

STATE OF MINNESOTA  
SEVENTY-EIGHTH SESSION -- 1993

FORTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 29, 1993

The House of Representatives convened at 9:30 a.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Representative Mary Murphy, District 8A, Hermantown, Minnesota.

The roll was called and the following members were present:

|              |            |               |          |           |            |            |
|--------------|------------|---------------|----------|-----------|------------|------------|
| Abrams       | Dauner     | Haukoos       | Krinkie  | Munger    | Peterson   | Swenson    |
| Anderson, I. | Davids     | Hausman       | Krueger  | Murphy    | Pugh       | Tomassoni  |
| Anderson, R. | Dawkins    | Holsten       | Lasley   | Neary     | Reding     | Tompkins   |
| Asch         | Dehler     | Hugoson       | Leppik   | Nelson    | Rest       | Trimble    |
| Battaglia    | Delmont    | Huntley       | Lieder   | Ness      | Rhodes     | Turnheim   |
| Bauerly      | Dempsey    | Jacobs        | Limner   | Olson, E. | Rice       | Van Dellen |
| Beard        | Dorn       | Jaros         | Lindner  | Olson, K. | Rodosovich | Vellenga   |
| Bergson      | Erhardt    | Jefferson     | Lourey   | Olson, M. | Rukavina   | Vickerman  |
| Bertram      | Evans      | Jennings      | Luther   | Onnen     | Sarna      | Wagenius   |
| Bettermann   | Farrell    | Johnson, A.   | Lynch    | Opatz     | Seagren    | Waltman    |
| Bishop       | Frerichs   | Johnson, R.   | Macklin  | Orenstein | Sekhon     | Weaver     |
| Blatz        | Garcia     | Johnson, V.   | Mahon    | Orfield   | Simoneau   | Wejcman    |
| Brown, C.    | Girard     | Kahn          | Mariani  | Orthoff   | Skoglund   | Welle      |
| Brown, K.    | Goodno     | Kalis         | McCollum | Ostrom    | Smith      | Wenzel     |
| Carlson      | Greenfield | Kelley        | McGuire  | Ozment    | Solberg    | Winter     |
| Carruthers   | Greiling   | Kelso         | Milbert  | Pauly     | Sparby     | Wolf       |
| Clark        | Gruenes    | Kinkel        | Molnau   | Pawlenty  | Stanius    | Worke      |
| Commers      | Gutknecht  | Klinzing      | Morrison | Pelowski  | Steensma   | Workman    |
| Cooper       | Hasskamp   | Koppendrayner | Mosel    | Perlt     | Sviggum    | Spk. Long  |

A quorum was present.

Knickerbocker was excused until 10:00 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Perlt 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

S. F. No. 58 and H. F. No. 73, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Jefferson moved that S. F. No. 58 be substituted for H. F. No. 73 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 236 and H. F. No. 343, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Sekhon moved that the rules be so far suspended that S. F. No. 236 be substituted for H. F. No. 343 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 413 and H. F. No. 581, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rukavina moved that the rules be so far suspended that S. F. No. 413 be substituted for H. F. No. 581 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 464 and H. F. No. 952, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Nelson moved that S. F. No. 464 be substituted for H. F. No. 952 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 487 and H. F. No. 316, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rukavina moved that the rules be so far suspended that S. F. No. 487 be substituted for H. F. No. 316 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 561 and H. F. No. 659, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Wejcman moved that the rules be so far suspended that S. F. No. 561 be substituted for H. F. No. 659 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 625 and H. F. No. 663, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Reding moved that the rules be so far suspended that S. F. No. 625 be substituted for H. F. No. 663 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 645 and H. F. No. 700, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Farrell moved that S. F. No. 645 be substituted for H. F. No. 700 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 697 and H. F. No. 704, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Trimble moved that the rules be so far suspended that S. F. No. 697 be substituted for H. F. No. 704 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 699 and H. F. No. 828, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Orenstein moved that S. F. No. 699 be substituted for H. F. No. 828 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 840 and H. F. No. 1098, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Simoneau moved that the rules be so far suspended that S. F. No. 840 be substituted for H. F. No. 1098 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 848 and H. F. No. 699, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Pauly moved that the rules be so far suspended that S. F. No. 848 be substituted for H. F. No. 699 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 911 and H. F. No. 1054, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Pugh moved that S. F. No. 911 be substituted for H. F. No. 1054 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 913 and H. F. No. 1023, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Johnson, A., moved that the rules be so far suspended that S. F. No. 913 be substituted for H. F. No. 1023 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 952 and H. F. No. 998, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rice moved that the rules be so far suspended that S. F. No. 952 be substituted for H. F. No. 998 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1087 and H. F. No. 1694, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelley moved that S. F. No. 1087 be substituted for H. F. No. 1694 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1158 and H. F. No. 1022, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rukavina moved that S. F. No. 1158 be substituted for H. F. No. 1022 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1184 and H. F. No. 1366, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Lieder moved that the rules be so far suspended that S. F. No. 1184 be substituted for H. F. No. 1366 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1201 and H. F. No. 1112, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Asch moved that the rules be so far suspended that S. F. No. 1201 be substituted for H. F. No. 1112 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1208 and H. F. No. 1232, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Sparby moved that the rules be so far suspended that S. F. No. 1208 be substituted for H. F. No. 1232 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1333 and H. F. No. 1487, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Reding moved that S. F. No. 1333 be substituted for H. F. No. 1487 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1380 and H. F. No. 1667, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Evans moved that the rules be so far suspended that S. F. No. 1380 be substituted for H. F. No. 1667 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 199, A bill for an act relating to insurance; workers' compensation; regulating the state fund mutual insurance company; requiring the workers' compensation reinsurance association to provide funds; amending Minnesota Statutes 1992, sections 176A.02, by adding a subdivision; 176A.11; proposing coding for new law in Minnesota Statutes, chapter 79.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 327, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 519, A bill for an act relating to recreational vehicles; regulating registration and operation of off-highway motorcycles; setting fees and penalties; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1992, sections 85.018, subdivisions 2, 3, and 5; 171.03; and 466.03, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Page 14, line 31, delete "\$....." and insert "\$235,000"

Page 14, line 35, delete "...." and insert "two"

Page 15, line 2, after "reimbursed" insert "by December 31, 1994,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 575, A bill for an act relating to natural resources; resolving claims raised by the Mille Lacs Band of Chippewa Indians regarding hunting, fishing, and gathering rights under treaty; nonband harvest under band permit; authority to transfer land; compensation to counties; condemnation authority; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 864, A bill for an act relating to waters; inspection of watercraft for exotic harmful species; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil citations and penalties; recommendations on milfoil control on White Bear Lake; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a; 86B.415, subdivision 7; and 103G.615, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 980, A bill for an act relating to local government; enabling local government units to obtain waivers of state rules; providing grants to local government units to encourage cooperation, achieve specified outcomes, and design service budget management models; creating a board of local government innovation and cooperation; requiring the metropolitan council to review certain applications and plans; appropriating money; amending Minnesota Statutes 1992, sections 465.80, subdivisions 1, 2, 4, and 5; 465.81, subdivision 2; 465.82, subdivision 1; 465.83, and 465.87, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 465.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1125, A bill for an act relating to transportation; providing for a metropolitan area high speed bus study; appropriating money.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1133, A bill for an act relating to energy; directing the public service department to evaluate and implement a policy to promote the use of motor vehicles powered by alternate fuels; appropriating money; amending Minnesota Statutes 1992, section 216C.01, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 216B; and 216C.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1247, A bill for an act relating to motor vehicles; establishing automobile theft prevention program and creating board; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1445, A bill for an act relating to industrial development; authorizing a grant to a nonprofit organization to promote expanding flexible collaborative manufacturing networks statewide.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1702, A bill for an act relating to the environment; providing protection from liability for releases of hazardous substances to lenders and owners for redevelopment of property under an approved cleanup plan; providing authority to issue determinations regarding association with a release; appropriating money; amending Minnesota Statutes 1992, section 115B.175, subdivisions 4, 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115B.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

S. F. No. 386, A bill for an act relating to drivers' licenses; raising fee for two-wheeled vehicle endorsement; amending Minnesota Statutes 1992, section 171.06, subdivision 2a.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

S. F. No. 536, A bill for an act relating to recreational vehicles; expanding the jurisdiction of the commissioner of natural resources over the use of snowmobiles and all-terrain vehicles on public lands and waters; changing accident reporting duties; providing that the person in lawful control of a snowmobile or all-terrain vehicle is responsible for the operation of these vehicles by youthful operators; providing that a portion of the fines and assessments collected from recreational vehicle violations shall be credited to the snowmobile trails and enforcement account in the natural resources fund; expanding the duties of the sheriff to include investigating recreational vehicle accidents involving injury or death; amending Minnesota Statutes 1992, sections 84.86, subdivision 1; 84.872; 84.924, subdivisions 1 and 3; 84.9256, subdivision 3; 97A.065, subdivision 2; and 387.03.

Reported the same back with the following amendments:

Page 1, line 31, before the period insert "or on grant-in-aid trails"

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

S. F. No. 1148, A bill for an act relating to traffic regulations; increasing fees for overweight trucks; authorizing permit to be issued for trailer or semitrailer exceeding 28-1/2 feet in three-vehicle combination; amending Minnesota Statutes 1992, sections 169.81, subdivision 2; and 169.86, subdivision 5.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

S. F. No. 1244, A bill for an act relating to the Minnesota historical society; recodifying the historic sites act of 1965; providing for a recorded music center; requiring a study of Carver's Cave; proposing coding for new law in Minnesota Statutes, chapter 138; repealing Minnesota Statutes 1992, sections 138.025; 138.027; 138.52; 138.53; 138.55; 138.56; 138.58; 138.59; 138.60; 138.61; 138.62; 138.63; 138.64; 138.65; and 138.66.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 199, 327, 519, 575, 864, 980, 1125, 1133, 1247, 1445 and 1702 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 58, 236, 413, 464, 487, 561, 625, 645, 697, 699, 840, 848, 911, 913, 952, 1087, 1158, 1184, 1201, 1208, 1333, 1380, 386, 536, 1148 and 1244 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Simoneau; Anderson, I.; Gutknecht; Delmont and Hasskamp introduced:

H. F. No. 1759, A bill for an act relating to civil actions; establishing a state-of-the-art defense to certain product claims; proposing coding for new law in Minnesota Statutes, chapter 604.

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

Simoneau; Anderson, I.; Gutknecht; Delmont and Hasskamp introduced:

H. F. No. 1760, A bill for an act relating to civil actions; regulating punitive damages; amending Minnesota Statutes 1992, sections 549.20, subdivisions 3, 4, 5, and by adding subdivisions.

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

## HOUSE ADVISORIES

The following House Advisory was introduced:

Gutknecht, Garcia, Swenson, Kahn and Mariani introduced:

H. A. No. 16, A proposal to study the mission and role of the Spanish-speaking affairs council.

The advisory was referred to the Committee on Governmental Operations and Gambling.



## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

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

H. F. No. 1122, A bill for an act relating to transportation; prohibiting parking in transit stops marked with a handicapped sign; establishing priority for transit in energy emergencies; requiring motor vehicles to yield to transit buses entering traffic; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; 169.20, by adding a subdivision; 169.346, subdivision 1; and 216C.15, subdivision 1.

