

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987.

FORTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 7, 1987

The House of Representatives convened at 11:00 a.m. and was called to order by Fred C. Norton, Speaker of the House.

Prayer was offered by the Reverend Gary Thompson, Sandstone Evangelical Free Church, Sandstone, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Greenfield	Lasley	Otis	Simoneau
Anderson, R.	Gruenes	Lieder	Ozment	Skoglund
Battaglia	Gutknecht	Long	Pappas	Solberg
Bauerly	Hartle	Marsh	Pauly	Sparby
Beard	Haukoos	McEachern	Pelowski	Stanius
Begich	Heap	McKasy	Peterson	Steensma
Bennett	Himle	McLaughlin	Poppenhagen	Sviggum
Bertram	Hugoson	McPherson	Price	Swenson
Bishop	Jacobs	Milbert	Quinn	Thiede
Blatz	Jaros	Miller	Quist	Tjornhom
Boo	Jefferson	Minne	Redalen	Tompkins
Brown	Jennings	Morrison	Reding	Trimble
Burger	Jensen	Munger	Rest	Tunheim
Carlson, D.	Johnson, A.	Murphy	Rice	Uphus
Carlson, L.	Johnson, R.	Nelson, C.	Richter	Valento
Carruthers	Johnson, V.	Nelson, D.	Riverness	Vanasek
Clark	Kahn	Nelson, K.	Rodosovich	Vellenga
Clausnitzer	Kalis	Neuenschwander	Rose	Voss
Cooper	Kelly	O'Connor	Rukavina	Wagenius
Dauner	Kelso	Ogren	Sarna	Waltman
DeBlieck	Kinkel	Olsen, S.	Schafer	Welle
Dempsey	Kludt	Olson, E.	Scheid	Wenzel
Dille	Knickerbocker	Olson, K.	Schoenfeld	Winter
Dorn	Knuth	Omann	Schreiber	Wynia
Forsythe	Kostohryz	Onnen	Seaberg	Spk. Norton
Frederick	Krueger	Orenstein	Segal	
Frerichs	Larsen	Osthoff	Shaver	

A quorum was present.

McDonald was excused until 12:20 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. Nos. 51, 321, 1012, 735, 971, 1272, 1041, 167, 577, 1048, 300, 607, 377, 449, 555, 175, 853, 973, 1331, 1044, 1057, 281, 1223, 232, 236 and 314 have been placed in the members' files.

S. F. No. 236 and H. F. No. 402, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Reding moved that S. F. No. 236 be substituted for H. F. No. 402 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 577 and H. F. No. 1393, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that S. F. No. 577 be substituted for H. F. No. 1393 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1041 and H. F. No. 999, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelso moved that S. F. No. 1041 be substituted for H. F. No. 999 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1048 and H. F. No. 1076 which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Greenfield moved that the rules be so far suspended that S. F. No. 1048 be substituted for H. F. No. 1076 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 300 and H. F. No. 246, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kelly moved that the rules be so far suspended that S. F. No. 300 be substituted for H. F. No. 246 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 607 and H. F. No. 1467, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bertram moved that the rules be so far suspended that S. F. No. 607 be substituted for H. F. No. 1467 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 555 and H. F. No. 585, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clark moved that the rules be so far suspended that S. F. No. 555 be substituted for H. F. No. 585 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 91, A bill for an act relating to public safety; pipelines and underground facilities; enacting the Minnesota pipeline safety act; requiring a routing permit to construct a new pipeline; creating the office of pipeline safety and providing for its powers and duties; authorizing rulemaking for purposes of delegation of federal authority; creating the pipeline safety advisory commission; regulating the operation of certain pipelines; requiring the adoption of pipeline setback ordinances; providing for notification of excavation in the area of underground facilities; providing for a pipeline inspection fee; establishing the pipeline safety fund; requiring a study; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 116I.02, subdivisions 2 and 3; 117.48; 117.49; 216B.16, by adding a subdivision; 299F.56, by adding a subdivision; 299F.57; 299F.58; 299F.60; 299F.61; 299F.62; 299F.63; and 299F.64; proposing coding for new law in Minnesota Statutes, chapter 116I;

proposing coding for new law as Minnesota Statutes, chapters 216C and 299J.

Reported the same back with the following amendments:

Page 9, after line 35, insert:

"Subd. 3. [COOPERATION WITH LOCAL GOVERNMENT.] In establishing operating procedures for the statewide notification center, the board of directors must work in cooperation with the league of Minnesota cities, the association of Minnesota counties, and the township officers' association. The purpose of this cooperation is to maximize the participation of local governmental units that issue permits for activities involving excavation to assure that excavators receive notice of and comply with the requirements of sections 7 to 13."

Page 9, line 36, delete "3" and insert "4"

Page 33, line 34, delete "(a)"

Page 34, delete lines 6 and 7

Page 34, delete lines 29 to 31 and insert:

"\$418,300 is appropriated from the general fund to the agencies indicated in this section for the purposes of this act, to be available for the fiscal year ending June 30 in the years indicated."

	<u>1988</u>	<u>1989</u>
<u>(a) State planning director</u>	<u>\$ 73,000</u>	<u>-0-</u>
<u>Any unencumbered balance remaining in the first year does not cancel and is available for the second year.</u>		
<u>(b) Commissioner of public safety</u>	<u>\$184,400</u>	<u>\$160,900</u>
<u>The approved complement of the department of public safety is increased by three positions."</u>		

Page 34, line 33, delete "3, and 4" and insert "and 3"

Page 34, line 35, before "7" insert "4,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 163, A bill for an act relating to children; regulating paternity determinations; requiring obligee to use available prepaid health plan; regulating support and maintenance obligations; providing for withholding of support; amending Minnesota Statutes 1986, sections 144.219; 256B.37, by adding a subdivision; 257.34, subdivision 1; 257.57, subdivision 2; 257.60; 257.62; by adding a subdivision; 257.63, subdivision 2; 510.07; 518.171, subdivision 1; 518.24; 518.551, subdivision 1; 518.611, subdivisions 1, 2, 3, 4, 6, and 8; proposing coding for new law in Minnesota Statutes, chapter 518; repealing Minnesota Statutes 1986, section 257.34, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 28, insert:

"Sec. 2. [256.979] [CHILD SUPPORT INCENTIVES.]

Subdivision 1. [INCENTIVE AWARD ACCOUNT.] The state share of AFDC child support collections received by the commissioner of human services during fiscal year 1988 in excess of \$13,280,000 must be deposited in an incentive award account for nonpublic assistance collections. In succeeding years the commissioner shall deposit in the account the state share of collections that exceed the sum of the prior year's state share and that year's deposits in the incentive award account.

Subd. 2. [RATIO DETERMINATION.] Using information reported to the commissioner of human services under Title IV-D of the Social Security Act by county agencies responsible for child support enforcement, the commissioner shall determine the cost-benefit ratio for each county on a quarterly basis. The commissioner shall determine the ratio by dividing each county's nonpublic assistance collections by the county child support agency costs. For purposes of this section, collections made on behalf of another county agency in Minnesota shall be identified and counted only by the county agency making the collection.

Subd. 3. [PERCENTAGE DETERMINATION.] The commissioner shall use the following table to determine the percentage for each county that corresponds to the ratio determined in subdivision 2. The commissioner shall multiply each county agency's quarterly nonpublic assistance collections by the applicable percentage to determine the county agency's nonpublic assistance dollar amount for purposes of this subdivision.

<u>Ratio*</u>	<u>Percent</u>
<u>.1 or less</u>	<u>3.0</u>
<u>.2</u>	<u>3.5</u>
<u>.4</u>	<u>4.0</u>
<u>.6</u>	<u>4.5</u>
<u>.8</u>	<u>5.0</u>
<u>1.0</u>	<u>5.5</u>
<u>1.2</u>	<u>6.0</u>
<u>1.4</u>	<u>6.5</u>
<u>1.6</u>	<u>7.0</u>
<u>1.8</u>	<u>7.5</u>
<u>2.0</u>	<u>8.0</u>
<u>2.2</u>	<u>8.5</u>
<u>2.4</u>	<u>9.0</u>
<u>2.6</u>	<u>9.5</u>
<u>2.8 or more</u>	<u>10.0</u>

*A county ratio that falls between two listed ratios must be rounded up to the next listed ratio.

Subd. 4. [DISTRIBUTION FORMULA.] (a) The commissioner shall determine each county child support enforcement agency's share of the state's quarterly incentive award for nonpublic assistance collections according to the formula in paragraph (b). County agencies that do not submit the required report to the commissioner within 30 days after the end of the quarter shall not receive an incentive award under this section and are excluded for purposes of the formula in this subdivision. Within 45 days after the end of the quarter, the commissioner shall inform each county agency of the determinations and pay the determined amount to the county agency. Incentive payments under this section must begin with the quarter ending September 30, 1988.

(b) To determine the county agency's quarterly incentive award, the commissioner shall:

(1) add all county agency quarterly nonpublic assistance dollar amounts as determined in subdivision 2;

(2) divide the state's quarterly nonpublic assistance incentive award by the total obtained in clause (1); and

(3) multiply the quotient obtained in clause (2) by each county agency's quarterly nonpublic assistance dollar amount as determined under subdivision 2."

Page 5, line 1, after "tests" insert a comma

Page 5, line 4, after "court" insert a comma

Page 5, line 6, after "it" insert a comma

Page 5, line 35, after "hands" insert a comma

Page 6, line 31, after "child" insert a comma

Page 6, line 33, after "child" insert a comma

Page 7, after line 31, insert:

"Sec. 13. Minnesota Statutes 1986, section 518.551, is amended by adding a subdivision to read:

Subd. 10. [ADMINISTRATIVE PROCESS CHILD SUPPORT PILOT PROJECT.] A pilot project is established to obtain, modify, and enforce child and medical support orders and maintenance through administrative process, to evaluate the efficiency of the administrative process. The pilot project shall begin on July 1, 1988, and end on June 30, 1989.

Except for child and medical support orders and maintenance obtained in conjunction with marriage dissolutions and actions to establish parentage, all proceedings for obtaining, modifying, or enforcing child and medical support orders and maintenance required to be conducted in Dakota county in which Dakota county human services is a party or represents a party to the action from July 1, 1988, to June 30, 1989, must be conducted by an administrative law judge from the office of administrative hearings. For the purpose of this pilot project, all powers, duties, and responsibilities conferred on judges of the county or district court to obtain, modify, and enforce child and medical support and maintenance, except for powers of contempt, are conferred on the administrative law judge conducting the proceedings.

During fiscal year 1988, the chief administrative law judge, the commissioner of human services, the director of Dakota county human services, the Dakota county attorney, and the clerk of the Dakota county court shall jointly establish procedures for the implementation of this pilot project.

A nonattorney employee of Dakota county human services, acting at the direction of the county attorney, may prepare, sign, serve, and file motions for obtaining, modifying, or enforcing child and medical support orders and maintenance and related documents, appear at prehearing conferences, and participate in proceedings before an

administrative law judge. This activity shall not be considered to be the unauthorized practice of law.

For the purpose of this pilot project, the hearings shall be conducted pursuant to the conference contested case rules adopted by the chief administrative law judge. Decisions issued by the administrative law judge shall be appealable directly to the court of appeals.

Page 8, line 2, strike the comma

Page 8, line 19, reinstate the first "The" and strike the third "the"

Page 9, line 33, delete "(c)" and reinstate the stricken "(b)"

Page 11, line 18, strike "a"

Page 12, line 1, delete "21" and insert "26"

Page 12, line 19, after "obligee" insert "by the 15th day of the month following their receipt by the public agency"

Page 12, line 27, after "Counties" insert "which"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 11, after the first "1" insert ",", and by adding a subdivision"

Page 1, line 13, delete "chapter" and insert "chapters 256 and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 601, A bill for an act relating to natural resources; providing that money recovered by the state for forest fire fighting expenses be restored to the fund of origination; increasing the amount that may be paid for tips related to forest fire crimes;

amending Minnesota Statutes 1986, section 88.75, subdivision 1; and 88.76.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

“Section 1. Minnesota Statutes 1986, section 88.17, subdivision 2, is amended to read:

Subd. 2. In any prosecution under sections 88.03 to 88.22 for unlawfully starting or setting or having or permitting the continuation or spread of any fire or backfire, proof upon the part of the prosecution that such fire or backfire originated upon, or was permitted to burn upon, or that it spread from, lands or premises occupied by the person charged with the offense, and that this person had knowledge of the fire and made no effort to put it out, shall be prima facie evidence of guilt. ~~The burden of proof as to any matter in refutation of this prima facie guilt, or in extenuation or excuse, shall be and rest upon the person so appearing prima facie to be guilty.~~”

Page 1, line 10, delete “Section 1” and insert “Sec. 2”

Page 2, line 6, strike “person”

Page 2, line 7, after “setting” insert “of” and strike “guilty” and insert “evidence”

Page 2, line 23, delete “2” and insert “3”

Page 2, line 29, delete “\$1,000” and insert “\$100”

Page 2, delete section 3

Amend the title as follows:

Page 1, line 6, before the semicolon insert “; clarifying provisions relating to the burden of proof and evidence of negligence”

Page 1, line 7, delete “section” and insert “sections 88.17, subdivision 2,”

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 834, A bill for an act relating to natural resources; providing for the deposit of receipts from private forest management services into the forest management fund; appropriating money; amending Minnesota Statutes 1986, sections 88.79, subdivision 2; and 89.04.

Reported the same back with the following amendments:

Page 2, delete section 3

Renumber the remaining section

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 866, A bill for an act relating to public safety; establishing the "McGruff" symbol as the sign for a safe house for children; creating a safe house program; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 995, A bill for an act relating to human services; clarifying chemical dependency consolidated fund administration procedures; amending Minnesota Statutes 1986, sections 246.51; 246.511; 254B.01, subdivision 5; 254B.02, subdivisions 1, 2, 3, and 5; 254B.03, subdivisions 1, 2, 3, 4, and 5; 254B.04; 254B.05; 254B.06,

subdivision 1; 254B.08; and 254B.09, subdivisions 3, 5, and 7; repealing Minnesota Statutes 1986, section 256.968.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 1181, A bill for an act relating to natural resources; waiving indirect cost billings to the federal government and other states and provinces in certain circumstances; amending Minnesota Statutes 1986, section 16A.127, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 1450, A bill for an act relating to workers' compensation; requiring security of self-insurers; regulating special compensation fund assessments and liability; creating a self-insurer insolvency fund; authorizing certain inspections; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 176.041, subdivision 4; 176.129, subdivisions 9, 11, and 13; 176.131, subdivisions 1 and 8; 176.132, subdivision 1; 176.181, subdivision 3; 176.182; 176.183, subdivisions 1a and 2; 176.185, by adding a subdivision; 176.225, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 60A and 176.

Reported the same back with the following amendments:

Page 1, line 25, delete "certified by an actuary member of the"

Page 1, line 26, delete "casualty actuarial society"

Page 1, line 29, after "years" insert ". The total outstanding workers' compensation liability incurred must be certified by an actuary who is a member of the casualty actuarial society one year after the date of authority to self-insure and every fourth year thereafter unless requested more frequently by the commissioner of commerce. Self-insurers authorized to self-insure on the effective date of this section must provide this actuarial certification of

outstanding liabilities by July 1, 1988, or upon the anniversary of their authority to self-insure, whichever comes first,

Page 2, line 17, after the first "of" insert "(amount in writing)"

Page 2, line 27, delete ", including their" and insert a period

Page 2, delete line 28

Page 3, line 8, delete "paragraph" and insert "paragraphs (b) and"

Page 3, line 9, delete "for any bond year"

Page 3, line 10, delete "face" and insert "penal"

Page 3, line 15, after the second "employee" insert "which occurred during the period this bond remains in force"

Page 3, line 18, delete "ten-days" and insert "20 days"

Page 3, line 25, delete "provided in paragraph (e)" and insert "herein provided, however, the penal amount of the bond shall be revised each year to comply with all statutory requirements and rules"

Page 3, line 26, delete "is in effect, the bond penalty shall" and insert "remains in force or the number of annual premiums paid or payable, the total liability of the surety hereunder shall not exceed the penal amount of the bond."

Page 3, delete line 27

Page 4, line 13, delete "(a)"

Page 4, delete lines 22 to 28

Pages 8 and 9, delete section 8

Page 15, delete section 14

Page 16, delete section 16

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "appropriating money;"

Page 1, line 9, delete "176.132, subdivision 1;"

Page 1, line 11, delete "176.185, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

S. F. No. 121, A bill for an act relating to traffic regulations; clarifying that a child under four is not required to use a seat belt; imposing penalty for failure to wear seat belt; amending Minnesota Statutes 1986, section 169.686, subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes 1986, section 169.686, is amended by adding a subdivision to read:

Subd. 3. [APPROPRIATION; SPECIAL ACCOUNT.] One-half of the fines collected for a violation of subdivision 1 must be deposited in the state treasury and credited to a special account to be known as the emergency medical services relief account, provided that the total amount of fines deposited in the account may not exceed \$750,000 per year. The remaining fines must be distributed as provided in statute. Money in the account shall be distributed to the eight regional emergency medical services systems designated by the commissioner under section 144.8093, for personnel education and training, equipment and vehicle purchases, and operational expenses of emergency life support transportation services. The board of directors of each emergency medical services region shall establish criteria for funding.

Sec. 3. [APPROPRIATION.]

\$750,000 is appropriated from the emergency medical services relief account for the fiscal year ending June 30, 1988, and \$750,000 for the fiscal year ending June 30, 1989, to the commissioner of health for equal distribution to the eight regional emergency medical service systems designated by the commissioner under section 144.8093."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "creating an emergency medical services relief account; appropriating money;"

Page 1, line 6, before the period, insert “, and by adding a subdivision”

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 91, 163, 601, 834, 866, 995, 1181 and 1450 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 236, 577, 1041, 1048, 300, 607, 555 and 121 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Jefferson; Trimble; Pappas; Nelson, K., and Rose introduced:

H. F. No. 1649, A bill for an act relating to hazardous substances; authorizing loans to municipalities for removal of hazardous substances to facilitate economic development; appropriating money; amending Minnesota Statutes 1986, section 273.73, subdivision 7; 273.75, subdivisions 1 and 5; proposing coding for new law in Minnesota Statutes, chapter 116M.

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

Rukavina, Minne, Battaglia and Dille introduced:

H. F. No. 1650, A bill for an act relating to local government; fixing the terms of mayors of statutory cities; amending Minnesota Statutes 1986, sections 412.02, subdivision 1; and 412.023, subdivision 4; repealing Minnesota Statutes 1986, section 412.022, subdivision 1.

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

Jennings; Brown; Carlson, D., and Kinkel introduced:

H. F. No. 1651, A bill for an act relating to liquor; increasing the sales tax upon intoxicating liquor; dedicating a portion of the revenue to chemical dependency treatment and alcohol victims compensation; amending Minnesota Statutes 1986, sections 297A.02, subdivision 3; 297A.44, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, sections 254B.03, subdivision 3; 254B.04, subdivision 2; 340A.409; 340A.801; and 340A.802.

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

Segal introduced:

H. F. No. 1652, A bill for an act relating to human services; requiring a study on the feasibility of a mental health training institute.

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

Segal introduced:

H. F. No. 1653, A bill for an act relating to human services; requiring a study of mental health services for children.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 489, A bill for an act relating to local government; authorizing annexation proceedings for certain land between the city of Nashwauk and the town of Nashwauk.

H. F. No. 1031, A bill for an act relating to liens; labor and material; regulating the attachment of these liens; providing that

visible staking of the premises does not constitute the actual and visible beginning of the improvement; amending Minnesota Statutes 1986, section 514.05.

H. F. No. 1629, A bill for an act relating to the county of Anoka; exempting an allocation of issuance authority for a solid waste project from the notice of issue filing deadline.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 466, A bill for an act relating to commerce; clarifying unregulated sales of eyeglasses; amending Minnesota Statutes 1986, section 148.56, subdivision 3.

H. F. No. 656, A bill for an act relating to public safety; regulating high pressure piping and pipefitters; providing penalties; amending Minnesota Statutes 1986, sections 326.461, subdivision 2; 326.47, subdivision 3; 326.48, subdivision 1; 326.50; 326.51; proposing coding for new law in Minnesota Statutes, chapter 326.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 340, A bill for an act relating to natural resources; allowing elk to be bred on game and fur farms; amending Minnesota Statutes 1986, section 97A.105, subdivision 1.

H. F. No. 630, A bill for an act relating to health; allowing health maintenance organizations to adjust premiums based on actual health services utilization; amending Minnesota Statutes 1986, sections 62D.04, subdivision 1; 62D.08, subdivision 3; and 62D.10, by adding a subdivision.

H. F. No. 1263, A bill for an act relating to the administration of state property; extending the period for which the commissioner of administration may lease state property; amending Minnesota Statutes 1986, section 16B.24, subdivision 5.

H. F. No. 923, A bill for an act relating to human services; regulating budgets and procedures of human services boards; amending Minnesota Statutes 1986, sections 402.02, subdivision 2; 402.05, subdivision 1a; and 402.062, subdivisions 1 and 2; repealing Minnesota Statutes 1986, section 402.095.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 142, A bill for an act relating to drivers' licenses; permitting limited license for homemaker; amending Minnesota Statutes 1986, section 171.30, subdivision 1.

H. F. No. 580, A bill for an act relating to human rights; changing certain requirements relating to disabled persons; amending Minnesota Statutes 1986, sections 363.02, subdivisions 1 and 5; 363.03, subdivision 1; and 363.116.

H. F. No. 1024, A bill for an act relating to human rights; regulating access to public accommodation by certain persons and guide dogs; amending Minnesota Statutes 1986, sections 256C.02; and 363.03, subdivision 10.

H. F. No. 1230, A bill for an act relating to insurance; clarifying the authority of school districts to self-insure for property and casualty coverage; amending Minnesota Statutes 1986, section 471.98, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 170, A bill for an act relating to firearms; allowing ammunition manufacturers to possess machine guns for ammunition testing purposes; permitting certain licensed dealers and manufacturers to own or possess machine guns and short-barreled shotguns for certain purposes; amending Minnesota Statutes 1986, section 609.67, subdivisions 3 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 318, A bill for an act relating to crimes; creating the crime of criminal sexual conduct by impersonating a health care professional; amending Minnesota Statutes 1986, sections 609.344, subdivision 1; and 609.345, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 854, A bill for an act relating to judgments; clarifying the procedure and cost for filing foreign judgments; clarifying the procedure to be used in securing a judgment and execution; amending Minnesota Statutes 1986, sections 548.27; 548.30; 549.09; and 550.04.

The Senate has appointed as such committee:

Messrs. Frederickson, D. R.; Cohen and Jude.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 674, A bill for an act relating to crimes; dictating circumstances in which the court may stay execution of sentence following conviction for a second or subsequent offense relating to criminal sexual conduct; providing that information regarding a sexual assault victim is private; amending Minnesota Statutes 1986, sections 609.346, subdivisions 2 and 3; and 611A.06.

The Senate has appointed as such committee:

Mses. Berglin and Peterson, D. C., and Mr. Knaak.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 243, A bill for an act relating to the organization and operation of state government; appropriating money for human services, corrections, health, economic security, and other purposes with certain conditions; amending Minnesota Statutes 1986, sections 15A.081, subdivision 1; 86.33, subdivisions 2 and 3; 136C.06; 144.55, subdivision 6; 144.68; 144.69; 144A.05; 144A.071, subdivision 3; 144A.27; 144A.33, subdivision 3; 171.29, subdivision 2; 245.713, subdivision 2; 246.50, subdivisions 3, 4a, 5, 7, and by adding a subdivision; 246.51; 246.511; 251.011, subdivision 6; 252.275, subdivisions 1, 2, 4, and 7; 256.01, subdivisions 2 and 4; 256.045, subdivision 3; 256.73, by adding a subdivision; 256.736, subdivisions 3, 4, 6, and by adding subdivisions; 256.74, subdivision 1; 256.969, subdivision 2; 256.98; 256B.02, subdivision 8, and by adding a subdivision; 256B.03, subdivision 1; 256B.04, subdivisions 14 and 15; 256B.06, subdivision 1, and by adding a subdivision; 256B.064, subdivision 1a; 256B.15; 256B.17, subdivisions 4 and 5; 256B.19, subdivision 1; 256B.35, subdivisions 1 and 2; 256B.421, subdivision 1; 256B.431, subdivisions 2b, 2e, 3a, 4, and by adding subdivisions; 256B.433; 256B.47, subdivision 1, and by adding subdivisions; 256B.48, subdivisions 1 and 6; 256B.50, subdivision 2; 256B.69, subdivisions 6, 11, and by adding subdivisions; 256C.26; 256D.01, subdivision 1a; 256D.02, subdivisions 5 and 8; 256D.03, subdivisions 3, 4, and by adding a subdivision; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 6, and by adding a subdivision; 256D.06, subdivisions 1, 1b, 2, 3, and 6; 256D.08, subdivision 1; 256D.101; 256D.15; 256D.22; 256D.37, subdivision 1; 256E.03, subdivision 2; 256E.06, by adding a subdivision; 256E.07, by adding a subdivision; 256E.12, subdivision 3; 257.35; 257.351, subdivision 15, and by adding subdivisions; 257.354, subdivision 4, and by adding a subdivision; 268.0111, subdivision 8; 268.0122, subdivisions 2 and 3; 268.36; 268.37, subdivision 3; 268.673, subdivision 5, and by adding a subdivision; 268.6751; 268.676; 268.677, subdivision 1; 268.678, subdivisions 1 and 4; 268.681, subdivision 2, and by adding a subdivision; 268.85, subdivision 2; 268.86, subdivisions 1, 2, and 4; 268.871, subdivisions 1, 2, and by adding a subdivision; 268.88; 268.89, subdivision 2; 268.91, subdivisions 1, 2, 3, 4, 5, 6, 7, and by adding subdivisions;

268.911, subdivision 1; 393.07, subdivision 10; 517.08, subdivision 1a; 524.3-1201; proposing coding for new law in Minnesota Statutes, chapters 62D; 144; 144A; 245; 246; 256; 256B; 256D; 256E; 257; and 268; repealing Minnesota Statutes 1986, sections 116J.035, subdivision 3; 116L.04, subdivision 3; 136.63, subdivision 1b; 144.66; 144.67; 178.03, subdivision 5; 245.69, subdivision 1a; 245.713, subdivisions 1 and 3; 245.73; 245.74; 245.76; 256.966, subdivision 2; 256B.05, subdivision 4; 256B.07; 256D.051, subdivisions 4, 5, 11, and 12; 256E.12; 267.01; 267.02; 267.03; 267.04; 267.05; 267.06; and 268.0111, subdivision 3.

The Senate has appointed as such committee:

Messrs. Samuelson and Spear, Mrs. Lantry, Mr. Knutson and Ms. Berglin.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1507, A bill for an act relating to water; prohibiting the commissioner of natural resources from issuing certain permits or approving certain plans for diversion of water from certain water basins before consultation with state and Canadian officials; amending Minnesota Statutes 1986, sections 105.37, by adding subdivisions; 105.405, subdivision 2, and by adding subdivisions; and 105.44, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Munger moved that the House concur in the Senate amendments to H. F. No. 1507 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1507, A bill for an act relating to water; prohibiting the commissioner of natural resources from issuing certain permits or approving certain plans for diversion of water from certain water basins before consultation with state and Canadian officials; amending Minnesota Statutes 1986, sections 105.37, by adding subdivisions; 105.405, subdivision 2, and by adding subdivisions; and 105.44, subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	Long	Ozment	Solberg
Anderson, R.	Gutknecht	Marsh	Pappas	Sparby
Battaglia	Hartle	McEachern	Pauly	Stanius
Bauerly	Haukoos	McKasy	Pelowski	Steensma
Beard	Heap	McLaughlin	Peterson	Sviggum
Begich	Hugoson	McPherson	Poppenhagen	Swenson
Bennett	Jacobs	Milbert	Price	Thiede
Bertram	Jaros	Miller	Quinn	Tjornhom
Bishop	Jefferson	Minne	Quist	Tompkins
Blatz	Jensen	Morrison	Redalen	Trimble
Brown	Johnson, A.	Munger	Rest	Tunheim
Burger	Johnson, R.	Murphy	Rice	Uphus
Carlson, D.	Johnson, V.	Nelson, C.	Richter	Valento
Carlson, L.	Kahn	Nelson, D.	Riveness	Vanasek
Carruthers	Kalis	Nelson, K.	Rodosovich	Vellenga
Clark	Kelly	Neuenschwander	Rose	Voss
Clausnitzer	Kelso	O'Connor	Rukavina	Wagenius
Cooper	Kinkel	Ogren	Sarna	Waltman
Dauner	Kludt	Olsen, S.	Schafer	Welle
DeBlicek	Knickerbocker	Olson, E.	Scheid	Wenzel
Dempsey	Knuth	Olson, K.	Schoenfeld	Winter
Dille	Kostohryz	Omann	Schreiber	Wynia
Dorn	Krueger	Onnen	Seaberg	Spk. Norton
Forsythe	Larsen	Orenstein	Segal	
Frederick	Lasley	Osthoff	Simoneau	
Frerichs	Lieder	Otis	Skoglund	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1376, A bill for an act relating to state lands; directing sale and conveyance of certain state-owned lands to the city of Owatonna.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hartle moved that the House concur in the Senate amendments to H. F. No. 1376 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1376, A bill for an act relating to state lands; directing sale and conveyance of certain state-owned lands to the city of Owatonna.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lieder	Ozment	Skoglund
Anderson, R.	Gruenes	Long	Pappas	Solberg
Battaglia	Gutknecht	Marsh	Pauly	Sparby
Bauerly	Hartle	McEachern	Pelowski	Stanius
Beard	Haukoos	McKasy	Peterson	Steensma
Begich	Heap	McLaughlin	Poppenhagen	Swiggum
Bennett	Himle	McPherson	Price	Swenson
Bertram	Hugoson	Milbert	Quinn	Thiede
Bishop	Jacobs	Miller	Quist	Tjornhom
Blatz	Jaros	Minne	Redalen	Tompkins
Boo	Jefferson	Morrison	Reding	Trimble
Brown	Jensen	Munger	Rest	Tunheim
Burger	Johnson, A.	Murphy	Rice	Uphus
Carlson, D.	Johnson, R.	Nelson, C.	Richter	Valento
Carlson, L.	Johnson, V.	Nelson, D.	Riveness	Vanasek
Carruthers	Kahn	Nelson, K.	Rodosovich	Vellenga
Clark	Kalis	Neuenschwander	Rose	Voss
Clausnitzer	Kelly	O'Connor	Rukavina	Wagenius
Cooper	Kelso	Ogren	Sarna	Waltman
Dauner	Kinkel	Olsen, S.	Schafer	Welle
DeBlick	Kludt	Olson, E.	Scheid	Wenzel
Dempsey	Knickerbocker	Olson, K.	Schoenfeld	Winter
Dille	Knuth	Omann	Schreiber	Wynia
Dorn	Kostohryz	Onnen	Seaberg	Spk. Norton
Forsythe	Krueger	Orenstein	Segal	
Frederick	Larsen	Osthoff	Shaver	
Frerichs	Lasley	Otis	Simoneau	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 353:

S. F. No. 353, A bill for an act relating to metropolitan water management; authorizing metropolitan counties to adopt ground water plans; relating to notice procedures in certain counties; amending Minnesota Statutes 1986, sections 112.53, subdivision 2; 473.875; 473.876, by adding subdivisions; 473.878, subdivisions 3, 5, 6, 7, and 9; proposing coding for new law in Minnesota Statutes, chapter 473.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Jude and Merriam and Ms. Olson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Nelson, D., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 353. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1152:

S. F. No. 1152, A bill for an act relating to alcoholic beverages; limiting imports by individuals; maximum volume for volume prices; purchases by delinquent licensees; restricting employment of minors in nonintoxicating liquor premises; providing for inspections; amending Minnesota Statutes 1986, sections 297C.09; 340A.302, subdivision 1; 340A.312, subdivision 2; 340A.318, subdivisions 1 and 3; and 340A.411, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Solon, Spear and Anderson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jacobs moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1152. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1114:

S. F. No. 1114, A bill for an act relating to liquor; limitations on rules of the commissioner of public safety; items which may be sold in exclusive liquor stores; regulating sales of fermented malt beverages; amending Minnesota Statutes 1986, sections 299A.02, subdivision 3; and 340A.101, subdivision 10; repealing Minnesota Statutes 1986, sections 34.119; 34.12; 34.13; and 34.14.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Solon, Spear and Anderson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jacobs moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1114. The motion prevailed.

