

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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FORTIETH DAY

St. Paul, Minnesota, Friday, April 9, 1999

The Senate met at 8:30 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 the Chaplain, Rev. Bonnie M. Nash.

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

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 465, 973, 1554 and 1600.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1999

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. 257:** A bill for an act relating to statutory cities; permitting special elections in cases of certain vacancies; amending Minnesota Statutes 1998, sections 205.10, subdivision 2; and 412.02, subdivision 2a.

Senate File No. 257 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1999

### CONCURRENCE AND REPASSAGE

Senator Robling moved that the Senate concur in the amendments by the House to S.F. No. 257 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 257 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Laidig	Neuville	Sams
Berg	Higgins	Langseth	Olson	Scheevel
Berglin	Hottinger	Larson	Ourada	Scheid
Betzold	Janezich	Lesewski	Pariseau	Spear
Cohen	Johnson, D.E.	Lessard	Piper	Stevens
Day	Johnson, D.J.	Limmer	Pogemiller	Terwilliger
Dille	Johnson, J.B.	Lourey	Price	Vickerman
Fischbach	Junge	Marty	Ranum	Wiener
Flynn	Kiscaden	Metzen	Robertson	Wiger
Foley	Kleis	Moe, R.D.	Robling	Ziegler
Frederickson	Krentz	Murphy	Runbeck	

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 359, 426 and 1414.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 8, 1999

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 359:** A bill for an act relating to utilities; authorizing public utilities commission to establish and delegate powers to subcommittees and to designate lead commissioners; allowing petitions to be deemed approved unless set aside for affirmative action by the commission; amending Minnesota Statutes 1998, section 216A.03, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 684, now on General Orders.

**H.F. No. 426:** A resolution memorializing the President and Congress to enact laws that will expedite the exchange of intermingled state and federal lands located within the exterior boundaries of the Superior National Forest to consolidate land ownership for the purpose of enabling each government to properly discharge its respective management duties.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 534, now on General Orders.

**H.F. No. 1414:** A bill for an act relating to human services; making changes to deaf and hard-of-hearing services division; modifying interpreter services; amending Minnesota Statutes 1998, sections 237.51, subdivision 5a; 256C.233, subdivisions 1 and 2; and 256C.25.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1584, now on General Orders.

### 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. 7** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
7	18				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 7 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 7 and insert the language after the enacting clause of S.F. No. 18, the first engrossment; further, delete the title of H.F. No. 7 and insert the title of S.F. No. 18, the first engrossment.

And when so amended H.F. No. 7 will be identical to S.F. No. 18, and further recommends that H.F. No. 7 be given its second reading and substituted for S.F. No. 18, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, 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. 7 was read the second time.

### MOTIONS AND RESOLUTIONS

Senator Lessard moved that his name be stricken as a co-author to S.F. No. 173. The motion prevailed.

Senator Cohen moved that the name of Senator Beckman be stricken as a co-author and the name of Senator Wiener be added as a co-author to S.F. No. 1010. The motion prevailed.

Senator Oliver moved that the name of Senator Morse be stricken as a co-author and the name of Senator Hottinger be added as a co-author to S.F. No. 1207. The motion prevailed.

Senator Piper moved that her name be stricken as a co-author to S.F. No. 1658. The motion prevailed.

Senator Wiener moved that the name of Senator Laidig be added as a co-author to S.F. No. 1837. The motion prevailed.

**Senators Price, Wiger and Kelly, R.C. introduced--**

**Senate Resolution No. 65:** A Senate resolution congratulating the Gethsemane Lutheran School Girls' Basketball team on winning a National Championship.

Referred to the Committee on Rules and Administration.

Senator Terwilliger moved that S.F. No. 1743, No. 55 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Krentz moved that S.F. No. 943, No. 14 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Fischbach moved that S.F. No. 459, No. 18 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Lessard moved that S.F. No. 1090, No. 11 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Lessard moved that S.F. No. 1091, No. 12 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Lessard moved that S.F. No. 815, No. 28 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Lessard moved that S.F. No. 421, No. 31 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Lessard moved that S.F. No. 921, No. 32 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Johnson, D.E. moved that S.F. No. 1439, No. 53 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

**SPECIAL ORDERS**

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately.

H.F. Nos. 1968, 346, 1125, 868, 67, S.F. No. 1382 and H.F. No. 793.

**SPECIAL ORDER**

**H.F. No. 1968:** A bill for an act relating to insurance; making changes in Medicare supplemental insurance required by federal law; amending Minnesota Statutes 1998, sections 62A.31, subdivisions 1, 3, and by adding a subdivision; and 62A.43, subdivision 4.

Senator Oliver moved to amend H.F. No. 1968, the unofficial engrossment, as follows:

Page 4, line 20, delete "becoming eligible" and insert "enrolling"

Page 4, line 21, delete "A" and insert "B"

The motion prevailed. So the amendment was adopted.

H.F. No. 1968 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 346:** A bill for an act relating to courts; prohibiting certain contracting arrangements for freelance court reporting services; regulating certain services; proposing coding for new law in Minnesota Statutes, chapter 486.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 1125:** A bill for an act relating to crime prevention; authorizing local correctional agencies rather than courts to impose local correctional fees for offenders under the supervision and control of the local agency; amending Minnesota Statutes 1998, sections 244.18, subdivisions 3, 4, and 5; and 609.102, subdivision 2; repealing Minnesota Statutes 1998, section 609.102, subdivisions 3 and 4.

Senator Berglin moved to amend H.F. No. 1125 as follows:

Page 2, after line 22, insert:

"Sec. 5. [REPORT REQUIRED.]

(a) The chief executive officer of each local correctional agency shall cooperate to develop a statewide uniform schedule of local correctional fees. The schedule must be reasonably related to the ability of defendants to pay and the actual costs of correctional services. The schedule must include clear standards that describe the circumstances justifying or requiring waiver or reduction of the fee based upon a defendant's ability to pay or other extenuating circumstances.

(b) By January 15, 2000, the chief executive officers shall report to the chairs of the senate and house committees having jurisdiction over criminal justice policy on their recommendations."