H. F. No. 1428, A bill for an act relating to occupations and professions; dentistry; modifying a certain exception to the licensing requirements; establishing faculty, resident dentist, and specialty licenses; modifying a certain ground for disciplinary action; amending Minnesota Statutes 1992, sections 150A.01, by adding subdivisions; 150A.05, subdivision 2; 150A.06, by adding subdivisions; and 150A.08, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1613, A bill for an act relating to the organization and operation of state government; appropriating money for the departments of labor and industry, public service, jobs and training, housing finance, and other purposes with certain conditions; establishing and modifying certain programs; providing penalties; amending Minnesota Statutes 1992, sections 16B.06, subdivision 2a; 116J.617; 116J.982; 179.02, by adding a subdivision; 239.011, subdivision 2; 239.10; 239.791, subdivisions 6 and 8; 268.022, subdivision 2; 268.975, subdivisions 3, 4, 6, 7, 8, and by adding subdivisions; 268.976, subdivision 2; 268.978, subdivision 1; 268.98; and 462A.21, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116J; 116M; 239; 268; and 462A; repealing Minnesota Statutes 1992, sections 116J.982, subdivisions 6a, 8, and 9; 239.05, subdivision 2c; 239.52; 239.78; 268.977; and 268.978, subdivision 3.

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

Messrs. Kroening, Novak, Metzen; Ms. Anderson and Lesewski.

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

Rice moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 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. 1613. The motion prevailed.

Madam Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1620, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; amending Minnesota Statutes 1992, sections 8.15; 15.38, by adding a subdivision; 15.50, by adding

a subdivision; 15A.083, by adding a subdivision; 196.051, subdivision 3; 196.054, subdivision 2; 198.16; 270.063; 303.13, subdivision 1; 303.21, subdivision 3; 322A.16; 333.20, subdivision 4; 333.22, subdivision 1; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-413; 336A.04, subdivision 3; 336A.09, subdivision 2; 349A.10, subdivision 5; 357.021, subdivisions 1a and 2; 357.022; 357.08; 357.18, subdivision 3; 386.61, by adding a subdivision; 386.65; 386.66; 386.67; 386.68; 386.69; 508.82; 508A.82; and 593.48; Laws 1989, chapter 335, article 3, section 44, as amended; proposing coding for new law in Minnesota Statutes, chapters 129D; 386; and 609; repealing Minnesota Statutes 1992, sections 386.61, subdivision 3; 386.63; 386.64; and 386.70.

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

Messrs. Cohen, Merriam, Luther, McGowan and Frederickson.

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

Krueger moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 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. 1620. The motion prevailed.

Madam 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. 667, A bill for an act relating to volunteer firefighter relief associations; modifying the corporate registration requirement for relief associations complying with fire state aid financial reporting requirements; amending Minnesota Statutes 1992, sections 69.051, by adding a subdivision; and 317A.823, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Haukoos moved that the House concur in the Senate amendments to H. F. No. 667 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 667, A bill for an act relating to volunteer firefighter relief associations; modifying the corporate registration requirement for relief associations complying with fire state aid financial reporting requirements; amending Minnesota Statutes 1992, sections 69.051, by adding a subdivision; and 317A.823, subdivision 1.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |            |         |         |          |            |
|--------------|------------|------------|---------|---------|----------|------------|
| Abrams       | Beard      | Brown, C.  | Commers | Dehler  | Evans    | Goodno     |
| Anderson, I. | Bergson    | Brown, K.  | Cooper  | Delmont | Farrell  | Greenfield |
| Anderson, R. | Bertram    | Carlson    | Dauner  | Dempsey | Frerichs | Greiling   |
| Battaglia    | Bettermann | Carruthers | Davids  | Dorn    | Garcia   | Gruenes    |
| Bauerly      | Blatz      | Clark      | Dawkins | Erhardt | Girard   | Gutknecht  |

|             |             |          |           |            |            |           |
|-------------|-------------|----------|-----------|------------|------------|-----------|
| Hasskamp    | Kalis       | Luther   | Nelson    | Perl       | Smith      | Waltman   |
| Haukoos     | Kelley      | Lynch    | Ness      | Peterson   | Solberg    | Weaver    |
| Hausman     | Kelso       | Macklin  | Olson, E. | Pugh       | Stanius    | Wejzman   |
| Holsten     | Kinkel      | Mahon    | Olson, K. | Reding     | Steensma   | Welle     |
| Hugoson     | Klinzing    | Mariani  | Olson, M. | Rest       | Sviggum    | Wenzel    |
| Huntley     | Koppendraye | McCollum | Onnen     | Rhodes     | Swenson    | Winter    |
| Jacobs      | Krinkie     | McGuire  | Opatz     | Rice       | Tomassoni  | Wolf      |
| Jaros       | Krueger     | Milbert  | Orenstein | Rodosovich | Tompkins   | Worke     |
| Jefferson   | Lasley      | Molnau   | Orfield   | Rukavina   | Trimble    | Workman   |
| Jennings    | Leppik      | Morrison | Ostrom    | Sarna      | Tunheim    | Spk. Long |
| Johnson, A. | Lieder      | Mosel    | Ozment    | Seagren    | Van Dellen |           |
| Johnson, R. | Limmer      | Munger   | Pauly     | Sekhon     | Vellenga   |           |
| Johnson, V. | Lindner     | Murphy   | Pawlenty  | Simoneau   | Vickerman  |           |
| Kahn        | Lourey      | Neary    | Pelowski  | Skoglund   | Wagenius   |           |

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

Madam 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. 1424, A bill for an act relating to pollution control; exempting certain storage tanks from notification, environmental protection, and tank installer training and certification requirements; amending Minnesota Statutes 1992, section 116.47.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Munger moved that the House concur in the Senate amendments to H. F. No. 1424 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1424, A bill for an act relating to pollution control; exempting certain storage tanks from notification, environmental protection, tank installer training and certification, and other requirements; amending Minnesota Statutes 1992, sections 115.03, by adding a subdivision; and 116.47.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |          |             |             |           |           |            |
|--------------|----------|-------------|-------------|-----------|-----------|------------|
| Abrams       | Commers  | Greenfield  | Kahn        | Lynch     | Olson, K. | Rhodes     |
| Anderson, I. | Cooper   | Greiling    | Kalis       | Macklin   | Olson, M. | Rice       |
| Anderson, R. | Dauner   | Gruenes     | Kelley      | Mahon     | Onnen     | Rodosovich |
| Asch         | Davids   | Gutknecht   | Kelso       | Mariani   | Opatz     | Rukavina   |
| Battaglia    | Dawkins  | Hasskamp    | Kinkel      | McCollum  | Orenstein | Sarna      |
| Bauerly      | Dehler   | Haukoos     | Klinzing    | McGuire   | Orfield   | Seagren    |
| Beard        | Delmont  | Holsten     | Koppendraye | Milbert   | Ostrom    | Sekhon     |
| Bergson      | Dempsey  | Hugoson     | Krinkie     | Molnau    | Ozment    | Simoneau   |
| Bertram      | Dorn     | Huntley     | Krueger     | Morrison  | Pauly     | Skoglund   |
| Bettermann   | Erhardt  | Jacobs      | Lasley      | Mosel     | Pawlenty  | Smith      |
| Blatz        | Evans    | Jaros       | Leppik      | Munger    | Pelowski  | Solberg    |
| Brown, C.    | Farrell  | Jefferson   | Lieder      | Murphy    | Perl      | Sparby     |
| Brown, K.    | Frerichs | Jennings    | Limmer      | Neary     | Peterson  | Stanius    |
| Carlson      | Garcia   | Johnson, A. | Lindner     | Nelson    | Pugh      | Steensma   |
| Carruthers   | Girard   | Johnson, R. | Lourey      | Ness      | Reding    | Sviggum    |
| Clark        | Goodno   | Johnson, V. | Luther      | Olson, E. | Rest      | Swenson    |

|           |            |           |         |        |           |
|-----------|------------|-----------|---------|--------|-----------|
| Tomassoni | Tunheim    | Vickerman | Weaver  | Wenzel | Worke     |
| Tompkins  | Van Dellen | Wagenius  | Wejcman | Winter | Workman   |
| Trimble   | Vellenga   | Waltman   | Welle   | Wolf   | Spk. Long |

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

Madam 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. 893, A bill for an act relating to local government; specifying the prosecuting attorney for certain offenses; amending Minnesota Statutes 1992, section 487.25, subdivision 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Bertram moved that the House concur in the Senate amendments to H. F. No. 893 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 893, A bill for an act relating to local government; specifying the prosecuting attorney for certain offenses; amending Minnesota Statutes 1992, section 487.25, subdivision 10.

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:

|              |            |               |          |           |            |            |
|--------------|------------|---------------|----------|-----------|------------|------------|
| Abrams       | Davids     | Hausman       | Krinkie  | Munger    | Pugh       | Tomassoni  |
| Anderson, I. | Dawkins    | Holsten       | Krueger  | Murphy    | Reding     | Tompkins   |
| Anderson, R. | Dehler     | Hugoson       | Lasley   | Neary     | Rest       | Trimble    |
| Asch         | Delmont    | Huntley       | Leppik   | Nelson    | Rhodes     | Tunheim    |
| Battaglia    | Dempsey    | Jacobs        | Lieder   | Ness      | Rice       | Van Dellen |
| Bauerly      | Dorn       | Jaros         | Limmer   | Olson, E. | Rodosovich | Vellenga   |
| Beard        | Erhardt    | Jefferson     | Lindner  | Olson, K. | Rukavina   | Vickerman  |
| Bergson      | Evans      | Jennings      | Lourey   | Olson, M. | Sarna      | Wagenius   |
| Bertram      | Farrell    | Johnson, A.   | Luther   | Ornen     | Seagren    | Waltman    |
| Bettermann   | Frerichs   | Johnson, R.   | Lynch    | Opatz     | Sekhon     | Weaver     |
| Blatz        | Garcia     | Johnson, V.   | Macklin  | Orenstein | Simoneau   | Wejcman    |
| Brown, C.    | Girard     | Kahn          | Mahon    | Orfield   | Skoglund   | Welle      |
| Brown, K.    | Goodno     | Kalis         | Mariani  | Ostrom    | Smith      | Wenzel     |
| Carlson      | Greenfield | Kelley        | McCollum | Ozment    | Solberg    | Winter     |
| Carruthers   | Greiling   | Kelso         | McGuire  | Pauly     | Sparby     | Wolf       |
| Clark        | Gruenes    | Kinkel        | Milbert  | Pawlenty  | Stanius    | Worke      |
| Commers      | Gutknecht  | Klinzing      | Molnau   | Pelowski  | Steensma   | Workman    |
| Cooper       | Hasskamp   | Knickerbocker | Morrison | Perlt     | Sviggum    | Spk. Long  |
| Dauner       | Haukoos    | Koppendrayner | Mosel    | Peterson  | Swenson    |            |

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

Madam 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. 945, A bill for an act relating to occupations and professions; modifying the membership of the board of nursing; requiring a certain examination for licensure of graduates from nursing programs in other countries; modifying requirements for a temporary permit; adding grounds for disciplinary action; amending Minnesota Statutes 1992, sections 148.181, subdivisions 1 and 3; 148.211, subdivision 1; 148.212; and 148.261, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Asch moved that the House concur in the Senate amendments to H. F. No. 945 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 945, A bill for an act relating to occupations and professions; modifying the membership of the board of nursing; requiring a certain examination for licensure of graduates from nursing programs in other countries; modifying requirements for a temporary permit; adding grounds for disciplinary action; amending Minnesota Statutes 1992, sections 148.181, subdivisions 1 and 3; 148.211, subdivision 1; 148.212; and 148.261, subdivision 1.

