

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SECOND LEGISLATURE

NINETY-SIXTH DAY

St. Paul, Minnesota, Monday, April 8, 2002

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

CALL OF THE SENATE

Senator Knutson 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. Ed Rhodes.

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

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 Orfield and Pappas were excused from the Session of today.

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed with the Secretary of the Senate: Legislative Commission on Pensions and Retirement, Appropriate Mechanism for Recovering Unpaid Retirement Contributions from Closed Charter Schools, 2002; Board on Aging, Use of a Sliding Fee Scale for Caregiver Respite Services, 2002; Department of Public Safety, Driver and Vehicle Services Division, Special License Plate Report, 2002; Office of the Legislative Auditor, Annual Report, 2001; Department of Corrections, 2001 Annual Performance Report, 2002; Department of

Human Services, Medical Care Surcharge Fund, Quarterly Report, December 2001; University of Minnesota, Postsecondary Planning: A Joint Report, 2002; Department of Trade and Economic Development, Urban Initiative Board, 2001; Board of Pardons, Annual Report, 2001; Department of Human Services, Children's Services, Annual Progress and Services Report for the State of Minnesota's Child and Family Services Plan, 2001; Department of Corrections, Supervision Fees, 2002; Department of Human Services, Adult Mental Health Division, Adult Residential Treatment (Rule 36) Payment System Study, 2002; Minnesota Racing Commission, Annual Report, 2001; Department of Health, Magnet Hospitals: A Positive Approach to Minnesota's Nursing Shortage, 2001; Department of Health, Medications Dispensed in Schools Study, 2002; Department of Health, Minnesota Cancer Surveillance System, Biennial Report, The Occurrence of Cancer in Minnesota: 1992-1997, 2001; Department of Finance, Debt Capacity Report, 2002; Department of Children, Families and Learning, Review of HIV Education in Public Schools; Department of Human Services, Demonstration Project for People with Disabilities/Minnesota Disability Health Options, 2002; Commissioner of Revenue, Advisability of Terminating Individual Income Tax Reciprocity With the State of Wisconsin, 2002; Department of Children, Families and Learning, Advanced Placement and International Baccalaureate Program, Fiscal Year 2001; Department of Administration, Building Codes and Standards Division, Feasibility of Establishing Criteria for Permeable Envelope and/or Non-Mechanical Ventilation for Detached Single One or Two Family Residential Construction, 2002; Department of Public Safety, Ignition Interlock Pilot Program, 2002; Department of Public Safety, Minnesota State Patrol, Residential Academy Report, 2002; Department of Human Services, Single Benefit Package for Children in Out-of-Home Placements, 2002; Department of Human Services, Rightsizing the Nursing Home Industry, 2001; Department of Health, Keeping the Vision: Minnesota's Long-Term Care Reform, 2001; Department of Revenue, Tax Expenditure Budget, Fiscal Years 2002-2005; Department of Human Services, Extended Psychiatric Inpatient Treatment for Individuals Who Are Dually Eligible for Medicaid and Medicare, 2002; Department of Corrections, Action Plan for Female Offenders, 2002; Department of Children, Families and Learning, Staff Development Report of District and Site Expenditures, 2000-01; Department of Children, Families and Learning, LEP Students and Services, 2002; Department of Children, Families and Learning, Pupil Transportation Finance, 2002; Department of Children, Families and Learning, Districts with 2001 Statutory Operating Debt, June 30, 2001; Department of Children, Families and Learning, Allowing Students Beginning in Fifth Grade to Take the Basic Standards Tests; Department of Children, Families and Learning, Preliminary Report of the Learn and Earn Graduation Achievement Program, 2002; Department of Administration, Feasibility Study of Fee Collection for the Office of the Minnesota State Archaeologist, 2002; Department of Human Services, Recommendations to Change the Funding Methodology for the Semi-Independent Living Services Program, 2001; Department of Human Services, Study of Outcomes for African American Children in Minnesota's Child Protection System, 2002.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 4, 2002

The Honorable Don Samuelson
President of the Senate

Dear President Samuelson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 2675, 2569 and 2580.

Sincerely,
Jesse Ventura, Governor

April 4, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 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:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2002	Date Filed 2002
2675		312	12:58 p.m. April 4	April 4
2569		313	12:59 p.m. April 4	April 4
2580		314	12:57 p.m. April 4	April 4

Sincerely,
Mary Kiffmeyer
Secretary of State

April 5, 2002

The Honorable Don Samuelson
President of the Senate

Dear President Samuelson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 2881, 2612, 2680 and 2739.

Sincerely,
Jesse Ventura, Governor

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12, Senator Johnson, Dean moved that the following members be excused for a Conference Committee on H.F. No. 3364 at 10:35 a.m.:

Senators Johnson, Dean; Johnson, Dave; Sabo; Terwilliger and Ourada. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2363: A bill for an act relating to insurance; limiting the use of credit information; amending Minnesota Statutes 2000, section 72A.20, by adding a subdivision.