Page 2, line 23, delete "5" and insert "6"

Page 2, line 26, delete "6" and insert "7"

Page 2, line 27, delete "5" and insert "6"

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring a report;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1125 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Langseth	Olson	Scheid
Belanger	Higgins	Larson	Pappas	Spear
Berg	Hottinger	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.E.	Lessard	Piper	Terwilliger
Betzold	Johnson, D.H.	Limmer	Pogemiller	Vickerman
Cohen	Johnson, J.B.	Lourey	Price	Wiener
Day	Kelly, R.C.	Marty	Ranum	Wiger
Dille	Kiscaden	Metzen	Robertson	Ziegler
Fischbach	Kleis	Murphy	Robling	
Flynn	Knutson	Neuville	Runbeck	
Foley	Krentz	Novak	Sams	
Frederickson	Laidig	Oliver	Scheevel	

So the bill, as amended, was passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 868:** A bill for an act relating to crime prevention; amending the theft law to specifically apply to certain situations involving the rental of personal property or equipment; amending Minnesota Statutes 1998, section 609.52, subdivisions 1 and 2.

Senator Hanson moved that the amendment made to H.F. No. 868 by the Committee on Rules and Administration in the report adopted April 8, 1999, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 868 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Oliver	Runbeck
Belanger	Hanson	Laidig	Olson	Sams
Berg	Higgins	Larson	Ourada	Scheevel
Berglin	Hottinger	Lesewski	Pappas	Scheid
Betzold	Johnson, D.E.	Limmer	Pariseau	Spear
Cohen	Johnson, D.H.	Lourey	Piper	Stevens
Day	Johnson, J.B.	Marty	Pogemiller	Terwilliger
Dille	Kelly, R.C.	Metzen	Price	Vickerman
Fischbach	Kiscaden	Murphy	Ranum	Wiener
Flynn	Kleis	Neuville	Robertson	Wiger
Foley	Knutson	Novak	Robling	Ziegler

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 67:** A bill for an act relating to crime; imposing penalties for killing or injuring a search and rescue dog; amending Minnesota Statutes 1998, section 609.596.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1382:** A bill for an act relating to crime prevention; repealing provisions and striking language related to the enhanced gross misdemeanor DWI crime; expanding the gross misdemeanor DWI crime, probationary period, and mandatory sentencing provisions; requiring mandatory consecutive sentences for certain DWI-related offenses; amending Minnesota Statutes 1998, sections 169.121, subdivisions 3 and 3d; 169.129, subdivision 1; 609.02, subdivision 2; 609.035, subdivision 2; 609.105, subdivisions 1 and 3; 609.135, subdivision 2; and 609.15, subdivision 2; repealing Minnesota Statutes 1998, sections 169.121, subdivision 3e; 169.129, subdivision 2; and 609.02, subdivision 2a.

Senator Spear moved to amend S.F. No. 1382 as follows:

Page 5, line 26, after "two" insert "based on separate instances"

Page 6, lines 8, 26, and 28, after "two" insert "based on separate instances"

Page 9, line 36, after "two" insert "based on separate instances"

Page 12, line 18, after the period, insert "However, violations occurring before that date which are listed in Minnesota Statutes, section 169.121, subdivision 3, paragraph (a), are considered prior impaired driving convictions or prior license revocations for purposes of this act."

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend S.F. No. 1382 as follows:

Page 1, after line 15, insert:

"Section 1. Minnesota Statutes 1998, section 169.121, subdivision 1c, is amended to read:

Subd. 1c. [CONDITIONAL RELEASE.] (a) Unless maximum bail is imposed under section 629.471, subdivision 2, a person charged with a crime listed in this paragraph may be released from detention only if the person agrees to abstain from alcohol and submit to a program of electronic alcohol monitoring involving at least daily measurements of the person's alcohol concentration pending resolution of the charge. This paragraph applies only when electronic alcohol monitoring equipment is available to the court and only when a person is charged with:

(1) a violation of subdivision 1 or 1a within five years of two prior impaired driving convictions, or within ten years of three or more prior impaired driving convictions;

(2) a second or subsequent violation of subdivision 1 or 1a, if the person is under the age of 19 years;

(3) a violation of subdivision 1 or 1a, while the person's driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (9);

(4) a violation of subdivision 1, clause (f); or

(5) a violation of section 169.129.

~~If the defendant is convicted of the charged offense,~~ The court shall require partial or total reimbursement from the person for the cost of the electronic alcohol monitoring, to the extent the defendant is able to pay.

(b) Unless maximum bail is imposed under section 629.471, subdivision 2, a person charged with violating subdivision 1 or 1a within ten years of the first of three prior impaired driving convictions or within the person's lifetime after four or more prior impaired driving convictions may be released from detention only if the following conditions are imposed in addition to the condition imposed in paragraph (a), if applicable, and any other conditions of release ordered by the court:

(1) the impoundment of the registration plates of the vehicle used to commit the violation, unless already impounded;

(2) if the vehicle used to commit the violation was an off-road recreational vehicle or a motorboat, the impoundment of the off-road recreational vehicle or motorboat;

(3) a requirement that the alleged violator report weekly to a probation agent;

(4) a requirement that the alleged violator abstain from consumption of alcohol and controlled substances and submit to random alcohol tests or urine analyses at least weekly; and

(5) a requirement that, if convicted, the alleged violator reimburse the court or county for the total cost of these services."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.



S.F. No. 1382 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 793:** A bill for an act relating to liens; creating a lien and right of detainer; amending Minnesota Statutes 1998, section 514.19.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### RECESS

Senator Moe, R.D. moved that the Senate do now recess until 11:15 a.m. The motion prevailed.

The hour of 11:15 a.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

Senator Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1269 a Special Order to be heard immediately.

**SPECIAL ORDER**

**S.F. No. 1269:** A bill for an act relating to health; creating a medical education and research endowment fund, the Minnesota families foundation, a tobacco prevention endowment fund, and a health care fund; appropriating money; amending Minnesota Statutes 1998, section 62J.69; proposing coding for new law in Minnesota Statutes, chapters 10; 62J; 137; and 144.

Senator Moe, R.D. moved to amend S.F. No. 1269 as follows:

Page 15, line 13, delete "\$..... of each annual appropriation" and insert "\$200,000 of the first year's appropriation and \$300,000 of each annual appropriation thereafter"

The motion prevailed. So the amendment was adopted.

Senator Oliver moved to amend S.F. No. 1269 as follows:

Page 14, delete section 5

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Lesewski	Ourada	Scheid
Berg	Kiscaden	Limmer	Pariseau	Stevens
Day	Kleis	Metzer	Robertson	Terwilliger
Dille	Knutson	Neuville	Robling	Ziegler
Fischbach	Laidig	Oliver	Runbeck	
Frederickson	Larson	Olson	Scheevel	

Those who voted in the negative were:

Anderson	Higgins	Kelly, R.C.	Murphy	Sams
Berglin	Hottinger	Krentz	Novak	Samuelson
Betzold	Janezich	Langseth	Pappas	Spear
Cohen	Johnson, D.H.	Lessard	Piper	Vickerman
Flynn	Johnson, D.J.	Lourey	Pogemiller	Wiener
Foley	Johnson, J.B.	Marty	Price	Wiger
Hanson	Junge	Moe, R.D.	Ranum	

The motion did not prevail. So the amendment was not adopted.

