

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2001

SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 4, 2001

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

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that Representative Dale Swapinski, District 7A, was administered the oath of office by Representative Thomas W. Pugh on Thursday, January 4, 2001. His certificate of election and a signed and sworn statement of the oath of office are on file.

The roll was called and the following members were present:

Abeler	Dorn	Holsten	Lindner	Pawlenty	Swenson
Abrams	Eastlund	Howes	Lipman	Paymar	Sykora
Anderson, B.	Entenza	Huntley	Mahoney	Pelowski	Thompson
Anderson, I.	Erhardt	Jacobson	Mares	Penas	Tingelstad
Bakk	Erickson	Jaros	Marko	Peterson	Tuma
Bernardy	Evans	Johnson, J.	Marquart	Pugh	Vandever
Biernat	Finseth	Johnson, R.	McElroy	Rhodes	Wagenius
Bishop	Folliard	Johnson, S.	McGuire	Rifenberg	Walker
Boudreau	Fuller	Juhnke	Milbert	Rukavina	Walz
Bradley	Gerlach	Kalis	Molnau	Ruth	Wasiluk
Buesgens	Gleason	Kelliher	Mulder	Schumacher	Wenzel
Carlson	Goodno	Kielkucki	Mullery	Seagren	Westerberg
Cassell	Goodwin	Knoblach	Murphy	Seifert	Westrom
Clark, J.	Greiling	Koskinen	Ness	Sertich	Wilkin
Daggett	Gunther	Krinkie	Nornes	Skoe	Winter
Davids	Haas	Kubly	Olson	Skoglund	Wolf
Davnie	Hackbarth	Kuisle	Opatz	Slawik	Workman
Dawkins	Harder	Larson	Osskopp	Smith	Spk. Sviggum
Dehler	Hausman	Leighton	Osthoff	Solberg	
Dempsey	Hilstrom	Lenczewski	Otremba	Stanek	
Dibble	Hilty	Leppik	Ozment	Stang	
Dorman	Holberg	Lieder	Paulsen	Swapinski	

A quorum was present.

Clark, K.; Gray; Jennings; Kahn; Luther and Mariani were excused.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Jacobson; Abrams; Pawlenty; Lipman; Howes; Johnson, J.; Sviggum; Wolf; Fuller; Eastlund; Penas; Ruth and Westerberg introduced:

H. F. No. 1, A bill for an act relating to taxation; reducing individual income tax rates; amending Minnesota Statutes 2000, sections 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, and 6; and 469.1734, subdivision 4.

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

Walz; Abrams; Ruth; Sviggum; Johnson, J.; Fuller; Jacobson; Eastlund; Penas; Howes and Westerberg introduced:

H. F. No. 2, A bill for an act relating to taxation; modifying the automatic rebate mechanism; providing for payment of a sales tax rebate; appropriating money; amending Minnesota Statutes 2000, section 16A.1522, subdivisions 2 and 5.

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

Penas, Seagren, Ruth, Eastlund, Walz, Fuller, Howes and Westerberg introduced:

H. F. No. 3, A bill for an act relating to education finance; modifying the definition of equity revenue; appropriating money; amending Minnesota Statutes 2000, section 126C.10, subdivisions 24, 25, and 27; repealing Minnesota Statutes 2000, section 126C.10, subdivision 28.

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

Abrams; Goodno; Bradley; Johnson, J.; Jacobson and Westerberg introduced:

H. F. No. 4, A bill for an act relating to health; repealing MinnesotaCare premium and provider taxes; requiring pass-through of savings to consumers; providing for disposition of tobacco settlement money; providing for contingent penalties; amending Minnesota Statutes 2000, sections 62J.041, subdivision 1; 62Q.095, subdivision 6; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; 270B.14, subdivision 1; and 297I.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 62Q; and 256L; repealing Minnesota Statutes 2000, sections 13.4967, subdivision 3; 16A.76; 62T.10; 144.1484, subdivision 2; 256L.02, subdivision 3; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; 295.59; and 297I.05, subdivision 5.