Jefferson was excused between the hours of 11:30 a.m. and 12:00 noon.

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration Senate File No. 1044:

S. F. No. 1044, A bill for an act relating to education; providing for combined seniority list of certain teachers in districts entering into agreements for secondary education unless otherwise negotiated; amending Minnesota Statutes 1986, sections 122.535, subdivision 2; and 122.541, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Larsen moved that the House accede to the request of the Senate and that S. F. No. 1044 be recalled from the Committee on Education and be returned to the Senate for further consideration.

A roll call was requested and properly seconded.

The question was taken on the Larsen motion and the roll was called. There were 63 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Battaglia	Johnson, A.	Long	Quinn	Steensma
Bauerly	Johnson, R.	McLaughlin	Reding	Swenson
Beard	Kahn	Milbert	Rest	Tompkins
Begich	Kelly	Minne	Rice	Trimble
Carlson, L.	Kelso	Murphy	Riveness	Tunheim
Carruthers	Kinkel	Nelson, C.	Rodosovich	Vanasek
Clark	Kludd	Nelson, D.	Rukavina	Voss
Cooper	Knuth	Osthoff	Scheid	Welle
Dauner	Kostohryz	Otis	Segal	Wenzel
Dorn	Krueger	Pappas	Simoneau	Winter
Greenfield	Larsen	Pelowski	Skoglund	Spk. Norton
Jacobs	Lasley	Peterson	Solberg	
Jaros	Lieder	Price	Sparby	

Those who voted in the negative were:

Anderson, R.	Frerichs	McKasy	Orenstein	Shaver
Bennett	Gruenes	McPherson	Ozment	Stanius
Bertram	Gutknecht	Miller	Pauly	Sviggum
Bishop	Hartle	Morrison	Poppenhagen	Thiede
Blatz	Haukoos	Nelson, K.	Quist	Tjornhom
Boo	Heap	Neuenschwander	Redalen	Uphus
Burger	Himle	O'Connor	Richter	Valento
Carlson, D.	Hugoson	Ogren	Rose	Vellenga
Clausnitzer	Jensen	Olsen, S.	Sarna	Waltman
DeBlicke	Johnson, V.	Olson, E.	Schafer	
Dempsey	Knickerbocker	Olson, K.	Schoenfeld	
Forsythe	Marsh	Omann	Schreiber	
Frederick	McEachern	Onnen	Seaberg	

The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 153, 1232, 641, 776, 1099 and 90.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 153, A bill for an act relating to consumer protection; requiring cash refunds for goods returned on certain retail sales; providing enforcement; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time.

Lasley moved that S. F. No. 153 and H. F. No. 65, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1232, A bill for an act relating to public safety; providing an exception from certain regulations for steam turbines which receive steam from remote municipal facilities; amending Minnesota Statutes 1986, section 183.56.

The bill was read for the first time.

Jaros moved that S. F. No. 1232 and H. F. No. 1343, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 641, A bill for an act relating to workers' compensation; excluding certain persons from coverage; regulating insurance premium computations for certain public employees; amending Minnesota Statutes 1986, sections 79.211, by adding a subdivision; and 176.041, subdivision 1.

The bill was read for the first time.

Murphy moved that S. F. No. 641 and H. F. No. 774, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 776, A bill for an act relating to natural resources; creating the state board of water and soil resources and providing for its administration and powers and duties; abolishing the state soil and water conservation board and the water resources board; amending the duties of the environmental quality board; appropriating money; amending Minnesota Statutes 1986, sections 40.01, subdivision 4; 40.03, subdivision 4; 40.035, subdivision 2; 40.21, subdivisions 1 and 3; 40.43, subdivision 1; 105.73; 110B.02, subdivision 2; 112.35, subdivision 4; 116C.03, subdivision 2; 473.876, by adding a subdivision; 473.877, subdivision 2; 473.8771, subdivisions 1 and 2; and 473.878, subdivisions 7 and 8; proposing coding for new law in Minnesota Statutes, chapter 110B; repealing Minnesota Statutes 1986, sections 40.03, subdivisions 1, 1a, 2, and 3; 105.71; 116C.40, subdivision 3; and 116C.41, subdivision 2.

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

S. F. No. 1099, A bill for an act relating to natural resources; waiving indirect cost billings to the federal government and other states and provinces in certain circumstances; amending Minnesota Statutes 1986, section 16A.127, by adding a subdivision.

The bill was read for the first time.

Solberg moved that S. F. No. 1099 and H. F. No. 1181, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 90, A bill for an act relating to public safety; pipelines and underground facilities; requiring a routing permit to construct a new pipeline; creating the office of pipeline safety and providing for its powers and duties; authorizing rulemaking for purposes of delegation of federal authority; creating the pipeline safety advisory commission; regulating the operation of certain pipelines; requiring the adoption of pipeline setback ordinances; providing for notification of excavation in the area of underground facilities; providing for a pipeline inspection fee; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 116I.02, subdivisions 2 and 3; 216B.16, by adding a subdivision; 299F.56, by adding a subdivision; 299F.57; 299F.58; 299F.60; 299F.61; 299F.62; 299F.63; and 299F.64; proposing coding for new law in Minnesota Statutes, chapter 116I; proposing coding for new law as Minnesota Statutes, chapters 216C and 299J.

The bill was read for the first time.

Knuth moved that S. F. No. 90 and H. F. No. 91, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1114:

Jacobs, Osthoff and Bennett.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1152:

Jacobs, Ogren and Bennett.

SPECIAL ORDERS

S. F. No. 785 was reported to the House.

Segal moved to amend S. F. No. 785; as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 609.26, subdivision 2, is amended to read:

Subd. 2. [DEFENSES.] No person violates subdivision 1 if the action:

(1) is taken to protect the child from physical or sexual assault or substantial emotional harm;

(2) is taken to protect the person taking the action from physical or sexual assault;

(3) is consented to by the parent, stepparent, or legal custodian seeking prosecution; or

(4) is otherwise authorized by a court order issued prior to the violation of subdivision 1.

The defenses provided in this subdivision are in addition to and do not limit other defenses available under this chapter or chapter 611.

Consent to custody or specific visitation under clause (3) must not be construed to be consent to failing to return or concealing a minor child.

Sec. 2. Minnesota Statutes 1986, section 609.26, subdivision 5, is amended to read:

Subd. 5. [DISMISSAL OF CHARGE.] A felony charge brought under this section shall be dismissed if:

(a) the person voluntarily returns the child within 14 days after taking, detaining, or failing to return the child in violation of this section; or

(b)(1) the person taking the action and the child have not left the state of Minnesota; and (2) within a period of 14 days after taking the action, (i) a motion or proceeding under chapter 518, 518A, 518B, or 518C is commenced by the person taking the action, or (ii) the attorney representing the person taking the action has consented to service of process by the party whose rights are being deprived, for any motion or action pursuant to chapter 518, 518A, 518B, or 518C.

Clause (a) does not apply if the person returns the child as a result of being located by law enforcement authorities. This subdivision does not prohibit the filing of felony charges or an offense report before the expiration of the 14 days.

Sec. 3. Minnesota Statutes 1986, section 609.26, subdivision 6, is amended to read:

Subd. 6. [PENALTY.] Except as otherwise provided in subdivision 5, whoever violates this section is guilty of a felony and may be sentenced to imprisonment for not more than one year and one day or to payment of a fine of not more than \$3,000, or both."

Delete the title and insert:

"A bill for an act relating to crimes; authorizing filing of felony charges before the 14-day requirement when the crime charged is depriving another of parental rights; amending Minnesota Statutes 1986, section 609.26, subdivisions 2, 5, and 6."

The motion prevailed and the amendment was adopted.

S. F. No. 785, A bill for an act relating to crimes; eliminating consent defense to charge of depriving another of parental rights; allowing filing of felony charges before 14 days have elapsed; increasing penalty for depriving another of parental rights; amending Minnesota Statutes 1986, section 609.26, subdivisions 2, 5, and 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Knickerbocker	O'Connor	Riveness
Anderson, R.	Frederick	Knuth	Ogren	Rodosovich
Battaglia	Frerichs	Kostohryz	Olsen, S.	Rose
Bauerly	Greenfield	Krueger	Olson, E.	Rukavina
Beard	Gruenes	Larsen	Olson, K.	Sarna
Begich	Gutknecht	Lasley	Omman	Schafer
Bennett	Hartle	Lieder	Onnen	Scheid
Bertram	Haukoos	Long	Orenstein	Schoenfeld
Bishop	Heap	Marsh	Osthoff	Schreiber
Blatz	Himle	McEachern	Otis	Seaberg
Brown	Hugoson	McKasy	Pappas	Segal
Burger	Jacobs	McLaughlin	Pauly	Shaver
Carlson, D.	Jaros	McPherson	Pelowski	Simoneau
Carlson, L.	Jensen	Milbert	Peterson	Skoglund
Carruthers	Johnson, A.	Miller	Poppenhagen	Solberg
Clark	Johnson, R.	Minne	Price	Stanius
Clausnitzer	Johnson, V.	Morrison	Quinn	Steenasma
Cooper	Kahn	Munger	Quist	Svigum
Dauner	Kalis	Murphy	Redalen	Swenson
DeBlicck	Kelly	Nelson, C.	Reding	Thiede
Dempsey	Kelso	Nelson, D.	Rest	Tjornhom
Dille	Kinkel	Nelson, K.	Rice	Tompkins
Dorn	Kludt	Neuenschwander	Richter	Trimble

Tunheim
Uphus
Valento

Vanasek
Vellenga
Voss

Wagenius
Waltman
Welle

Wenzel
Winter
Wynia

Spk. Norton

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

S. F. No. 1308 was reported to the House.

Rose moved to amend S. F. No. 1308, as follows:

Page 1, line 13, after "ten" insert "local"

The motion prevailed and the amendment was adopted.

S. F. No. 1308, A bill for an act relating to game and fish; designation and use of waterfowl feeding or resting areas; amending Minnesota Statutes 1986, section 97A.095, subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Marsh	Pappas	Simoneau
Anderson, R.	Gruenes	McEachern	Pauly	Skoglund
Battaglia	Gutknecht	McKasy	Pelowski	Solberg
Bauerly	Hartle	McLaughlin	Peterson	Sparby
Beard	Haukoos	McPherson	Poppenhagen	Stanius
Begich	Heap	Milbert	Price	Steensma
Bennett	Himle	Miller	Quinn	Sviggum
Bertram	Hugoson	Minne	Quist	Swenson
Bishop	Jacobs	Morrison	Redalen	Thiede
Blatz	Jensen	Munger	Reding	Tjornhom
Brown	Johnson, A.	Murphy	Rest	Tompkins
Burger	Johnson, R.	Nelson, C.	Rice	Trimble
Carlson, D.	Johnson, V.	Nelson, D.	Richter	Tunheim
Carlson, L.	Kahn	Nelson, K.	Riveness	Uphus
Carruthers	Kalis	Neuenschwander	Rodosovich	Valento
Clark	Kelly	O'Connor	Rose	Vanasek
Clausnitzer	Kelso	Ogren	Rukavina	Vellenga
Cooper	Kinkel	Olsen, S.	Sarna	Voss
Dauner	Kludd	Olson, E.	Schafer	Wagenius
DeBlieck	Knuth	Olson, K.	Scheid	Waltman
Dille	Kostohryz	Omann	Schoenfeld	Welle
Dorn	Krueger	Onnen	Schreiber	Wenzel
Forsythe	Larsen	Orenstein	Seaberg	Winter
Frederick	Lasley	Osthoff	Segal	Wynia
Frerichs	Long	Otis	Shaver	Spk. Norton

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

S. F. No. 1268 was reported to the House.

Nelson, C., moved that S. F. No. 1268 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1081, A bill for an act relating to custody; providing that evidence of domestic abuse is relevant to determinations of custody; amending Minnesota Statutes 1986, sections 518.17, subdivision 1; and 518B.01, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Long	Pappas	Simoneau
Anderson, R.	Gruenes	Marsh	Pauly	Skoglund
Battaglia	Gutknecht	McEachern	Pelowski	Solberg
Bauerly	Hartle	McKasy	Peterson	Sparby
Beard	Haukoos	McLaughlin	Poppenhagen	Stanius
Begich	Heap	McPherson	Price	Steensma
Bennett	Himle	Milbert	Quinn	Svigum
Bertram	Hugoson	Miller	Quist	Swenson
Bishop	Jacobs	Minne	Redalen	Thiede
Blatz	Jensen	Morrison	Reding	Tjornhom
Brown	Johnson, A.	Munger	Rest	Tompkins
Burger	Johnson, R.	Murphy	Rice	Trimble
Carlson, D.	Johnson, V.	Nelson, C.	Richter	Tunheim
Carlson, L.	Kahn	Nelson, D.	Riveness	Uphus
Carruthers	Kalis	Nelson, K.	Rodosovich	Valento
Clausnitzer	Kelly	Neuenschwander	Rose	Vanasek
Cooper	Kelso	O'Connor	Rukavina	Vellenga
Dauner	Kinkel	Ogren	Sarna	Voss
DeBlieck	Kludt	Olsen, S.	Schafer	Wagenius
Dempsey	Knickerbocker	Olson, K.	Scheid	Waltman
Dille	Knuth	Omam	Schoenfeld	Welle
Dorn	Kostohryz	Onnen	Schreiber	Wenzel
Forsythe	Krueger	Orenstein	Seaberg	Winter
Frederick	Larsen	Osthoff	Segal	Wynia
Frerichs	Lasley	Otis	Shaver	Spk. Norton

The bill was passed and its title agreed to.

S. F. No. 1323 was reported to the House.

There being no objection, S. F. No. 1323 was temporarily laid over on Special Orders.

S. F. No. 1313, A bill for an act relating to insurance; liquor liability assigned risk plan; regulating assigned risk plan premiums; amending Minnesota Statutes 1986, section 340A.409, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lasley	Osthoff	Shaver
Anderson, R.	Gruenes	Lieder	Otis	Simoneau
Battaglia	Gutknecht	Long	Pappas	Skoglund
Bauerly	Hartle	Marsh	Pauly	Solberg
Beard	Haukoos	McEachern	Pelowski	Sparby
Begich	Heap	McKasy	Peterson	Stanius
Bennett	Himle	McLaughlin	Poppenhagen	Steensma
Bertram	Hugoson	McPherson	Price	Sviggum
Bishop	Jacobs	Milbert	Quinn	Swenson
Blatz	Jaros	Miller	Quist	Thiede
Brown	Jensen	Minne	Redalen	Tjornhom
Burger	Johnson, A.	Morrison	Reding	Tompkins
Carlson, L.	Johnson, R.	Munger	Rest	Trimble
Carruthers	Johnson, V.	Murphy	Rice	Tunheim
Clark	Kahn	Nelson, C.	Richter	Uphus
Clausnitzer	Kalis	Nelson, D.	Riveness	Valento
Cooper	Kelly	Nelson, K.	Rodosovich	Vanasek
Dauner	Kelso	Neuenschwander	Rukavina	Vellenga
DeBlieck	Kinkel	O'Connor	Sarna	Voss
Dempsey	Kludt	Ogren	Schafer	Wagenius
Dille	Knickerbocker	Olsen, S.	Scheid	Waltman
Dorn	Knuth	Olsen, K.	Schoenfeld	Welle
Forsythe	Kostohryz	Omman	Schreiber	Wenzel
Frederick	Krueger	Onnen	Seaberg	Winter
Frerichs	Larsen	Orenstein	Segal	Wynia
				Spk. Norton

The bill was passed and its title agreed to.

The Speaker called Long to the Chair.

S. F. No. 911 was reported to the House.

Minne and McEachern moved to amend S. F. No. 911, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [126.071] [BRAILLE INSTRUCTION.]

Subdivision 1. [AVAILABILITY.] A school district shall make available, to a visually impaired pupil, instruction in Braille reading and writing if required under subdivisions 2 and 3.

Subd. 2. [ASSESSMENT.] A visual assessment of a child identified as a visually impaired child must be done at least once every three years. The person who performs the assessment must be mutually agreed upon by the school district and the parent. The assessment must be in writing and must be used in developing or modifying the individual education plan for the assessed child.

Subd. 3. [SPECIFICS OF INDIVIDUAL EDUCATION PLAN.] If the individual education plan recommends that Braille instruction should be commenced or continued for the assessed child, the plan must specify:

- (1) a reason for recommending Braille instruction;
- (2) how many Braille sessions per week must be provided by the school district;
- (3) the duration of each session;
- (4) how to integrate Braille instruction into the assessed child's regular classroom activities; and
- (5) the special training, if any, that the classroom instructional personnel must have to provide the integrated Braille instruction.

Subd. 4. [BRAILLE IS A SERVICE.] Instruction in Braille reading and writing is a service included in special instruction and services under section 120.17."

Further, amend the title as follows:

Page 1, line 4, delete "blind" and insert "certain visually impaired"

A roll call was requested and properly seconded.

Lasley moved to amend the Minne and McEachern amendment to S. F. No. 911, as follows:

Page 2, after line 6, insert:

"Subd. 5. [NEW TECHNOLOGY.] Where this section refers to "Braille" new technology for instruction in reading and writing for the blind may be substituted."

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Minne and McEachern amendment and the roll was called. There were 75 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Bennett	Blatz	Carlson, D.	Dauner
Bauerly	Bertram	Brown	Carlson, L.	Dille
Begich	Bishop	Burger	Carruthers	Dorn

Frederick	Kahn	Minne	Price	Stanius
Frerichs	Kalis	Morrison	Redalen	Steensma
Hartle	Kelly	Murphy	Richter	Sviggum
Haukoos	Knickerbocker	Nelson, D.	Rose	Swenson
Heap	Knuth	Nelson, K.	Sarna	Trimble
Himle	Krueger	Neuenschwander	Scheid	Uphus
Hugoson	Lasley	O'Connor	Seaberg	Vellenga
Jacobs	Lieder	Olson, E.	Segal	Voss
Jennings	McDonald	Olson, K.	Simoneau	Waltman
Johnson, A.	McEachern	Omann	Skoglund	Wenzel
Johnson, R.	McKasy	Orenstein	Solberg	Winter
Johnson, V.	Miller	Peterson	Sparby	Wynia

Those who voted in the negative were:

Battaglia	Gutknecht	Nelson, C.	Reding	Tjornhom
Beard	Jaros	Ogren	Rice	Tompkins
Clark	Jefferson	Olsen, S.	Rodosovich	Tunheim
Clausnitzer	Kelso	Onnen	Rukavina	Valento
DeBlieck	Kludt	Otis	Schafer	Vanasek
Dempsey	Larsen	Pappas	Schoenfeld	Wagenius
Forsythe	Long	Pelowski	Schreiber	Welle
Greenfield	Marsh	Poppenhagen	Shaver	
Gruenes	McPherson	Quist	Thiede	

The motion prevailed and the amendment was adopted.

S. F. No. 911, A bill for an act relating to education; requiring school districts to make available instruction in Braille reading and writing to blind pupils; proposing coding for new law in Minnesota Statutes, chapter 126.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dille	Kalis	Miller	Pelowski
Anderson, R.	Dorn	Kelly	Minne	Peterson
Battaglia	Forsythe	Kelso	Munger	Poppenhagen
Bauerly	Frederick	Kinkel	Murphy	Price
Beard	Greenfield	Kludt	Nelson, C.	Quinn
Begich	Gruenes	Knickerbocker	Nelson, D.	Quist
Bennett	Gutknecht	Knuth	Nelson, K.	Redalen
Bertram	Hartle	Kostohryz	Neuenschwander	Reding
Blatz	Haukoos	Krueger	O'Connor	Rest
Brown	Heap	Larsen	Ogren	Rice
Burger	Himle	Lasley	Olsen, S.	Richter
Carlson, D.	Hugoson	Lieder	Olson, E.	Riveness
Carlson, L.	Jacobs	Long	Olson, K.	Rodosovich
Carruthers	Jaros	Marsh	Omann	Rose
Clark	Jefferson	McDonald	Onnen	Rukavina
Clausnitzer	Jennings	McEachern	Orenstein	Sarna
Cooper	Jensen	McKasy	Osthoff	Schafer
Dauner	Johnson, A.	McLaughlin	Otis	Scheid
DeBlieck	Johnson, V.	McPherson	Pappas	Schoenfeld
Dempsey	Kahn	Milbert	Pauly	Schreiber

Seaberg
Segal
Shaver
Simoneau
Skoglund
Solberg

Sparby
Stanius
Steensma
Sviggum
Swenson
Thiede

Tjornhom
Tompkins
Trimble
Tunheim
Uphus
Valento

Vanasek
Vellenga
Voss
Wagenius
Waltman
Welle

Wenzel
Winter
Wynia
Spk. Norton

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

S. F. No. 915 was reported to the House.

Pappas moved to amend S. F. No. 915, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 609.02, is amended by adding a subdivision to read:

Subd. 12. [HARASS.] As used in sections 609.605, subdivision 1, clause (13), 609.746, 609.79, and 609.795, "harass" means to interfere with another person by continued or repeated acts so as to persecute or oppress that person.

Sec. 2. Minnesota Statutes 1986, section 609.02, is amended by adding a subdivision to read:

Subd. 3. [THREATEN.] As used in sections 609.605, subdivision 1, clause (13), 609.746, 609.79, and 609.795, "threaten" means to express a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act.

Sec. 3. Minnesota Statutes 1986, section 609.605, subdivision 1, is amended to read:

Subdivision 1. [MISDEMEANOR.] Whoever intentionally does any of the following is guilty of a misdemeanor:

(1) smokes in a building, area, or common carrier in which "no smoking" notices have been prominently posted, or when requested not to by the operator of the common carrier; or

(2) trespasses or permits animals under the actor's control to trespass upon a railroad track; or

(3) permits domestic animals or fowls under the actor's control to go upon the lands of another within a city; or

(4) interferes unlawfully with any monument, sign, or pointer erected or marked to designate a point of a boundary, line or a political subdivision, or of a tract of land; or

(5) trespasses upon the premises of another and, without claim of right, refuses to depart therefrom on demand of the lawful possessor thereof; or

(6) occupies or enters the dwelling of another, without claim of right or consent of the owner or the consent of one who has the right to give consent, except in an emergency situation. As used in this clause, "dwelling" means the building or part of the building used by an individual as a place of residence on either a full-time or a part-time basis. The dwelling may be part of a multidwelling or multipurpose building, or a manufactured home as defined in section 168.011, subdivision 8; or

(7) enters the premises of another with intent to take or injure any fruit, fruit trees, or vegetables growing thereon without the permission of the owner or occupant; or

(8) refuses the request of the operator of a public conveyance to either pay the required fare or leave the conveyance; or

(9) takes any animal on a public conveyance without the consent of the operator; or

(10) without the permission of the owner, tampers with or gets into or upon a motor vehicle as defined in section 609.55, subdivision 1, or rides in or upon such motor vehicle knowing it was taken and is being driven by another without the permission of the owner; or

(11) enters or is found upon the premises of a public or private cemetery without authorization during hours the cemetery is posted as closed to the public; or

(12) without authorization of the adjutant general enters or is present upon the Camp Ripley military reservation; or

(13) returns to the property of another with the intent to harass, abuse, or threaten another, after being told to leave the property and not to return, if the actor has no claim of right to the property and no consent of one with authority to consent.

Sec. 4. Minnesota Statutes 1986, section 609.746, is amended to read:

609.746 [INTERFERENCE WITH PRIVACY.]

Subdivision 1. [SURREPTITIOUS INTRUSION.] Any A person who enters upon another's property and surreptitiously gazes, stares, or peeps in the window of a house or place of dwelling of another with intent to intrude upon or interfere with the privacy of a member of the household thereof is guilty of a misdemeanor.

Subd. 2. [INTRUSION ON PRIVACY.] A person who, with the intent to harass, abuse, or threaten another, repeatedly follows or pursues another, after being told not to do so by the person being followed or pursued, is guilty of a misdemeanor. This subdivision does not apply to a member of the news media who repeatedly follows another in a public place for the purpose of gathering information or photographs for a news story.

Sec. 5. Minnesota Statutes 1986, section 609.79, subdivision 1, is amended to read:

Subdivision 1. Whoever,

(1) By means of a telephone,

(a) Makes any comment, request, suggestion or proposal which is obscene, lewd, or lascivious, ~~filthy or indecent,~~

(b) Repeatedly makes a telephone call calls, whether or not conversation ensues, ~~without disclosing the caller's identity and with intent to annoy, abuse, threaten, or harass any person at the called number,~~

(c) Makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number, or

(2) Having control of a telephone, knowingly permits it to be used for any purpose prohibited by this section, shall be guilty of a misdemeanor.

Sec. 6. Minnesota Statutes 1986, section 609.795, is amended to read:

609.795 [~~OPENING SEALED LETTER, TELEGRAM, OR PACKAGE;~~ OPENING; HARASSMENT.]

Whoever does ~~either~~ any of the following is guilty of a misdemeanor:

(1) Knowing that the actor does not have the consent of either the sender or the addressee, intentionally opens any sealed letter, telegram, or package addressed to another; or

(2) Knowing that a sealed letter, telegram, or package has been opened without the consent of either the sender or addressee, intentionally publishes any of the contents thereof; or

(3) With the intent to harass, abuse, or threaten repeatedly uses the mails or delivers letters, telegrams, or packages.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective August 1, 1987, and apply to crimes committed on or after that date.

Delete the title and insert:

"A bill for an act relating to crime; amending trespass law to prohibit harassment on private property; prohibiting following and pursuing with intent to harass, abuse, or threaten; removing requirement that caller not disclose identity for purposes of misdemeanor harassing telephone calls; prohibiting intentional harassment by delivering a letter or object; providing penalties; amending Minnesota Statutes 1986, sections 609.02, by adding subdivisions; 609.605, subdivision 1; 609.746; 609.79, subdivision 1; and 609.795."

The motion prevailed and the amendment was adopted.

Dempsey moved to amend S. F. No. 915, as amended, as follows:

Page 2, line 14, strike "claim of right" and insert "possessory interest"

Page 2, line 17, strike "claim of right" and insert "possessory interest"

Page 3, after line 11, insert:

"Sec. 4. Minnesota Statutes 1986, section 609.605, is amended by adding a subdivision to read:

Subd. 3. [PENALTY ENHANCEMENT.] (a) A person who violates subdivision 1, clause (5), within five years of a prior conviction under that clause is guilty of a gross misdemeanor.

(b) In addition to any other penalty the court may impose under paragraph (a), the court shall, if the person is not otherwise imprisoned under that paragraph, impose a minimum sentence of imprisonment in a jail or other local correctional facility for 30 days."

Page 4, line 25, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "redefining the "claim of right" defense to criminal trespass; requiring a mandatory jail sentence for a second conviction of trespass;"

Page 1, line 11, after "1" insert ", and by adding a subdivision"

A roll call was requested and properly seconded.

The question was taken on the Dempsey amendment and the roll was called. There were 71 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	McEachern	Peterson	Stanius
Anderson, R.	Gutknecht	McKasy	Poppenhagen	Steenma
Beard	Hartle	McPherson	Quist	Svigum
Bennett	Haukoos	Milbert	Redalen	Swenson
Blatz	Heap	Miller	Rest	Thiede
Boo	Himle	Morrison	Richter	Tjornhom
Burger	Hugoson	Neuenschwander	Rodosovich	Tompkins
Carlson, D.	Johnson, R.	Ogren	Rose	Uphus
Carlson, L.	Johnson, V.	Olsen, S.	Schafer	Valento
Clausnitzer	Kalis	Olsen, E.	Scheid	Waltman
Cooper	Kinkel	Omann	Schoenfeld	Wenzel
Dempsey	Knickerbocker	Onnen	Schreiber	
Forsythe	Lieder	Osthoff	Seaberg	
Frederick	Marsh	Pauly	Shaver	
Frerichs	McDonald	Pelowski	Sparby	

Those who voted in the negative were:

Battaglia	Jacobs	Larsen	Orenstein	Skoglund
Bauerly	Jefferson	Lasley	Otis	Solberg
Begich	Jensen	Long	Pappas	Trimble
Bertram	Johnson, A.	McLaughlin	Quinn	Tunheim
Brown	Kahn	Mimne	Reding	Vanasek
Carruthers	Kelly	Munger	Rice	Vellenga
Clark	Kelso	Murphy	Riveness	Voss
Dauner	Kludt	Nelson, C.	Rukavina	Wagenius
DeBlieck	Knuth	Nelson, K.	Sarna	Winter
Dorn	Kostohryz	O'Connor	Segal	Wynia
Greenfield	Krueger	Olson, K.	Simoneau	Spk. Norton

The motion prevailed and the amendment was adopted.

S. F. No. 915, A bill for an act relating to crime; amending trespass law to prohibit harassment on private property; prohibiting following and stalking with intent to harass, abuse, or threaten; removing requirement that caller not disclose identity for purposes of misdemeanor harassing telephone calls; prohibiting intentional harassment by delivering a letter or object; providing penalties; amending Minnesota Statutes 1986, sections 609.605, subdivision 1; 609.746; 609.79, subdivision 1; and 609.795.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lieder	Otis	Simoneau
Anderson, R.	Gruenes	Long	Ozment	Skoglund
Battaglia	Gutknecht	Marsh	Pappas	Solberg
Bauerly	Hartle	McDonald	Pauly	Sparby
Beard	Haukoos	McEachern	Pelowski	Stanis
Begich	Heap	McKasy	Peterson	Steensma
Bennett	Himle	McLaughlin	Poppenhagen	Sviggum
Bertram	Hugoson	McPherson	Price	Swenson
Bishop	Jacobs	Milbert	Quinn	Thiede
Blatz	Jefferson	Miller	Quist	Tjornhom
Boo	Jennings	Minne	Redalen	Tompkins
Brown	Jensen	Morrison	Reding	Trimble
Burger	Johnson, A.	Munger	Rest	Tunheim
Carlson, D.	Johnson, R.	Murphy	Rice	Uphus
Carlson, L.	Johnson, V.	Nelson, C.	Richter	Valento
Carruthers	Kahn	Nelson, D.	Riveness	Vanasek
Clark	Kalis	Nelson, K.	Rodosovich	Vellenga
Clausnitzer	Kelly	Neuenschwander	Rose	Voss
Cooper	Kelso	O'Connor	Rukavina	Wagenius
Dauner	Kinkel	Ogren	Sarna	Waltman
DeBlick	Kludt	Olsen, S.	Schafer	Welle
Dempsey	Knickerbocker	Olson, E.	Scheid	Wenzel
Dille	Knuth	Olson, K.	Schoenfeld	Winter
Dorn	Kostohryz	Omamn	Schreiber	Wynia
Forsythe	Krueger	Onnen	Seaberg	Spk. Norton
Frederick	Larsen	Orenstein	Segal	
Frerichs	Lasley	Osthoff	Shaver	

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

S. F. No. 1323 which was temporarily laid over earlier today was again reported to the House.

Bishop moved to amend S. F. No. 1323, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 179A.20, subdivision 4, is amended to read:

Subd. 4. [GRIEVANCE PROCEDURE.] All contracts shall include a grievance procedure which shall provide compulsory binding arbitration of grievances including all disciplinary actions. If the parties cannot agree on the grievance procedure, they shall be subject to the grievance procedure promulgated by the director under section 179A.04, subdivision 3, clause (h).

Employees covered by civil service systems created under chapter 43A, 44, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423, or a veteran entitled to a discharge hearing under section 197.46, may pursue a grievance

through the procedure established under this section. When the grievance is also within the jurisdiction of appeals boards or appeals procedures created by chapter 43A, 44, 197, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423, the employee may proceed through the grievance procedure or the civil service or veteran's appeals procedure, but once a written grievance or appeal has been properly filed or submitted by the employee or on the employee's behalf with the employee's consent the employee may not proceed in the alternative manner.

This section does not require employers or employee organizations to negotiate on matters other than terms and conditions of employment.

Sec. 2. Minnesota Statutes 1986, section 197.46, is amended to read:

197.46 [VETERANS PREFERENCE ACT; REMOVAL FORBIDDEN; RIGHT OF MANDAMUS.]

Any person whose rights may be in any way prejudiced contrary to any of the provisions of this section, shall be entitled to a writ of mandamus to remedy the wrong. No person holding a position by appointment or employment in the several counties, cities, towns, school districts and all other political subdivisions in the state, who is a veteran separated from the military service under honorable conditions, shall be removed from such position or employment except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, in writing.

Any veteran who has been notified of the intent to discharge the veteran from an appointed position or employment pursuant to this section shall be notified in writing of such intent to discharge and of the veteran's right to request a hearing within 60 days of receipt of the notice of intent to discharge. The failure of a veteran to request a hearing within the provided 60-day period shall constitute a waiver of the right to a hearing. Such failure shall also waive all other available legal remedies for reinstatement. A hearing under this section shall not be available to a public employee who contests the discharge in a grievance procedure under section 179A.20, subdivision 4.

Request for a hearing concerning such a discharge shall be made in writing and submitted by mail or personal service to the employment office of the concerned employer or other appropriate office or person.

In all governmental subdivisions having an established civil service board or commission, or merit system authority, such hearing for removal or discharge shall be held before such civil service board or commission or merit system authority. Where no such civil

service board or commission or merit system authority exists, such hearing shall be held by a board of three persons appointed as follows: one by the governmental subdivision, one by the veteran, and the third by the two so selected. In the event the two persons so selected do not appoint the third person within ten days after the appointment of the last of the two, then the judge of the district court of the county wherein the proceeding is pending, or if there be more than one judge in said county then any judge in chambers, shall have jurisdiction to appoint, and upon application of either or both of the two so selected shall appoint, the third person to the board and the person so appointed by the judge with the two first selected shall constitute the board. The veteran may appeal from the decision of the board upon the charges to the district court by causing written notice of appeal, stating the grounds thereof, to be served upon the governmental subdivision or officer making the charges within 15 days after notice of the decision and by filing the original notice of appeal with proof of service thereof in the office of the court administrator of the district court within ten days after service thereof. Nothing in section 197.455 or this section shall be construed to apply to the position of private secretary, teacher, superintendent of schools, or one chief deputy of any elected official or head of a department, or to any person holding a strictly confidential relation to the appointing officer. The burden of establishing such relationship shall be upon the appointing officer in all proceedings and actions relating thereto.

All officers, boards, commissions, and employees shall conform to, comply with, and aid in all proper ways in carrying into effect the provisions of section 197.455 and this section notwithstanding any laws, charter provisions, ordinances or rules to the contrary. Any willful violation of such sections by officers, officials, or employees is a misdemeanor.

Sec. 3. Minnesota Statutes 1986, section 325B.15, is amended to read:

325B.15 [COVERAGE.]

The provisions of sections 325B.01 to 325B.17 shall cover agreements in existence on May 28, 1977, as well as agreements entered into after May 28, 1977.

Sec. 4. [REPEALER.]

Minnesota Statutes 1986, sections 466.03, subdivision 2; 487.39; and 595.04, are repealed.

Delete the title and insert:

“A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity;

amending Minnesota Statutes 1986, sections 179A.20, subdivision 4; 197.46; and 352B.15; repealing Minnesota Statutes 1986, sections 466.03, subdivision 2; 487.39; and 595.04."

The motion prevailed and the amendment was adopted.

Bishop and Rest moved to amend S. F. No. 1323, as amended, as follows:

Page 4, after line 14, insert:

"Sec. 5. Minnesota Statutes 1986, section 466.07, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO INDEMNIFY.] The governing body of any municipality may defend, save harmless, and indemnify any of its officers and employees, whether elective or appointive, against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of duty. Any independent board or commission of the municipality having authority to disburse funds for a particular function without approval of the governing body may similarly defend, save harmless, and indemnify its officers and employees against such tort claims or demands.

Notwithstanding any provisions to the contrary in section 127.03, subdivision 2, or 466.12, this section applies to all school districts, however organized."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1323, A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; amending Minnesota Statutes 1986, sections 169.123, subdivision 7; 325B.15; 487.01, subdivisions 2, 3, and 4; 487.21, subdivision 4; 487.23, subdivisions 1, 2, and 3; 487.25, subdivisions 1 and 2; 487.33, subdivision 1; 488A.01, subdivision 14; 488A.18, subdivision 14; 501.35; and 525.712; repealing Minnesota Statutes 1986, sections 466.03, subdivision 2; 487.39; and 595.04.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lieder	Otis	Simoneau
Anderson, R.	Gruenes	Long	Ozment	Skoglund
Battaglia	Gutknecht	Marsh	Pappas	Solberg
Bauerly	Hartle	McDonald	Pauly	Sparby
Beard	Haukoos	McEachern	Pelowski	Stanius
Begich	Heap	McKasy	Peterson	Steenasma
Bennett	Hugoson	McLaughlin	Poppenhagen	Svigum
Bertram	Jacobs	McPherson	Price	Swenson
Bishop	Jaros	Milbert	Quinn	Thiede
Blatz	Jefferson	Miller	Quist	Tjornhom
Boo	Jennings	Minne	Redalen	Tompkins
Brown	Jensen	Morrison	Reding	Trimble
Burger	Johnson, A.	Munger	Rest	Tunheim
Carlson, D.	Johnson, R.	Murphy	Rice	Uphus
Carlson, L.	Johnson, V.	Nelson, C.	Richter	Valento
Carruthers	Kahn	Nelson, D.	Riveness	Vanasek
Clark	Kalis	Nelson, K.	Rodosovich	Vellenga
Clausnitzer	Kelly	Neuenschwander	Rose	Voss
Cooper	Kelso	O'Connor	Rukavina	Wagenius
Dauner	Kinkel	Ogren	Sarna	Waltman
DeBlieck	Kludt	Olsen, S.	Schafer	Welle
Dempsey	Knickerbocker	Olson, E.	Scheid	Wenzel
Dille	Knuth	Olson, K.	Schoenfeld	Winter
Dorn	Kostohryz	Omann	Schreiber	Wynia
Forsythe	Krueger	Onnen	Seaberg	Spk. Norton
Frederick	Larsen	Orenstein	Segal	
Frerichs	Lasley	Osthoff	Shaver	

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

S. F. No. 577 was reported to the House.

There being no objection, S. F. No. 577 was continued on Special Orders for one day.

S. F. No. 1204, A bill for an act relating to community dispute resolution programs; authorizing the state and municipalities to make grants to programs; proposing coding for new law in Minnesota Statutes, chapter 494.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bishop	Clark	Forsythe	Heap
Anderson, R.	Blatz	Clausnitzer	Frederick	Himle
Battaglia	Boo	Cooper	Frerichs	Hugoson
Bauerly	Brown	Dauner	Greenfield	Jacobs
Beard	Burger	DeBlieck	Gruenes	Jaros
Begich	Carlson, D.	Dempsey	Gutknecht	Jefferson
Bennett	Carlson, L.	Dille	Hartle	Jennings
Bertram	Carruthers	Dorn	Haukoos	Jensen

Johnson, A.	McEachern	Omann	Riveness	Swenson
Johnson, R.	McKasy	Onnen	Rodosovich	Thiede
Johnson, V.	McLaughlin	Orenstein	Rose	Tjornhom
Kahn	McPherson	Osthoff	Rukavina	Tompkins
Kahis	Milbert	Otis	Sarna	Trimble
Kelly	Miller	Ozment	Schafer	Tunheim
Kelso	Minne	Pappas	Scheid	Uphus
Kinkel	Morrison	Pauly	Schoenfeld	Valento
Kludt	Munger	Pelowski	Schreiber	Vanasek
Knickerbocker	Murphy	Peterson	Seaberg	Vellenga
Knuth	Nelson, C.	Poppenhagen	Segal	Voss
Kostohryz	Nelson, D.	Price	Shaver	Waltman
Krueger	Nelson, K.	Quinn	Simoneau	Welle
Larsen	Neuenschwander	Quist	Skoglund	Wenzel
Lasley	O'Connor	Redalen	Solberg	Winter
Lieder	Ogren	Reding	Sparby	Wynia
Long	Olsen, S.	Rest	Stanius	Spk. Norton
Marsh	Olson, E.	Rice	Steensma	
McDonald	Olson, K.	Richter	Sviggum	

The bill was passed and its title agreed to.

S. F. No. 1097 was reported to the House.

Kludt moved to amend S. F. No. 1097, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [611A.037] [RIGHT TO SUBMIT STATEMENT AT SENTENCING.]

Subdivision 1. [IMPACT STATEMENT.] A victim has the right to submit an impact statement, either orally and/or in writing, to the court at the time of sentencing or disposition hearing.

Statements may include the following, subject to reasonable limitations as to time and length:

(1) a summary of the harm or trauma suffered by the victim as a result of the crime;

(2) a summary of the economic loss or damage suffered by the victim as a result of the crime; and

(3) the victim's recommendation for an appropriate sentence or disposition, and the victim's objections, if any, to the proposed sentence or disposition.

Sec. 2. Minnesota Statutes 1986, section 629.72, subdivision 2, is amended to read:

Subd. 2. [JUDICIAL REVIEW; RELEASE; BAIL.] The judge before whom the arrested person is brought shall review the facts surrounding the arrest and detention. The arrested person must be

ordered released pending trial or hearing on the person's personal recognizance or on an order to appear or upon the execution of an unsecured bond in a specified amount unless the judge determines that release (1) will be inimical to public safety, (2) will create a threat of bodily harm to the arrested person, the victim of the alleged assault, or another, or (3) will not reasonably assure the appearance of the arrested person at subsequent proceedings. If the judge determines release is not advisable, the judge may impose any conditions of release that will reasonably assure the appearance of the person for subsequent proceedings, or will protect the victim of the alleged assault, or may fix the amount of money bail without other conditions upon which the arrested person may obtain release. If conditions of release are imposed, the judge shall issue a written order for conditional release. The court administrator shall immediately distribute a copy of the order for conditional release to the agency having custody of the arrested person and shall provide the agency having custody of the arrested person with any available information on the location of the victim in a manner that protects the victim's safety. Either the court or its designee or the agency having custody of the arrested person shall serve upon the defendant a copy of the order. Failure to serve the arrested person with a copy of the order for conditional release does not invalidate the conditions of release.

Sec. 3. Minnesota Statutes 1986, section 629.72, is amended by adding a subdivision to read:

Subd. 5. [VIOLATIONS OF CONDITIONS OF RELEASE.] The judge who released the arrested person shall issue a warrant directing that the person be arrested and taken immediately before the judge, if:

(1) the judge receives an application alleging that the arrested person has violated the conditions of release; and

(2) the judge finds that probable cause exists to believe that the conditions of release have been violated.

Sec. 4. Minnesota Statutes 1986, section 629.72, is amended by adding a subdivision to read:

Subd. 6. [NOTICE TO VICTIM REGARDING RELEASE OF ARRESTED PERSON.] (a) Immediately after the issuance of a citation in lieu of continued detention under subdivision 1, or the entry of an order for release under subdivision 2, but before the arrested person is released, the agency having custody of the arrested person or its designee must make a reasonable and good faith effort to inform orally the alleged victim of:

- (1) the conditions of release, if any;
- (2) the time of release;
- (3) the time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance; and
- (4) the location and telephone number of the area battered women's shelter as designated by the department of corrections.

(b) As soon as practicable after an order for conditional release is entered, the agency having custody of the arrested person or its designee must personally deliver or mail to the alleged victim a copy of the written order and written notice of the information in clauses (2) and (3).

Sec. 5. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1987. Sections 2 to 4 are effective August 1, 1987, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; permitting victims to submit an impact statement to the court; requiring courts to issue written orders for conditional release; requiring arrest on violation of conditions of release; providing for notice to alleged victims of conditions of release; amending Minnesota Statutes 1986, section 629.72, subdivision 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 611A."

The motion prevailed and the amendment was adopted.

Kludt moved to amend S. F. No. 1097, as amended, as follows:

Page 1, delete section 1

Page 3, line 25, delete everything through the period and delete "2 to 4" and insert "1 to 3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before the semicolon and insert "domestic assault"

Page 1, line 9, delete everything after "subdivisions"

Page 1, line 10, delete everything before the period

The motion prevailed and the amendment was adopted.

S. F. No. 1097, A bill for an act relating to crimes; domestic assault; requiring courts to issue written orders for conditional release; requiring arrest on violation of conditions of release; providing for notice to alleged victims of conditions of release; amending Minnesota Statutes 1986, section 629.72, subdivision 2, and by adding subdivisions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	Lieder	Otis	Simoneau
Anderson, R.	Gutknecht	Long	Ozment	Skoglund
Battaglia	Hartle	Marsh	Pappas	Solberg
Bauerly	Haukoos	McDonald	Pauly	Sparby
Beard	Heap	McEachern	Pelowski	Stanius
Begich	Himle	McKasy	Peterson	Steenasma
Bennett	Hugoson	McLaughlin	Poppenhagen	Svigum
Bertram	Jacobs	McPherson	Price	Swenson
Bishop	Jaros	Milbert	Quinn	Thiede
Blatz	Jefferson	Miller	Quist	Tjornhom
Boo	Jennings	Minne	Redalen	Torpkins
Brown	Jensen	Morrison	Reding	Trimble
Burger	Johnson, A.	Munger	Rest	Tunheim
Carlson, D.	Johnson, R.	Murphy	Rice	Uphus
Carlson, L.	Johnson, V.	Nelson, C.	Richter	Valento
Carruthers	Kahn	Nelson, D.	Riveness	Vanasek
Clark	Kalis	Nelson, K.	Rodosovich	Vellenga
Clausnitzer	Kelly	Neuenschwander	Rose	Voss
Cooper	Kelso	O'Connor	Rukavina	Wagenius
Dauner	Kinkel	Ogren	Sarna	Waltman
DeBlieck	Kludt	Olsen, S.	Schafer	Welle
Dempsey	Knickerbocker	Olson, E.	Scheid	Wenzel
Dille	Knuth	Olson, K.	Schoenfeld	Winter
Dorn	Kostohryz	Omann	Schreiber	Wynia
Forsythe	Krueger	Onnen	Seaberg	Spk. Norton
Frederick	Larsen	Orenstein	Segal	
Greenfield	Lasley	Osthoff	Shaver	

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

Vanasek moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Dempsey was excused between the hours of 1:20 p.m. and 3:45 p.m.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 353:

Nelson, D.; Pauly and Larsen.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Vanasek, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bills as Special Orders to be acted upon immediately following Special Orders pending for today, Thursday, May 7, 1987:

S. F. No. 1261; H. F. No. 350; S. F. No. 555; H. F. Nos. 1104, 1189 and 663; S. F. No. 607; H. F. No. 65; S. F. No. 948; H. F. No. 1496; S. F. No. 1296; H. F. No. 1283; S. F. Nos. 494, 833, 406, 378, 743, 830, 800, 1053 and 300.

SPECIAL ORDERS

S. F. No. 1261 was reported to the House.

Simoneau moved to amend S. F. No. 1261, as follows:

Page 2, after line 23, insert:

"Sec. 4. Minnesota Statutes 1986, section 515A.2-110, is amended to read:

515A.2-110 [CONDOMINIUM PLATS.]

(a) Condominium plats are a part of the declaration. The condominium plat shall contain a certification by a registered professional land surveyor or registered professional architect, as to the parts of the plat prepared by each, that the condominium plat accurately depicts all information required by this section. The portions of the condominium plat depicting the dimensions of the portions of the condominium described in paragraphs (b)(3), (8), (9), (10), and (11), may be prepared by either a land surveyor or an architect. The other portions of the plat shall be prepared only by a land surveyor. All measurements shall be undertaken in accordance with good professional practice. The certification shall indicate that the work was undertaken by or under the supervision of the certifying architect or land surveyor. Certification by the architect or land surveyor does not constitute a guaranty or warranty of the nature, suitability, or quality of construction of the condominium.

(b) Each condominium plat shall show:

(1) the number of the condominium and the boundaries and dimensions of the land included in the condominium;

(2) the dimensions and location of all existing structural improvements and roadways;

(3) the intended location and dimensions of any contemplated common element improvements to be constructed within the condominium labeled either "MUST BE BUILT" or "NEED NOT BE BUILT";

(4) the location and dimensions of any additional real estate, labeled as such;

(5) the extent of any encroachments by or upon any portion of the condominium;

(6) the location and dimensions of all recorded easements within the condominium serving or burdening any portion of the condominium;

(7) the distance between noncontiguous parcels of real estate;

(8) the location and dimensions of limited common elements, including porches, balconies and patios, other than limited common elements described in section 515A.2-102(2) and (4);

(9) the location and dimensions of the vertical boundaries of each unit and that unit's identifying number;

(10) the location and dimensions of the horizontal unit boundaries with reference to established or assumed datum and that unit's identifying number;

(11) any units which may be converted by the declarant to create additional units or common elements (section 515A.2-115) identified separately.

(c) When adding additional real estate (section 515A.2-111), the declarant shall record supplemental condominium plats for that real estate conforming to the requirements of subsection (b). If less than all additional real estate is being added, the supplemental condominium plats shall also show the location and dimensions of the remaining portion.

(d) If a declarant subdivides or converts any unit into two or more units, common elements or limited common elements (section 515A.2-115), the declarant shall record an amendment to the condominium plat showing the location and dimensions of any new units, common elements and limited common elements thus created."

Amend the title as follows:

Page 1, line 2, delete "state building code" and insert "real estate"

Page 1, line 3, after the semicolon insert "allowing architects to prepare portions of condominium plats;"

Page 1, line 5, delete the second "and" and after "16B.71" insert "and 515A.2-110"

The motion prevailed and the amendment was adopted.

DeBlieck moved that S. F. No. 1261, as amended, be temporarily laid over on Special Orders. The motion prevailed.

The Speaker called Simoneau to the Chair.

H. F. No. 350 was reported to the House.

Bishop moved to amend H. F. No. 350, the first engrossment, as follows:

Pages 1 to 2, delete sections 1 and 2; and insert:

"Section 1. Minnesota Statutes 1986, section 609.195, is amended to read:

609.195 [MURDER IN THE THIRD DEGREE.]

(a) Whoever, without intent to effect the death of any person, causes the death of another by perpetrating an act eminently dangerous to others and evincing a depraved mind, without regard for human life, is guilty of murder in the third degree and may be sentenced to imprisonment for not more than 25 years.

(b) Whoever, without intent to cause death, proximately causes the death of a human being by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance classified in schedule I or II, is guilty of murder in the third degree and may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$40,000, or both.

Renumber the remaining sections

Amend the title as follows:

Page 1, line 3, delete "second" and insert "third"

Page 1, line 8, delete "609.19" and insert "609.195"

Page 1, line 10, delete "chapters 152 and" and insert "chapter"

The motion prevailed and the amendment was adopted.

H. F. No. 350, A bill for an act relating to crime; extending the crimes of murder in the third degree and manslaughter in the first degree to deaths caused by the sale or distribution of controlled substances; making it a felony to cause great bodily harm by selling or distributing certain controlled substances; imposing penalties; amending Minnesota Statutes 1986, sections 609.195; and 609.20; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bauerly	Bennett	Blatz	Burger
Anderson, R.	Beard	Bertram	Boo	Carlson, D.
Battaglia	Begich	Bishop	Brown	Carlson, L.

Carruthers	Johnson, R.	Miller	Peterson	Solberg
Clark	Johnson, V.	Minne	Poppenhagen	Sparby
Clausnitzer	Kahn	Morrison	Price	Stanius
Cooper	Kalis	Munger	Quinn	Steensma
Dauner	Kelly	Murphy	Quist	Swiggum
DeBlieck	Kelso	Nelson, C.	Redalen	Swenson
Dille	Kinkel	Nelson, D.	Reding	Thiede
Dorn	Kludt	Nelson, K.	Rest	Tjornhom
Forsythe	Knickerbocker	Neuenschwander	Rice	Tompkins
Frederick	Knuth	O'Connor	Richter	Trimble
Frerichs	Kostohryz	Ogren	Riveness	Tunheim
Greenfield	Krueger	Olsen, S.	Rodosovich	Uphus
Gruenes	Larsen	Olson, E.	Rose	Valento
Gutknecht	Lasley	Olson, K.	Sarna	Vanasek
Hartle	Lieder	Omann	Schafer	Vellenga
Haukoos	Long	Onnen	Scheid	Voss
Heap	Marsh	Orenstein	Schoenfeld	Wagenius
Himle	McDonald	Osthoff	Schreiber	Waltman
Hugoson	McEachern	Otis	Seaberg	Welle
Jacobs	McKasy	Ozment	Segal	Wenzel
Jefferson	McLaughlin	Pappas	Shaver	Winter
Jensen	McPherson	Pauly	Simoneau	Wynia
Johnson, A.	Milbert	Pelowski	Skoglund	Spk. Norton

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

S. F. No. 555 was reported to the House.

There being no objection, S. F. No. 555 was continued on Special Orders for one day.

H. F. No. 1104, A bill for an act relating to veterans; establishing a veterans advisory committee; proposing coding for new law in Minnesota Statutes, chapter 198.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Carruthers	Heap	Kinkel	McPherson
Anderson, R.	Clark	Himle	Kludt	Milbert
Battaglia	Clausnitzer	Hugoson	Knickerbocker	Miller
Bauerly	Cooper	Jacobs	Knuth	Minne
Beard	Dauner	Jaros	Kostohryz	Morrison
Begich	Dille	Jefferson	Krueger	Munger
Bennett	Dorn	Jennings	Larsen	Murphy
Bertram	Forsythe	Jensen	Lasley	Nelson, C.
Bishop	Frederick	Johnson, A.	Lieder	Nelson, D.
Blatz	Frerichs	Johnson, R.	Long	Nelson, K.
Boo	Greenfield	Johnson, V.	Marsh	Neuenschwander
Brown	Gruenes	Kahn	McDonald	O'Connor
Burger	Gutknecht	Kalis	McEachern	Ogren
Carlson, D.	Hartle	Kelly	McKasy	Olson, E.
Carlson, L.	Haukoos	Kelso	McLaughlin	Olson, K.

Omann	Quinn	Schafer	Steensma	Voss
Onnen	Quist	Scheid	Sviggum	Wagenius
Orenstein	Redalen	Schoenfeld	Swenson	Waltman
Osthoff	Reding	Schreiber	Thiede	Welle
Otis	Rest	Seaberg	Tjornhom	Wenzel
Ozment	Rice	Segal	Tompkins	Winter
Pappas	Richter	Shaver	Trimble	Wynia
Pauly	Riveness	Simoneau	Tunheim	Spk. Norton
Pelowski	Rodosovich	Skoglund	Uphus	
Peterson	Rose	Solberg	Valento	
Poppenhagen	Rukavina	Sparby	Vanasek	
Price	Sarna	Stanius	Vellenga	

The bill was passed and its title agreed to.

H. F. No. 1189, A resolution memorializing the United States Congress to amend the Employment Retirement Security Act to permit the direct regulation of self-insured health care plans.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	Lasley	Orenstein	Segal
Anderson, R.	Hartle	Lieder	Osthoff	Shaver
Battaglia	Heap	Long	Otis	Simoneau
Bauerly	Himle	Marsh	Ozment	Skoglund
Beard	Jacobs	McDonald	Pappas	Solberg
Begich	Jaros	McEachern	Pauly	Sparby
Bennett	Jefferson	McKasy	Pelowski	Stanius
Bertram	Jennings	McLaughlin	Peterson	Steensma
Blatz	Jensen	Milbert	Price	Swenson
Boo	Johnson, A.	Minne	Quinn	Tjornhom
Brown	Johnson, R.	Morrison	Redalen	Tompkins
Burger	Johnson, V.	Munger	Reding	Trimble
Carlson, D.	Kahn	Murphy	Rest	Tunheim
Carlson, L.	Kalis	Nelson, C.	Rice	Uphus
Carruthers	Kelly	Nelson, D.	Riveness	Valento
Clark	Kelso	Nelson, K.	Rodosovich	Vanasek
Cooper	Kinkel	Neuenschwander	Rose	Vellenga
Dauner	Kludt	O'Connor	Rukavina	Voss
DeBlick	Knickerbocker	Ogren	Sarna	Wagenius
Dille	Knuth	Olsen, S.	Scheid	Welle
Dorn	Kostohryz	Olson, E.	Schoenfeld	Wenzel
Forsythe	Krueger	Olson, K.	Schreiber	Winter
Greenfield	Larsen	Omann	Seaberg	Wynia

Those who voted in the negative were:

Clausnitzer	Gutknecht	McPherson	Poppenhagen	Schafer
Frederick	Haukoos	Miller	Quist	Sviggum
Frerichs	Hugoson	Onnen	Richter	Thiede
				Waltman

The bill was passed and its title agreed to.

H. F. No. 663 was reported to the House.

Wenzel, Kelso, Cooper, Swenson, Thiede, Winter, Beard, Sarna, McEachern and Steensma moved to amend H. F. No. 663, the first engrossment, as follows:

Page 1, line 24, after "spontaneously" insert "at a hospital, clinic, or medical facility"

A roll call was requested and properly seconded.

The question was taken on the Wenzel et al amendment and the roll was called.

There were 91 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frerichs	Lieder	Onnen	Schreiber
Battaglia	Gruenes	Marsh	Osthoff	Seaberg
Bauerly	Gutknecht	McDonald	Pauly	Solberg
Beard	Haukoos	McEachern	Pelowski	Sparby
Begich	Heap	McKasy	Peterson	Stanius
Bennett	Hugoson	McPherson	Poppenhagen	Steensma
Bertram	Jacobs	Milbert	Price	Sviggum
Blatz	Jensen	Miller	Quinn	Swenson
Boo	Johnson, R.	Morrison	Quist	Thiede
Brown	Johnson, V.	Murphy	Redalen	Tjornhom
Burger	Kalis	Nelson, C.	Reding	Tompkins
Carlson, D.	Kelly	Neuenschwander	Rest	Tunheim
Carlson, L.	Kelso	O'Connor	Richter	Uphus
Clausnitzer	Kinkel	Ogren	Rose	Valento
Cooper	Kludt	Olsen, S.	Sarna	Vanasek
Dauner	Knickerbocker	Olson, E.	Schafer	Voss
Dille	Krueger	Olson, K.	Scheid	Waltman
Frederick	Larsen	Omann	Schoenfeld	Wenzel
				Winter

Those who voted in the negative were:

Anderson, G.	Hartle	Knuth	Rodosovich	Wagenius
Bishop	Himle	Kostohryz	Rukavina	Welle
Carruthers	Jaros	Long	Segal	Wynia
Clark	Jefferson	McLaughlin	Shaver	Spk Norton
Dorn	Jennings	Minne	Simoneau	
Forsythe	Johnson, A.	Orenstein	Skoglund	
Greenfield	Kahn	Pappas	Trimble	

The motion prevailed and the amendment was adopted.

Speaker Norton was excused between the hours of 2:30 p.m. and 6:00 p.m.

H. F. No. 663, A bill for an act relating to health; providing for disposition of the remains of human fetuses; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 145.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Gruenes	Lasley	Pauly	Solberg
Battaglia	Gutknecht	Lieder	Pelowski	Sparby
Bauerly	Hartle	Marsh	Peterson	Stanius
Beard	Haukoos	McDonald	Poppenhagen	Steensma
Begich	Heap	McEachern	Price	Sviggum
Bennett	Himle	McKasy	Quinn	Swenson
Bertram	Hugoson	McPherson	Quist	Thiede
Blatz	Jacobs	Milbert	Redalen	Tjornhom
Boo	Jennings	Miller	Reding	Tompkins
Brown	Jensen	Morrison	Rest	Tunheim
Burger	Johnson, R.	Murphy	Rice	Uphus
Carlson, D.	Johnson, V.	Nelson, C.	Richter	Valento
Carlson, L.	Kalis	Nelson, D.	Riveness	Vanasek
Carruthers	Kelly	Neuenschwander	Rodosovich	Voss
Clausnitzer	Kelso	O'Connor	Rose	Waltman
Cooper	Kinkel	Ogren	Sarna	Welle
Dauner	Kludt	Olsen, S.	Schafer	Wenzel
DeBlieck	Knickerbocker	Olson, E.	Scheid	Winter
Dille	Knuth	Omann	Schoenfeld	
Dorn	Kostohryz	Onnen	Schreiber	
Frederick	Krueger	Osthoff	Seaberg	
Frerichs	Larsen	Ozment	Shaver	

Those who voted in the negative were:

Anderson, G.	Jefferson	McLaughlin	Orenstein	Skoglund
Clark	Johnson, A.	Munger	Pappas	Trimble
Greenfield	Kahn	Nelson, K.	Segal	Vellenga
Jaros	Long	Olson, K.	Simoneau	Wagenius

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

S. F. No. 607 was reported to the House.

There being no objection, S. F. No. 607 was continued on Special Orders for one day.

H. F. No. 65 was reported to the House.

There being no objection, H. F. No. 65 was continued on Special Orders for one day.

S. F. No. 948 was reported to the House.

Greenfield moved to amend S. F. No. 948, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 609.347, is amended to read:

609.347 [EVIDENCE.]

Subdivision 1. In a prosecution under sections 609.342 to 609.346, the testimony of a complainant victim need not be corroborated.

Subd. 2. In a prosecution under sections 609.342 to 609.346, there is no need to show that the complainant victim resisted the actor accused.

Subd. 3. In a prosecution under sections 609.342 to 609.346 or 609.365, evidence of the complainant's victim's previous sexual conduct shall not be admitted nor shall any reference to such conduct be made in the presence of the jury, except by court order under the procedure provided in subdivision 4, and only to the extent that the court finds that any of the following proposed evidence is material to the fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value. The evidence can be admitted only if the probative value of the evidence is not substantially outweighed by its inflammatory or prejudicial nature and only in the circumstances set out in paragraphs (a) and (b). For the evidence to be admissible under paragraph (a), subsection (i), the judge must find by a preponderance of the evidence that the facts set out in the accused's offer of proof are true. For the evidence to be admissible under paragraph (a), subsection (ii) or paragraph (b), the judge must find that the evidence is sufficient to support a finding that the facts set out in the accused's offer of proof are true, as provided under Rule 901 of the Rules of Evidence.

(a) When consent or fabrication by the complainant of the victim is the a defense in the case, the following evidence of such is admissible:

(i) evidence of the victim's previous sexual conduct tending to establish a common scheme or plan of similar sexual conduct under circumstances similar to the case at issue on the part of the complainant, relevant and material to the issue of consent or fabrication. Evidence of such conduct engaged in more than one year prior to the date of alleged offense is inadmissible. In order to find a common scheme or plan, the judge must find that the victim made prior allegations of sexual assault which were fabricated; and

(ii) evidence of the victim's previous sexual conduct with the accused.

(b) When the prosecution's case includes evidence of specific instances of sexual activity showing the source of semen, pregnancy, or disease at the time of the incident or, in the case of pregnancy, between the time of the incident and trial ; evidence of specific instances of the victim's previous sexual conduct is admissible solely to show the source of the semen, pregnancy, or disease.

(c) Evidence of the complainant's past sexual conduct with the defendant;

(d) For purposes of impeachment, when such evidence is offered to rebut specific testimony of the complainant.

Subd. 4. The defendant accused may not offer evidence described in subdivision 3 except pursuant to the following procedure:

(a) A motion shall be made by the defendant accused at least three business days prior to trial, unless later for good cause shown, stating to the court and prosecutor that the defendant has an setting out with particularity the offer of proof of the relevancy of the evidence of that the accused intends to offer, relative to the previous sexual conduct of the complainant which is proposed to be presented victim;

(b) If the court finds that deems the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury, if any, and in such hearing shall allow the defendant accused to make a full presentation of the offer of proof;

(c) At the conclusion of the hearing, if the court finds that the evidence proposed to be offered by the defendant accused regarding the previous sexual conduct of the complainant victim is relevant and material to the fact of consent, admissible under subdivision 3 and is not so prejudicial as to be inadmissible that its probative value is not substantially outweighed by its inflammatory or prejudicial nature, the court shall make an order stating the extent to which evidence is admissible under subdivision 3 and prescribing the nature of questions to be permitted at trial. The defendant accused may then offer evidence pursuant to the order of the court;

(d) If new information is discovered after the date of the hearing or during the course of trial, which may make evidence described in subdivision 3 admissible, the defendant shall accused may make the disclosures under an offer of proof pursuant to clause (a) of this subdivision and the court shall order an in camera hearing to determine whether the proposed evidence is admissible by the standards herein.

Subd. 5. In a prosecution under sections 609.342 to 609.346, the court shall not instruct the jury to the effect that:

(a) It may be inferred that a complainant victim who has previously consented to sexual intercourse with persons other than the defendant accused would be therefore more likely to consent to sexual intercourse again; or

(b) The complainant's victim's previous or subsequent sexual conduct in and of itself may be considered in determining the credibility of the complainant victim; or

(c) Criminal sexual conduct is a crime easily charged by a complainant victim but very difficult to disprove by a defendant an accused because of the heinous nature of the crime; or

(d) The jury should scrutinize the testimony of the complainant victim any more closely than it should scrutinize the testimony of any witness in any felony prosecution.

Subd. 6. (a) In a prosecution under sections 609.342 to 609.346 involving a psychotherapist and patient, evidence of the patient's personal or medical history is not admissible except when:

(1) the defendant accused requests a hearing at least three business days prior to trial and makes an offer of proof of the relevancy of the history; and

(2) the court finds that the history is relevant and that the probative value of the history outweighs its prejudicial value.

(b) The court shall allow the admission only of specific information or examples of conduct of the complainant victim that are determined by the court to be relevant. The court's order shall detail the information or conduct that is admissible and no other evidence of the history may be introduced.

(c) Violation of the terms of the order is grounds for mistrial but does not prevent the retrial of the defendant accused.

Subd. 7. [EFFECT OF STATUTE ON RULES.] Rule 404, paragraph (c) of the Rules of Evidence is superseded to the extent of its conflict with this section.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1987, and applies to proceedings commenced on or after that date.

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "making certain statutory changes for the purpose of consistency with the rules of evidence;"

Page 1, line 6, delete everything after "609.347" and insert a period

Page 1, delete line 7

The motion prevailed and the amendment was adopted.

S. F. No. 948, A bill for an act relating to crimes; permitting evidence showing a tendency to fabricate allegations of sexual assault; requiring three days' notice of intent to introduce evidence of victim's prior sexual conduct; amending Minnesota Statutes 1986, section 609.347, subdivisions 3, 4, and 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Marsh	Pauly	Simoneau
Anderson, R.	Gruenes	McDonald	Pelowski	Skoglund
Battaglia	Gutknecht	McEachern	Peterson	Solberg
Bauerly	Hartle	McKasy	Poppenhagen	Sparby
Beard	Haukoos	McLaughlin	Price	Stanius
Begich	Heap	McPherson	Quinn	Steensma
Bennett	Hugoson	Milbert	Quist	Sviggum
Bertram	Jacobs	Miller	Redalen	Swenson
Bishop	Jefferson	Morrison	Reding	Thiede
Blatz	Jennings	Munger	Rest	Tjornhom
Brown	Jensen	Murphy	Rice	Tompkins
Burger	Johnson, R.	Nelson, D.	Richter	Trimble
Carlson, D.	Johnson, V.	Nelson, K.	Riveness	Tunheim
Carlson, L.	Kahn	Neuenschwander	Rodosovich	Uphus
Carruthers	Kalis	O'Connor	Rose	Valento
Clark	Kelly	Ogren	Rukavina	Vellenga
Clausnitzer	Kludt	Olsen, S.	Sarna	Voss
Cooper	Knickerbocker	Olson, E.	Schafer	Wagenius
Dauner	Knuth	Olson, K.	Scheid	Waltman
DeBlieck	Kostohryz	Omann	Schoenfeld	Welle
Dille	Larsen	Onnen	Schreiber	Wenzel
Dorn	Lasley	Orenstein	Seaberg	Winter
Forsythe	Lieder	Ozment	Segal	Wynia
Frederick	Long	Pappas	Shaver	

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

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 915, A bill for an act relating to environment; authorizing an assessment against public utilities to finance the state costs of controlling acid deposition; amending Minnesota Statutes 1986, section 116C.69, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 17, after "utilities" insert "with retail kilowatt-hour sales greater than 4,000,000 kilowatt-hours in the previous calendar year" and delete the new language

Page 1, line 18, delete "assessment due would be less than \$50."

Page 1, line 23, before "and" insert ", reprinting informational booklets on acid rain,"

Page 2, line 7, after the period insert "A work plan and budget shall then be submitted annually to the legislative commission on Minnesota resources for approval before an assessment is levied."

Page 2, line 10, strike "such" and insert "these"

Page 2, line 14, strike "such" and insert "these"

Page 2, line 26, before "and" insert ", reprinting informational booklets on acid rain,"

With the recommendation that when so amended the bill pass:

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 916, A bill for an act relating to state government; amending, creating, and deleting various duties of the commissioner of administration; creating the productivity loan fund; providing definitions; requiring interest earned on the revolving fund for vocational rehabilitation of the blind to be credited to the fund; amending Minnesota Statutes 1986, sections 4.31, subdivisions 1, 5, and by adding a subdivision; 14.04; 16B.06, subdivision 4; 16B.08, subdivisions 3 and 7; 16B.09, subdivision 1; 16B.17, subdivision 2; 16B.24, subdivision 6; 16B.29; 16B.39, by adding a subdivision;

16B.51, subdivision 3; 138.17, subdivision 7; 139.19; 248.07, subdivision 8; and Laws 1979, chapter 333, section 18; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1986, sections 16B.39, subdivision 1; and 138.22.

Reported the same back with the following amendments:

Page 1, line 29, before "The" insert "The director shall remain in the unclassified service."

Page 8, line 3, delete "systems" and insert "services"

Page 8, line 6, delete "systems" and insert "services"

Page 8, line 9, delete "systems" and insert "services"

Page 19, delete section 23

Page 19, line 27, after "6," insert "10," and after "11," insert "12, 13,"

Page 19, line 27, delete "and" and after "16" insert ", and 20"

Renumber the remaining sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 1030, A bill for an act relating to water pollution; providing for grants and loans for the construction and rehabilitation of wastewater treatment facilities and systems; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1986, sections 116.16, subdivision 5; 116.167; 116.18, subdivisions 2a, 3a, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 9, delete section 8

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 915, 916 and 1030 were read for the second time.

SPECIAL ORDERS, Continued

H. F. No. 1496 was reported to the House.

Clark moved to amend H. F. No. 1496, the first engrossment, as follows:

Page 4, line 10, strike "and" and insert "For the medical assistance and AFDC programs, disallowances"

Page 4, lines 11, 12, and 13, delete the new language and reinstate the stricken language

Page 4, line 13, strike "that"

Page 4, line 14, strike "program" and insert "the AFDC and medical assistance programs"

Page 4, line 14, after the period insert "For the food stamp program, disallowances shall be shared by each county board with 50 percent of the disallowance being distributed to each county in the same proportion as that county's administrative costs are to the total of all food stamp administrative costs for all counties and 50 percent of the disallowances being distributed to each county in the same proportion as that county's value of food stamp benefits issued are to the total of all benefits issued for all counties."

Page 5, line 6, delete "1987" and insert "1988"

The motion prevailed and the amendment was adopted.

Clark moved that H. F. No. 1496, as amended, be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 1296, A bill for an act relating to Gillette Children's Hospital; clarifying the hospital's exemption from certain tax pro-

visions; amending Minnesota Statutes 1986, section 250.05, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Hartle	Long	Ozment	Shaver
Anderson, R.	Haukoos	Marsh	Pappas	Simoneau
Battaglia	Heap	McDonald	Pauly	Skoglund
Bauerly	Himle	McEachern	Pelowski	Solberg
Beard	Hugoson	McKasy	Peterson	Sparby
Begich	Jacobs	McLaughlin	Poppenhagen	Stanius
Bennett	Jaros	McPherson	Price	Steensma
Bertram	Jennings	Milbert	Quinn	Sviggum
Blatz	Jensen	Miller	Quist	Swenson
Brown	Johnson, A.	Minne	Redalin	Thiede
Burger	Johnson, R.	Morrison	Reding	Tjornhom
Carlson, D.	Johnson, V.	Munger	Rest	Tompkins
Carlson, L.	Kahn	Murphy	Rice	Trimble
Carruthers	Kalis	Nelson, C.	Richter	Tunheim
Clark	Kelly	Nelson, D.	Riveness	Uphus
Clausnitzer	Kelso	Nelson, K.	Rodosovich	Valento
Cooper	Kinkel	Neuenschwander	Rose	Vanasek
Dauner	Kludt	Ogren	Rukavina	Vellenga
DeBlick	Knickerbocker	Olsen, S.	Sarna	Voss
Dille	Knuth	Olsen, E.	Schafer	Wagenius
Dorn	Kostohryz	Olson, K.	Scheid	Waltman
Forsythe	Krueger	Omman	Schoenfeld	Welle
Frederick	Larsen	Onnen	Schreiber	Wenzel
Gruenes	Lasley	Orenstein	Seaberg	Winter
Gutknecht	Lieder	Otis	Segal	Wynia

The bill was passed and its title agreed to.

H. F. No. 1283 was reported to the House.

Skoglund, Dille, Kahn and Quist offered an amendment to H. F. No. 1283, the first engrossment.

POINT OF ORDER

Clausnitzer raised a point of order pursuant to rule 3.9 that the Skoglund et al amendment was not in order. Speaker pro tempore Simoneau ruled the point of order well taken and the amendment out of order.

Speaker pro tempore Simoneau called Anderson, G., to the Chair.

Skoglund, Dille, Kahn and Quist offered an amendment to H. F. No. 1283, the first engrossment.

POINT OF ORDER

Johnson, R., raised a point of order pursuant to rule 3.9 that the Skoglund et al amendment was not in order. Speaker pro tempore Anderson, G., ruled the point of order well taken and the amendment out of order.

H. F. No. 1283, A bill for an act relating to health; prohibiting smoking in day care centers and health care facilities; amending Minnesota Statutes 1986, sections 144.412; and 144.414.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 114 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Greenfield	Krueger	Orenstein	Shaver
Battaglia	Gruenes	Larsen	Osthoff	Simoneau
Bauerly	Gutknecht	Lasley	Otis	Skoglund
Beard	Hartle	Lieder	Ozment	Stanius
Begich	Haukoos	Marsh	Pappas	Steensma
Bennett	Heap	McDonald	Pauly	Sviggum
Bertram	Himle	McKasy	Pelowski	Swenson
Bishop	Hugoson	McLaughlin	Peterson	Tjornhom
Blatz	Jaros	McPherson	Poppenhagen	Tompkins
Boo	Jefferson	Milbert	Price	Trimble
Brown	Jennings	Miller	Quist	Tunheim
Burger	Jensen	Morrison	Redalen	Uphus
Carlson, D.	Johnson, A.	Munger	Reding	Valento
Carlson, L.	Johnson, R.	Murphy	Rest	Vanasek
Clark	Kahn	Nelson, D.	Rice	Vellenga
Clausnitzer	Kalis	Nelson, K.	Richter	Voss
Cooper	Kelly	Neuenschwander	Riveness	Wagenius
Dauner	Kelso	Ogren	Rodosovich	Waltman
Dille	Kinkel	Olsen, S.	Rose	Welle
Dorn	Kludt	Olsen, E.	Rukavina	Wenzel
Forsythe	Knickerbocker	Olson, K.	Schoenfeld	Winter
Frederick	Knuth	Omann	Seaberg	Wynia
Frerichs	Kostohryz	Onnen	Segal	

Those who voted in the negative were:

Carruthers	McEachern	O'Connor	Scheid	Sparby
Dempsey	Minne	Quinn	Schreiber	Thiede
Jacobs	Nelson, C.	Schafer	Solberg	

The bill was passed and its title agreed to.

S. F. No. 494, A bill for an act relating to the Duluth airport authority; providing that authority employees hired after a certain date are not covered by any civil service system.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frerichs	Lasley	Orenstein	Shaver
Anderson, R.	Greenfield	Lieder	Osthoff	Skoglund
Battaglia	Gruenes	Long	Otis	Solberg
Bauerly	Gutknecht	Marsh	Ozment	Sparby
Beard	Hartle	McDonald	Pauly	Stanius
Begich	Haukoos	McEachern	Pelowski	Steensma
Bennett	Heap	McKasy	Peterson	Sviggum
Bertram	Himle	McLaughlin	Poppenhagen	Swenson
Bishop	Hugoson	McPherson	Price	Thiede
Blatz	Jacobs	Milbert	Quinn	Tjornhom
Boo	Jaros	Miller	Redalen	Tompkins
Brown	Jennings	Minne	Reding	Tunheim
Burger	Jensen	Morrison	Rest	Uphus
Carlson, D.	Johnson, A.	Munger	Rice	Valento
Carlson, L.	Johnson, R.	Nelson, C.	Richter	Vanasek
Clark	Kalis	Nelson, D.	Riveness	Vellenga
Clausnitzer	Kelly	Nelson, K.	Rodosovich	Wagenius
Cooper	Kelso	Neuenschwander	Rose	Waltman
Dauner	Kinkel	O'Connor	Rukavina	Welle
DeBlieck	Kludt	Ogren	Sarna	Wenzel
Dempsey	Knickerbocker	Olsen, S.	Schafer	Winter
Dille	Knuth	Olson, E.	Scheid	Wynia
Dorn	Kostohryz	Olson, K.	Schoenfeld	
Forsythe	Krueger	Omann	Schreiber	
Frederick	Larsen	Onnen	Seaberg	

The bill was passed and its title agreed to.

S. F. No. 833, A bill for an act relating to insurance; regulating trade practices; authorizing the payment of differing amounts of reimbursement to insured under individual policies; amending Minnesota Statutes 1986, section 72A.20, subdivision 15.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Begich	Blatz	Carlson, D.	Cooper
Anderson, R.	Bennett	Boo	Carlson, L.	DeBlieck
Battaglia	Bertram	Brown	Carruthers	Dempsey
Bauerly	Bishop	Burger	Clausnitzer	Dille

Dorn	Kelly	Munger	Price	Sparby
Forsythe	Kelso	Murphy	Quist	Stanius
Frederick	Kinkel	Nelson, C.	Redalen	Steensma
Frerichs	Kludt	Nelson, D.	Reding	Sviggum
Greenfield	Knickerbocker	Nelson, K.	Rest	Swenson
Gruenes	Knuth	Neuenschwander	Rice	Thiede
Gutknecht	Kostohryz	O'Connor	Richter	Tjornhom
Hartle	Krueger	Ogren	Riveness	Tompkins
Haukoos	Larsen	Olsen, S.	Rodosovich	Trimble
Heap	Lasley	Olson, E.	Rose	Tunheim
Himle	Lieder	Olson, K.	Rukavina	Uphus
Hugoson	Long	Omann	Sarna	Valento
Jacobs	Marsh	Onnen	Schafer	Vanasek
Jaros	McDonald	Orenstein	Scheid	Vellenga
Jefferson	McEachern	Osthoff	Schoenfeld	Voss
Jennings	McKasy	Otis	Schreiber	Wagenius
Jensen	McLaughlin	Ozment	Seaberg	Waltman
Johnson, A.	McPherson	Pappas	Segal	Welle
Johnson, R.	Milbert	Pauly	Shaver	Wenzel
Johnson, V.	Miller	Pelowski	Simoneau	Winter
Kahn	Minne	Peterson	Skoglund	Wynia
Kalis	Morrison	Poppenhagen	Solberg	

Those who voted in the negative were:

Beard Quinn

The bill was passed and its title agreed to.

S. F. No. 406, A bill for an act relating to commerce; regulating the distribution and sale of motor vehicles; limiting the granting or relocating of certain franchises; specifying the circumstances to be considered; removing certain regulations on nonrenewals; amending Minnesota Statutes 1986, section 80E.14, subdivisions 1 and 2; repealing Minnesota Statutes 1986, section 80E.10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Clark	Haukoos	Kelso	McLaughlin
Anderson, R.	Clausnitzer	Heap	Kinkel	Milbert
Battaglia	Cooper	Himle	Kludt	Miller
Bauerly	Dauner	Hugoson	Knickerbocker	Minne
Beard	DeBlicek	Jacobs	Knuth	Morrison
Begich	Dempsey	Jaros	Kostohryz	Munger
Bennett	Dille	Jefferson	Krueger	Murphy
Bertram	Dorn	Jennings	Larsen	Nelson, C.
Blatz	Forsythe	Jensen	Lasley	Nelson, D.
Boo	Frederick	Johnson, A.	Lieder	Nelson, K.
Brown	Frerichs	Johnson, R.	Long	Neuenschwander
Burger	Greenfield	Johnson, V.	Marsh	O'Connor
Carlson, D.	Gruenes	Kahn	McDonald	Ogren
Carlson, L.	Gutknecht	Kalis	McEachern	Olsen, S.
Carruthers	Hartle	Kelly	McKasy	Olson, E.

Olson, K.	Poppenhagen	Rukavina	Solberg	Valento
Omann	Price	Sarna	Sparby	Vanasek
Onnen	Quinn	Schafer	Stanisus	Vellenga
Orenstein	Redalen	Scheid	Steensma	Voss
Osthoff	Reding	Schoenfeld	Sviggum	Wagenius
Otis	Rest	Schreiber	Swenson	Waltman
Ozment	Rice	Seaberg	Tjornhom	Welle
Pappas	Richter	Segal	Tompkins	Wenzel
Pauly	Riveness	Shaver	Trimble	Winter
Pelowski	Rodosovich	Simoneau	Tunheim	Wynia
Peterson	Rose	Skoglund	Uphus	

The bill was passed and its title agreed to.

S. F. No. 378 was reported to the House.

Jacobs moved to amend S. F. No. 378, the unofficial engrossment, as follows:

Page 1, lines 19 and 20, delete “for which the owner of an electric power line has an easement”

Page 1, line 21, before the period insert “for which the owner of an electric power line has a written easement permitting trimming of vegetation as required by section 2”

Page 2, line 11, delete “or indirect”

Page 2, line 19, delete everything after “nuisance”

Page 2, lines 20 to 22, delete everything before the period

Page 2, after line 22, insert:

“Subd. 3. [LIABILITY FOR DAMAGES; LIMITATION.] If a landowner does not grant an electric utility permission to trim vegetation as required by subdivision 1, the utility is not liable for damages resulting from the lack of such trimming.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective December 31, 1989.”

The motion prevailed and the amendment was adopted.

S. F. No. 378, A bill for an act relating to utilities; requiring owners of electric power lines to trim vegetation around lines; providing that failure to trim vegetation is a nuisance; proposing coding for new law in Minnesota Statutes, chapter 561.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frerichs	Kostohryz	Orenstein	Simoneau
Anderson, R.	Greenfield	Krueger	Osthoff	Solberg
Battaglia	Gruenes	Larsen	Otis	Sparby
Bauerly	Gutknecht	Lasley	Ozment	Stanius
Beard	Hartle	Lieder	Pappas	Steenma
Begich	Haukoos	Long	Pauly	Sviggum
Bennett	Heap	Marsh	Pelowski	Swenson
Bertram	Himle	McDonald	Peterson	Thiede
Bishop	Hugoson	McEachern	Poppenhagen	Tjornhom
Blatz	Jacobs	McKasy	Price	Tompkins
Boo	Jaros	Milbert	Quinn	Trimble
Brown	Jefferson	Miller	Redalen	Tunheim
Burger	Jennings	Minne	Reding	Uphus
Carlson, D.	Jensen	Murphy	Rest	Valento
Carlson, L.	Johnson, A.	Nelson, C.	Riveness	Vanasek
Carruthers	Johnson, R.	Nelson, D.	Rodosovich	Vellenga
Clausnitzer	Johnson, V.	Nelson, K.	Rukavina	Wagenius
Cooper	Kahn	Neuenschwander	Schafer	Waltman
Dauner	Kalis	O'Connor	Scheid	Welle
DeBlicke	Kelly	Ogren	Schoenfeld	Wenzel
Dempsey	Kelso	Olsen, S.	Schreiber	Winter
Dille	Kludt	Olsen, E.	Seaberg	Wynia
Dorn	Knickerbocker	Omann	Segal	
Frederick	Knuth	Onnen	Shaver	

Those who voted in the negative were:

Kinkel	Morrison	Olson, K.	Sarna
McPherson	Munger	Rose	

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

Vanasek was excused for the remainder of today's session.

S. F. No. 743 was reported to the House.

Schoenfeld, Brown and Uphus moved to amend S. F. No. 743, as follows:

Page 3, after line 30, insert:

"Sec. 4. Minnesota Statutes 1986, section 49.34, is amended by adding a subdivision to read:

Subd. 3. [DEFINITIONS.] (a) For the purposes of this subdivision, the following terms have the meanings given them:

(1) "bank holding company" has the meaning as that term is defined in section 2 of the Bank Holding Company Act of 1956, as amended, United States Code, title 12, section 1841;

(2) "consumer loans" means those loans reported by a bank as loans to individuals in the bank's call report to its supervisory authority;

(3) "agricultural loans" means those loans reported by a bank as loans to finance agricultural production and loans secured by farmland in the bank's call report to its supervisory authority;

(4) "small business loans" means those loans that are: (i) made to small businesses as defined in section 645.445; and (ii) that are reported by a bank as commercial and industrial loans in the bank's call report to its supervisory authority;

(5) "total loans" means the total dollars reported by a bank as total domestic loans in the bank's call report to its supervisory authority; and

(6) "primary capital ratio" means the ratio of the bank's primary capital to total assets as calculated by the bank's supervisory authority.

(b)(1) No bank may acquire another bank under subdivision 2 or establish a detached facility under sections 47.51 to 47.57 unless it meets the requirements of paragraph (b), clause (2). In the case of a bank owned or controlled by a bank holding company, or where the successor bank that results from an acquisition is to be owned or controlled by a bank holding company, all banks that are owned or controlled by the parent bank holding company must each individually also meet the requirements of paragraph (b), clause (2).

(2) The acquiring bank or bank establishing a detached facility and each affiliate bank of the parent bank holding company must, individually, have met the following requirements in each of the previous five years:

(i) at least ten percent of each bank's dollar amount of total loans made must have been consumer loans;

(ii) at least ten percent of each bank's dollar amount of total loans made must have been agricultural and/or small business loans; and

(iii) at least 30 percent of each bank's dollar amount of total loans made must have been consumer loans and small business and/or agricultural loans.

If a bank's consumer loans under subclause (i) for any one year is equal to or greater than 30 percent of the dollar amount of total loans, then the bank need not meet the minimum requirements of subclause (ii).

If a bank's small business and/or agricultural loans under subclause (ii) for any one year is equal to or greater than 30 percent of the dollar amount of total loans, then the bank need not meet the minimum requirements of subclause (i).

Determination of the amounts of various loans required by this section must be determined by the bank's most recent call report to its supervisory authority and the call reports submitted by the bank for the calendar year end for the immediately preceding four years."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "regulating acquisitions;"

Page 1, line 5, before the semicolon insert ", and by adding a subdivision"

A roll call was requested and properly seconded.

POINT OF ORDER

Schreiber raised a point of order pursuant to rule 3.9 that the Schoenfeld et al amendment was not in order. Speaker pro tempore Anderson, G., ruled the point of order not well taken and the amendment in order.

CALL OF THE HOUSE

On the motion of Wynia and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Anderson, R.	Clark	Haukoos	Kelso	McLaughlin
Battaglia	Clausnitzer	Heap	Kinkel	McPherson
Bauerly	Cooper	Himle	Kludt	Milbert
Beard	Dauner	Hugoson	Knickerbocker	Miller
Begich	DeBlieck	Jacobs	Knuth	Minne
Bennett	Dempsey	Jaros	Kostohryz	Morrison
Bertram	Dille	Jefferson	Krueger	Munger
Bishop	Dorn	Jennings	Larsen	Murphy
Blatz	Forsythe	Jensen	Lasley	Nelson, C.
Boo	Frederick	Johnson, A.	Lieder	Nelson, D.
Brown	Frerichs	Johnson, R.	Long	Nelson, K.
Burger	Greenfield	Johnson, V.	Marsh	Neuenschwander
Carlson, D.	Gruenes	Kahn	McDonald	O'Connor
Carlson, L.	Gutknecht	Kalis	McEachern	Ogren
Carruthers	Hartle	Kelly	McKasy	Olsen, S.

Olson, E.	Peterson	Rodosovich	Simoneau	Trimble
Olson, K.	Poppenhagen	Rose	Skoglund	Tunheim
Omann	Price	Rukavina	Solberg	Uphus
Onnen	Quinn	Sarna	Sparby	Valento
Orenstein	Quist	Schafer	Stanius	Vellenga
Osthoff	Redalen	Scheid	Steenasma	Wagenius
Otis	Reding	Schoenfeld	Sviggum	Waltman
Ozment	Rest	Schreiber	Swenson	Welle
Pappas	Rice	Seaberg	Thiede	Wenzel
Pauly	Richter	Segal	Tjornhom	Winter
Pelowski	Riveness	Shaver	Tompkins	Wynia

Minne moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The Speaker resumed the Chair.

The question recurred on the Schoenfeld et al amendment and the roll was called.

Otis moved that those not voting be excused from voting. The motion prevailed.

There were 48 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Cooper	Krueger	Olson, K.	Sparby
Anderson, R.	Dauner	Lasley	Omann	Steenasma
Battaglia	DeBlicke	McPherson	Peterson	Swenson
Bauerly	Dille	Milbert	Quinn	Tunheim
Beard	Jacobs	Munger	Rice	Uphus
Begich	Jaros	Nelson, C.	Rukavina	Waltman
Bertram	Johnson, V.	Nelson, D.	Sarna	Wenzel
Brown	Kalis	O'Connor	Schafer	Winter
Clark	Kinkel	Ogren	Schoenfeld	
Clausnitzer	Kostohryz	Olson, E.	Solberg	

Those who voted in the negative were:

Bennett	Haukoos	Marsh	Pappas	Shaver
Bishop	Heap	McDonald	Pauly	Simoneau
Blatz	Himle	McEachern	Pelowski	Skoglund
Boo	Hugoson	McKasy	Poppenhagen	Stanius
Burger	Jefferson	McLaughlin	Price	Sviggum
Carlson, D.	Jennings	Miller	Quist	Thiede
Carlson, L.	Jensen	Minne	Redalen	Tjornhom
Carruthers	Johnson, A.	Morrison	Reding	Tompkins
Dempsey	Kahn	Murphy	Rest	Trimble
Dorn	Kelly	Nelson, K.	Richter	Valento
Forsythe	Kelso	Neuenschwander	Riveness	Vellenga
Frederick	Kludt	Olsen, S.	Rodosovich	Wagenius
Frerichs	Knickerbocker	Onnen	Rose	Welle
Greenfield	Knuth	Orenstein	Scheid	Wynia
Gruenes	Larsen	Osthoff	Schreiber	Spk. Norton
Gutknecht	Lieder	Otis	Seaberg	
Hartle	Long	Ozment	Segal	

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

McPherson moved to amend S. F. No. 743, as follows:

Page 2, delete lines 18 to 24

Renumber the remaining sections

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the McPherson amendment and the roll was called.

Otis moved that those not voting be excused from voting. The motion prevailed.

There were 20 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Hugoson	McDonald	Olson, K.	Swenson
Anderson, R.	Johnson, V.	McPherson	Richter	Thiede
Dempsey	Kalis	Miller	Schafer	Uphus
Gutknecht	Kinkel	Olsen, S.	Schreiber	Waltman

Those who voted in the negative were:

Battaglia	Frederick	Lieder	Otis	Segal
Bauerly	Frerichs	Long	Ozment	Shaver
Beard	Greenfield	Marsh	Pappas	Simoneau
Begich	Gruenes	McEachern	Pauly	Skoglund
Bennett	Hartle	McKasy	Pelowski	Solberg
Bertram	Haukoos	McLaughlin	Peterson	Sparby
Bishop	Heap	Milbert	Poppenhagen	Stanisus
Blatz	Jacobs	Minne	Price	Steensma
Boo	Jefferson	Morrison	Quinn	Sviggunm
Brown	Jennings	Munger	Quist	Tjornhom
Burger	Jensen	Murphy	Redalen	Tompkins
Carlson, D.	Johnson, A.	Nelson, C.	Reding	Trimble
Carlson, L.	Kahn	Nelson, D.	Rest	Tunheim
Carruthers	Kelly	Nelson, K.	Rice	Valento
Clark	Kelso	Neuenschwander	Riveness	Vellenga
Clausnitzer	Kludd	O'Connor	Rodosovich	Voss
Cooper	Knickerbocker	Ogren	Rose	Wagenius
Dauner	Knuth	Olson, E.	Rukavina	Welle
DeBlicke	Kostohryz	Omam	Sarna	Wenzel
Dille	Krueger	Onnen	Scheid	Winter
Dorn	Larsen	Orenstein	Schoenfeld	Wynia
Forsythe	Lasley	Osthoff	Seaberg	Spk. Norton

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

S. F. No. 743, A bill for an act relating to financial institutions; permitting additional detached facilities; amending Minnesota Stat-

utes 1986, sections 47.52; and 49.34, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 47.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Otis moved that those not voting be excused from voting. The motion prevailed.

There were 74 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Beard	Hartle	McEachern	Pelowski	Skoglund
Bennett	Heap	McKasy	Peterson	Solberg
Bishop	Himle	McLaughlin	Poppenhagen	Stanius
Blatz	Jaros	Milbert	Price	Sviggum
Boo	Jefferson	Morrison	Quist	Thiede
Burger	Jennings	Murphy	Reding	Tjornhom
Carlson, L.	Jensen	Nelson, K.	Rest	Trimble
Carruthers	Johnson, A.	Neuenschwander	Riveness	Valento
Clausnitzer	Kahn	O'Connor	Rodosovich	Vellenga
Dauner	Kelly	Olsen, S.	Sarna	Voss
Dorn	Kludt	Orenstein	Scheid	Wagenius
Forsythe	Knickerbocker	Osthoff	Schreiber	Welle
Frederick	Knuth	Otis	Seaberg	Wynia
Greenfield	Lieder	Pappas	Segal	Spk. Norton
Gutknecht	Long	Pauly	Shaver	

Those who voted in the negative were:

Anderson, G.	Dille	Krueger	Olson, E.	Schoenfeld
Anderson, R.	Frerichs	Larsen	Olson, K.	Simoneau
Battaglia	Gruenes	Lasley	Omann	Sparby
Bauerly	Haukoos	Marsh	Onnen	Steensma
Begich	Hugoson	McDonald	Ozment	Swenson
Bertram	Jacobs	McPherson	Quinn	Tompkins
Brown	Johnson, R.	Miller	Redalen	Tunheim
Carlson, D.	Johnson, V.	Minne	Rice	Uphus
Clark	Kalis	Munger	Richter	Waltman
Cooper	Kelso	Nelson, C.	Rose	Wenzel
DeBlicke	Kinkel	Nelson, D.	Rukavina	Winter
Dempsey	Kostohryz	Ogren	Schafer	

The bill was passed and its title agreed to.

Otis moved that the remaining bills on Special Orders for today be continued one day. The motion prevailed.

GENERAL ORDERS

Otis moved that the bills on General Orders for today be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Quinn moved that the name of O'Connor be added as an author on H. F. No. 124. The motion prevailed.

Bauerly moved that the name of McEachern be stricken and the name of Wenzel be added as an author on H. F. No. 728. The motion prevailed.

Wynia moved that the name of Otis be added as an author on H. F. No. 791. The motion prevailed.

Skoglund moved that S. F. No. 853 be recalled from the Committee on Appropriations and together with H. F. No. 866, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Riveness moved that H. F. No. 500 be returned to its author. The motion prevailed.

ADJOURNMENT

Otis moved that when the House adjourns today it adjourn until 11:00 a.m., Friday, May 8, 1987. The motion prevailed.

Otis moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Friday, May 8, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