Senator Runbeck moved to amend S.F. No. 1269 as follows:

Page 5, after line 30, insert:

"Sec. 2. [16A.1522] [TAX REFORM ACCOUNT.]

(a) A tax reform account is established in the general fund.

(b) Amounts in the account are available for and may only be spent to reform the tax system by means of tax reform and reduction programs enacted by the legislature in 1999 and later years.

(c) The balance in the account does not cancel and remains in the account until appropriated for property tax reform. Investment earnings on the account are credited to the account."

Pages 14 to 16, delete section 7 and insert:

"Sec. 8. [TAX RELIEF.]

The commissioner of finance shall deposit 50 percent of the tobacco settlement payments received by the state on January 3, 2000, January 2, 2001, January 2, 2002, and January 2, 2003, as a result of the settlement of the lawsuit styled as State v. Philip Morris Incorporated, No. CI-94-8565, in the tax reform account established under Minnesota Statutes, section 16A.1522."

Page 16, delete lines 15 to 17

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Senator Moe, R.D. imposed a call of the Senate for the balance of the proceedings on S.F. No. 1269. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 49, as follows:

Those who voted in the affirmative were:

Belanger	Larson	Oliver	Pariseau	Scheevel
Day	Limmer	Olson	Runbeck	Stevens
Laidig	Neuville			

Those who voted in the negative were:

Anderson	Hanson	Kiscaden	Moe, R.D.	Robling
Berg	Higgins	Kleis	Murphy	Sams
Berglin	Hottinger	Knutson	Novak	Samuelson
Betzold	Janezich	Krentz	Ourada	Scheid
Cohen	Johnson, D.E.	Langseth	Pappas	Spear
Dille	Johnson, D.H.	Lesewski	Piper	Vickerman
Fischbach	Johnson, D.J.	Lessard	Pogemiller	Wiener
Flynn	Johnson, J.B.	Lourey	Price	Wiger
Foley	Junge	Marty	Ranum	Ziegler
Frederickson	Kelly, R.C.	Metzen	Robertson	

The motion did not prevail. So the amendment was not adopted.

Senator Kleis moved to amend S.F. No. 1269 as follows:

Page 14, line 30, delete "50" and insert "25"

Page 16, after line 6, insert:

"Sec. 8. Minnesota Statutes 1998, section 256.955, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Health plan" has the meaning provided in section 62Q.01, subdivision 3.

(c) "Health plan company" has the meaning provided in section 62Q.01, subdivision 4.

(d) "Qualified senior citizen" means an individual:

(1) who is age 65 or older who;

~~(1) is eligible as a qualified Medicare beneficiary according to section 256B.057, subdivision 3 or 3a, or is eligible under section 256B.057, subdivision 3 or 3a, and is also eligible for medical~~

~~assistance or general assistance medical care with a spenddown as defined in section 256B.056, subdivision 5. Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in MinnesotaCare, are not eligible for this program (2) whose income is equal to or less than 200 percent of the federal poverty guidelines for the applicable family size;~~

~~(3) whose assets are no more than twice the asset limit used to determine eligibility for the supplemental security income program;~~

~~(2) (4) who is not enrolled in prescription drug coverage under a health plan;~~

~~(3) (5) who is not enrolled in prescription drug coverage under a Medicare supplement plan, as defined in sections 62A.31 to 62A.44, or policies, contracts, or certificates that supplement Medicare issued by health maintenance organizations or those policies, contracts, or certificates governed by section 1833 or 1876 of the federal Social Security Act, United States Code, title 42, section 1395, et seq., as amended;~~

~~(4) (6) who has not had coverage described in clauses (2) (4) and (3) (5) for at least four months prior to application for the program; and~~

~~(5) (7) who is a permanent resident of Minnesota as defined in section 256L.09.~~

~~Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in the MinnesotaCare program, are not eligible for this program.~~

Sec. 9. Minnesota Statutes 1998, section 256.955, subdivision 7, is amended to read:

Subd. 7. [COST SHARING.] ~~(a) Enrollees shall pay an annual premium of \$120.~~

~~(b) Program enrollees must satisfy a \$300 annual deductible, based upon expenditures for prescription drugs, to be paid as follows:~~

~~(1) \$25 monthly deductible for persons with a monthly spenddown; or~~

~~(2) \$150 biannual deductible for persons with a six-month spenddown.~~

Sec. 10. [256.956] [SENIOR PRESCRIPTION DRUG ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The senior prescription drug endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 25 percent of the tobacco settlement payments received by the state on January 3, 2000, January 2, 2001, January 2, 2002, and January 2, 2003, as a result of the settlement of the lawsuit styled as State of Minnesota v. Philip Morris Incorporated, No. C1-94-8565. The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund.

Subd. 2. [EXPENDITURES.] (a) As part of each biennial and supplemental budget, the commissioner of finance shall forecast the cost of providing coverage to the enrollees of the senior citizen drug program under section 256.955 whose income is between 120 percent and 200 percent of the federal poverty guidelines and the cost of eliminating the annual premium. The commissioner of finance shall recognize the projected costs of the program in the fund balance.

(b) Beginning July 1, 2000, and on July 1 of each year thereafter, a sum equal to the projected costs as determined in paragraph (a) for the following fiscal year is appropriated from the fund to the commissioner of human services to be used for the senior citizen drug program."

Page 16, line 15, delete "\$230,400,000" and insert "\$115,200,000"

Page 16, after line 17, insert:

"\$115,200,000 is appropriated from the general fund to the commissioner of finance for transfer to the senior prescription drug endowment fund in the fiscal year ending June 30, 1999."

Page 16, line 25, delete "Sections 1 to 8" and insert "Sections 1 to 7, 10, and 11"

Page 16, after line 26, insert:

"Sections 8 and 9 are effective July 1, 2000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Moe, R.D. requested division of the Kleis amendment as follows:

First portion:

Page 14, line 30, delete "50" and insert "25"

Page 16, after line 6, insert:

Amend the title accordingly

Sec. 10. [256.956] [SENIOR PRESCRIPTION DRUG ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The senior prescription drug endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 25 percent of the tobacco settlement payments received by the state on January 3, 2000, January 2, 2001, January 2, 2002, and January 2, 2003, as a result of the settlement of the lawsuit styled as State of Minnesota v. Philip Morris Incorporated, No. C1-94-8565. The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund.