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:

|              |            |               |          |           |            |            |
|--------------|------------|---------------|----------|-----------|------------|------------|
| Abrams       | Davids     | Hausman       | Krinkie  | Munger    | Pugh       | Tomassoni  |
| Anderson, I. | Dawkins    | Holsten       | Krueger  | Murphy    | Reding     | Tompkins   |
| Anderson, R. | Dehler     | Hugoson       | Lasley   | Neary     | Rest       | Trimble    |
| Asch         | Delmont    | Huntley       | Leppik   | Nelson    | Rhodes     | Tunheim    |
| Battaglia    | Dempsey    | Jacobs        | Lieder   | Ness      | Rice       | Van Dellen |
| Bauerly      | Dorn       | Jaros         | Limmer   | Olson, E. | Rodosovich | Vellenga   |
| Beard        | Erhardt    | Jefferson     | Lindner  | Olson, K. | Rukavina   | Vickerman  |
| Bergson      | Evans      | Jennings      | Lourey   | Olson, M. | Sarna      | Wagenius   |
| Bertram      | Farrell    | Johnson, A.   | Luther   | Onnen     | Seagren    | Waltman    |
| Bettermann   | Frerichs   | Johnson, R.   | Lynch    | Opatz     | Sekhon     | Weaver     |
| Blatz        | Garcia     | Johnson, V.   | Macklin  | Orenstein | Simoneau   | Wejzman    |
| Brown, C.    | Girard     | Kahn          | Mahon    | Orfield   | Skoglund   | Welle      |
| Brown, K.    | Goodno     | Kalis         | Mariani  | Ostrom    | Smith      | Wenzel     |
| Carlson      | Greenfield | Kelley        | McCollum | Ozment    | Solberg    | Winter     |
| Carruthers   | Greiling   | Kelso         | McGuire  | Pauly     | Sparby     | Wolf       |
| Clark        | Gruenes    | Kinkel        | Milbert  | Pawlenty  | Stanis     | Worke      |
| Commers      | Gutknecht  | Klinzing      | Molnau   | Pelowski  | Steensma   | Workman    |
| Cooper       | Hasskamp   | Knickerbocker | Morrison | Perlt     | Sviggum    | Spk. Long  |
| Dauner       | Haukoos    | Koppendrayner | Mosel    | Peterson  | Swenson    |            |

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

Madam 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. 768, A bill for an act relating to retirement; Minnesota state retirement system; authorizing a purchase of service credit by a former grain inspector.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Jaros moved that the House concur in the Senate amendments to H. F. No. 768 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 768, A bill for an act relating to retirement; Minnesota state retirement system; authorizing a purchase of service credit by a former grain inspector.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |          |           |            |            |
|--------------|------------|---------------|----------|-----------|------------|------------|
| Abrams       | Davids     | Hausman       | Krinkie  | Murphy    | Pugh       | Tompkins   |
| Anderson, I. | Dawkins    | Holsten       | Lasley   | Neary     | Reding     | Trimble    |
| Anderson, R. | Dehler     | Hugoson       | Leppik   | Nelson    | Rest       | Tunheim    |
| Asch         | Delmont    | Huntley       | Lieder   | Ness      | Rhodes     | Van Dellen |
| Battaglia    | Dempsey    | Jacobs        | Limmer   | Olson, E. | Rice       | Vellenga   |
| Bauerly      | Dorn       | Jaros         | Lindner  | Olson, K. | Rodosovich | Vickerman  |
| Beard        | Erhardt    | Jefferson     | Lourey   | Olson, M. | Rukavina   | Wagenius   |
| Bergson      | Evans      | Jennings      | Luther   | Ornen     | Sarna      | Waltman    |
| Bertram      | Farrell    | Johnson, A.   | Lynch    | Opatz     | Seagren    | Weaver     |
| Bettermann   | Frerichs   | Johnson, R.   | Macklin  | Orenstein | Sekhon     | Wejcmán    |
| Blatz        | Garcia     | Johnson, V.   | Mahon    | Orfield   | Simoneau   | Welle      |
| Brown, C.    | Girard     | Kahn          | Mariani  | Osthoff   | Skoglund   | Wenzel     |
| Brown, K.    | Goodno     | Kalis         | McCollum | Ostrom    | Smith      | Winter     |
| Carlson      | Greenfield | Kelley        | McGuire  | Ozment    | Solberg    | Wolf       |
| Carruthers   | Greiling   | Kelso         | Milbert  | Pauly     | Stanius    | Worke      |
| Clark        | Gruenes    | Kinkel        | Molnau   | Pawlenty  | Steensma   | Workman    |
| Commers      | Gutknecht  | Klinzing      | Morrison | Pelowski  | Sviggum    | Spk. Long  |
| Cooper       | Hasskamp   | Knickerbocker | Mosel    | Perlt     | Swenson    |            |
| Dauner       | Haukoos    | Koppendrayner | Munger   | Peterson  | Tomassoni  |            |

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

Madam Speaker:

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

S. F. Nos. 1275, 237, 902, 1075, 1178, 340, 1105 and 532.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 1275, A bill for an act relating to the environment; providing protection from liability for releases of hazardous substances to lenders and owners for redevelopment of property under an approved cleanup plan; providing authority to issue determinations regarding association with a release; amending Minnesota Statutes 1992, section 115B.175, subdivisions 4, 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115B.

The bill was read for the first time.

Wagenius moved that S. F. No. 1275 and H. F. No. 1702, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 237, A bill for an act relating to agriculture; directing the commissioner of agriculture to promote farming of cervidae and maintain a data base on research and information; declaring farmed cervidae to be livestock and raising farmed cervidae to be an agricultural pursuit; prohibiting owners from allowing farmed cervidae to run at large; prescribing conditions for slaughter and sale of farmed cervidae as meat, fencing requirements, disease inspection, importation, and transportation requirements; requiring identification; prescribing conditions for farming cervidae; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; and 35.821, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 17.

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

S. F. No. 902, A bill for an act relating to motor carriers; defining armored carrier service; requiring any person providing armored carrier service to obtain an armored carrier permit from the transportation regulation board; providing for conversion of existing operating authority; amending Minnesota Statutes 1992, sections 221.011, by adding subdivisions; 221.072, subdivision 2; 221.111; 221.121, by adding a subdivision; 221.131, by adding a subdivision; 221.141, by adding a subdivision; 221.161, subdivision 1; and 221.185, subdivisions 1, 2 and 4; proposing coding for new law in Minnesota Statutes, chapter 221.

The bill was read for the first time.

Osthoff moved that S. F. No. 902 and H. F. No. 858, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1075, A bill for an act relating to civil actions; including arbitration awards under the collateral source statute; amending Minnesota Statutes 1992, section 548.36, subdivisions 1, 2, 3, and 4.

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

S. F. No. 1178, A bill for an act relating to agriculture; declaring llamas and ratitae to be livestock and raising llamas and ratitae to be agricultural pursuits; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31.51, subdivision 9; 31A.02, subdivisions 4 and 10; and 31B.02, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 17.

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

S. F. No. 340, A bill for an act relating to the military; entering into the National Guard mutual assistance counterdrug activities compact; proposing coding for new law in Minnesota Statutes, chapter 192.

The bill was read for the first time.

Skoglund moved that S. F. No. 340 and H. F. No. 232, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1105, A bill for an act relating to health; extending the expiration date of certain advisory councils and committees; modifying provisions relating to lead abatement; changing regulation provisions for hotels, resorts, restaurants, and manufactured homes; providing penalties; amending Minnesota Statutes 1992, sections 15.059, subdivision 5; 144.73, subdivision 3; 144.871, subdivisions 2, 6, 7a, and by adding subdivisions; 144.872, subdivision 2; 144.873, subdivision 2; 144.874, subdivisions 1, 3, 4, and 6; 144.878, subdivisions 2 and 5; 157.01, subdivision 1; 157.03; 157.08; 157.081, subdivision 1; 157.09; 157.12; 157.14; 245.97, subdivision 6; 327.10; 327.11; 327.16, subdivision 5; 327.20, subdivision 1; 327.26, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 144; and 157; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; 144.878, subdivision 2a; and 157.05, subdivisions 2 and 3.

The bill was read for the first time.

Simoneau moved that S. F. No. 1105 and H. F. No. 1099, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 532, A bill for an act relating to courts; conciliation court; adopting one body of law to govern conciliation courts; increasing the jurisdictional limit; amending Minnesota Statutes 1992, sections 481.02, subdivision 3; and 549.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 550; proposing coding for new law as Minnesota Statutes, chapter 491A; repealing Minnesota Statutes 1992, sections 487.30; 488A.12; 488A.13; 488A.14; 488A.15; 488A.16; 488A.17; 488A.29; 488A.30; 488A.31; 488A.32; 488A.33; and 488A.34; and Laws 1992, chapter 591, section 21.

The bill was read for the first time.

Dawkins moved that S. F. No. 532 and H. F. No. 591, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Anderson, I., 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.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 1585.

Stanius was excused between the hours of 12:25 p.m. and 2:10 p.m.

H. F. No. 1585 was reported to the House.

Sviggum, Gutknecht and Dauner moved to amend H. F. No. 1585, the second engrossment, as follows:

Page 133, after line 12, insert:

"Sec. 13. [609.2241] [KNOWING TRANSFER OF HIV VIRUS.]

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "Bodily fluid" includes blood, semen, saliva, and vaginal secretion;

(b) "HIV virus" means the human immunodeficiency virus; and

(c) "Transfer" means to engage in sexual intercourse; to permit reuse of a hypodermic needle, syringe, or similar device without sterilization; or to give blood or semen to a person, blood bank, or other medical facility for the purpose of transfusion or insemination.

Subd. 2. [CRIME.] Any person who transfers bodily fluid to another person, knowing or having reason to know that the bodily fluid is infected with the HIV virus, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.