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

Penas, Finseth, Ruth, Eastlund and Walz introduced:

H. F. No. 5, A bill for an act relating to taxation; increasing the education agricultural credit; amending Minnesota Statutes 2000, section 273.1832, subdivision 1b.

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

Howes, Goodno, Eastlund, Ruth, Penas, Bradley and Westerberg introduced:

H. F. No. 6, A bill for an act relating to human services; raising the income limit for the prescription drug program; requiring enrollees to satisfy monthly deductibles based on a sliding scale; appropriating money; amending Minnesota Statutes 2000, section 256.955, subdivisions 2a and 7.

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

Eastlund, Goodno, Howes, Bradley, Walz, Penas and Ruth introduced:

H. F. No. 7, A bill for an act relating to human services; providing rate adjustments for nursing facilities, intermediate care facilities for persons with mental retardation and related conditions, and direct care providers; amending Minnesota Statutes 2000, sections 256B.431, by adding a subdivision; 256B.434, subdivision 4; and 256B.501, by adding a subdivision.

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

Ruth, Seagren, Penas, Eastlund and Walz introduced:

H. F. No. 8, A bill for an act relating to education finance; restoring funding for secondary vocational programming; appropriating money; amending Minnesota Statutes 2000, section 124D.453, subdivision 3; repealing Laws 1999, chapter 241, article 3, section 5, as amended.

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

Ruth, Walz, Penas, Eastlund, Westerberg, Workman, Westrom and Molnau introduced:

H. F. No. 9, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIV; dedicating all revenue from the sales tax on motor vehicles to the highway user tax distribution fund.

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

Johnson, J.; Abrams; Jacobson; Lipman and Westerberg introduced:

H. F. No. 10, A bill for an act relating to individual income taxation; allowing an exclusion for capital gains; amending Minnesota Statutes 2000, sections 290.01, subdivision 19b; and 290.091, subdivision 2.

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

Westerberg, Walz, Penas, Eastlund, Ruth, Molnau, Workman and Westrom introduced:

H. F. No. 11, A bill for an act proposing an amendment to the Minnesota Constitution, by adding a section to article XIV; dedicating not less than 32 percent of revenue from the sales tax on motor vehicles to the highway user tax distribution fund.

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

Lipman, Westerberg and Jacobson introduced:

H. F. No. 12, A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution by adding a section to article IV; requiring a three-fifths vote to enact a law imposing or increasing taxes, fees, or surcharges.

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

Abeler, Goodno, Huntley, Bradley, Otremba, Seagren, Sykora, Luther and Westerberg introduced:

H. F. No. 13, A bill for an act relating to human services; raising the income limit for the prescription drug program; requiring enrollees to satisfy monthly deductibles based on a sliding scale; appropriating money; amending Minnesota Statutes 2000, section 256.955, subdivisions 2a and 7.

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

Bradley, Huntley, Haas, Otremba, Mulder, Rifenberg, Goodno, Bishop, Holberg, Lindner, Wilkin, Nornes, Wolf, Abeler, Boudreau, Ruth, Westerberg, Leppik, Rhodes and Daggett introduced:

H. F. No. 14, A bill for an act relating to health; crediting tobacco settlement revenues to the health care access fund; eliminating the MinnesotaCare provider taxes and the premium tax on nonprofit health plan companies on a contingent basis; requiring pass-through of savings; amending Minnesota Statutes 2000, sections 295.52, by adding a subdivision; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 16A; and 62Q.

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

Pawlenty, Abrams, Daggett and McElroy introduced:

H. F. No. 15, A bill for an act relating to taxation; income; modifying the subtraction for charitable contributions; amending Minnesota Statutes 2000, section 290.01, subdivision 19b.