Subd. 2. [EXPENDITURES.] (a) As part of each biennial and supplemental budget, the commissioner of finance shall forecast the cost of providing coverage to the enrollees of the senior citizen drug program under section 256.955 whose income is between 120 percent and 200 percent of the federal poverty guidelines and the cost of eliminating the annual premium. The commissioner of finance shall recognize the projected costs of the program in the fund balance.

(b) Beginning July 1, 2000, and on July 1 of each year thereafter, a sum equal to the projected costs as determined in paragraph (a) for the following fiscal year is appropriated from the fund to the commissioner of human services to be used for the senior citizen drug program."

Page 16, line 15, delete "\$230,400,000" and insert "\$115,200,000"

Page 16, after line 17, insert:

"\$115,200,000 is appropriated from the general fund to the commissioner of finance for transfer to the senior prescription drug endowment fund in the fiscal year ending June 30, 1999."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Samuelson moved to amend the first portion of the Kleis amendment to S.F. No. 1269 as follows:

Page 3, line 3, delete "between 120 percent and" and insert "up to"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the first portion of the Kleis amendment, as amended.

Senator Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Larson	Olson	Scheevel
Berg	Johnson, D.E.	Lesewski	Pariseau	Stevens
Day	Kiscaden	Lessard	Robertson	Ziegler
Dille	Kleis	Limmer	Robling	
Fischbach	Knutson	Neuville	Runbeck	
Frederickson	Laidig	Oliver	Samuelson	

Those who voted in the negative were:

Anderson	Hottinger	Krentz	Novak	Scheid
Berglin	Janezich	Langseth	Pappas	Spears
Betzold	Johnson, D.H.	Lourey	Piper	Vickerman
Cohen	Johnson, D.J.	Marty	Pogemiller	Wiener
Flynn	Johnson, J.B.	Metzen	Price	Wiger
Foley	Junge	Moe, R.D.	Ranum	
Higgins	Kelly, R.C.	Murphy	Sams	

The motion did not prevail. So the first portion of the Kleis amendment, as amended, was not adopted.

Senator Kleis withdrew the remainder of his amendment.

Senator Robling moved to amend S.F. No. 1269 as follows:

Pages 14 to 16, delete section 7 and insert:

"Sec. 7. [145.076] [LOCAL PUBLIC HEALTH ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The local public health endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 50 percent of the tobacco settlement payments received by the state on January 3, 2000, January 2, 2001, January 2, 2002, and January 2, 2003, as a result of the settlement of the lawsuit styled as State v. Philip Morris Incorporated, No. C1-94-8565. The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund. The principle of the fund must be maintained inviolate.

Subd. 2. [ENDOWMENT FUND EXPENDITURES.] (a) Beginning July 1, 2000, and on July 1 of each year thereafter, up to five percent of the fair market value of the fund on the preceding July 1 is appropriated from the fund to the commissioner of health, for distribution to community health boards under chapter 145A. The earnings from the fund shall be spent to ensure active community involvement and coordination of community resources in addressing locally identified public health needs.

(b) The first \$10,000,000 of each appropriation described in paragraph (a) shall be used by the commissioner of health for a statewide smoking prevention program.

Subd. 3. [REPORT.] On January 15 of each odd-numbered year, the commissioner of health shall report to the legislature on the activities of community health boards under chapter 145A.

Subd. 4. [REVIEW.] The purpose of the endowment fund shall be reviewed in the governor's budget each biennium."

Page 16, line 16, delete "tobacco prevention" and insert "local public health"

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Laidig	Oliver	Samuelson
Berg	Johnson, D.E.	Larson	Olson	Scheevel
Day	Kiscaden	Lesewski	Pariseau	Stevens
Dille	Kleis	Limmer	Robertson	Ziegler
Fischbach	Knutson	Neuville	Robling	

Those who voted in the negative were:

Anderson	Higgins	Krentz	Novak	Sams
Berglin	Hottinger	Langseth	Pappas	Scheid
Betzold	Janezich	Lessard	Piper	Spear
Cohen	Johnson, D.H.	Lourey	Pogemiller	Vickerman
Flynn	Johnson, D.J.	Marty	Price	Wiener
Foley	Johnson, J.B.	Metzen	Ranum	Wiger
Hanson	Junge	Moe, R.D.	Runbeck	

The motion did not prevail. So the amendment was not adopted.

Senator Frederickson moved to amend S.F. No. 1269 as follows:

Page 5, delete lines 24 to 30 and insert:

"Subd. 9. [DISSOLUTION OF THE FOUNDATION.] By June 30, 2009, the foundation shall transfer all foundation assets to the commissioner of finance, who shall record them as assets of the general fund and cause them to be liquidated or invested, as appropriate, by the state board of investment. On June 30, 2009, the foundation is dissolved. If the legal status of the foundation or the foundation funds is successfully challenged in state or federal court, the foundation must be dissolved and the assets likewise returned to commissioner of finance for credit to the general fund and investment by the state board of investment."

Page 16, line 13, before "Minnesota" insert "commissioner of finance for payment to the"

Page 16, line 18, delete the new language

Page 16, line 19, delete everything before "of"

Page 16, line 23, before the period, insert ", 23 percent is appropriated to the commissioner of finance for payment to the Minnesota families foundation"

The motion prevailed. So the amendment was adopted.

Senator Johnson, D.H. moved to amend S.F. No. 1269 as follows:

Page 16, after line 6, insert:

"Sec. 8. Minnesota Statutes 1998, section 256.955, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Health plan" has the meaning provided in section 62Q.01, subdivision 3.

(c) "Health plan company" has the meaning provided in section 62Q.01, subdivision 4.

(d) "Qualified senior citizen" means an individual:

(1) who is age 65 or older who;

(1) is eligible as a qualified Medicare beneficiary according to section 256B.057, subdivision 3 or 3a, or is eligible under section 256B.057, subdivision 3 or 3a, and is also eligible for medical assistance or general assistance medical care with a spenddown as defined in section 256B.056, subdivision 5. Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in MinnesotaCare, are not eligible for this program (2) whose income is equal to or less than 200 percent of the federal poverty guidelines for the applicable family size;

(3) whose assets are no more than twice the asset limit used to determine eligibility for the supplemental security income program;

(2) (4) who is not enrolled in prescription drug coverage under a health plan;

(3) (5) who is not enrolled in prescription drug coverage under a Medicare supplement plan, as defined in sections 62A.31 to 62A.44, or policies, contracts, or certificates that supplement Medicare issued by health maintenance organizations or those policies, contracts, or certificates governed by section 1833 or 1876 of the federal Social Security Act, United States Code, title 42, section 1395, et seq., as amended;

(4) (6) who has not had coverage described in clauses (2) (4) and (3) (5) for at least four months prior to application for the program; and

(5) (7) who is a permanent resident of Minnesota as defined in section 256L.09.

Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in the MinnesotaCare program, are not eligible for this program.

Sec. 9. Minnesota Statutes 1998, section 256.955, subdivision 7, is amended to read:

Subd. 7. [COST SHARING.] ~~(a) Enrollees shall pay an annual premium of \$120.~~

~~(b)~~ Program enrollees must satisfy a \$300 annual deductible, based upon expenditures for prescription drugs, to be paid as follows:

(1) \$25 monthly deductible for persons with a monthly spenddown; or

(2) \$150 biannual deductible for persons with a six-month spenddown."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Kiscaden questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Dille moved to amend S.F. No. 1269 as follows:

Page 16, line 4, delete "2015" and insert "2005"

Senator Dille then moved to amend the Dille amendment to S.F. No. 1269 as follows:

Page 1, line 2, delete "2005" and insert "2010"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Dille amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Pariseau moved to amend S.F. No. 1269 as follows:

Page 15, line 21, after the period, insert "The Minnesota partnership for action against tobacco shall not award any grants from the annual appropriations received under this subdivision to any project where a partnership board member or staff has an affiliation."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 30, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.J.	Limmer	Robertson	Stevens
Day	Kleis	Neuville	Robling	Ziegler
Dille	Knutson	Oliver	Runbeck	
Fischbach	Laidig	Olson	Sams	
Frederickson	Larson	Ourada	Samuelson	
Johnson, D.E.	Lesewski	Pariseau	Scheevel	



Those who voted in the negative were:

Anderson	Foley	Krentz	Moe, R.D.	Ranum
Berg	Higgins	Langseth	Murphy	Scheid
Berglin	Hottinger	Lessard	Pappas	Spear
Betzold	Johnson, J.B.	Lourey	Piper	Vickerman
Cohen	Junge	Marty	Pogemiller	Wiener
Flynn	Kiscaden	Metzen	Price	Wiger

The motion did not prevail. So the amendment was not adopted.

Senator Robling moved to amend S.F. No. 1269 as follows:

Page 15, line 2, before "Earnings" insert "(a)"

Page 15, after line 21, insert:

"(b) Notwithstanding paragraph (a), the commissioner of finance shall transfer \$1,300,000 each biennium from the earnings of the tobacco prevention endowment fund to the general fund to reimburse the general fund for revenue lost due to section 297A.25, subdivision 79."

Page 16, after line 6, insert:

"Sec. 8. Minnesota Statutes 1998, section 297A.25, is amended by adding a subdivision to read:

Subd. 79. [SMOKING CESSATION DEVICES.] The gross receipts from the sale of and the storage, use, or consumption of items of personal property that are intended to be used exclusively to assist individuals to refrain from smoking tobacco, such as nicotine patches and nicotine gum, are exempt."

Page 16, line 25, delete "Sections 1 to 8" and insert "Sections 1 to 7 and 9"

Page 16, after line 23, insert:

"Section 8 is effective for sales after June 30, 1999."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Moe, R.D. questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Robling moved to amend S.F. No. 1269 as follows:

Page 15, line 34, delete "and"

Page 15, line 35, before the period, insert "; and

(5) how the statewide prevention efforts have been coordinated and delivered through local public health agencies"

The motion prevailed. So the amendment was adopted.

Senator Junge moved to amend S.F. No. 1269 as follows:

Page 12, line 31, delete "27" and insert "20.25"

Page 16, after line 6, insert:

"Sec. 8. Minnesota Statutes 1998, section 256.955, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Health plan" has the meaning provided in section 62Q.01, subdivision 3.

(c) "Health plan company" has the meaning provided in section 62Q.01, subdivision 4.

(d) "Qualified senior citizen" means an individual:

(1) who is age 65 or older who;

~~(1) is eligible as a qualified Medicare beneficiary according to section 256B.057, subdivision 3 or 3a, or is eligible under section 256B.057, subdivision 3 or 3a, and is also eligible for medical assistance or general assistance medical care with a spenddown as defined in section 256B.056, subdivision 5. Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in MinnesotaCare, are not eligible for this program~~ (2) whose income is equal to or less than 200 percent of the federal poverty guidelines for the applicable family size;

~~(3) whose assets are no more than twice the asset limit used to determine eligibility for the supplemental security income program;~~

~~(2) (4) who~~ is not enrolled in prescription drug coverage under a health plan;

~~(3) (5) who~~ is not enrolled in prescription drug coverage under a Medicare supplement plan, as defined in sections 62A.31 to 62A.44, or policies, contracts, or certificates that supplement Medicare issued by health maintenance organizations or those policies, contracts, or certificates governed by section 1833 or 1876 of the federal Social Security Act, United States Code, title 42, section 1395, et seq., as amended;

~~(4) (6) who~~ has not had coverage described in clauses ~~(2) (4)~~ and ~~(3) (5)~~ for at least four months prior to application for the program; and

~~(5) (7) who~~ is a permanent resident of Minnesota as defined in section 256L.09.

~~Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in the MinnesotaCare program, are not eligible for this program.~~

Sec. 9. Minnesota Statutes 1998, section 256.955, subdivision 7, is amended to read:

Subd. 7. [COST SHARING.] ~~(a) Enrollees shall pay an annual premium of \$120.~~

~~(b) Program enrollees must satisfy a \$300 annual deductible, based upon expenditures for prescription drugs, to be paid as follows:~~

~~(1) \$25 monthly deductible for persons with a monthly spenddown; or~~

~~(2) \$150 biannual deductible for persons with a six-month spenddown.~~

Sec. 10. [256.956] [SENIOR PRESCRIPTION DRUG ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The senior prescription drug endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 6.75 percent of the tobacco settlement payments received by the state on January 3, 2000, January 2, 2001, January 2, 2002, and January 2, 2003, as a result of the settlement of the lawsuit styled as State of Minnesota v. Philip Morris Incorporated, No. C1-94-8565. The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund.

Subd. 2. [EXPENDITURES.] (a) As part of each biennial and supplemental budget, the commissioner of finance shall forecast the cost of providing coverage to the enrollees of the senior citizen drug program under section 256.955 whose income is between 120 percent and 200 percent of the federal poverty guidelines and the cost of eliminating the annual premium. The commissioner of finance shall recognize the projected costs of the program in the fund balance.