Senate File No. 2363 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2002

Senator Johnson, Dave moved that the Senate do not concur in the amendments by the House to S.F. No. 2363, and that a Conference Committee of 3 members be appointed by the Subcommittee

on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2960: A bill for an act relating to employment; requiring that employers allow unpaid leave for employees to perform volunteer firefighter duties; proposing coding for new law in Minnesota Statutes, chapter 181.

Senate File No. 2960 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2002

Senator Johnson, Debbie moved that the Senate do not concur in the amendments by the House to S.F. No. 2960, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3246: A bill for an act relating to trade practices; limiting unsolicited telephone calls to certain individuals; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325E.

Senate File No. 3246 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2002

Senator Cohen moved that the Senate do not concur in the amendments by the House to S.F. No. 3246, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3384: A bill for an act relating to elections; changing certain provisions of the campaign finance and public disclosure law; amending Minnesota Statutes 2000, sections 10A.01, subdivision 35; 10A.02, subdivision 11; 10A.025, subdivisions 2, 4; 10A.03, subdivision 3; 10A.04, subdivisions 4, 5, 6; 10A.08; 10A.09, subdivision 7; 10A.11, subdivision 7; 10A.12, subdivision 6; 10A.13, subdivision 1; 10A.14, subdivision 4; 10A.15, subdivision 4; 10A.16; 10A.17, subdivision 5, by adding a subdivision; 10A.18; 10A.20, subdivision 12, by adding subdivisions; 10A.25, subdivision 10, by adding a subdivision; 10A.255, subdivision 1; 10A.27, subdivisions 1, 9, 11, 13; 10A.273, subdivisions 1, 4, 5; 10A.28, subdivisions 1, 2, 4; 10A.29; 10A.322, subdivision 1; 10A.323; 356A.06, subdivision 4; Minnesota Statutes 2001 Supplement, section 10A.31, subdivision 7.

Senate File No. 3384 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2002

Senator Hottinger moved that the Senate do not concur in the amendments by the House to S.F. No. 3384, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1555: A bill for an act relating to agriculture; providing a preemption of local regulation of fertilizers and plant foods used in agricultural production; regulating the use on turf of certain fertilizers containing phosphorus; providing for enforcement; prohibiting fertilizer applications to an impervious surface; amending Minnesota Statutes 2000, sections 18C.005, by adding a subdivision; 18C.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 18C.

There has been appointed as such committee on the part of the House:

Leppik, Holsten and Juhnke.

Senate File No. 1555 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2002

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 3168: A bill for an act relating to municipalities; providing for a bidding exception for certain water tank service contracts; authorizing an agreement for the city of Walker to maintain and operate the state's water tower at Ah-Gwah-Ching; amending Minnesota Statutes 2000, section 471.345, by adding a subdivision.

There has been appointed as such committee on the part of the House:

Howes, Fuller and Juhnke.

Senate File No. 3168 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2002

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3031:

H.F. No. 3031: A bill for an act relating to public health; establishing the Minnesota Emergency Health Powers Act; modifying provisions for declaring national security and peacetime emergencies; providing for declaration and termination of emergencies due to bioterrorism; granting certain emergency powers; preserving certain rights of refusal; providing for the isolation and quarantine of persons; requiring a study; amending Minnesota Statutes 2000, sections 12.03, by adding subdivisions; 12.31, subdivision 2; 12.32; 13.3806, by adding a

subdivision; Minnesota Statutes 2001 Supplement, section 12.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 12; 144.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Mulder, Jacobson and Huntley have been appointed as such committee on the part of the House.

House File No. 3031 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 3, 2002

Senator Hottinger moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 3031, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2473:

H.F. No. 2473: A bill for an act relating to drivers' licenses; specifying that organ donor designation on driver's license or Minnesota identification card establishes intent; amending Minnesota Statutes 2000, section 525.9211.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Kahn, Wilkin and Bishop have been appointed as such committee on the part of the House.

House File No. 2473 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 2002

Senator Ranum moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2473, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 3183 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
3183	3219

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3183 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3183 and insert the language after the enacting clause of S.F. No. 3219, the first engrossment; further, delete the title of H.F. No. 3183 and insert the title of S.F. No. 3219, the first engrossment.

And when so amended H.F. No. 3183 will be identical to S.F. No. 3219, and further recommends that H.F. No. 3183 be given its second reading and substituted for S.F. No. 3219, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. No. 3183 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Wiener moved that the name of Senator Metzen be added as a co-author to S.F. No. 1461. The motion prevailed.