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

Pelowski and Rifenberg introduced:

H. F. No. 16, A bill for an act relating to local government; adding authority to transfer personal property to nonprofit corporations; amending Minnesota Statutes 2000, section 471.85.

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

Pelowski and Rifenberg introduced:

H. F. No. 17, A bill for an act relating to human services; directing the department of human services to develop a plan to distribute all chemical dependency funding directly to the counties; amending Minnesota Statutes 2000, section 254B.02, by adding a subdivision.

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

Mares, Milbert, Westerberg, Hausman, Howes, McGuire and Ness introduced:

H. F. No. 18, A bill for an act relating to the amateur sports commission; authorizing grants for development of new soccer fields; establishing criteria for grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 240A.

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

Mullery introduced:

H. F. No. 19, A bill for an act relating to drivers' licenses; allowing limited driver's license to be issued without waiting period under limiting conditions; modifying, conforming, and reorganizing provisions governing limited driver's license waiting periods; amending Minnesota Statutes 2000, section 171.30, subdivisions 2 and 4; repealing Minnesota Statutes 2000, section 171.30, subdivisions 2a, 2b, and 2c.

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

Mullery introduced:

H. F. No. 20, A bill for an act relating to youth intervention programs; appropriating money.

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

Anderson, I., introduced:

H. F. No. 21, A bill for an act relating to telecommunications; prohibiting toll charges for intrastate long distance calls; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Anderson, I., introduced:

H. F. No. 22, A bill for an act relating to community education; providing for youth programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Mullery and Gunther introduced:

H. F. No. 23, A bill for an act relating to appropriations; authorizing and appropriating money for certain nontraditional career assistance training programs; amending Minnesota Statutes 2000, sections 256J.02, subdivision 2; and 268.0122, subdivision 2.

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

Mullery introduced:

H. F. No. 24, A bill for an act relating to health; modifying MinnesotaCare eligibility requirements for persons with continuation coverage; amending Minnesota Statutes 2000, section 256L.07, by adding a subdivision.

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

Anderson, I., introduced:

H. F. No. 25, A bill for an act relating to state finance; changing the fiscal biennium to begin with even-numbered years; providing that expenditures of federal money must be approved by the legislature; amending Minnesota Statutes 2000, sections 16A.011, subdivision 6; and 16A.152, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Pawlenty and Abrams introduced:

H. F. No. 26, A bill for an act relating to income taxation; providing that the location of financial accounts may not be considered in determining residency; amending Minnesota Statutes 2000, section 290.01, subdivision 7.

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

Haas, Lenczewski and Luther introduced:

H. F. No. 27, A bill for an act relating to the environment; creating a task force to review outdoor noise standards.

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

Mullery introduced:

H. F. No. 28, A bill for an act relating to health; requiring medical directors for health maintenance organizations; establishing liability for health treatment decisions and policies; establishing requirements for physicians performing utilization review; requiring annual disclosure of utilization review criteria; modifying the definition of practice of medicine; amending Minnesota Statutes 2000, sections 62D.02, by adding subdivisions; 62M.09, subdivisions 2, 3, and by adding a subdivision; 62M.10, subdivision 7; and 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

Mullery introduced:

H. F. No. 29, A bill for an act relating to financial institutions; regulating fees and charges imposed on account holders and others; requiring lifeline checking accounts; amending Minnesota Statutes 2000, sections 9.031, subdivision 13; 47.61, by adding a subdivision; 47.64, by adding a subdivision; 47.76; 48.512, subdivision 7; 50.17, subdivision 11; 51A.21, subdivision 28; 118A.02, subdivision 1; 427.01; and 427.02; proposing coding for new law in Minnesota Statutes, chapters 427; and 469.

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

Mullery introduced:

H. F. No. 30, A bill for an act relating to crime prevention; allowing city attorneys to prosecute the crime of contributing to delinquency of a minor; increasing the penalty for certain thefts and for contributing to the delinquency of a minor under certain circumstances; directing an aggravating factor to the sentencing guidelines commission; amending Minnesota Statutes 2000, sections 260B.425, subdivisions 1 and 2; 609.035, by adding a subdivision; 609.494, subdivision 2, and by adding a subdivision; and 609.52, subdivision 3.

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

Mullery introduced:

H. F. No. 31, A bill for an act relating to health; establishing a definition of medically necessary care for health plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Wenzel; Anderson, I., and Otremba introduced:

H. F. No. 32, A bill for an act relating to taxes; sales and use; reducing the general rate; amending Minnesota Statutes 2000, section 297A.62, subdivision 1.

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

Gleason, Paymar, Wagenius and Dibble introduced:

H. F. No. 33, A bill for an act relating to public expenditures; prohibiting the use of public funds to pay for airline tickets for flights landing or taking off during nighttime hours; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Seifert, Pelowski, Mares, Carlson, Rhodes, Fuller, Buesgens, Goodno, Leppik, Cassell, Sykora, Seagren, Paulsen, Stang, Kahn and Erickson introduced:

H. F. No. 34, A bill for an act relating to education; allowing certain candidates to complete their teacher preparation program under current licensure rules; amending Minnesota Statutes 2000, section 122A.18, subdivision 9.

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

Wasiluk, Hausman, Murphy and Entenza introduced:

H. F. No. 35, A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 2000, section 177.24, subdivision 1.

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

Mullery introduced:

H. F. No. 36, A bill for an act relating to employment; extending parenting leave requirements; amending Minnesota Statutes 2000, section 181.941, subdivisions 1 and 2.

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

McElroy, Kuisle, Molnau and Osthoff introduced:

H. F. No. 37, A bill for an act relating to traffic regulations; abolishing statutes that define trackless trolley car, that regulate driving through rough country, and that prohibit employment by passenger carriers of persons addicted to liquor; repealing Minnesota Statutes 2000, sections 169.01, subdivision 18; 169.38; and 169.901.

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

Haas introduced:

H. F. No. 38, A bill for an act relating to transportation; appropriating money for Osseo municipal state-aid street funding.

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

Haas introduced:

H. F. No. 39, A bill for an act relating to state employees; permitting retired state employees to purchase group long-term care insurance through the coverage offered to active state employees; amending Minnesota Statutes 2000, section 43A.318, subdivision 1.

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

Mullery and Gunther introduced:

H. F. No. 40, A bill for an act relating to banks; limiting a financial intermediary's service charge to an issuer of a check in certain circumstances; amending Minnesota Statutes 2000, section 48.512, subdivision 7.

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

Mullery and Gunther introduced:

H. F. No. 41, A bill for an act relating to employment; appropriating money for grants to encourage women to enter nontraditional careers.

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

Wenzel; Erickson; Anderson, I.; Otremba; Kielkucki and Walz introduced:

H. F. No. 42, A bill for an act relating to health; prohibiting partial-birth abortions; providing criminal and civil penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Abrams introduced:

H. F. No. 43, A bill for an act relating to education finance; granting an inflationary increase in operating referendum revenue allowances; amending Minnesota Statutes 2000, section 126C.17, subdivision 2.

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

MOTION TO FIX TIME TO CONVENE

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, January 8, 2001. 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 2:45 p.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 the Reverend Lonnie E. Titus, House Chaplain.

The roll being called the following Senators answered to their names: Anderson, Bachmann 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 Honorable Associate Justices of the Supreme Court, plus the Honorable Edward Toussaint, Jr., Chief Judge of the Court of Appeals and the Honorable members 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 the Honorable Harold E. Stassen and the Honorable Wendell R. Anderson, former Governors of the State of Minnesota. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Ulf Christiansen, Norwegian Consulate General; Louis Novak, Cultural Attache, Honorary Consulate of the Republic of Croatia; and the Honorable Susan Thompson, Canadian Consulate General. 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 3:00 p.m., Monday, January 8, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives