

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

SPECIAL SESSION

EIGHTH DAY

St. Paul, Minnesota, Thursday, June 28, 2001

The Senate met at 10:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by Representative Mary Murphy.

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

| | | | | |
|-----------|-----------------|-----------|------------|-------------|
| Anderson | Frederickson | Krentz | Ourada | Samuelson |
| Bachmann | Higgins | Langseth | Pappas | Scheevel |
| Belanger | Hottinger | Lesewski | Pariseau | Scheid |
| Berg | Johnson, Dave | Lessard | Pogemiller | Schwab |
| Berglin | Johnson, Debbie | Limmer | Price | Stevens |
| Betzold | Johnson, Doug | Lourey | Ranum | Stumpf |
| Chaudhary | Kelley, S.P. | Metzen | Reiter | Terwilliger |
| Cohen | Kelly, R.C. | Moe, R.D. | Rest | Tomassoni |
| Day | Kierlin | Murphy | Ring | Vickerman |
| Dille | Kinkel | Neuville | Robertson | Wiener |
| Fischbach | Kiscaden | Oliver | Robling | Wiger |
| Foley | Kleis | Olson | Sabo | |
| Fowler | Knutson | Orfield | Sams | |

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

Senators Johnson, Dean; Larson and Solon were excused from the Session of today.

RECESS

Senator Moe, R.D. moved that the Senate do now recess until 12:30 p.m. The motion prevailed.

The hour of 12:30 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senator Lessard introduced--

S.F. No. 28: A bill for an act relating to redistricting; adopting a legislative redistricting plan for use in 2002 and thereafter; amending Minnesota Statutes 2000, section 2.031, subdivision 2; repealing Minnesota Statutes 2000, sections 2.043; 2.053; 2.063; 2.073; 2.083; 2.093; 2.103; 2.113; 2.123; 2.133; 2.143; 2.153; 2.163; 2.173; 2.183; 2.193; 2.203; 2.213; 2.223; 2.233; 2.243; 2.253; 2.263; 2.273; 2.283; 2.293; 2.303; 2.313; 2.323; 2.333; 2.343; 2.353; 2.363; 2.373; 2.383; 2.393; 2.403; 2.413; 2.423; 2.433; 2.443; 2.453; 2.463; 2.473; 2.483; 2.493; 2.503; 2.513; 2.523; 2.533; 2.543; 2.553; 2.563; 2.573; 2.583; 2.593; 2.603; 2.613; 2.623; 2.633; 2.643; 2.653; 2.663; 2.673; 2.683; 2.693; 2.703.

Senator Moe, R.D. moved that S.F. No. 28 be laid on the table. The motion prevailed.

RECESS

Senator Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted June 28, 2001

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1: A bill for an act relating to the financing and operation of government in this state; providing for payment of a sales tax rebate; providing for education finance; providing property tax reform; making changes to income, corporate franchise, sales and use, property, motor vehicle sales, motor vehicle registration, mortgage registry, deed, insurance premiums, MinnesotaCare, motor fuels, cigarette and tobacco, liquor, lawful gambling, minerals, estate, and special taxes; changing and allowing tax credits, subtractions, and exemptions; conforming with changes in federal income tax provisions; providing for allocation of income; changing property tax valuation, assessment, levy, classification, credit, aid, homestead, exemption, review, appeal, and distribution provisions; imposing a state property tax levy on certain property and providing for use of the proceeds; providing a property tax homestead credit; imposing levy limits; changing certain property tax notice and hearing provisions and authorizing waivers; abolishing certain tax levies for metropolitan transit, establishing a transit fund, and dedicating certain tax proceeds to the fund; providing for local government aids; changing certain provisions relating to biomass facilities; providing for utility pass-through of certain property tax reductions; allowing utility rate adjustments for lowering emissions; providing for uniform sales and use tax administration; providing for taxation and incentive payments on forest lands; providing for state takeover of certain costs of district court administration and out-of-home placements; reducing taconite production tax rates and providing for state aid; providing for the distribution of certain taconite production tax payments; providing for electronic filing and payment of taxes; changing procedures for disposition of seized contraband; changing tax increment financing provisions; providing for biomedical innovation initiative grants; changing budget reserve provisions; providing for payments in lieu of taxes; changing provisions relating to property tax refunds; providing special authority to certain political subdivisions; authorizing special taxing districts; changing and clarifying tax administration, collection, enforcement, interest, and penalty provisions; transferring administration and enforcement of the Unfair Cigarette Sales Act from the commissioner of revenue to the commissioner of commerce; changing revenue recapture provisions; authorizing abatements and waivers of fees and certain taxes in disaster areas; changing and imposing fees; changing debt collection provisions for student loans; providing certain powers to certain political subdivisions; providing certain duties and powers to the commissioner of revenue; authorizing publication of names of certain delinquent taxpayers; authorizing border city allocations; changing provisions relating to tax-forfeited lands and providing for tax-forfeited lands transfers; defining a lottery and other terms; classifying data; requiring studies and reports; imposing penalties; appropriating money; amending Minnesota Statutes 2000, sections 16A.152, subdivisions 1a, 2; 16D.08, subdivision 2; 45.011, subdivision 1; 69.021, subdivision 5; 84.922, by adding a subdivision; 88.49, subdivisions 5, 9a; 88.491, subdivision 2; 97A.065, subdivision 2, as amended; 103D.905, subdivision 3; 115B.24, subdivision 2; 116J.424; 123A.45, subdivisions 2, 6; 123B.42, subdivision 3; 123B.53, subdivisions 2, 4, 5; 123B.54; 123B.75, subdivision 5; 123B.92, subdivision 9; 126C.01, subdivision 3; 126C.10, subdivisions 1, 2; 126C.13, subdivision 4; 126C.17, subdivisions 1, 2, 5, 6, 7, 8, by adding subdivisions; 126C.21, subdivision 4; 126C.48, subdivision 8; 126C.63, subdivision 8; 126C.69, subdivisions 2, 3, 9, 12, 15; 144.3831, subdivision 2; 168.013, subdivision 1a; 168.017, subdivision 3; 174.24, subdivision 3b; 179A.101, subdivision 1; 179A.102, subdivision 6; 179A.103, subdivision 1; 216B.2424, subdivision 5; 239.101, subdivision 3; 256L.02, subdivision 3; 270.06; 270.07, subdivision 3, by adding a subdivision; 270.271, subdivisions 1, 3; 270.60, by adding a subdivision; 270.70, subdivision 13; 270.73, subdivision 1; 270.771; 270.78; 270A.03, subdivisions 5, 7; 270A.11; 270B.02, subdivisions 2, 3; 270B.03, subdivision 6; 271.01, subdivision 5; 271.21, subdivision 2; 272.02, subdivisions 10, 22, by adding subdivisions; 273.061, subdivisions 1, 2; 273.072, subdivision 1; 273.11, subdivisions 1a, 14, by adding subdivisions; 273.1104, subdivision 2; 273.111, subdivision 4; 273.121; 273.124, subdivisions 1, 8, 11, 13, 14; 273.13, subdivisions 22, 23, 24, 25, 31; 273.134; 273.135, subdivisions 1, 2; 273.136, subdivision 2; 273.1391, subdivisions 2, 3; 273.1392; 273.1393;

273.1398, subdivision 4a, by adding subdivisions; 273.166, subdivisions 2, 3, 5; 273.42, by adding a subdivision; 274.01, subdivision 1; 274.13, subdivision 1; 275.02; 275.065, subdivisions 3, 5a, 6; 275.066; 275.07, subdivision 1; 275.16; 275.28, subdivision 1; 275.61; 275.62, subdivision 1; 275.70, subdivision 5, by adding subdivisions; 276.04, subdivision 2; 276.11, subdivision 1; 276A.01, subdivisions 2, 3; 276A.06, subdivision 3; 281.17; 282.01, subdivisions 1, 1b, 1c, 1d, 1e; 282.04, subdivision 2; 282.241; 287.035; 287.04; 287.08; 287.12; 287.13, by adding a subdivision; 287.20, subdivisions 2, 9; 287.21, subdivision 1; 287.28; 289A.02, subdivision 7, by adding a subdivision; 289A.12, subdivision 3; 289A.18, subdivision 4, as amended; 289A.20, subdivisions 1, 2, 4; 289A.26, subdivision 2a; 289A.31, subdivision 7; 289A.50, subdivisions 2, 2a; 289A.55, subdivision 9; 289A.60, subdivisions 1, 2, 7, 21, as amended, by adding a subdivision; 290.01, subdivisions 6b, 7, 19, 19b, 19c, 19d, 22, 29, 31, by adding a subdivision; 290.014, subdivision 5; 290.05, subdivision 1; 290.06, subdivisions 2c, 22, 23; 290.067, subdivisions 2, 2b; 290.0671, subdivisions 1, 1a, 7; 290.0674, subdivision 1; 290.0675, subdivisions 1, 3; 290.091, subdivision 2; 290.0921, subdivisions 1, 2, 3, 6; 290.0922, subdivision 2; 290.093; 290.095, subdivision 2; 290.17, subdivisions 1, 4; 290.191, subdivision 2; 290.21, subdivision 4; 290.92, subdivision 23; 290.9725; 290A.03, subdivisions 6, 12, 13, 15; 290A.04, subdivisions 2, 2a, 2h, 4; 290A.15; 291.005, subdivision 1; 295.50, subdivisions 3, 4, 15; 295.52, subdivisions 4, 7; 295.55, subdivision 4; 295.57, subdivision 1; 296A.07, subdivision 4; 296A.08, subdivision 3; 296A.15, subdivisions 1, 7; 296A.16, subdivision 2; 296A.21, subdivisions 1, 4; 296A.24, subdivisions 1, 2; 297A.01, subdivision 5; 297A.07, subdivision 3; 297A.25, subdivisions 3, 11, 28; 297A.61, subdivisions 2, 3, 4, 6, 7, 9, 10, 12, 14, 17, 19, 22, 23, by adding subdivisions; 297A.64, subdivisions 3, 4; 297A.66, subdivisions 1, 3; 297A.67, subdivisions 2, 8, 23, 24, 25, by adding subdivisions; 297A.68, subdivisions 2, 3, 5, 11, 13, 14, 18, 19, 25, by adding a subdivision; 297A.69, subdivision 2; 297A.70, subdivisions 1, 2, 3, 4, 7, 8, 10, 13, 14; 297A.71, subdivision 6, by adding subdivisions; 297A.72, subdivision 1; 297A.75; 297A.77, subdivision 1; 297A.80; 297A.82, subdivision 3, by adding a subdivision; 297A.86, subdivision 1; 297A.89, subdivision 1; 297A.90, subdivision 1; 297A.91; 297A.92, subdivision 2; 297A.94, as amended; 297A.99, subdivisions 7, 9, 11; 297B.03; 297B.09, subdivision 1; 297E.02, subdivision 4; 297E.16, subdivisions 1, 2; 297F.04, subdivision 1; 297F.09, subdivision 7; 297F.13, subdivision 4; 297F.16, subdivision 4; 297F.20, subdivision 3; 297F.21, subdivisions 1, 2, 3; 297G.09, subdivision 6; 297G.15, subdivision 4; 297G.16, subdivisions 5, 7; 297G.20, subdivisions 3, 4; 297H.04, by adding a subdivision; 297H.06, by adding a subdivision; 297I.05, subdivision 5; 297I.20; 297I.35, subdivision 2; 297I.40, subdivisions 1, 2, 7; 297I.85, subdivision 7; 298.01, subdivisions 3b, 4c; 298.018, subdivisions 1, 2; 298.17; 298.22, subdivision 2, by adding a subdivision; 298.2211, subdivision 2; 298.2213, subdivision 3; 298.2214, subdivision 1; 298.223, subdivision 1; 298.225, subdivision 1; 298.227; 298.24, subdivision 1; 298.28, subdivisions 3, 4, 6, 7, 9a, 10; 298.282, subdivision 1; 282.292, subdivision 2; 298.293; 298.296, subdivision 2; 298.2961; 298.298; 298.75, subdivisions 1, 2; 299D.03, subdivision 5; 325D.33, subdivision 8, by adding a subdivision; 325D.405; 325D.415; 345.41; 349.19, subdivision 2a; 357.021, subdivision 1a; 383A.80, subdivision 1; 383B.80, subdivision 1; 461.12, by adding a subdivision; 469.040, subdivision 5; 469.169, by adding a subdivision; 469.1732, subdivision 1; 469.174, subdivisions 3, 10, 10a, 12; 469.175, subdivisions 1, 6b, by adding a subdivision; 469.176, subdivisions 1b, 1e, 3, 4g, by adding subdivisions; 469.1763, subdivision 6; 469.177, subdivisions 1, 11, by adding a subdivision; 469.1771, subdivision 1; 469.178, by adding a subdivision; 469.1812, subdivision 2; 469.1813, subdivision 6; 469.1814, by adding a subdivision; 469.202, subdivision 2; 469.303; 471.58; 473.388, subdivisions 4, 7; 473.446, subdivision 1; 473.843, subdivision 3; 473F.08, subdivision 3; 475.53, subdivision 4; 475.58, subdivision 1, as amended; 477A.011, subdivisions 35, 36; 477A.013, subdivisions 1, 9; 477A.03, subdivision 2; 477A.12; 477A.14; 480.181, subdivision 1; 487.33, subdivision 5; 488A.03, by adding a subdivision; 488A.20, by adding a subdivision; 574.34, subdivision 1; 609.75, subdivision 1; Laws 1986, chapter 396, section 5; Laws 1992, chapter 499, article 7, section 31, as amended; Laws 1997, chapter 231, article 1, section 19, subdivision 3, as amended; Laws 1997, chapter 231, article 1, section 22; Laws 1998, chapter 389, article 16, section 35, subdivision 1; Laws 1999, chapter 243, article 4, section 19; Laws 2000, chapter 479, article 2, section 1; Laws 2000, chapter 490, article 8, section 17; Laws 2000, chapter 490, article 11, section 26; proposing coding for new law in Minnesota Statutes, chapters 12; 16A; 103B; 116J; 126C; 174; 216B; 270; 272; 273; 275; 290; 295; 296A; 297A; 297F; 297H; 383A; 469; 471; 477A; 480; 484; proposing coding for new law as Minnesota Statutes, chapters 144F; 290C; repealing Minnesota Statutes 2000, sections 16A.1521; 16A.76;

126C.10, subdivisions 9, 10, 11, 12, 19, 20, 21, 22; 126C.11; 126C.13, subdivisions 1, 2, 3; 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; 126C.36; 270.31; 270.32; 270.33; 270.34; 270.35; 270.36; 270.37; 270.38; 270.39; 273.126; 273.13, subdivision 24a; 273.1382; 273.1399; 275.078; 275.08, subdivision 1e; 289A.60, subdivisions 3, 15; 290.06, subdivisions 25, 26; 290.0673; 290.095, subdivisions 1a, 7; 290.21, subdivision 3; 290.23; 290.25; 290.31, subdivisions 2, 2a, 3, 4, 5, 19; 290.35; 290.9726, subdivision 7; 290A.04, subdivision 2j; 296A.16, subdivision 6; 296A.24, subdivision 3; 297A.61, subdivision 16; 297A.62, subdivision 2; 297A.64, subdivision 1; 297A.68, subdivision 21; 297A.71, subdivisions 2, 15, 16; 297B.032; 297E.16, subdivision 3; 297F.21, subdivision 4; 297G.20, subdivision 5; 297I.05, subdivision 8; 297I.30, subdivision 3; 325D.33, subdivision 5; 462A.071; 469.1732, subdivision 2; 469.1734, subdivision 4; 469.1782, subdivision 1; 473.3915; 473.446, subdivisions 1a, 1b; Laws 1988, chapter 426, section 1; Laws 1988, chapter 702, section 16; Laws 1992, chapter 511, article 2, section 52, as amended; Laws 1996, chapter 471, article 8, section 45; Laws 1999, chapter 243, article 6, sections 14, 15; Laws 2000, chapter 490, article 6, section 17; Minnesota Rules, parts 8120.0200; 8120.0500; 8120.0700; 8120.0900; 8120.1300; 8120.1600; 8120.2000; 8120.2100; 8120.2200; 8120.2300; 8120.2500; 8120.2700; 8120.2800; 8120.3000; 8120.3200; 8120.4300; 8120.4400; 8120.4500; 8120.4600; 8120.4900; 8120.5000; 8120.5100; 8120.5300.

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1 was read the second time.

H.F. No. 1 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 11, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------------|----------|-----------|-------------|
| Bachmann | Hottinger | Langseth | Pariseau | Scheid |
| Belanger | Johnson, Dave | Lesewski | Price | Schwab |
| Berg | Johnson, Debbie | Lessard | Ranum | Stevens |
| Betzold | Kelley, S.P. | Limmer | Reiter | Stumpf |
| Chaudhary | Kelly, R.C. | Metzen | Rest | Terwilliger |
| Cohen | Kierlin | Murphy | Ring | Vickerman |
| Day | Kinkel | Neuville | Robertson | Wiener |
| Dille | Kiscaden | Oliver | Robling | Wiger |
| Fischbach | Kleis | Olson | Sams | |
| Fowler | Knutson | Orfield | Samuelson | |
| Frederickson | Krentz | Ourada | Scheevel | |

Those who voted in the negative were:

| | | | | |
|----------|---------------|-----------|------------|-----------|
| Anderson | Higgins | Lourey | Pappas | Sabo |
| Berglin | Johnson, Doug | Moe, R.D. | Pogemiller | Tomassoni |
| Foley | | | | |

So the bill passed and its title was agreed to.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Friday, June 29, 2001. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

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