Senator Moe, R.D. moved that the name of Senator Solon be stricken as a co-author to S.F. No. 1775. The motion prevailed.

Senator Wiener moved that the name of Senator Metzen be added as a co-author to S.F. No. 1775. The motion prevailed.

Senator Limmer moved that his name be stricken as a co-author to S.F. No. 2658. The motion prevailed.

S.F. No. 1555 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1555

A bill for an act relating to agriculture; providing a preemption of local regulation of fertilizers and plant foods used in agricultural production; regulating the use on turf of certain fertilizers containing phosphorus; providing for enforcement; prohibiting fertilizer applications to an impervious surface; amending Minnesota Statutes 2000, sections 18C.005, by adding a subdivision; 18C.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 18C.

April 4, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1555, 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. 1555 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 18C.005, is amended by adding a subdivision to read:

Subd. 18a. [LOCAL UNIT OF GOVERNMENT.] "Local unit of government" has the meaning given in section 18B.01, subdivision 14a.

Sec. 2. [18C.110] [PREEMPTION OF LOCAL LAW.]

(a) Except as specifically provided in this chapter, a local unit of government may not adopt any ordinance, regulate, or in any way restrict the distribution, sale, handling, use, or application of phosphorous fertilizers and phosphorous fertilizer products that are applied or will be applied to land used for growing crops or any other agricultural use.

(b) Except as specifically provided in this chapter, a local unit of government may not adopt any ordinance that prohibits or regulates the registration, labeling, distribution, sale, handling, use, application, or disposal of turf fertilizer containing phosphorus.

(c) This section does not prohibit a local ordinance that restricts the sale of turf phosphorous fertilizer that was in effect on August 1, 2002.

(d) This section does not preempt local authority or responsibility for zoning, fire codes, or hazardous waste disposal.

(e) Paragraphs (a) and (d) are effective the day following final enactment. Paragraphs (b) and (c) are effective January 1, 2004.

Sec. 3. Minnesota Statutes 2000, section 18C.211, subdivision 2, is amended to read:

Subd. 2. [GUARANTEES OF THE NUTRIENTS.] (a) A person may guarantee plant nutrients other than nitrogen, phosphorus, and potassium only if allowed or required by commissioner's rule.

(b) The guarantees for the plant nutrients must be expressed in the elemental form.

(c) The sources of other elements, oxides, salt, and chelates, may be required to be stated on the application for registration and may be included as a parenthetical statement on the label. Other beneficial substances or compounds, determinable by laboratory methods, also may be guaranteed by permission of the commissioner and with the advice of the director of the agricultural experiment station.

(d) If plant nutrients or other substances or compounds are guaranteed, the plant nutrients are subject to inspection and analyses in accord with the methods and rules prescribed by the commissioner.

(e) The commissioner may, by rule, require the potential basicity or acidity expressed in terms of calcium carbonate equivalent in multiples of 100 pounds per ton.

(f) The plant nutrients in a specialty fertilizer must not be below or exceed the guaranteed analysis by more than the investigational allowances established by rule.

Sec. 4. [18C.60] [PHOSPHOROUS TURF FERTILIZER USE RESTRICTIONS.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Metropolitan county" means any one of the following counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

(c) "Turf" means noncrop land planted in closely mowed, managed grasses including, but not limited to, residential and commercial residential property, private golf courses, and property owned by federal, state, or local units of government, including parks, recreation areas, and public golf courses. Turf does not mean pasture, hayland, hay, turf grown on turf farms, or any other form of agricultural production.

Subd. 2. [PHOSPHORUS USE RESTRICTIONS.] (a) A person may not apply a fertilizer containing the plant nutrient phosphorus to turf in a metropolitan county, except under conditions listed in paragraph (d).

(b) A person may not apply granular fertilizer containing greater than three percent phosphate (P205) by weight, or liquid fertilizer at a rate greater than 0.3 pound phosphate (P205) per 1,000 square feet, to turf in a county other than a metropolitan county, except under conditions listed in paragraph (d).

(c) A local unit of government in a county other than a metropolitan county may adopt paragraph (a) in place of paragraph (b). The local unit of government must notify the commissioner of the adoption of paragraph (a) within 30 days of its adoption. The commissioner shall maintain a list of local units of government in counties other than a metropolitan county that have adopted paragraph (a).

(d) Paragraphs (a) and (b) do not apply when:

(1) a tissue, soil, or other test by a laboratory or method approved by the commissioner and performed within the last three years indicates that the levels of available phosphorus in the soil is insufficient to support healthy turf growth;

(2) the property owner or an agent of the property owner is first establishing turf via seed or sod procedures, and only during the first growing season; or

(3) the fertilizer containing the plant food phosphorus is used on a golf course under the direction of a person licensed, certified, or approved by an organization with an ongoing training program approved by the commissioner.

