

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

THIRD DAY

St. Paul, Minnesota, Monday, January 13, 1997

The Senate met at 11:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Paul L. Magee.

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

The roll was called, and the following Senators answered to their names:

Anderson	Higgins	Laidig	Olson	Scheid
Beckman	Hottinger	Langseth	Ourada	Solon
Belanger	Janezich	Larson	Pappas	Spear
Berg	Johnson, D.E.	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.H.	Lessard	Piper	Stumpf
Betzold	Johnson, D.J.	Limmer	Pogemiller	Ten Eyck
Cohen	Johnson, J.B.	Lourey	Price	Terwilliger
Day	Junge	Marty	Ranum	Vickerman
Dille	Kelley, S.P.	Moe, R.D.	Robertson	Wiener
Fischbach	Kelly, R.C.	Morse	Robling	Wiger
Flynn	Kiscaden	Murphy	Runbeck	
Foley	Kleis	Neuville	Sams	
Frederickson	Knutson	Novak	Samuelson	
Hanson	Krentz	Oliver	Scheevel	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Metzen was excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 1: A Senate concurrent resolution relating to the adoption of temporary joint rules.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 9, 1997

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 2: A Senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 9, 1997

MOTIONS AND RESOLUTIONS

Ms. Olson moved that the name of Mr. Johnson, D.E. be added as a co-author to S.F. No. 21. The motion prevailed.

Mr. Samuelson moved that the names of Messrs. Neuville; Johnson, D.J.; Mrs. Fischbach and Mr. Knutson be added as co-authors to S.F. No. 23. The motion prevailed.

Messrs. Moe, R.D. and Johnson, D.E. introduced--

Senate Concurrent Resolution No. 3: A Senate concurrent resolution relating to the adjournment of the Senate and House of Representatives on January 16, 1997.

BE IT RESOLVED by the Senate, the House of Representatives concurring, that upon adjournment on January 16, 1997, the Senate and House of Representatives may each adjourn for more than three days.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Messrs. Moe, R.D. and Johnson, D.E. introduced--

Senate Resolution No. 13: A Senate resolution relating to mileage; setting the miles traveled by members of the Senate in going to and returning from the Capitol.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The miles traveled by members of the Senate for the 80th Legislature in each round trip going to and returning from the Capitol to their places of residence are as follows:

MEMBER	MILEAGE
ANDERSON, Ellen R.	6
BECKMAN, Tracy L.	260
BELANGER, William V., Jr.	46
BERG, Charles A.	370
BERGLIN, Linda	22
BETZOLD, Don	30
COHEN, Richard J.	0
DAY, Dick	140
DILLE, Steve	150
FISCHBACH, Michelle L.	184

FLYNN, Carol	22
FOLEY, Leo	56
FREDERICKSON, Dennis R.	210
HANSON, Paula E.	50
HIGGINS, Linda	25
HOTTINGER, John C.	186
JANEZICH, Jerry R.	400
JOHNSON, Dave H.	28
JOHNSON, Dean E.	202
JOHNSON, Douglas J.	440
JOHNSON, Janet B.	102
JUNGE, Ember R.	42
KELLEY, Steve P.	36
KELLY, Randy C.	12
KISCADEN, Sheila M.	160
KLEIS, Dave	145
KNUTSON, David L.	38
KRENTZ, Jane	54
LAIDIG, Gary W.	44
LANGSETH, Keith	472
LARSON, Cal	392
LESEWSKI, Arlene J.	336
LESSARD, Bob	600
LIMMER, Warren	50
LOUREY, Becky	236
MARTY, John	25
METZEN, James P.	18
MOE, Roger D.	522
MORSE, Steven	286
MURPHY, Steve	102
NEUVILLE, Thomas M.	94
NOVAK, Steven G.	30
OLIVER, Edward C.	54
OLSON, Gen	70
OURADA, Mark N.	101
PAPPAS, Sandra L.	6
PARISEAU, Pat	64
PIPER, Pat	200
POGEMILLER, Lawrence J.	18
PRICE, Leonard R.	14
RANUM, Jane B.	24
ROBERTSON, Martha R.	40
ROBLING, Claire	70
RUNBECK, Linda	40
SAMS, Dallas C.	(air 264) 300
SAMUELSON, Don	270
SCHEEVEL, Kenric	250
SCHEID, Linda	44
SOLON, Sam G.	312
SPEAR, Allan H.	22
STEVENS, Dan	156
STUMPF, LeRoy A.	(air 550) 622
TEN EYCK, David J.	280
TERWILLIGER, Roy	42

VICKERMAN, Jim 336
 WIENER, Deanna 25
 WIGER, Charles W. "Chuck" 18

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Ms. Berglin introduced--

Senate Resolution No. 14: A Senate resolution commemorating the life and work of Dr. Martin Luther King, Jr.