Subd. 3. [AFFIRMATIVE DEFENSES.] If proven by a preponderance of the evidence, it is an affirmative defense to a prosecution under subdivision 2 that:

(1) the transfer involved consensual sexual intercourse between persons, after full disclosure of the risk of HIV virus infection;

(2) the transfer involved consensual sexual intercourse accompanied by the use of a condom, after full disclosure of the risk of HIV virus infection; or

(3) the transfer occurred after advice from a physician that the actor was noninfectious."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Weaver moved to amend the Sviggum et al amendment to H. F. No. 1585, the second engrossment, as follows:

Page 1, line 23 of the Sviggum et al amendment, delete "full"

Page 1, line 24 of the Sviggum et al amendment, after "infection" insert "and the fact that the person has the HIV virus"

Page 2, line 2 of the Sviggum et al amendment, delete "full"

Page 2, line 3 of the Sviggum et al amendment, after "infection" insert "and the fact that the person has the HIV virus"

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

The question recurred on the Sviggum et al amendment, as amended, and the roll was called. There were 110 yeas and 22 nays as follows:

Those who voted in the affirmative were:

|              |           |               |              |           |            |            |
|--------------|-----------|---------------|--------------|-----------|------------|------------|
| Abrams       | Commers   | Haukoos       | Koppendrayer | Mosel     | Perlt      | Sviggum    |
| Anderson, I. | Cooper    | Holsten       | Krinkie      | Munger    | Peterson   | Swenson    |
| Anderson, R. | Dauner    | Hugoson       | Krueger      | Neary     | Pugh       | Tomassoni  |
| Asch         | Davids    | Huntley       | Leppik       | Nelson    | Reding     | Tompkins   |
| Battaglia    | Dehler    | Jacobs        | Lieder       | Ness      | Rest       | Tunheim    |
| Bauerly      | Delmont   | Jaros         | Limmer       | Olson, E. | Rhodes     | Van Dellen |
| Beard        | Dempsey   | Jefferson     | Lindner      | Olson, K. | Rodosovich | Vickerman  |
| Bergson      | Dorn      | Jennings      | Luther       | Olson, M. | Rukavina   | Waltman    |
| Bertram      | Erhardt   | Johnson, A.   | Lynch        | Ornen     | Sarna      | Weaver     |
| Bettermann   | Evans     | Johnson, R.   | Macklin      | Opatz     | Seagren    | Wenzel     |
| Bishop       | Frerichs  | Johnson, V.   | Mahon        | Osthoff   | Sekhon     | Winter     |
| Blatz        | Girard    | Kalis         | McCollum     | Ostrom    | Simoneau   | Wolf       |
| Brown, C.    | Goodno    | Kelso         | McGuire      | Ozment    | Smith      | Worke      |
| Brown, K.    | Gruenes   | Kinkel        | Milbert      | Pauly     | Solberg    | Workman    |
| Carlson      | Gutknecht | Klinzing      | Molnau       | Pawlenty  | Sparby     |            |
| Carruthers   | Hasskamp  | Knickerbocker | Morrison     | Pelowski  | Steensma   |            |

Those who voted in the negative were:

|         |            |         |           |          |           |
|---------|------------|---------|-----------|----------|-----------|
| Clark   | Greenfield | Kelley  | Murphy    | Trimble  | Welle     |
| Dawkins | Greiling   | Lasley  | Orenstein | Vellenga | Spk. Long |
| Farrell | Hausman    | Lourey  | Orfield   | Wagenius |           |
| Garcia  | Kahn       | Mariani | Skoglund  | Wejzman  |           |

The motion prevailed and the amendment, as amended, was adopted.

Girard; Brown, C.; Sviggum; Limmer and Bertram moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Pages 24 to 26, delete sections 24 to 30

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Pugh; Hasskamp; Limmer; Brown, C.; Swenson; Stanius and Holsten moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 26, line 26, before the semicolon insert ", or at funerals, parades, or other ceremonies"

Page 26, line 28, delete "or"

Page 26, after line 28, insert:

"(3) the carrying of antique firearms which are carried as curiosities or for their historical significance or value; or"

Page 26, line 29, delete "(3)" and insert "(4)"

Page 26, line 33, after "regularly" insert "and frequently" and after "public" insert "in sufficient numbers to give clear notice of the property's current dedication to public use"

Page 26, line 34, delete "or other"

Page 26, delete line 35

Page 26, line 36, delete everything before the semicolon and insert "place of business owned or managed by the person, or land possessed by the person; a gun show, gun shop, hunting or target shooting facility"

Page 27, line 2, before the period insert "or other lawful activity involving firearms"

The motion prevailed and the amendment was adopted.

Limmer moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 131, line 25, after "that" insert "there is due cause to believe"

Page 131, line 29, after "that" insert "there is due cause to believe"

Page 131, line 31, after "juror" insert "; except that non-identifying statistical information about jurors, including but not limited to sex and race, shall be provided to the supreme court upon request"

The motion prevailed and the amendment was adopted.

Van Dellen moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 148, after line 12, insert:

#### "ARTICLE 11

#### CRIMES COMMITTED IN SHOPPING AREAS

Section 1. Minnesota Statutes 1992, section 152.01, is amended by adding a subdivision to read:

Subd. 14b. [SHOPPING CENTER ZONE.] "Shopping center zone" means any property on which a retail business establishment, shopping center, or shopping mall is located, and includes the property on which any appurtenant parking lot, ramp, or garage is located.

Sec. 2. Minnesota Statutes 1992, section 152.022, subdivision 1, is amended to read:

Subdivision 1. [SALE CRIMES.] A person is guilty of controlled substance crime in the second degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of three grams or more containing cocaine;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing a narcotic drug other than cocaine;

(3) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing methamphetamine, amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 50 or more dosage units;

(4) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 25 kilograms or more containing marijuana or Tetrahydrocannabinols;

(5) the person unlawfully sells any amount of a schedule I or II narcotic drug to a person under the age of 18, or conspires with or employs a person under the age of 18 to unlawfully sell the substance; or

(6) the person unlawfully sells any of the following in a school zone, a park zone, a shopping center zone, or a public housing zone:

(i) any amount of a schedule I or II narcotic drug;

(ii) one or more mixtures containing methamphetamine or amphetamine; or

(iii) one or more mixtures of a total weight of five kilograms or more containing marijuana or Tetrahydrocannabinols.

Sec. 3. Minnesota Statutes 1992, section 152.023, subdivision 2, is amended to read:

Subd. 2. [POSSESSION CRIMES.] A person is guilty of controlled substance crime in the third degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of three grams or more containing cocaine;

(2) the person unlawfully possesses one or more mixtures of a total weight of ten grams or more containing a narcotic drug other than cocaine;

(3) the person unlawfully possesses one or more mixtures containing a narcotic drug, it is packaged in dosage units, and equals 50 or more dosage units;

(4) the person unlawfully possesses any amount of a schedule I or II narcotic drug in a school zone, a park zone, a shopping center zone, or a public housing zone;

(5) the person unlawfully possesses one or more mixtures of a total weight of ten kilograms or more containing marijuana or Tetrahydrocannabinols; or

(6) the person unlawfully possesses one or more mixtures containing methamphetamine or amphetamine in a school zone, a park zone, a shopping center zone, or a public housing zone.

Sec. 4. Minnesota Statutes 1992, section 152.024, subdivision 1, is amended to read:

Subdivision 1. [SALE CRIMES.] A person is guilty of controlled substance crime in the fourth degree if:

(1) the person unlawfully sells one or more mixtures containing a controlled substance classified in schedule I, II, or III, except marijuana or Tetrahydrocannabinols;

(2) the person unlawfully sells one or more mixtures containing a controlled substance classified in schedule IV or V to a person under the age of 18;

(3) the person conspires with or employs a person under the age of 18 to unlawfully sell a controlled substance classified in schedule IV or V; or

(4) the person unlawfully sells any amount of marijuana or Tetrahydrocannabinols in a school zone, a park zone, a shopping center zone, or a public housing zone, except a small amount for no remuneration.

Sec. 5. Minnesota Statutes 1992, section 609.152, subdivision 2, is amended to read:

Subd. 2. [INCREASED SENTENCES; DANGEROUS OFFENDERS.] (a) Whenever a person is convicted of a violent crime, and the judge is imposing an executed sentence based on a sentencing guidelines presumptive imprisonment sentence, the judge may impose an aggravated durational departure from the presumptive imprisonment sentence up to the statutory maximum sentence if the offender was at least 18 years old at the time the felony was committed, and:

(1) the court determines on the record at the time of sentencing that the offender has two or more prior convictions for violent crimes; and

(2) the court finds that the offender is a danger to public safety and specifies on the record the basis for the finding, which may include:

(i) the offender's past criminal behavior, such as the offender's high frequency rate of criminal activity or juvenile adjudications, or long involvement in criminal activity including juvenile adjudications; or

(ii) the fact that the present offense of conviction involved an aggravating factor that would justify a durational departure under the sentencing guidelines.

(b) Whenever a person is convicted of a violent crime, and the judge is imposing an executed sentence based on a sentencing guidelines presumptive imprisonment sentence, the judge may impose an aggravated durational departure from the presumptive imprisonment sentence up to the statutory maximum sentence if the court determines that the crime was committed in a shopping center zone, as defined in section 152.01, subdivision 14b.

Sec. 6. Minnesota Statutes 1992, section 609.66, subdivision 1, is amended to read:

Subdivision 1. [MISDEMEANOR AND GROSS MISDEMEANOR CRIMES.] (a) Whoever does any of the following is guilty of a crime and may be sentenced as provided in paragraph (b):

- (1) recklessly handles or uses a gun or other dangerous weapon or explosive so as to endanger the safety of another; or
- (2) intentionally points a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another; or
- (3) manufactures or sells for any unlawful purpose any weapon known as a slungshot or sand club; or
- (4) manufactures, transfers, or possesses metal knuckles or a switch blade knife opening automatically; or
- (5) possesses any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or
- (6) outside of a municipality and without the parent's or guardian's consent, furnishes a child under 14 years of age, or as a parent or guardian permits the child to handle or use, outside of the parent's or guardian's presence, a firearm or airgun of any kind, or any ammunition or explosive.

Possession of written evidence of prior consent signed by the minor's parent or guardian is a complete defense to a charge under clause (6).

(b) A person convicted under paragraph (a) may be sentenced as follows:

- (1) if the act was committed in a public housing zone, as defined in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision 14a, a shopping center zone, as defined in section 152.01, subdivision 14b, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; or
- (2) otherwise, including where the act was committed on residential premises within a zone described in clause (1) if the offender was at the time an owner, tenant, or invitee for a lawful purpose with respect to those residential premises, to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both.

Sec. 7. Minnesota Statutes 1992, section 609.66, subdivision 1a, is amended to read:

Subd. 1a. [FELONY CRIMES.] (a) Whoever does any of the following is guilty of a felony and may be sentenced as provided in paragraph (b):

- (1) sells or has in possession any device designed to silence or muffle the discharge of a firearm; or
- (2) intentionally discharges a firearm under circumstances that endanger the safety of another.

(b) A person convicted under paragraph (a) may be sentenced as follows:

- (1) if the act was committed in a public housing zone, as defined in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision 14a, a shopping center zone, as defined in section 152.01, subdivision 14b, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both; or
- (2) otherwise, to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective August 1, 1993, and apply to crimes committed on or after that date."

Amend the title accordingly

Renumber the articles in sequence

A roll call was requested and properly seconded.

The question was taken on the Van Dellen amendment and the roll was called. There were 74 yeas and 56 nays as follows:

Those who voted in the affirmative were:

|              |           |               |          |           |            |            |
|--------------|-----------|---------------|----------|-----------|------------|------------|
| Abrams       | Davids    | Holsten       | Leppik   | Mosel     | Pawlenty   | Sviggum    |
| Anderson, R. | Dehler    | Hugoson       | Lieder   | Munger    | Pelowski   | Swenson    |
| Beard        | Dempsey   | Jacobs        | Limmer   | Neary     | Perlt      | Tunheim    |
| Bergson      | Dorn      | Jennings      | Lindner  | Ness      | Peterson   | Van Dellen |
| Bertram      | Erhardt   | Johnson, A.   | Luther   | Olson, E. | Pugh       | Vickerman  |
| Bettermann   | Frerichs  | Johnson, V.   | Lynch    | Olson, M. | Rest       | Waltman    |
| Blatz        | Girard    | Kalis         | Mahon    | Ornen     | Rhodes     | Wolf       |
| Brown, K.    | Goodno    | Klinzing      | McCollum | Opatz     | Rodosovich | Workman    |
| Carlson      | Gruenes   | Knickerbocker | Milbert  | Osthoff   | Seagren    |            |
| Commers      | Gutknecht | Koppendrayner | Molnau   | Ozment    | Smith      |            |
| Cooper       | Haukoos   | Krinkie       | Morrison | Pauly     | Sparby     |            |

Those who voted in the negative were:

|              |            |             |         |           |           |           |
|--------------|------------|-------------|---------|-----------|-----------|-----------|
| Anderson, I. | Dauner     | Hausman     | Kinkel  | Olson, K. | Sekhon    | Wagenius  |
| Asch         | Dawkins    | Huntley     | Krueger | Orenstein | Simoneau  | Weaver    |
| Battaglia    | Evans      | Jaros       | Lasley  | Orfield   | Skoglund  | Wejman    |
| Bauerly      | Farrell    | Jefferson   | Lourey  | Ostrom    | Solberg   | Welle     |
| Bishop       | Garcia     | Johnson, R. | Mariani | Reding    | Steensma  | Wenzel    |
| Brown, C.    | Greenfield | Kahn        | McGuire | Rice      | Tomassoni | Winter    |
| Carruthers   | Greiling   | Kelley      | Murphy  | Rukavina  | Trimble   | Worke     |
| Clark        | Hasskamp   | Kelso       | Nelson  | Sarna     | Vellenga  | Spk. Long |

The motion prevailed and the amendment was adopted.