(e) Applications of phosphorous fertilizer authorized under paragraph (d), clause (1) or (2), must not exceed rates recommended by the University of Minnesota and approved by the commissioner.

Subd. 3. [CONSUMER INFORMATION.] The commissioner, in consultation with the University of Minnesota extension service, fertilizer industry representatives, lakes groups, and other interested or affected parties, must produce consumer information on use restrictions and recommended best practices for lawn fertilizer containing phosphorus, and on best management practices for other residential sources of phosphorus in the urban landscape. The information must be in a format and of a content suitable for posting and distribution at retail points of sale of fertilizer that contains phosphorus and is for use on turf.

Subd. 4. [RESEARCH EVALUATION; REPORT.] The commissioner, in cooperation with the University of Minnesota and the University of Minnesota extension service, and, after consultation with representatives of the fertilizer industry, lakes groups, and other interested or affected parties, shall evaluate research needs and encourage targeted research opportunities to investigate the effects of phosphorous fertilization of turf on urban stormwater quality. The commissioner must evaluate the effectiveness of the restrictions on phosphorous fertilizers under this section and report to the legislature by January 15, 2007.

Sec. 5. [18C.61] [FERTILIZER APPLICATION TO AN IMPERVIOUS SURFACE; PROHIBITION.]

(a) A person may not apply a fertilizer to an impervious surface. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

(b) For the purposes of this section, "impervious surface" means a highway, street, sidewalk, parking lot, driveway, or other material that prevents infiltration of water into the soil.

Sec. 6. [18C.62] [ENFORCEMENT.]

Sections 18C.60 and 18C.61 are enforced by local units of government under their existing authority. Violation of a provision in either of these sections is a petty misdemeanor.

Sec. 7. [EFFECTIVE DATE.]

Section 4 is effective January 1, 2004."

Delete the title and insert:

"A bill for an act relating to agriculture; providing a preemption of local regulation of phosphorous fertilizers; regulating the use on turf of certain fertilizers containing phosphorus; providing for enforcement; prohibiting fertilizer applications to an impervious surface; requiring a report; amending Minnesota Statutes 2000, sections 18C.005, by adding a subdivision; 18C.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 18C."

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

Senate Conferees: (Signed) Linda I. Higgins, Jane Krentz, Steve Dille

House Conferees: (Signed) Peggy Leppik, Mark William Holsten, Al Juhnke

Senator Higgins moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1555 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1555 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Larson	Olson	Scheevel
Belanger	Hottinger	Lesewski	Ourada	Schwab
Berg	Johnson, Debbie	Lessard	Pariseau	Solon, Y.P.
Berglin	Johnson, Doug	Limmer	Pogemiller	Stevens
Betzold	Kelley, S.P.	Lourey	Price	Stumpf
Chaudhary	Kierlin	Marty	Ranum	Terwilliger
Cohen	Kinkel	Metzen	Rest	Tomassoni
Day	Kiscaden	Moe, R.D.	Ring	Vickerman
Dille	Kleis	Moua	Robertson	Wiener
Fischbach	Knutson	Murphy	Robling	Wiger
Foley	Krentz	Neuville	Sams	
Fowler	Langseth	Oliver	Samuelson	

Those who voted in the negative were:

Reiter

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 3288 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 3288

A bill for an act relating to public employment labor relations; extending the expiration of an interest arbitration provision governing firefighters; amending Minnesota Statutes 2000, section 179A.16, subdivision 7a.

March 27, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 3288, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: (Signed) Steve Kelley, Ann H. Rest, Michelle L. Fischbach

House Conferees: (Signed) Jim Rhodes, Tom Hackbarth, Gene Pelowski, Jr.

Senator Kelley, S.P. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 3288 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 3288 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

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.

APPOINTMENTS

Senator Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 3246: Senators Cohen, Knutson and Marty.

H.F. No. 2473: Senators Ranum, Scheid and Ring.

H.F. No. 3031: Senators Hottinger, Betzold and Limmer.

S.F. No. 3384: Senators Hottinger, Scheid and Ourada.

S.F. No. 2363: Senators Johnson, Dave; Wiener and Terwilliger.

Senator Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Senator Sams introduced--

S.F. No. 3458: A bill for an act relating to taxes; sales and use tax; extending the effective date for a sales tax exemption for biosolids waste treatment equipment; amending Minnesota Statutes 2001 Supplement, section 297A.70, subdivision 3.

Referred to the Committee on Taxes.

MEMBERS EXCUSED

Senator Murphy was excused from the Session of today from 10:00 to 10:30 a.m. Senator Frederickson was excused from the Session of today from 10:00 to 11:00 a.m. Senator Bachmann was excused from the Session of today from 10:45 to 11:00 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Tuesday, April 9, 2002. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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Monday, April 8, 2002

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

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