered.

Speaker pro tempore Abrams called Boudreau to the Chair.

Mr. Speaker:

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

S. F. No. 2017.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 2017

A bill for an act relating to public employment; making technical and administrative changes; modifying definitions; redesigning administrative procedures for certain pilot projects; amending Minnesota Statutes 1998, sections 13.43, subdivision 2; 43A.02, subdivisions 11 and 33; 43A.04, subdivision 4; 43A.06, subdivision 8; 43A.07, subdivisions 4 and 6; 43A.13, subdivision 3; 43A.15, subdivision 6, and by adding a subdivision; 43A.17, subdivision 8; 43A.18, subdivision 1; 43A.19, subdivision 3; 43A.20; 43A.317, subdivisions 3 and 4; and 43A.421; Laws 1995, chapter 248, article 13, section 2, subdivisions 5, as amended, and 6, as amended; repealing Minnesota Statutes 1998, sections 43A.13, subdivision 9; 43A.40; 43A.41; 43A.42; 43A.43, subdivision 2; 43A.44; 43A.45; 43A.46; and 43A.465; Laws 1995, chapter 248, article 13, section 2, subdivision 8; Minnesota Rules, parts 3910.0100; 3910.0200; 3910.0300; 3910.0400; 3910.0500; 3910.0600; 3910.0700; 3910.0800; 3910.0900; 3910.1000; 3910.1100; 3910.1200; 3910.1300; 3910.1400; 3910.1500; 3910.1600; and 3910.1700.

April 28, 1999

The Honorable Allan H. Spear  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2017, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2017 be further amended as follows:

Page 9, lines 12 to 14, delete the new language and insert "After consulting with the chairs of the senate governmental operations and veterans committee and the house of representatives governmental operations and veterans affairs policy committee, the commissioner may determine when the program provided under this section is available. When the commissioner makes the program available."

Page 9, lines 24 and 25, delete the new language and insert "After the commissioner consults as required in subdivision 3 and then determines to make the program available."

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

Senate Conferees: LINDA RUNBECK, CAROL FLYNN AND JOHN C. HOTTINGER.

House Conferees: HARRY MARES, BILL HAAS AND LOREN JENNINGS.

Mares moved that the report of the Conference Committee on S. F. No. 2017 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2017, A bill for an act relating to public employment; making technical and administrative changes; modifying definitions; redesigning administrative procedures for certain pilot projects; amending Minnesota Statutes 1998, sections 13.43, subdivision 2; 43A.02, subdivisions 11 and 33; 43A.04, subdivision 4; 43A.06, subdivision 8; 43A.07, subdivisions 4 and 6; 43A.13, subdivision 3; 43A.15, subdivision 6, and by adding a subdivision; 43A.17, subdivision 8; 43A.18, subdivision 1; 43A.19, subdivision 3; 43A.20; 43A.317, subdivisions 3 and 4; and 43A.421; Laws 1995, chapter 248, article 13, section 2, subdivisions 5, as amended, and 6, as amended; repealing Minnesota Statutes 1998, sections 43A.13, subdivision 9; 43A.40; 43A.41; 43A.42; 43A.43, subdivision 2; 43A.44; 43A.45; 43A.46; and 43A.465; Laws 1995, chapter 248, article 13, section 2, subdivision 8; Minnesota Rules, parts 3910.0100; 3910.0200; 3910.0300; 3910.0400; 3910.0500; 3910.0600; 3910.0700; 3910.0800; 3910.0900; 3910.1000; 3910.1100; 3910.1200; 3910.1300; 3910.1400; 3910.1500; 3910.1600; and 3910.1700.

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

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

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

Mr. Speaker:

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

S. F. No. 556.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 556

A bill for an act relating to municipal power agencies; limiting liability for recreational purposes; amending Minnesota Statutes 1998, section 604A.24.

May 6, 1999

The Honorable Allan H. Spear  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 556, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate concur in the House amendment and that S. F. No. 556 be further amended as follows:

The Leighton amendment to S. F. No. 556, adopted by the House April 20, 1999, is amended as follows:

Pages 1 to 3, delete section 1

Page 4, line 12, after "land," insert "easements, rights-of-way."

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

Delete the title and insert:

"A bill for an act relating to liability; limiting liability on certain municipal power agency land for certain purposes; amending Minnesota Statutes 1998, sections 604A.20; 604A.21, subdivisions 3, 4, and by adding a subdivision; 604A.24; and 604A.25."

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

Senate Conferees: PAT PIPER, DAVID J. TEN EYCK AND MARK OURADA.

House Conferees: ROB LEIGHTON, BETTY MCCOLLUM AND GREGORY M. DAVIDS.

Leighton moved that the report of the Conference Committee on S. F. No. 556 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 556, A bill for an act relating to municipal power agencies; limiting liability for recreational purposes; amending Minnesota Statutes 1998, section 604A.24.

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

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 83 and 1876.

PATRICK E. FLAHAVER, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 83, A bill for an act relating to natural resources; simplifying and consolidating wetland regulation; amending Minnesota Statutes 1998, sections 103G.005, subdivisions 15 and 19; 103G.201; 103G.2242, subdivision 2; 103G.2372; 103G.2373; and 645.44, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103G.

The bill was read for the first time.

Ozment moved that S. F. No. 83 and H. F. No. 1493, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1876, A bill for an act relating to public finance; imposing and modifying conditions and limitations on the use of public debt; reenacting certain provisions relating to taxes, abatements, and tax increments; requiring a study of the taxation of forest land; amending Minnesota Statutes 1998, sections 126C.55, subdivision 7; 272.02, by adding a subdivision; 373.01, subdivision 3; 410.32; 412.301; 469.015, subdivision 4; 469.155, subdivision 4; 473.39, by adding a subdivision; 475.56; and 475.60, subdivisions 1 and 3.

The bill was read for the first time.

Abrams moved that S. F. No. 1876 and H. F. No. 2127, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

#### 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 preceding the remaining bills on the Calendar for the Day, for Wednesday, May 12, 1999:

S. F. No. 1721; H. F. No. 2127; S. F. Nos. 1762, 891 and 1002; H. F. No. 665; and S. F. Nos. 1093, 1639 and 1976.

#### CALENDAR FOR THE DAY

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

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 685:

Wolf, Gunther and Carruthers.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1485:

Seifert, J.; Davids and Huntley.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1636:

Knoblach, Cassell and Hilty.

#### ADJOURNMENT

Molnau moved that when the House adjourns today it adjourn until 9:00 a.m., Thursday, May 13, 1999. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and Speaker pro tempore Boudreau declared the House stands adjourned until 9:00 a.m., Thursday, May 13, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