Rukavina moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 76, after line 28, insert:

"Sec. 8. Minnesota Statutes 1992, section 540.18, subdivision 1, is amended to read:

Subdivision 1. The parent or guardian of the person of a minor who is under the age of 18 and who is living with the parent or guardian and who willfully or maliciously causes injury to any person or damage to any property is jointly and severally liable with such minor for such injury or damage to an amount not exceeding \$500 ~~\$1,000~~, if such minor would have been liable for such injury or damage if the minor had been an adult. Nothing in this subdivision shall be construed to relieve such minor from personal liability for such injury or damage. The liability provided in this subdivision is in addition to and not in lieu of any other liability which may exist at law. Recovery under this section shall be limited to special damages."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Carruthers moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 94, lines 24 to 26, delete the new language and restore the stricken language

The motion prevailed and the amendment was adopted.

Krinkie, Swenson and Davids moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 42, line 23, delete everything after the period

Page 42, delete lines 24 to 27

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

Asch moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 127, after line 30, insert:

"Sec. 2. Minnesota Statutes 1992, section 144.765, is amended to read:

144.765 [PATIENT'S RIGHT TO REFUSE TESTING.]

Upon notification of a significant exposure, the facility shall ask the patient to consent to blood testing to determine the presence of the HIV virus or the hepatitis B virus. The patient shall be informed that the test results without personally identifying information will be reported to the emergency medical services personnel. The patient shall be informed of the right to refuse to be tested. If the patient refuses to be tested, the patient's refusal will be forwarded to the emergency medical services agency and to the emergency medical services personnel. The right to refuse a blood test under the circumstances described in this section does not apply to a prisoner who is in the custody or under the jurisdiction of the commissioner of corrections or a local correctional authority."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Olson, M., moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 130, line 5, strike "609.185, clause"

Page 130, line 6, strike everything before "609.346"

Page 130, line 17, strike everything after "section"

Page 130, line 18, strike everything before "609.346"

Page 133, strike the existing language on lines 5 to 11 and delete the new language

Page 133, line 12, strike "crime" and insert "if the person is convicted of first degree murder under section 609.185"

A roll call was requested and properly seconded.

The question was taken on the Olson, M., amendment and the roll was called. There were 62 yeas and 66 nays as follows:

Those who voted in the affirmative were:

|            |           |               |          |           |          |            |
|------------|-----------|---------------|----------|-----------|----------|------------|
| Abrams     | Erhardt   | Hugoson       | Krueger  | Nelson    | Pawlenty | Tompkins   |
| Bergson    | Frerichs  | Jennings      | Leppik   | Ness      | Pelowski | Van Dellen |
| Bertram    | Girard    | Johnson, A.   | Limmer   | Olson, E. | Peterson | Vickerman  |
| Bettermann | Goodno    | Johnson, R.   | Lindner  | Olson, M. | Rhodes   | Waltman    |
| Commers    | Gruenes   | Johnson, V.   | Luther   | Onnen     | Seagren  | Wenzel     |
| Cooper     | Gutknecht | Klinzing      | Lynch    | Opatz     | Smith    | Wolf       |
| Davids     | Hasskamp  | Knickerbocker | Molnau   | Osthoff   | Sparby   | Worke      |
| Dehler     | Haukoos   | Koppendrayner | Morrison | Ozment    | Steensma | Workman    |
| Dempsey    | Holsten   | Krinkie       | Mosel    | Pauly     | Sviggum  |            |

Those who voted in the negative were:

|              |            |           |          |            |           |           |
|--------------|------------|-----------|----------|------------|-----------|-----------|
| Anderson, I. | Clark      | Hausman   | Lasley   | Olson, K.  | Rukavina  | Vellenga  |
| Anderson, R. | Dauner     | Huntley   | Lieder   | Orenstein  | Sarna     | Wagenius  |
| Asch         | Dawkins    | Jacobs    | Lourey   | Orfield    | Sekhon    | Weaver    |
| Battaglia    | Delmont    | Jaros     | Mahon    | Ostrom     | Simoneau  | Wejcmán   |
| Bauerly      | Dorn       | Jefferson | Mariani  | Perlt      | Skoglund  | Welle     |
| Beard        | Evans      | Kahn      | McCollum | Pugh       | Solberg   | Spk. Long |
| Brown, C.    | Farrell    | Kalis     | Milbert  | Reding     | Swenson   |           |
| Brown, K.    | Garcia     | Kelley    | Munger   | Rest       | Tomassoni |           |
| Carlson      | Greenfield | Kelso     | Murphy   | Rice       | Trimble   |           |
| Carruthers   | Greiling   | Kinkel    | Neary    | Rodosovich | Tunheim   |           |

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

Brown, C., moved to amend H. F. No. 1585, the second engrossment, as amended, as follows:

Page 127, delete section 1

Page 147, after line 34, insert:

"Sec. 31. [CRIMINAL HISTORY RECORD ACCESS STUDY.]

The criminal and juvenile justice information policy group shall study and make recommendations on the desirability and feasibility of making criminal conviction data maintained by the bureau of criminal apprehension accessible to the public. The study must include:

(1) public safety concerns;

(2) the effect of public access on employability and reintegration of offenders in the community;

(3) the discriminatory impact of public access on different racial groups; and

(4) the need for applying the criminal offenders rehabilitation act in Minnesota Statutes, chapter 364, to private employers or for providing other remedies for employees who may be the subject of adverse action based on criminal history background checks.

The policy group shall report to the legislature under this section by December 1, 1993."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.



The question was taken on the Brown, C., amendment and the roll was called. There were 42 yeas and 90 nays as follows:

Those who voted in the affirmative were:

|              |            |           |          |           |          |           |
|--------------|------------|-----------|----------|-----------|----------|-----------|
| Anderson, I. | Dawkins    | Jacobs    | Kinkel   | Nelson    | Rice     | Tomassoni |
| Anderson, R. | Farrell    | Jaros     | Klinzing | Ness      | Rukavina | Trimble   |
| Brown, C.    | Garcia     | Jefferson | Lourey   | Olson, K. | Sarna    | Vellenga  |
| Brown, K.    | Greenfield | Jennings  | Mariani  | Pelowski  | Solberg  | Wejzman   |
| Cooper       | Hasskamp   | Kahn      | Milbert  | Perlt     | Sparby   | Welle     |
| Dauner       | Hausman    | Kelso     | Neary    | Peterson  | Steensma | Winter    |

Those who voted in the negative were:

|            |           |               |          |           |            |            |
|------------|-----------|---------------|----------|-----------|------------|------------|
| Abrams     | Dauids    | Haukoos       | Lasley   | Munger    | Pugh       | Tompkins   |
| Asch       | Dehler    | Holsten       | Lieder   | Murphy    | Reding     | Tunheim    |
| Battaglia  | Delmont   | Hugoson       | Limmer   | Olson, E. | Rest       | Van Dellen |
| Bauerly    | Dempsey   | Huntley       | Lindner  | Olson, M. | Rhodes     | Vickerman  |
| Beard      | Dorn      | Johnson, A.   | Luther   | Onnen     | Rodosovich | Wagenius   |
| Bergson    | Erhardt   | Johnson, R.   | Lynch    | Opatz     | Seagren    | Waltman    |
| Bertram    | Evans     | Johnson, V.   | Macklin  | Orenstein | Sekhon     | Weaver     |
| Bettermann | Frerichs  | Kalis         | Mahon    | Orfield   | Simoneau   | Wenzel     |
| Blatz      | Girard    | Kelley        | McCollum | Osthoff   | Skoglund   | Wolf       |
| Carlson    | Goodno    | Knickerbocker | McGuire  | Ostrom    | Smith      | Worke      |
| Carruthers | Greiling  | Koppendrayner | Molnau   | Ozment    | Stanisus   | Workman    |
| Clark      | Gruenes   | Krinkie       | Morrison | Pauly     | Sviggum    | Spk. Long  |
| Commers    | Gutknecht | Krueger       | Mosel    | Pawlenty  | Swenson    |            |

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

H. F. No. 1585, A bill for an act relating to crime; imposing penalties for a variety of firearms-related offenses; expanding forfeiture provisions; revising and increasing penalties for stalking, harassment, and domestic abuse offenses; providing for improved training, investigation and enforcement of these laws; increasing penalties for and making revisions to certain controlled substance offenses; increasing penalties for crimes committed by groups; increasing penalties and improving enforcement of arson and related crimes; making certain changes to restitution and other crime victim laws; revising laws relating to law enforcement agencies, and state and local corrections agencies; requiring certain counties to establish pretrial diversion programs; revising and increasing penalties for a variety of other criminal laws; clarifying certain provisions for the new felony sentencing system; making technical corrections to sentencing statutes; regulating crimes in certain shopping areas; making knowing transfer of HIV virus a felony; increasing parental liability; limiting right to refuse blood testing; appropriating money; amending Minnesota Statutes 1992, sections 8.16, subdivision 1; 13.87, subdivision 2; 16B.08, subdivision 7; 127.03, subdivision 3; 144.765; 144A.04, subdivisions 4 and 6; 144A.11, subdivision 3a; 144B.08, subdivision 3; 152.01, by adding a subdivision; 152.021, subdivision 3; 152.022, subdivisions 1, 2, and 3; 152.023, subdivisions 2 and 3; 152.024, subdivisions 1 and 3; 152.025, subdivision 3; 152.026; 152.0971, subdivisions 1, 3, and by adding subdivisions; 152.0972, subdivision 1; 152.0973, subdivisions 2, 3, and by adding a subdivision; 152.0974; 152.18, subdivision 1; 168.346; 169.121, subdivision 3a; 169.222, subdivisions 1 and 6; 169.64, subdivision 3; 169.98, subdivision 1a; 214.10, by adding subdivisions; 238.16, subdivision 2; 241.09; 241.26, subdivision 5; 241.67, subdivision 2; 243.166, subdivision 1; 243.23, subdivision 3; 244.01, subdivision 8, and by adding a subdivision; 244.05, subdivisions 1b, 4, 5, and by adding a subdivision; 244.065; 244.101; 244.14, subdivisions 2 and 3; 244.15, subdivision 1; 244.17, subdivision 3; 244.171, subdivisions 3 and 4; 244.172, subdivisions 1 and 2; 260.185, subdivisions 1 and 1a; 260.193, subdivision 8; 260.251, subdivision 1; 299A.35, subdivision 2; 299C.46, by adding a subdivision; 299D.03, subdivision 1; 299D.06; 299F.04, by adding a subdivision; 299F.815, subdivision 1; 388.23, subdivision 1; 390.11, by adding a subdivision; 390.32, by adding a subdivision; 401.02, subdivision 4; 473.386, by adding a subdivision; 480.0591, subdivision 6; 480.30; 485.018, subdivision 5; 518B.01, subdivisions 2, 3, 6, 7, 9, and 14; 540.18, subdivision 1; 541.15; 609.02, subdivision 6; 609.0341, subdivision 1; 609.035; 609.05, subdivision 1; 609.06; 609.101, subdivisions 2, 3, and 4; 609.11; 609.135, subdivisions 1, 1a, and 2; 609.1352, subdivision 1; 609.14, subdivision 1; 609.15, subdivision 2; 609.152, subdivisions 1 and 2; 609.175, subdivision 2, and by adding a subdivision; 609.184, subdivision 2; 609.196; 609.224, subdivision 2; 609.229, subdivision 3; 609.251; 609.341, subdivisions 10, 17, 18, and 19; 609.344, subdivision 1; 609.345, subdivision 1; 609.346, subdivisions 2, 2b,