WHEREAS, the anniversary of the birth of Dr. Martin Luther King is January 15; and

WHEREAS, his life was devoted to the elimination of segregation and prejudice against his people; and

WHEREAS, achievements in human and civil rights were accomplished through his personal efforts; and

WHEREAS, he sought to fulfill his goals exclusively by nonviolent means; and

WHEREAS, his life was ended by assassination; and

WHEREAS, the actions and efforts of Dr. Martin Luther King, Jr. have served as an inspiration to many; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it commemorates the life and work of Dr. Martin Luther King, Jr.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare a copy of this resolution, to be authenticated by his signature and that of the Chair of the Senate Rules and Administration Committee, and present it to representatives of an appropriate group organizing public commemorations of the birth of Dr. Martin Luther King, Jr.

Ms. Berglin moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Vickerman, Beckman and Langseth introduced--

S.F. No. 26: A bill for an act relating to education; creating a high school student entrepreneurship pilot program; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mr. Samuelson, Mrs. Lourey, Messrs. Terwilliger, Solon and Ms. Berglin introduced--

S.F. No. 27: A bill for an act relating to human services; authorizing an increase in the payment rate for day training and habilitation services.

Referred to the Committee on Health and Family Security.

Mr. Samuelson, Mrs. Lourey, Ms. Robertson, Mr. Sams and Ms. Berglin introduced--

S.F. No. 28: A bill for an act relating to human services; providing for certain rates imposed on intermediate care facilities.

Referred to the Committee on Health and Family Security.

Messrs. Beckman and Vickerman introduced--

S.F. No. 29: A bill for an act relating to education; restoration of revenue lost to the fund balance reduction for independent school district No. 837, Madelia.

Referred to the Committee on Children, Families and Learning.

Mr. Knutson, Ms. Olson, Messrs. Larson and Stevens introduced--

S.F. No. 30: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

Referred to the Committee on Election Laws.

Messrs. Spear, Neuville, Knutson, Ms. Ranum and Mr. Kelly, R.C. introduced--

S.F. No. 31: A bill for an act relating to crime prevention; defining probation; clarifying jurisdiction of probation service providers; requiring reports and reviews; requiring policies to be adopted; requiring probation service providers to collect and maintain certain information; creating a work group; amending Minnesota Statutes 1996, sections 260.311, subdivision 1; and 609.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Crime Prevention.

Mr. Pogemiller, Mrs. Lourey, Messrs. Ten Eyck; Johnson, D.H. and Mrs. Robling introduced--

S.F. No. 32: A bill for an act relating to crime; clarifying the elements of the harassment and stalking crime; amending Minnesota Statutes 1996, section 609.749, subdivisions 1, 2, and by adding a subdivision.

Referred to the Committee on Crime Prevention.

Messrs. Novak, Lessard, Samuelson, Dille and Ms. Krentz introduced--

S.F. No. 33: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 14; extending indefinitely the period during which at least 40 percent of the net proceeds from the state lottery must be credited to the environment and natural resources trust fund.

Referred to the Committee on Environment and Natural Resources.

Mr. Wiger, Mses. Anderson and Pappas introduced--

S.F. No. 34: A bill for an act relating to retirement; public employees retirement association; authorizing certain trades personnel employed by independent school district No. 625 to elect an exclusion from retirement plan coverage; amending Minnesota Statutes 1996, section 353.01, subdivision 2b; and Laws 1965, chapter 705, section 1, subdivision 4.

Referred to the Committee on Governmental Operations and Veterans.

Messrs. Wiger, Cohen, Ms. Pappas, Mr. Kelly, R.C. and Ms. Runbeck introduced--

S.F. No. 35: A bill for an act relating to Ramsey county; providing for election of soil and

water conservation district supervisors by only the voters in supervisor districts for which candidates are nominated; proposing coding for new law in Minnesota Statutes, chapter 383A.

Referred to the Committee on Election Laws.

Messrs. Sams, Betzold, Ms. Berglin and Mr. Vickerman introduced--

S.F. No. 36: A bill for an act relating to hospital districts; authorizing hospital districts to operate assisted living facilities; amending Minnesota Statutes 1996, section 447.33, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Sams, Betzold, Terwilliger, Samuelson and Ms. Kiscaden introduced--

S.F. No. 37: A bill for an act relating to professions; extending expiration dates for certain health-related advisory councils; amending Minnesota Statutes 1996, section 214.32, subdivision 1; and Laws 1995, chapter 43, section 1.

Referred to the Committee on Health and Family Security.

Messrs. Sams, Betzold, Terwilliger, Samuelson and Ms. Kiscaden introduced--

S.F. No. 38: A bill for an act relating to health; modifying provisions relating to recordkeeping by persons regulated by the board of medical practice; amending Minnesota Statutes 1996, section 147.091, subdivision 2; repealing Minnesota Rules, part 5600.0605, subpart 10.

Referred to the Committee on Health and Family Security.

Mr. Kleis introduced--

S.F. No. 39: A bill for an act proposing an amendment to the Minnesota Constitution to provide for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing by law for a unicameral legislature of 135 members; amending Minnesota Statutes 1996, sections 2.021; and 2.031, subdivision 1.

Referred to the Committee on Election Laws.

Messrs. Lessard and Samuelson introduced--

S.F. No. 40: A bill for an act relating to education; authorizing a fund transfer for independent school district No. 2, Hill City; providing for the repayment of a debt service loan; forgiving a general education fund balance reduction; appropriating money.

Referred to the Committee on Children, Families and Learning.

Messrs. Lessard, Sams, Stevens, Novak and Mrs. Pariseau introduced--

S.F. No. 41: A bill for an act proposing an amendment to the Minnesota Constitution, article 1, by adding a section; affirming the right of citizens to hunt or take game and fish.

Referred to the Committee on Environment and Natural Resources.

Messrs. Lessard, Berg, Langseth and Ms. Olson introduced--

S.F. No. 42: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 14; extending indefinitely the period during which at least 40 percent of the net proceeds from the state lottery must be credited to the environment and natural resources trust fund.

Referred to the Committee on Environment and Natural Resources.

Ms. Flynn, Messrs. Johnson, D.E.; Moe, R.D.; Ms. Kiscaden and Mrs. Scheid introduced--

S.F. No. 43: A bill for an act relating to elections; defining certain terms; changing the name of the state partisan primary to the state party nominating election; requiring candidates to demonstrate party support before being listed on a party's ballot; moving the state party nominating election and primary from September to June; changing certain procedures, terms, and deadlines; amending Minnesota Statutes 1996, sections 200.02, by adding a subdivision; 204B.08, subdivisions 1 and 2; 204B.09, subdivision 1; 204B.10, subdivisions 2, 3, and 4; 204B.11, subdivision 2; 204B.12, subdivision 1; 204B.33; 204D.03, subdivision 1; and 204D.08, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 204B.

Referred to the Committee on Election Laws.

Mses. Higgins, Flynn, Ranum, Robertson and Berglin introduced--

S.F. No. 44: A bill for an act relating to human services; allowing vendor payments for recipients of cash assistance in Hennepin county.

Referred to the Committee on Health and Family Security.

Messrs. Marty; Johnson, D.E. and Mrs. Scheid introduced--

S.F. No. 45: A bill for an act relating to ethics in government; clarifying and simplifying the law related to lobbyist registration, conflicts of interest, and campaign finance; eliminating invalid provisions; amending Minnesota Statutes 1996, sections 10A.01; 10A.02; 10A.03; 10A.04; 10A.05; 10A.065, subdivisions 1 and 3; 10A.08; 10A.09; 10A.10; 10A.11; 10A.12; 10A.13; 10A.14; 10A.15; 10A.17; 10A.18; 10A.19; 10A.20; 10A.21, subdivision 3; 10A.22; 10A.23; 10A.24; 10A.241; 10A.25; 10A.255, subdivision 1; 10A.265; 10A.27; 10A.275, subdivision 1; 10A.28; 10A.29; 10A.30, subdivision 1; 10A.31; 10A.315; 10A.321; 10A.322; 10A.323; 10A.324, subdivisions 1 and 3; 10A.34; and 290.06, subdivision 23; Laws 1996, chapter 419, section 10; repealing Minnesota Statutes 1996, sections 10A.065, subdivision 5; 10A.255, subdivision 2; 10A.275, subdivisions 2 and 3; 10A.324, subdivisions 2 and 4; 10A.325; 10A.335; 10A.40; 10A.41; 10A.42; 10A.43; 10A.44; 10A.45; 10A.46; 10A.47; 10A.48; 10A.49; 10A.50; and 10A.51.

Referred to the Committee on Election Laws.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:30 a.m., Thursday, January 16, 1997. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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