(b) Beginning July 1, 2000, and on July 1 of each year thereafter, a sum equal to the projected

costs as determined in paragraph (a) for the following fiscal year is appropriated from the fund to the commissioner of human services to be used for the senior citizen drug program."

Page 16, line 8, delete "\$124,416,000" and insert "\$93,312,000"

Page 16, after line 17, insert:

"\$31,104,000 is appropriated from the general fund to the commissioner of finance for transfer to the senior prescription drug endowment fund in the fiscal year ending June 30, 1999."

Page 16, line 25, delete "Sections 1 to 8" and insert "Sections 1 to 7, 10, and 11"

Page 16, after line 26, insert:

"Sections 8 and 9 are effective July 1, 2000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Neuville requested division of the Junge amendment as follows:

First portion:

Page 12, line 31, delete "27" and insert "20.25"

Page 16, after line 6, insert:

Sec. 10. [256.956] [SENIOR PRESCRIPTION DRUG ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The senior prescription drug endowment fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund 6.75 percent of the tobacco settlement payments received by the state on January 3, 2000, January 2, 2001, January 2, 2002, and January 2, 2003, as a result of the settlement of the lawsuit styled as State of Minnesota v. Philip Morris Incorporated, No. C1-94-8565. The state board of investment shall invest the fund under section 11A.24. All earnings of the fund must be credited to the fund.

Subd. 2. [EXPENDITURES.] (a) As part of each biennial and supplemental budget, the commissioner of finance shall forecast the cost of providing coverage to the enrollees of the senior citizen drug program under section 256.955 whose income is between 120 percent and 200 percent of the federal poverty guidelines and the cost of eliminating the annual premium. The commissioner of finance shall recognize the projected costs of the program in the fund balance.

(b) Beginning July 1, 2000, and on July 1 of each year thereafter, a sum equal to the projected costs as determined in paragraph (a) for the following fiscal year is appropriated from the fund to the commissioner of human services to be used for the senior citizen drug program."

Page 16, line 8, delete "\$124,416,000" and insert "\$93,312,000"

Page 16, after line 17, insert:

"\$31,104,000 is appropriated from the general fund to the commissioner of finance for transfer to the senior prescription drug endowment fund in the fiscal year ending June 30, 1999."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the first portion of the Junge amendment.

The roll was called, and there were yeas 37 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, D.H.	Lesewski	Pariseau	Stevens
Berglin	Johnson, D.J.	Lessard	Pogemiller	Vickerman
Cohen	Johnson, J.B.	Limmer	Price	Wiener
Fischbach	Junge	Lourey	Robertson	Wiger
Flynn	Kelly, R.C.	Metzen	Sams	Ziegler
Frederickson	Kleis	Murphy	Samuelson	
Hanson	Knutson	Neuville	Scheevel	
Janezich	Langseth	Ourada	Scheid	

Those who voted in the negative were:

Belanger	Foley	Laidig	Oliver	Runbeck
Berg	Higgins	Larson	Pappas	Spear
Betzold	Hottinger	Marty	Piper	
Day	Kiscaden	Moe, R.D.	Ranum	
Dille	Krentz	Novak	Robling	

The motion prevailed. So the first portion of the amendment was adopted.

Second portion:

Page 16, after line 6, insert:

"Sec. 8. Minnesota Statutes 1998, section 256.955, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Health plan" has the meaning provided in section 62Q.01, subdivision 3.

(c) "Health plan company" has the meaning provided in section 62Q.01, subdivision 4.

(d) "Qualified senior citizen" means an individual:

(1) who is age 65 or older who;

(1) is eligible as a qualified Medicare beneficiary according to section 256B.057, subdivision 3 or 3a, or is eligible under section 256B.057, subdivision 3 or 3a, and is also eligible for medical assistance or general assistance medical care with a spenddown as defined in section 256B.056, subdivision 5. Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in MinnesotaCare, are not eligible for this program (2) whose income is equal to or less than 200 percent of the federal poverty guidelines for the applicable family size;

(3) whose assets are no more than twice the asset limit used to determine eligibility for the supplemental security income program;

(2) (4) who is not enrolled in prescription drug coverage under a health plan;

(3) (5) who is not enrolled in prescription drug coverage under a Medicare supplement plan, as defined in sections 62A.31 to 62A.44, or policies, contracts, or certificates that supplement Medicare issued by health maintenance organizations or those policies, contracts, or certificates governed by section 1833 or 1876 of the federal Social Security Act, United States Code, title 42, section 1395, et seq., as amended;

(4) (6) who has not had coverage described in clauses (2) (4) and (3) (5) for at least four months prior to application for the program; and

(5) (7) who is a permanent resident of Minnesota as defined in section 256L.09.

Persons who are determined eligible for medical assistance according to section 256B.0575, who are eligible for medical assistance or general assistance medical care without a spenddown, or who are enrolled in the MinnesotaCare program, are not eligible for this program.

Sec. 9. Minnesota Statutes 1998, section 256.955, subdivision 7, is amended to read:

Subd. 7. [COST SHARING.] (a) ~~Enrollees shall pay an annual premium of \$120.~~

(b) Program enrollees must satisfy a \$300 annual deductible, based upon expenditures for prescription drugs, to be paid as follows:

(1) \$25 monthly deductible for persons with a monthly spenddown; or

(2) \$150 biannual deductible for persons with a six-month spenddown.

Page 16, line 25, delete "Sections 1 to 8" and insert "Sections 1 to 7, 10, and 11"

Page 16, after line 26, insert:

"Sections 8 and 9 are effective July 1, 2000."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Neuville questioned whether the second portion of the Junge amendment was germane.

The President ruled that the amendment was not germane.

Senator Wiener moved to amend S.F. No. 1269 as follows:

Page 15, line 21, after the period, insert "The Minnesota partnership for action against tobacco shall not award any grants from the annual appropriations received under this subdivision to any project where a partnership board member or staff has a substantial financial interest."

The motion prevailed. So the amendment was adopted.

S.F. No. 1269 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 46 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Oliver	Scheid
Berg	Hottinger	Krentz	Pappas	Spear
Berglin	Janezich	Langseth	Piper	Vickerman
Betzold	Johnson, D.H.	Lessard	Pogemiller	Wiener
Cohen	Johnson, D.J.	Lourey	Price	Wiger
Dille	Johnson, J.B.	Marty	Ranum	Ziegler
Flynn	Junge	Metzen	Robertson	
Foley	Kelly, R.C.	Moe, R.D.	Robling	
Frederickson	Kiscaden	Murphy	Sams	
Hanson	Kleis	Novak	Samuelson	

Those who voted in the negative were:

Belanger	Laidig	Limmer	Ourada	Scheevel
Day	Larson	Neuville	Pariseau	Stevens
Fischbach	Lesewski	Olson	Runbeck	

So the bill, as amended, was passed and its title was agreed to.