and 5; 609.3461; 609.378, subdivision 1; 609.494; 609.495; 609.505; 609.531, subdivision 1; 609.5314, subdivision 1; 609.562; 609.563, subdivision 1; 609.576, subdivision 1; 609.582, subdivision 1a; 609.585; 609.605, subdivision 1, and by adding a subdivision; 609.66, subdivisions 1, 1a, and by adding subdivisions; 609.67, subdivisions 1 and 2; 609.686; 609.71; 609.713, subdivision 1; 609.746, by adding a subdivision; 609.748, subdivisions 1, 2, 3, 5, 6, 8, and by adding subdivisions; 609.79, subdivision 1; 609.795, subdivision 1; 609.856, subdivision 1; 609.891, subdivision 2; 609.902, subdivision 4; 611A.02, subdivision 2; 611A.031; 611A.0315; 611A.04, subdivisions 1, 1a, 3, and by adding a subdivision; 611A.06, subdivision 1; 611A.52, subdivisions 5, 8, and 9; 611A.57, subdivisions 2, 3, and 5; 611A.66; 624.711; 624.712, subdivisions 5, 6, and by adding a subdivision; 624.713; 624.7131, subdivisions 1, 4, and 10; 624.7132; 626.05, subdivision 2; 626.13; 626.556, subdivision 10; 626.8451, subdivision 1a; 626A.05, subdivision 1; 626A.06, subdivisions 4, 5, and 6; 626A.10, subdivision 1; 626A.11, subdivision 1; 628.26; 629.291, subdivision 1; 629.34, subdivision 1; 629.341, subdivision 1; 629.342, subdivision 2; 629.72; 631.046, subdivision 1; 631.41; and 641.14; Laws 1991, chapter 279, section 41; Laws 1992, chapter 571, article 7, section 13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 121; 152; 169; 174; 242; 260; 401; 473; 593; 609; 611A; and 624; repealing Minnesota Statutes 1992, sections 152.0973, subdivision 4; 214.10, subdivisions 4, 5, 6, and 7; 241.25; 609.02, subdivisions 12 and 13; 609.131, subdivision 1a; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; 609.795, subdivision 2; 611A.57, subdivision 1; and 629.40, subdivision 5.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |          |           |            |            |
|--------------|------------|---------------|----------|-----------|------------|------------|
| Abrams       | Davids     | Hausman       | Krinkie  | Munger    | Pugh       | Tompkins   |
| Anderson, I. | Dawkins    | Holsten       | Krueger  | Murphy    | Reding     | Trimble    |
| Anderson, R. | Dehler     | Hugoson       | Lasley   | Neary     | Rest       | Tunheim    |
| Asch         | Delmont    | Huntley       | Leppik   | Nelson    | Rhodes     | Van Dellen |
| Battaglia    | Dempsey    | Jacobs        | Lieder   | Ness      | Rice       | Vellenga   |
| Bauerly      | Dorn       | Jaros         | Limmer   | Olson, E. | Rodosovich | Vickerman  |
| Beard        | Erhardt    | Jefferson     | Lindner  | Olson, K. | Rukavina   | Wagenius   |
| Bergson      | Evans      | Jennings      | Lourey   | Olson, M. | Sarna      | Waltman    |
| Bertram      | Farrell    | Johnson, A.   | Luther   | Onnen     | Seagren    | Weaver     |
| Bettermann   | Frerichs   | Johnson, R.   | Lynch    | Opatz     | Sekhon     | Wejcmnan   |
| Blatz        | Garcia     | Johnson, V.   | Macklin  | Orenstein | Simoneau   | Welle      |
| Brown, C.    | Girard     | Kahn          | Mahon    | Orfield   | Skoglund   | Wenzel     |
| Brown, K.    | Goodno     | Kalis         | Mariani  | Ostrom    | Smith      | Winter     |
| Carlson      | Greenfield | Kelley        | McCollum | Ozment    | Solberg    | Wolf       |
| Carruthers   | Greiling   | Kelso         | McGuire  | Pauly     | Sparby     | Workke     |
| Clark        | Gruenes    | Kinkel        | Milbert  | Pawlenty  | Steensma   | Workman    |
| Commers      | Gutknecht  | Klinzing      | Molnau   | Pelowski  | Sviggum    | Spk. Long  |
| Cooper       | Hasskamp   | Knickerbocker | Morrison | Perlt     | Swenson    |            |
| Dauner       | Haukoos    | Koppendrayar  | Mosel    | Peterson  | Tomassoni  |            |

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, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1402, A bill for an act relating to natural resources; amending requirements relating to replacement of wetlands; modifying exemptions; amending Minnesota Statutes 1992, sections 103G.222; 103G.2241; 103G.2242, subdivisions 1 and 2; 103G.2369, subdivision 2; and Laws 1991, chapter 354, article 7, section 2.

Reported the same back with the following amendments:

Pages 7 and 8, delete section 3

Page 9, after line 15, insert:

"Sec. 5. Minnesota Statutes 1992, section 103G.2369, is amended by adding a subdivision to read:

Subd. 4a. [ELECTION BY LOCAL GOVERNMENT UNIT.] Notwithstanding subdivision 2 and sections 103G.222 and 103G.2242, a local government unit may elect to operate under this section after July 1, 1993, but not beyond December 31, 1993."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivisions 1 and" and insert "subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 1402 was read for the second time.

### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1408:

Limmer, Smith and Wenzel.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1709:

Rice, Mariani, Steensma, Sarna and Lieder.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1613:

Rice, Clark, Dempsey, Lieder and Mariani.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1620:

Krueger; Kahn; Johnson, R.; Knickerbocker and Haukoos.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bill as a Special Order to be acted upon immediately preceding printed Special Orders for today, Thursday, April 29, 1993:

H. F. No. 984.

## SPECIAL ORDERS

H. F. No. 984 was reported to the House.

Krueger moved to amend H. F. No. 984, the first engrossment, as follows:

Page 10, line 2, before "member" insert "nonvoting" and before the first "of" insert "who is a member"

Page 10, line 3, before "member" insert "nonvoting" and before "of" insert "who is a member"

Page 10, line 7, reinstate the stricken language

Page 10, line 8, reinstate the stricken "expire until June 30," and before the period insert "1997"

The motion prevailed and the amendment was adopted.

Opatz, Delmont, Perl, Bergson, Gruenes, Haukoos, Huntley and Long moved to amend H. F. No. 984, the first engrossment, as amended, as follows:

Page 2, after line 8, insert:

"Sec. 3. Minnesota Statutes 1992, section 16A.11, is amended by adding a subdivision to read:

Subd. 3b. [CONTRACTS.] The detailed budget estimate must also include the following information on professional and technical services contracts involving departments listed in section 15.01:

(1) the number and amount of all contracts for each agency for the past biennium;

(2) the anticipated number and amount of all contracts for each agency for the upcoming biennium; and

(3) the total value of all contracts from the previous biennium, and the anticipated total value of all contracts for the upcoming biennium."

Page 2, after line 26, insert:

"Sec. 5. [16B.166] [CONTRACT OVERSIGHT BOARD.]

The contract oversight board consists of one person appointed by the speaker of the house, one person appointed by the senate committee on rules and administration, one person appointed by the attorney general, and three persons appointed by the governor. The board shall meet at least quarterly to selectively review professional and technical service contracts entered into by departments listed in section 15.01. The purpose of the review is to assure that the contracting agencies and the commissioner of administration have followed all applicable laws. The board shall give particular emphasis to assuring compliance with laws requiring an agency to certify that: (1) no state employee was able to perform the services called for; and (2) reasonable efforts were made to publicize the availability of the contract. The legislative auditor shall assist the board in its reviews.

## Sec. 6. [16B.167] [EMPLOYEE SKILLS INVENTORY.]

The commissioners of employee relations and administration shall develop a list of skills that state agencies commonly seek from professional and technical services contracts as developed through the collective bargaining process."

Page 3, after line 23, insert:

"(4) no contract, including any amendments and extensions, will extend for more than five years;"

Renumber subsequent clauses

Page 3, line 32, before "Before" insert "(a)"

Page 3, line 36, before "no" insert "the agency has publicized the contract by posting notices at employee worksites and has determined that"

Page 3, line 36, after "employee" insert ", including an employee outside the contracting agency,"

Page 4, after line 20, insert:

"(b) The agency certification must include:

(1) a description as to how the agency complied with paragraph (a), clauses (1) and (4); and

(2) what steps the agency has taken to verify the competence of the proposed contractor.

Subd. 3a. [RENEWALS.] A renewal of a contract must comply with all requirements, including notice, required for the original contract. A renewal contract must be identified as such. All notices and reports on a renewal contract must state the date of the original contract and the amount paid previously under the contract."

Page 4, line 21, before "The" insert "(a)"

Page 4, line 27, after "quarterly" insert "and annual"

Page 4, after line 29, insert:

"(b) The monthly, quarterly, and annual reports must:

(1) be sorted by agency and by contractor;

(2) show the aggregate value of contracts issued by each agency and issued to each contractor;

(3) distinguish between original and renewal contracts;

(4) state the termination date of each contract; and

(5) categorize contracts according to subject matter, including topics such as contracts for training, contracts for research and opinions, and contracts for computer systems."

Page 5, after line 3, insert:

"Subd. 6. [REPORTING ON CONTRACTS.] (a) This subdivision applies to contracts entered into by departments listed in section 15.01 that are valued at more than \$3,000 and that:

(1) are subject to review and approval of the commissioner of administration;

(2) are not for supplies or materials; and

(3) involve analysis, evaluation, prediction, planning, or recommendation, or completion of a task that is predominantly intellectual in character.

(b) The terms of the contract must provide that no more than 90 percent of the amount due under the contract may be paid until the chief executive of the agency entering into the contract has:

(1) reviewed the final product; and

(2) certified that the contractor has satisfactorily fulfilled the terms of the contract.

(c) Within 30 days of final completion of a contract covered by this subdivision, the chief executive of the agency entering into the contract must submit a one page statement to the chairs of the appropriate policy and finance committees or divisions in the legislature. The report must:

(1) summarize the purpose of the contract, including why it was necessary to enter into a contract to further the agency's mission;

(2) evaluate the conclusions reached under the contract, and state how these conclusions help the agency to take action to further accomplish its mission; and

(3) state the amount spent on the contract, and explain why this amount was a cost-effective way to enable the agency to provide its services or products better or more efficiently."

Page 23, after line 1, insert:

"Sec. 32. [EMPLOYEE COMPENSATION SAVINGS.]

Notwithstanding Minnesota Statutes, section 16A.28, during the biennium ending June 30, 1995, unspent money which was allocated to a department listed in section 15.01 for state employee salaries and benefits shall cancel to the fund from which the money saved was appropriated to the department.

Sec. 33. [TRANSFER.]

During the biennium ending June 30, 1995, the commissioner of administration shall transfer two additional full-time equivalent positions to review professional and technical service contracts."

Page 23, delete lines 7 to 9 and insert:

"Sections 3 to 9, 15 to 18, 32, and 33 are effective July 1, 1993. Sections 1 and 2, 10 to 14, and 19 to 31 and 34 are effective the day following final enactment."

A roll call was requested and properly seconded.

The question was taken on the Opatz et al amendment and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |         |             |               |          |           |            |
|--------------|---------|-------------|---------------|----------|-----------|------------|
| Abrams       | Commers | Greenfield  | Johnson, R.   | Lindner  | Nelson    | Perlt      |
| Anderson, I. | Cooper  | Greiling    | Johnson, V.   | Lourey   | Ness      | Peterson   |
| Anderson, R. | Dauner  | Gruenes     | Kahn          | Luther   | Olson, E. | Pugh       |
| Asch         | Davids  | Gutknecht   | Kalis         | Lynch    | Olson, K. | Reding     |
| Battaglia    | Dawkins | Hasskamp    | Kelley        | Macklin  | Olson, M. | Rest       |
| Bauerly      | Dehler  | Haukoos     | Kinkel        | Mahon    | Onnen     | Rhodes     |
| Beard        | Delmont | Hausman     | Klinzing      | Mariani  | Opatz     | Rice       |
| Bergson      | Dempsey | Holsten     | Knickerbocker | McCullum | Orenstein | Rodosovich |
| Bertram      | Dorn    | Hugoson     | Koppendrayer  | McGuire  | Orfield   | Rukavina   |
| Bettermann   | Erhardt | Huntley     | Krinkie       | Milbert  | Osthoff   | Sarna      |
| Blatz        | Evans   | Jacobs      | Krueger       | Molnau   | Ostrom    | Seagren    |
| Brown, K.    | Farrell | Jaros       | Lasley        | Morrison | Ozment    | Sekhon     |
| Carlson      | Garcia  | Jefferson   | Leppik        | Mosel    | Pauly     | Simoneau   |
| Carruthers   | Girard  | Jennings    | Lieder        | Murphy   | Pawlentz  | Skoglund   |
| Clark        | Goodno  | Johnson, A. | Limmer        | Neary    | Pelowski  | Smith      |

|          |           |            |          |        |         |           |
|----------|-----------|------------|----------|--------|---------|-----------|
| Solberg  | Sviggum   | Trimble    | Wagenius | Welle  | Worke   | Spk. Long |
| Sparby   | Swenson   | Tunheim    | Waltman  | Wenzel | Workman |           |
| Stanius  | Tomassoni | Van Dellen | Weaver   | Winter |         |           |
| Steensma | Tompkins  | Vickerman  | Wejman   | Wolf   |         |           |

The motion prevailed and the amendment was adopted.

Opatz, Delmont, Perl, Bergson, Gruenes, Huntley and Long moved to amend H. F. No. 984, the first engrossment, as amended, as follows:

Page 23, after line 1, insert:

"Sec. 29. [SPENDING LIMITATIONS ON CONTRACTS.]

During the biennium ending June 30, 1995, the amount spent by a department listed in Minnesota Statutes, section 15.01 from direct-appropriated funds on professional or technical service contracts that are subject to review and approval of the commissioner of administration may not exceed 90 percent of the amount the department spent on these contracts from these funds in the biennium from July 1, 1991 to June 30, 1993. For purposes of this section, professional or technical service contracts are as defined in Minnesota Statutes, section 16B.17, but do not include contracts for highway construction or maintenance."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Opatz et al amendment and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |           |             |          |           |            |            |
|--------------|-----------|-------------|----------|-----------|------------|------------|
| Abrams       | Dauner    | Holsten     | Lasley   | Murphy    | Pugh       | Tomassoni  |
| Anderson, I. | Davids    | Hugoson     | Leppik   | Neary     | Reding     | Tompkins   |
| Anderson, R. | Dawkins   | Huntley     | Lieder   | Nelson    | Rest       | Trimble    |
| Asch         | Dehler    | Jacobs      | Limmer   | Ness      | Rhodes     | Tunheim    |
| Battaglia    | Delmont   | Jaros       | Lindner  | Olson, E. | Rice       | Van Dellen |
| Bauerly      | Dempsey   | Jefferson   | Lourey   | Olson, K. | Rodosovich | Vickerman  |
| Beard        | Dorn      | Jennings    | Luther   | Olson, M. | Rukavina   | Wagenius   |
| Bergson      | Erhardt   | Johnson, A. | Lynch    | Onnen     | Sarna      | Waltman    |
| Bertram      | Evans     | Johnson, R. | Macklin  | Opatz     | Seagren    | Weaver     |
| Bettermann   | Farrell   | Johnson, V. | Mahon    | Orenstein | Sekhon     | Wejman     |
| Blatz        | Frerichs  | Kahn        | Mariani  | Orfield   | Simoneau   | Welle      |
| Brown, C.    | Garcia    | Kalis       | McCullum | Osthoff   | Skoglund   | Wenzel     |
| Brown, K.    | Girard    | Kelley      | McGuire  | Ostrom    | Smith      | Winter     |
| Carlson      | Goodno    | Kinkel      | Milbert  | Ozment    | Sparby     | Wolf       |
| Carruthers   | Greiling  | Klinzing    | Molnau   | Pauly     | Stanius    | Worke      |
| Clark        | Gruenes   | Koppendraye | Morrison | Pelowski  | Steensma   | Workman    |
| Commers      | Gutknecht | Krinkie     | Mosel    | Perl      | Sviggum    | Spk. Long  |
| Cooper       | Hasskamp  | Krueger     | Munger   | Peterson  | Swenson    |            |

The motion prevailed and the amendment was adopted.

The Speaker called Trimble to the Chair.

The Speaker resumed the Chair.

Jacobs moved to amend H. F. No. 984, the first engrossment, as amended, as follows:

Pages 18 to 19, delete Section 26

Renumber the remaining sections

A roll call was requested and properly seconded.

The question was taken on the Jacobs amendment and the roll was called. There were 53 yeas and 72 nays as follows:

Those who voted in the affirmative were:

|            |          |             |               |           |          |         |
|------------|----------|-------------|---------------|-----------|----------|---------|
| Abrams     | Dawkins  | Hausman     | Knickerbocker | Morrison  | Pauly    | Weaver  |
| Asch       | Dehler   | Holsten     | Limmer        | Neary     | Pawlenty | Winter  |
| Bertram    | Erhardt  | Jacobs      | Lindner       | Olson, E. | Pugh     | Wolf    |
| Carlson    | Farrell  | Jennings    | Luther        | Olson, M. | Rest     | Worke   |
| Carruthers | Frerichs | Johnson, A. | Lynch         | Onnen     | Rice     | Workman |
| Clark      | Garcia   | Kahn        | Macklin       | Orenstein | Seagren  |         |
| Commers    | Greiling | Kelley      | Mariani       | Orfield   | Stanius  |         |
| Dauner     | Gruenes  | Klinzing    | McGuire       | Osthoff   | Trimble  |         |

Those who voted in the negative were:

|              |            |             |           |            |            |           |
|--------------|------------|-------------|-----------|------------|------------|-----------|
| Anderson, I. | Dorn       | Jefferson   | McCollum  | Pelowski   | Smith      | Wagenius  |
| Anderson, R. | Evans      | Johnson, R. | Molnau    | Perlt      | Solberg    | Waltman   |
| Battaglia    | Girard     | Johnson, V. | Mosel     | Peterson   | Sparby     | Wejcman   |
| Beard        | Goodno     | Kalis       | Munger    | Reding     | Steensma   | Welle     |
| Bergson      | Greenfield | Kinkel      | Murphy    | Rhodes     | Sviggum    | Wenzel    |
| Bettermann   | Gutknecht  | Krinkie     | Nelson    | Rodosovich | Swenson    | Spk. Long |
| Brown, C.    | Hasskamp   | Krueger     | Ness      | Rukavina   | Tomassoni  |           |
| Brown, K.    | Haukoos    | Leppik      | Olson, K. | Sarna      | Tompkins   |           |
| Cooper       | Hugoson    | Lieder      | Opatz     | Sekhon     | Tunheim    |           |
| Dauids       | Huntley    | Lourey      | Ostrom    | Simoneau   | Van Dellen |           |
| Dempsey      | Jaros      | Mahon       | Ozment    | Skoglund   | Vickerman  |           |

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

H. F. No. 984, A bill for an act relating to state government; modifying provisions relating to the department of administration; amending Minnesota Statutes 1992, sections 13B.04; 15.061; 16B.06, subdivision 2; 16B.17; 16B.19, subdivisions 2 and 10; 16B.24, subdivision 6, and by adding a subdivision; 16B.27, subdivision 3; 16B.32, subdivision 2; 16B.42; 16B.465, subdivision 6; 16B.48, subdivisions 2 and 3; 16B.49; 16B.51, subdivisions 2 and 3; 16B.85, subdivision 1; 94.10, subdivision 1; 343.01, subdivisions 2, 3, and by adding subdivisions; and 403.11, subdivision 1; Laws 1979, chapter 333, section 18; and Laws 1991, chapter 345, article 1, section 17, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1992, sections 3.3026; 16B.41, subdivision 4; 16B.56, subdivision 4; Laws 1987, chapter 394, section 13.