### 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, First Reading of House Bills, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 198, 129 and 1176.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1999

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. 98:** A bill for an act relating to crime victims; granting prosecutors discretion not to disclose a victim's or witness's date of birth; amending Minnesota Statutes 1998, section 611A.035.

Senate File No. 98 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1999

**CONCURRENCE AND REPASSAGE**

Senator Knutson moved that the Senate concur in the amendments by the House to S.F. No. 98 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 98 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

**MESSAGES FROM THE HOUSE - CONTINUED**

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. 829:** A bill for an act relating to state lands; authorizing commissioner of human services to sell certain surplus state land to the Bloomington housing and redevelopment authority.

Senate File No. 829 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1999

### CONCURRENCE AND REPASSAGE

Senator Belanger moved that the Senate concur in the amendments by the House to S.F. No. 829 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 829:** A bill for an act relating to state lands; authorizing commissioner of human services to sell certain surplus state land to the Bloomington housing and redevelopment authority; appropriating money.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Neuville	Robertson
Belanger	Higgins	Laidig	Novak	Robling
Berg	Hottinger	Langseth	Oliver	Sams
Berglin	Janezich	Larson	Olson	Samuelson
Betzold	Johnson, D.H.	Lesewski	Ourada	Scheevel
Cohen	Johnson, D.J.	Lessard	Pappas	Spear
Day	Johnson, J.B.	Limmer	Pariseau	Stevens
Fischbach	Kelly, R.C.	Lourey	Piper	Vickerman
Flynn	Kiscaden	Marty	Pogemiller	Wiener
Foley	Kleis	Moe, R.D.	Price	Wiger
Frederickson	Knutson	Murphy	Ranum	Ziegler

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

### MESSAGES FROM THE HOUSE - CONTINUED

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. 972:** A bill for an act relating to game and fish; modifying migratory waterfowl refuge provisions; designating a migratory waterfowl refuge; repealing a commissioner's order; amending Minnesota Statutes 1998, section 97A.095, subdivision 1.

Senate File No. 972 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1999

### CONCURRENCE AND REPASSAGE

Senator Frederickson moved that the Senate concur in the amendments by the House to S.F. No. 972 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 972 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1051, 1905, 1708, 1178, 619, 726, 118, 1426 and 1568.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 8, 1999

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 1051:** A bill for an act relating to employment; requiring the commissioner of economic security to collect certain information about employment and training programs.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 971, now on General Orders.

**H.F. No. 1905:** A bill for an act relating to state government; rulemaking; authorizing the governor to veto certain rules; amending Minnesota Statutes 1998, sections 14.05, by adding a subdivision; 14.16, subdivision 3; 14.26, subdivision 3; 14.386; and 14.389, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1993, now on General Orders.

**H.F. No. 1708:** A bill for an act relating to insurance; property and liability; regulating FAIR plan coverage; amending Minnesota Statutes 1998, sections 65A.32; 65A.33, subdivision 3, and by adding a subdivision; 65A.34, subdivisions 1, 4, and 5; 65A.36, subdivisions 1 and 5; 65A.37; 65A.38, subdivision 1; and 65A.42.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1675, now on General Orders.

**H.F. No. 1178:** A bill for an act relating to landlords and tenants; regulating the taking of prelease deposits; providing for a civil penalty; proposing coding for new law in Minnesota Statutes, chapter 504.



Referred to the Committee on Rules and Administration for comparison with S.F. No. 1253, now on General Orders.

**H.F. No. 619:** A bill for an act relating to local government; shooting ranges; defining generally accepted operation practices; providing for relation to ordinances, closing and relocation, nuisance liability, and noise standards; proposing coding for new law as Minnesota Statutes, chapter 87A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 592, now on General Orders.

**H.F. No. 726:** A bill for an act relating to capital improvements; providing standards for state assistance to capital improvement projects of political subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on State Government Finance.

**H.F. No. 118:** A bill for an act relating to state agencies; providing that persons designated as permanent commissioners serve as acting commissioners until the senate has consented to their appointment; limiting service as temporary or acting commissioners; amending Minnesota Statutes 1998, section 15.06, subdivision 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 160, now on General Orders.

**H.F. No. 1426:** A bill for an act relating to health; modifying well notification fees; modifying provisions for grants to rural hospitals and community health centers; modifying student loan repayment provisions for health professionals; amending Minnesota Statutes 1998, sections 103I.208, subdivision 1; 144.147, subdivisions 2, 3, 4, and 5; 144.1484, subdivision 1; 144.1486, subdivisions 3, 4, and 8; 144.1488, subdivisions 1, 3, and 4; 144.1489, subdivisions 2 and 4; 144.1490, subdivision 2; 144.1494, subdivisions 2, 3, and 5; 144.1495, subdivisions 3 and 4; and 144.1496, subdivisions 2 and 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1651, now on General Orders.

**H.F. No. 1568:** A bill for an act 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; providing for conformity with a code for building conservation; requiring implementation of locally adopted optional code provisions; requiring a report; amending Minnesota Statutes 1998, sections 16B.61, subdivisions 1 and 1a; 16B.62, subdivision 2; 16B.64, subdivision 4; 216C.19, subdivision 8; and 216C.195, subdivision 1; repealing Minnesota Statutes 1998, section 16B.165.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1209, now on General Orders.

## REPORTS OF COMMITTEES

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

**Senator Berglin from the Committee on Human Resources Finance, to which was re-referred**

**S.F. No. 1464:** A bill for an act relating to public administration; making deficiency appropriations for state government operations; transferring money; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 14 and 22, delete "8,230,000" and insert "11,647,000"

Page 1, lines 20 and 25, delete "14,644,000" and insert "18,061,000"

Page 2, line 15, delete "8,230,000" and insert "11,647,000"

Page 2, line 16, delete "\$8,230,000" and insert "\$11,647,000"

Page 2, line 35, after the period, insert "The commissioner of finance and the commissioner of economic security shall review the operation of the state services for the blind to determine why a deficiency occurred and what steps should be taken to prevent a deficiency in the future. The commissioners must report on this issue to the legislature by January 15, 2000."

And when so amended the bill do pass and be re-referred to the Committee on Education Finance. Amendments adopted. Report adopted.

**Senator Berglin from the Committee on Human Resources Finance, to which was re-referred**

**S.F. No. 383:** A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100.

Reports the same back with the recommendation that the bill be amended as follows:

Page 17, after line 27, insert:

"Sec. 15. [APPROPRIATION.]

\$8,000 is appropriated for fiscal year 2000 and \$4,000 is appropriated for fiscal year 2001 from the state government special revenue fund to the board of medical practice for the licensure and regulation of traditional midwives as required under Minnesota Statutes, chapter 147D."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Berglin from the Committee on Human Resources Finance, to which was re-referred**

**S.F. No. 171:** A bill for an act relating to commerce; providing an appropriation for an education campaign on mortgage flipping; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 82B.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 4, before the period, insert "and any contributions received are available for the educational campaign described in this section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

**S.F. No. 2012:** A bill for an act relating to the legislature; appropriating money to the senate for the production and distribution of a videotape on the legislative process.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Governmental Operations and Veterans. Report adopted.

**Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 884:** A bill for an act relating to marriage; providing for a reduced marriage license fee for couples who obtain premarital counseling; amending Minnesota Statutes 1998, section 517.08, subdivisions 1b and 1c.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for March 31, 1999, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

**Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 2013:** A bill for an act relating to economic development; directing office of strategic and long-range planning to create state development strategy; appropriating money.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations and Veterans, shown in the Journal for March 31, 1999, be adopted; that committee recommendation being:

"the bill do pass and be re-referred to the Committee on Transportation". Report adopted.

**Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 1784:** A bill for an act relating to state telecommunications infrastructure development; providing for open competition for state telecommunications services; prohibiting state competition with the private sector; making other conforming changes; amending Minnesota Statutes 1998, sections 16B.415; 16B.46; and 16B.465; Laws 1995, First Special Session chapter 3, article 12, section 10.

Reports the same back with the recommendation that the report from the Committee on Jobs, Energy and Community Development, shown in the Journal for March 30, 1999, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Governmental Operations and Veterans". Amendments adopted. Report adopted.

**Senator Moe, R.D. from the Committee on Rules and Administration, to which was re-referred under Joint Rule 2.03, together with the committee report thereon,**

**H.F. No. 92:** A bill for an act relating to drivers' licenses; modifying required content of petition for seeking judicial review of driver's license revocation for violating implied consent law; limiting scope of discovery in that proceeding under implied consent law; amending Minnesota Statutes 1998, section 169.123, subdivision 5c.

Reports the same back with the recommendation that the report from the Committee on Crime Prevention, shown in the Journal for April 8, 1999, be adopted; that committee recommendation being:

"the bill do pass". Report adopted.

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

**S.F. No. 63:** A resolution memorializing the United States government to urge the Ethiopian government to respect the human rights of Eritreans in Ethiopia.

Reports the same back with the recommendation that the resolution do pass. Report adopted.

**Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 1636:** A bill for an act relating to governmental operations; providing for regulatory relief for local units of government; proposing coding for new law in Minnesota Statutes, chapter 14.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations and Veterans, shown in the Journal for March 29, 1999, be amended to read:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

#### **SECOND READING OF SENATE BILLS**

S.F. Nos. 383, 171, 884, 63 and 1636 were read the second time.

#### **SECOND READING OF HOUSE BILLS**

H.F. No. 92 was read the second time.

#### **MOTIONS AND RESOLUTIONS - CONTINUED**

Senator Runbeck moved that the name of Senator Piper be added as a co-author to S.F. No. 2187. The motion prevailed.

#### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Senator Johnson, D.H. introduced--**

**S.F. No. 2198:** A bill for an act relating to state lands; authorizing conveyance of certain tax-forfeited land that borders public water in Hennepin county.

Referred to the Committee on Environment and Natural Resources.

**Senators Betzold and Scheid introduced--**

**S.F. No. 2199:** A bill for an act relating to capital improvements; authorizing spending to construct Edinburgh Trail pedestrian bridge in Brooklyn Park; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Transportation.

**Senators Solon, Murphy, Metzen, Scheid and Day introduced--**

**S.F. No. 2200:** A bill for an act relating to public safety; providing for creation of a propane education and research council.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Kiscaden, Scheevel and Day introduced--**

**S.F. No. 2201:** A bill for an act relating to taxes; sales and use; exempting the purchase of construction materials used in construction or expansion of the Mayo civic center; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Frederickson and Johnson, D.E. introduced--**

**S.F. No. 2202:** A bill for an act relating to taxes; sales and use taxes; exempting materials used in constructing, maintaining, or improving a community center in the city of Redwood Falls; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Lessard; Metzen; Johnson, D.J.; Stevens and Fischbach introduced--**

**S.F. No. 2203:** A bill for an act relating to state government; creating the department of game and fish; transferring certain responsibilities of the commissioner of natural resources to the commissioner of game and fish; amending Minnesota Statutes 1998, section 15.01; proposing coding for new law in Minnesota Statutes, chapter 97A.

Referred to the Committee on Environment and Natural Resources.

**Senators Murphy, Ourada and Higgins introduced--**

**S.F. No. 2204:** A bill for an act relating to taxation; authorizing the commissioner of revenue to provide limited property tax relief to a public utility upon receiving certification by the public utilities commission that the utility qualifies for such relief; proposing coding for new law in Minnesota Statutes, chapters 216B; and 272.

Referred to the Committee on Local and Metropolitan Government.

**Senator Johnson, D.J. introduced--**

**S.F. No. 2205:** A bill for an act relating to state government; providing that the Minnesota Partnership for Action Against Tobacco is not a state agency; requiring a report.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Kelly, R.C. and Cohen introduced--**

**S.F. No. 2206:** A bill for an act relating to courts; authorizing use of the Revenue Recapture Act for collection of conciliation court judgments; amending Minnesota Statutes 1998, sections 270A.03, subdivision 2; 270A.04, subdivision 3; 270A.07, subdivisions 2 and 4; 270A.09, subdivision 1; 270A.10; and 270A.11; proposing coding for new law in Minnesota Statutes, chapter 491A.

Referred to the Committee on Judiciary.

**MEMBERS EXCUSED**

Senator Novak was excused from the Session of today from 8:30 to 9:35 a.m. Senator Anderson was excused from the Session of today from 8:30 to 9:35 a.m. and at 3:45 p.m. Senators Janezich and Johnson, D.J. were excused from the Session of today from 10:10 to 10:40 a.m. Senator Terwilliger was excused from the Session of today at 1:00 p.m. Senator Johnson, D.E. was excused from the Session of today at 3:15 p.m.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Monday, April 12, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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Friday, April 9, 1999

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