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:

|              |            |               |             |           |            |            |
|--------------|------------|---------------|-------------|-----------|------------|------------|
| Abrams       | Dauner     | Haukoos       | Koppendraye | Mosel     | Peterson   | Swenson    |
| Anderson, I. | Dauids     | Hausman       | Krinkie     | Munger    | Pugh       | Tomassoni  |
| Anderson, R. | Dawkins    | Holsten       | Krueger     | Murphy    | Reding     | Tompkins   |
| Asch         | Dehler     | Hugoson       | Lasley      | Neary     | Rest       | Trimble    |
| Battaglia    | Delmont    | Huntley       | Leppik      | Nelson    | Rhodes     | Tunheim    |
| Bauerly      | Dempsey    | Jacobs        | Lieder      | Ness      | Rice       | Van Dellen |
| Beard        | Dorn       | Jaros         | Limmer      | Olson, E. | Rodosovich | Vellenga   |
| Bergson      | Erhardt    | Jefferson     | Lindner     | Olson, K. | Rukavina   | Vickerman  |
| Bertram      | Evans      | Jennings      | Lourey      | Olson, M. | Sarna      | Wagenius   |
| Bettermann   | Farrell    | Johnson, A.   | Luther      | Onnen     | Seagren    | Waltman    |
| Bishop       | Frerichs   | Johnson, R.   | Lynch       | Opatz     | Sekhon     | Weaver     |
| Blatz        | Garcia     | Johnson, V.   | Macklin     | Orenstein | Simoneau   | Wejcman    |
| Brown, C.    | Girard     | Kahn          | Mahon       | Orfield   | Skoglund   | Welle      |
| Brown, K.    | Goodno     | Kalis         | Mariani     | Ostrom    | Smith      | Wenzel     |
| Carlson      | Greenfield | Kelley        | McCollum    | Ozment    | Solberg    | Winter     |
| Carruthers   | Greiling   | Kelso         | McGuire     | Pauly     | Sparby     | Wolf       |
| Clark        | Gruenes    | Kinkel        | Milbert     | Pawlenty  | Stanis     | Worke      |
| Commers      | Gutknecht  | Klinzing      | Molnau      | Pelowski  | Steensma   | Workman    |
| Cooper       | Hasskamp   | Knickerbocker | Morrison    | Perlt     | Sviggum    | Spk. Long  |

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

S. F. No. 397, A bill for an act relating to highways; allowing county state-aid highway money to be used for certain equipment for emergency responders; amending Minnesota Statutes 1992, section 162.08, subdivision 4.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |            |               |          |           |            |            |
|--------------|------------|---------------|----------|-----------|------------|------------|
| Abrams       | Dauner     | Hausman       | Krinkie  | Munger    | Peterson   | Tomassoni  |
| Anderson, I. | Dauids     | Holsten       | Krueger  | Murphy    | Pugh       | Tompkins   |
| Anderson, R. | Dawkins    | Hugoson       | Lasley   | Neary     | Reding     | Trimble    |
| Asch         | Dehler     | Huntley       | Leppik   | Nelson    | Rest       | Tunheim    |
| Battaglia    | Delmont    | Jacobs        | Lieder   | Ness      | Rhodes     | Van Dellen |
| Bauerly      | Dempsey    | Jaros         | Limmer   | Olson, E. | Rice       | Vellenga   |
| Beard        | Dorn       | Jefferson     | Lindner  | Olson, K. | Rodosovich | Vickerman  |
| Bergson      | Erhardt    | Jennings      | Lourey   | Olson, M. | Rukavina   | Wagenius   |
| Bertram      | Evans      | Johnson, A.   | Luther   | Onnen     | Seagren    | Waltman    |
| Bettermann   | Farrell    | Johnson, R.   | Lynch    | Opatz     | Sekhon     | Weaver     |
| Bishop       | Garcia     | Johnson, V.   | Macklin  | Orenstein | Simoneau   | Wejcman    |
| Blatz        | Girard     | Kahn          | Mahon    | Orfield   | Skoglund   | Welle      |
| Brown, C.    | Goodno     | Kalis         | Mariani  | Ostho     | Smith      | Wenzel     |
| Brown, K.    | Greenfield | Kelley        | McCollum | Ostrom    | Solberg    | Winter     |
| Carlson      | Greiling   | Kelso         | McGuire  | Ozment    | Sparby     | Wolf       |
| Carruthers   | Gruenes    | Kinkel        | Milbert  | Pauly     | Stanis     | Worke      |
| Clark        | Gutknecht  | Klinzing      | Molnau   | Pawlenty  | Steensma   | Workman    |
| Commers      | Hasskamp   | Knickerbocker | Morrison | Pelowski  | Sviggum    | Spk. Long  |
| Cooper       | Haukoos    | Koppendraye   | Mosel    | Perlt     | Swenson    |            |

The bill was passed and its title agreed to.

H. F. No. 87 was reported to the House.

Perlt moved that H. F. No. 87 be continued on Special Orders. The motion prevailed.

H. F. No. 671 was reported to the House.

Mahon moved to amend H. F. No. 671, the second engrossment, as follows:

Page 7, after line 15, insert:

"Sec. 3. Minnesota Statutes 1992, section 473.523, subdivision 1, is amended to read:

Subdivision 1. No contract for any construction work, or for the purchase of materials, supplies, or equipment, costing more than \$15,000 the amount specified by section 471.345, subdivision 3, shall be made by the commission without publishing once in a legal newspaper or trade paper published in a city of the first class not less than two weeks before the last day for submission of bids, notice that bids or proposals will be received. Such notice shall state the nature of the work or purchase and the terms and conditions upon which the contract is to be awarded, and a time and place where such bids will be received, opened, and read publicly. After such bids have been duly received, opened, read publicly, and recorded, the commission shall award such contract to the lowest responsible bidder or it may reject all bids and readvertise. Each contract shall be duly executed in writing and the party to whom the contract is awarded shall give sufficient bond or security to the board for the faithful performance of the contract as required by law. The commission shall have the right to set qualifications and specifications and to require bids to meet all such qualifications and specifications before being accepted. If the commission by an affirmative vote of two-thirds of its members declares that an emergency exists requiring the immediate purchase of materials or supplies at a cost in excess of \$15,000 the amount specified by section 471.345, subdivision 3, or in making emergency repairs, it shall not be necessary to advertise for bids.

Sec. 4. Minnesota Statutes 1992, section 473.523, subdivision 2, is amended to read:

Subd. 2. The administrator may, without prior approval of the commission and without advertising for bids, enter into any contract of the type referred to in subdivision 1 which is not in excess of \$15,000 the amount specified by section 471.345, subdivision 3."

Re-number the remaining sections accordingly

Page 7, line 17, delete "and 2" and insert "to 4"

Page 7, line 20, delete "3" and insert "5"

Amend the title as follows:

Page 1, line 7, after the second semicolon insert "amending Minnesota Statutes 1992, section 473.523, subdivisions 1 and 2;"

The motion prevailed and the amendment was adopted.

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

Workman moved to amend H. F. No. 671, the second engrossment, as amended, as follows:

Page 7, line 18, delete "and" and after "Washington" insert ", Sherburne, Isanti, Chisago, Wright, Meeker, McLeod, Sibley, Le Sueur, Rice, and Goodhue"

A roll call was requested and properly seconded.

The question was taken on the Workman amendment and the roll was called. There were 28 yeas and 99 nays as follows:

Those who voted in the affirmative were:

|         |           |               |         |          |            |           |
|---------|-----------|---------------|---------|----------|------------|-----------|
| Asch    | Dempsey   | Johnson, V.   | Leppik  | Morrison | Seagren    | Vickerman |
| Beard   | Frerichs  | Knickerbocker | Lynch   | Pauly    | Stanius    | Wolf      |
| Commers | Gutknecht | Koppendrayner | Macklin | Pawlenty | Tompkins   | Worke     |
| Davids  | Holsten   | Krinkie       | Molnau  | Perl     | Van Dellen | Workman   |

Those who voted in the negative were:

|              |            |             |          |           |            |           |
|--------------|------------|-------------|----------|-----------|------------|-----------|
| Abrams       | Dauner     | Hausman     | Lasley   | Ness      | Rest       | Trimble   |
| Anderson, I. | Dawkins    | Hugoson     | Lieder   | Olson, E. | Rhodes     | Tunheim   |
| Anderson, R. | Dehler     | Huntley     | Lindner  | Olson, K. | Rice       | Wagenius  |
| Battaglia    | Delmont    | Jacobs      | Lourey   | Olson, M. | Rodosovich | Waltman   |
| Bauerly      | Dorn       | Jaros       | Luther   | Onnen     | Rukavina   | Wejzman   |
| Bergson      | Evans      | Jefferson   | Mahon    | Opatz     | Sarna      | Welle     |
| Bertram      | Farrell    | Jennings    | Mariani  | Orenstein | Sekhon     | Wenzel    |
| Bettermann   | Garcia     | Johnson, A. | McCollum | Orfield   | Simoneau   | Winter    |
| Blatz        | Girard     | Johnson, R. | McGuire  | Osthoff   | Skoglund   | Spk. Long |
| Brown, C.    | Goodno     | Kahn        | Milbert  | Ostrom    | Smith      |           |
| Brown, K.    | Greenfield | Kalis       | Mosel    | Ozment    | Solberg    |           |
| Carlson      | Greiling   | Kelso       | Munger   | Pelowski  | Steensma   |           |
| Carruthers   | Gruenes    | Kinkel      | Murphy   | Peterson  | Sviggum    |           |
| Clark        | Hasskamp   | Klinzing    | Neary    | Pugh      | Swenson    |           |
| Cooper       | Haukoos    | Krueger     | Nelson   | Reding    | Tomassoni  |           |

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

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

H. F. No. 671, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; amending Minnesota Statutes 1992, section 473.523, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

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 79 yeas and 51 nays as follows:

Those who voted in the affirmative were:

|              |            |             |          |           |           |           |
|--------------|------------|-------------|----------|-----------|-----------|-----------|
| Anderson, I. | Cooper     | Jacobs      | Lieder   | Olson, E. | Rhodes    | Vellenga  |
| Anderson, R. | Dauner     | Jaros       | Lourey   | Olson, K. | Rice      | Wagenius  |
| Battaglia    | Dawkins    | Jefferson   | Luther   | Opatz     | Rukavina  | Wejzman   |
| Bauerly      | Dorn       | Johnson, A. | Mahon    | Orenstein | Sarna     | Welle     |
| Beard        | Evans      | Johnson, R. | Mariani  | Orfield   | Sekhon    | Wenzel    |
| Bergson      | Farrell    | Kahn        | McCollum | Osthoff   | Simoneau  | Winter    |
| Bertram      | Garcia     | Kalis       | McGuire  | Ostrom    | Skoglund  | Spk. Long |
| Brown, C.    | Greenfield | Kelley      | Milbert  | Pelowski  | Solberg   |           |
| Brown, K.    | Greiling   | Kinkel      | Mosel    | Peterson  | Steensma  |           |
| Carlson      | Hasskamp   | Klinzing    | Munger   | Pugh      | Tomassoni |           |
| Carruthers   | Hausman    | Krueger     | Murphy   | Reding    | Trimble   |           |
| Clark        | Huntley    | Lasley      | Nelson   | Rest      | Tunheim   |           |

Those who voted in the negative were:

|            |           |               |           |            |            |         |
|------------|-----------|---------------|-----------|------------|------------|---------|
| Abrams     | Frerichs  | Jennings      | Lindner   | Onnen      | Stanis     | Wolf    |
| Asch       | Girard    | Johnson, V.   | Lynch     | Ozment     | Sviggum    | Worke   |
| Bettermann | Goodno    | Kelso         | Macklin   | Pauly      | Swenson    | Workman |
| Blatz      | Gruenes   | Knickerbocker | Molnau    | Pawlenty   | Tompkins   |         |
| Commers    | Gutknecht | Koppendrayer  | Morrison  | Perlt      | Van Dellen |         |
| Dehler     | Haukoos   | Krinkie       | Neary     | Rodosovich | Vickerman  |         |
| Dempsey    | Holsten   | Leppik        | Ness      | Seagren    | Waltman    |         |
| Erhardt    | Hugoson   | Limmer        | Olson, M. | Smith      | Weaver     |         |

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

Anderson, I., moved that the remaining bills on Special Orders for today be continued. The motion prevailed.

### GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Simoneau moved that the name of Evans be added as an author on H. F. No. 403. The motion prevailed.

Farrell moved that the name of Rhodes be added as an author on H. F. No. 700. The motion prevailed.

Greenfield moved that the name of Leppik be added as an author on H. F. No. 1178. The motion prevailed.

Perlt moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Monday, April 26, 1993, when the vote was taken on the final passage of S. F. No. 1496, as amended." The motion prevailed.

Leppik moved that H. F. No. 245 be returned to its author. The motion prevailed.

Girard moved that H. F. No. 355 be returned to its author. The motion prevailed.

Johnson, R., moved that H. F. No. 1088 be returned to its author. The motion prevailed.

### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 9:30 a.m., Friday, April 30, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:30 a.m., Friday, April 30, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives