

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION — 1994

ONE HUNDRED-THIRD DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 3, 1994

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

Prayer was offered by the Reverend Dr. James W. Battle, Mt. Olivet Baptist Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Krueger and Stanius were excused until 10:30 a.m.

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

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 29, 1994

The Honorable Irv Anderson
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Anderson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1985, relating to partnerships; providing for the registration and operation of limited liability partnerships; appropriating money.

H. F. No. 2839, relating to retirement; changing employer contribution rates for the volunteer fire relief associations paying monthly pensions; changing employer contribution rates for the Bloomington fire relief association; clarifying probationary employment for South St. Paul police relief association.

H. F. No. 2478, relating to retirement; first class city teachers; defining salary; authorizing purchase of service credit for parental or maternity leave; resumption of teaching by basic program retirees; authorizing the board of the Minneapolis teachers retirement fund association to amend the bylaws or articles of incorporation to provide for parental or maternity leave.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1994 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1994	Date Filed 1994
2246		537	2:40 p.m. April 29	April 29
1898		538	2:42 p.m. April 29	April 29
	1985	539	2:35 p.m. April 29	April 29
	2839	541	2:32 p.m. April 29	April 29
	2478	542	2:34 p.m. April 29	April 29

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Carruthers from the Committee on Rules and Legislative Administration to which was referred:

Senate Concurrent Resolution No. 7, A senate concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Reported the same back with the recommendation that the senate concurrent resolution be adopted.

Carruthers moved that the report be adopted. The report was adopted.

Carruthers moved that Senate Concurrent Resolution No. 7 be now adopted.

SENATE CONCURRENT RESOLUTION NO. 7

A senate concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Whereas, the Minnesota Constitution, Article IV, Section 23, authorizes the presentation to the Governor after sine die adjournment of bills that passed in the last three days of the Session; Now, Therefore,

Be It Resolved by the Senate of the State of Minnesota, the House of Representatives concurring, that upon adjournment sine die of the 78th regular session of the Legislature, bills shall be presented to the Governor as follows:

(a) The Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor prior to adjournment sine die, and each of those officers shall continue in his designated capacity during the three days following the date of final adjournment.

(b) The Chief Clerk of the House of Representatives and the Secretary of the Senate, in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration, shall carefully enroll each bill and present them to the Governor in the same manner as each bill is enrolled and presented to the Governor prior to the adjournment of the Legislature sine die.

(c) The Revisor of Statutes shall continue to assist in all of the functions relating to enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that his assistance was rendered prior to the adjournment of the Legislature sine die.

Be It Further Resolved that the Secretary of the Senate is directed to deliver copies of this resolution to the Governor and the Secretary of State.

The motion prevailed and Senate Concurrent Resolution No. 7 was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bettermann introduced:

H. F. No. 3241, A bill for an act relating to workers' compensation; modifying provisions relating to attorney fees; amending Minnesota Statutes 1992, sections 176.081, subdivisions 1, 7a, and 9; 176.135, subdivision 1; and 176.191, subdivision 8; repealing Minnesota Statutes 1992, sections 176.081, subdivisions 2, 5, 7, and 8; and 176.133.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Bettermann introduced:

H. F. No. 3242, A bill for an act relating to workers' compensation; modifying provisions relating to benefits and fraud; providing penalties; amending Minnesota Statutes 1992, sections 176.011, subdivision 25; 176.021, subdivisions 3 and 3a; 176.061, subdivision 10; 176.101, subdivisions 1, 2, 4, 5, 6, 8, and by adding a subdivision; 176.105, subdivision 4; 176.111, subdivisions 6, 7, 8, 12, 14, 15, 18, and 20; 176.179; 176.221, subdivision 6a; 176.645, subdivision 1; 176.66, subdivision 11; and 176.82; Minnesota Statutes 1993 Supplement, section 268.08, subdivision 3; repealing Minnesota Statutes 1992, sections 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, and 3u; and 176.132.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2742, A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of bonds; authorizing assessments for debt service; reducing certain earlier project authorizations and appropriations; appropriating money, with certain conditions; amending Minnesota Statutes 1992, sections 16A.85, subdivision 1; 85.015, subdivision 4; 136.651; and 471.191, subdivision 1; Minnesota Statutes 1993 Supplement, sections 16B.335, by adding subdivisions; Laws 1993, chapter 373, sections 18; and 25, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 116J; 124C; 134; 135A; and 241.

The Senate has appointed as such committee:

Messrs. Merriam, Laidig, Stumpf; Ms. Ranum and Mr. Finn.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3230, A bill for an act proposing an amendment to the Minnesota Constitution; dedicating part of tax on vehicles to public transit; expanding transportation purposes for which highway user tax proceeds may be used by the metropolitan area; providing for annual inflation adjustments to motor fuel tax rate contingent on approval of constitutional dedication of motor fuel excise tax revenues; amending the Minnesota Constitution, article XI, by adding a section; and article XIV, section 5; amending Minnesota Statutes 1992, section 296.02, by adding a subdivision; repealing Minnesota Statutes 1992, section 297B.09, subdivision 1.

The Senate has appointed as such committee:

Mr. Langseth; Ms. Flynn; Mr. Chmielewski; Ms. Johnston and Mr. Vickerman.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2512, A bill for an act relating to retirement; providing for level benefits for the Minneapolis police relief association; changing the definition of surviving spouses eligible for benefits; amending Minnesota Statutes 1992, sections 353B.11, subdivision 1; and 423B.09, subdivision 1; Minnesota Statutes 1993 Supplement, sections 353B.07, subdivision 3; and 423B.10, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sarna moved that the House concur in the Senate amendments to H. F. No. 2512 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2512, A bill for an act relating to retirement; providing for level benefits for the Minneapolis police relief association; changing the definition of surviving spouses eligible for benefits; amending Minnesota Statutes 1992, sections 353B.11, subdivision 1; 423B.09, subdivision 1; Minnesota Statutes 1993 Supplement, sections 353B.07, subdivision 3; and 423B.10, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 2762, A bill for an act relating to traffic regulations; regulating use and operation of Head Start school buses; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; 169.28, subdivision 1; 169.441, subdivisions 2 and 4; 169.442, subdivision 5; 169.443, subdivisions 5 and 6; 169.447; 169.448, subdivisions 1 and 3;

169.451; 169.64, subdivision 8; 169.781, subdivision 1; 169.87, subdivision 3; 171.01, by adding a subdivision; 171.3215; 221.011, subdivision 21; and 631.40, subdivision 1a; Minnesota Statutes 1993 Supplement, sections 171.321, subdivision 2; 221.025; and 221.031, subdivision 3b.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wagenius moved that the House concur in the Senate amendments to H. F. No. 2762 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2762, A bill for an act relating to traffic regulations; regulating use and operation of Head Start buses; amending Minnesota Statutes 1992, sections 169.01, subdivision 6, and by adding a subdivision; 169.28, subdivision 1; 169.441, subdivision 4, and by adding a subdivision; 169.442, subdivision 5; 169.443, subdivisions 5 and 6; 169.447; 169.448, subdivisions 1 and 3; 169.451; 169.64, subdivision 8; 169.781, subdivision 1; 169.87, subdivision 3; 171.01, by adding a subdivision; 171.3215; 221.011, subdivision 21; and 631.40, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 171.321, subdivision 2; 221.025; and 221.031, subdivision 3b.

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

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

Mr. Speaker:

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

H. F. No. 2420, A bill for an act relating to retirement; providing for terms on which surviving spouse benefits are granted to members of the Minneapolis fire department relief association; amending Minnesota Statutes 1992, section 353B.11, subdivision 1; and Laws 1965, chapter 519, section 1, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rice moved that the House concur in the Senate amendments to H. F. No. 2420 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2420, A bill for an act relating to retirement; providing for terms on which surviving spouse benefits are granted to members of the Minneapolis fire department relief association; amending Minnesota Statutes 1992, section 353B.11, subdivision 1; Laws 1965, chapter 519, section 1, as amended.

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

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

Mr. Speaker:

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

H. F. No. 392, A bill for an act relating to public safety; requiring installation of automatic sprinkler systems in certain existing high-rise buildings; proposing coding for new law in Minnesota Statutes, chapter 299F.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, R., moved that the House concur in the Senate amendments to H. F. No. 392 and that the bill be repassed as amended by the Senate.

Long moved that the House refuse to concur in the Senate amendments to H. F. No. 392, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Long motion and the roll was called. There were 51 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Finseth	Hugoson	Lindner	Neary	Sekhon	Wenzel
Bettermann	Garcia	Johnson, A.	Long	Olson, M.	Skoglund	Worke
Brown, K.	Girard	Kelley	Lynch	Onnen	Stanis	Workman
Clark	Goodno	Klinzing	Mahon	Orenstein	Van Dellen	
Davids	Greenfield	Knickerbocker	Mariani	Orfield	Vickerman	
Dawkins	Greiling	Knight	McGuire	Ostrom	Wagenius	
Dehler	Gruenes	Krinkie	Molnau	Pauly	Weaver	
Erhardt	Hausman	Leppik	Munger	Seagren	Wejcmann	

Those who voted in the negative were:

Abrams	Dauner	Jaros	Lourey	Opatz	Rodosovich	Tunheim
Asch	Delmont	Johnson, R.	Luther	Osthoff	Rukavina	Van Engen
Battaglia	Dempsey	Johnson, V.	Macklin	Ozment	Sarna	Vellenga
Bauerly	Dorn	Kahn	McCollum	Pawlenty	Simoneau	Waltman
Beard	Evans	Kalis	Milbert	Pelowski	Smith	Winter
Bergson	Farrell	Kelso	Morrison	Perlt	Solberg	Wolf
Bertram	Frerichs	Kinkel	Mosel	Peterson	Steensma	Spk. Anderson, I.
Bishop	Gutknecht	Koppendrayner	Murphy	Pugh	Sviggum	
Brown, C.	Haukoos	Krueger	Nelson	Reding	Swenson	
Carlson	Holsten	Lasley	Ness	Rest	Tomassoni	
Carruthers	Huntley	Lieder	Olson, E.	Rhodes	Tompkins	
Cooper	Jacobs	Limmer	Olson, K.	Rice	Trimble	

The motion did not prevail.

The question recurred on the Johnson, R., motion that the House concur in the Senate amendments to H. F. No. 392 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 392, A bill for an act relating to public safety; requiring installation of automatic sprinkler systems in certain existing high-rise buildings; proposing coding for new law in Minnesota Statutes, chapter 299F.

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 98 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Huntley	Lasley	Murphy	Reding	Tomassoni
Asch	Dempsey	Jacobs	Lieder	Nelson	Rest	Tompkins
Battaglia	Dorn	Jaros	Limmer	Ness	Rhodes	Trimble
Bauerly	Erhardt	Jennings	Lourey	Olson, E.	Rice	Tunheim
Beard	Evans	Johnson, A.	Luther	Olson, K.	Rodosovich	Van Dellen
Bergson	Farrell	Johnson, R.	Macklin	Opatz	Rukavina	Van Engen
Bertram	Finseth	Johnson, V.	Mahon	Osthoff	Sarna	Vellenga
Bishop	Frerichs	Kahn	Mariani	Ostrom	Sekhon	Wagenius
Brown, C.	Goodno	Kalis	McCollum	Ozment	Simoneau	Waltman
Brown, K.	Greenfield	Kelso	McGuire	Pawlenty	Skoglund	Weaver
Carlson	Gutknecht	Kinkel	Milbert	Pelowski	Smith	Wenzel
Carruthers	Hasskamp	Knickerbocker	Morrison	Perlt	Solberg	Winter
Cooper	Haukoos	Koppendrayner	Mosel	Peterson	Steensma	Wolf
Dauner	Holsten	Krueger	Munger	Pugh	Swenson	Spk. Anderson, I.

Those who voted in the negative were:

Anderson, R.	Garcia	Hugoson	Leppik	Neary	Pauly	Wejcman
Bettermann	Girard	Kelley	Lindner	Olson, M.	Seagren	Worke
Davids	Greiling	Klinzing	Long	Onnen	Stanis	Workman
Dawkins	Gruenes	Knight	Lynch	Orenstein	Sviggum	
Dehler	Hausman	Krinkie	Molnau	Orfield	Vickerman	

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

Mr. Speaker:

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

H. F. No. 2658, A bill for an act relating to retirement; waiving the annuity reduction for certain faculty in the state university system who return to teaching part-time after retirement; mandating employer-paid health insurance for these faculty; proposing coding for new law in Minnesota Statutes, chapters 136 and 354.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 2658 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2658, A bill for an act relating to retirement; waiving the annuity reduction for certain faculty in the state university and community college systems who return to teaching part-time after retirement; mandating employer-paid health insurance for these faculty; proposing coding for new law in Minnesota Statutes, chapters 136 and 354.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 1829, A bill for an act relating to housing; requiring copies of evacuation plans for residents of manufactured home parks; amending Minnesota Statutes 1992, sections 290A.19; and 327C.02, subdivision 5, and by adding a subdivision; Minnesota Statutes 1993 Supplement, section 327.20, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brown, K., moved that the House concur in the Senate amendments to H. F. No. 1829 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1829, A bill for an act relating to housing; requiring copies of evacuation plans for residents of manufactured home parks; amending Minnesota Statutes 1992, sections 290A.19; 327C.01, by adding a subdivision; and 327C.02, subdivision 5; Minnesota Statutes 1993 Supplement, section 327.20, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 1918, A bill for an act relating to licensing; requiring the bureau of business licenses to expand services of the bureau; requiring a report to the governor and the legislature.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Evans moved that the House concur in the Senate amendments to H. F. No. 1918 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1918, A bill for an act relating to licensing; directing an expansion of the operations of the bureau of business licenses and of the master application procedure.

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 121 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bettermann	Hugoson	Krinkie	Olson, M.	Stanis	Vickerman
Dehler	Knight	Lindner	Onnen	Van Engen	Workman

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

Mr. Speaker:

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

H. F. No. 2171, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt guidelines allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of efforts of cities and towns to comply with the allocation; proposing coding for new law in Minnesota Statutes, chapter 473.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Orfield moved that the House concur in the Senate amendments to H. F. No. 2171 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2171, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt guidelines allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of efforts of cities and towns to comply with the allocation; proposing coding for new law in Minnesota Statutes, chapter 473.

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 79 yeas and 54 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abrams	Erhardt	Holsten	Krinkie	Ness	Seagren	Vickerman
Asch	Finseth	Hugoson	Leppik	Olson, E.	Smith	Waltman
Bettermann	Frerichs	Johnson, R.	Limmer	Olson, M.	Stanis	Weaver
Bishop	Girard	Johnson, V.	Lindner	Ornen	Sviggum	Wolf
Commers	Goodno	Kelso	Lynch	Ozment	Swenson	Worke
Dauids	Gruenes	Knickerbocker	Macklin	Pauly	Tompkins	Workman
Dehler	Gutknecht	Knight	Molnau	Pawlenty	Van Dellen	
Dempsey	Haukoos	Koppendraye	Morrison	Rodosovich	Van Engen	

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

Mr. Speaker:

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

S. F. No. 2129, A bill for an act relating to adoption; regulating certain advertising and payments in connection with adoption; regulating agencies; providing for direct adoptive placement; providing for the enforceability of postadoption contact agreements; providing penalties; amending Minnesota Statutes 1992, sections 144.227, subdivision 1, and by adding a subdivision; 245A.03, subdivision 1; 245A.04, by adding a subdivision; 245A.07, by adding a subdivision; 259.21, by adding subdivisions; 259.22, subdivisions 1, 2, and by adding a subdivision; 259.27, by adding a subdivision; 259.31; and 317A.907, subdivision 6; Minnesota Statutes 1993 Supplement, section 245A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 259.

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

Mses. Piper, Kiscaden and Mr. Betzold.

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

Rest moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2129. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1944.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1944, A bill for an act relating to employment; restoring the purchasing power of a minimum wage salary; appropriating money; amending Minnesota Statutes 1992, section 177.24, subdivision 1.

The bill was read for the first time.

Rukavina moved that S. F. No. 1944 and H. F. No. 2243, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2129:

Rest, Skoglund and Macklin.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of S. F. No. 1961.

S. F. No. 1961 was reported to the House.

Wejcman moved to amend S. F. No. 1961 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 84.91, subdivision 5, is amended to read:

Subd. 5. [PENALTIES.] (a) A person who violates any prohibition contained in subdivision 1, or an ordinance in conformity with it, is guilty of a misdemeanor.

(b) A person is guilty of a gross misdemeanor who violates any prohibition contained in subdivision 1:

(1) within five years of a prior:

(i) conviction under ~~that subdivision or subdivision 1~~, sections 86B.331, subdivision 1, 169.121, 169.129, or 609.21,
subdivisions 1, clauses (2) to (4), 2, clauses (2) to (4), 3, clauses (2) to (4), or 4, clauses (2) to (4);

(ii) civil liability under section 84.911, subdivision 2, or section 86B.335, subdivision 2; or

(iii) conviction under an ordinance of this state or a statute or ordinance from another state in conformity with either any of them; or

(2) within ten years of the first of two or more prior:

(i) convictions under that subdivision or subdivision 1, sections 86B.331, subdivision 1, 169.121, 169.129, or 609.21, subdivision 1, clauses (2) to (4), 2, clauses (2) to (4), 3, clauses (2) to (4), or 4, clauses (2) to (4);

(ii) civil liability liabilities under section 84.911, subdivision 2, or an ordinance section 86B.335, subdivision 2;

(iii) convictions of ordinances in conformity with either any of them, is guilty of a gross misdemeanor; or

(iv) convictions or liabilities under any combination of items (i) to (iii).

(c) The attorney in the jurisdiction where the violation occurred who is responsible for prosecuting misdemeanor violations of this section is also responsible for prosecuting gross misdemeanor violations of this section. When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior convictions from a court, the court must furnish the information without charge.

(d) A person who operates a snowmobile or all-terrain vehicle during the period the person is prohibited from operating the vehicle under subdivision 6 is guilty of a misdemeanor.

Sec. 2. Minnesota Statutes 1992, section 84.91, subdivision 7, is amended to read:

Subd. 7. [DUTIES OF COMMISSIONER.] The court shall promptly forward to the commissioner and the department of public safety copies of all convictions and criminal and civil penalties imposed under subdivision 5 and section 84.911, subdivision 2. The commissioner shall notify the convicted person of the period during which the person is prohibited from operating a snowmobile or all-terrain vehicle under subdivision 6 or section 84.911, subdivision 2. The commissioner shall also periodically circulate to appropriate law enforcement agencies a list of all persons who are prohibited from operating a snowmobile or all-terrain vehicle under subdivision 6 or section 84.911, subdivision 2.

Sec. 3. Minnesota Statutes 1992, section 84.911, is amended by adding a subdivision to read:

Subd. 7. [CORONER TO REPORT DEATH.] Every coroner or medical examiner shall report in writing to the department of natural resources the death of any person within the coroner's jurisdiction as the result of an accident involving a recreational motor vehicle, as defined in section 84.90, subdivision 1, and the circumstances of the accident. The report shall be made within 15 days after the death.

In the case of drivers killed in recreational motor vehicle accidents and of the death of passengers 14 years of age or older, who die within four hours after accident, the coroner or medical examiner shall examine the body and shall make tests as are necessary to determine the presence and percentage concentration of alcohol, and drugs if feasible, in the blood of the victim. This information shall be included in each report submitted pursuant to the provisions of this subdivision and shall be tabulated by the department of natural resources. Periodically, the commissioner of natural resources must transmit a summary of the reports to the commissioner of public safety.

Sec. 4. Minnesota Statutes 1993 Supplement, section 84.924, subdivision 3, is amended to read:

Subd. 3. [ACCIDENT REPORT; REQUIREMENT AND FORM.] The operator and an officer investigating an accident of an all-terrain vehicle involved in an accident resulting in injury requiring medical attention or hospitalization to or death of a person or total damage to an extent of \$500 or more shall within ten business days forward a written report of the accident to the commissioner of natural resources on a form prescribed by either the commissioner of natural resources or by the commissioner of public safety. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days. Periodically, the commissioner of natural resources must transmit a summary of the accident reports to the commissioner of public safety.

Sec. 5. Minnesota Statutes 1992, section 86B.331, subdivision 5, is amended to read:

Subd. 5. [PENALTIES.] (a) A person who violates a prohibition contained in subdivision 1, or an ordinance in conformity with it, is guilty of a misdemeanor.

(b) A person is guilty of a gross misdemeanor who violates a prohibition contained in subdivision 1:

(1) within five years of a prior:

(i) conviction under ~~that subdivision or~~ subdivision 1, sections 84.91, subdivision 1, 169.121, 169.129, or 609.21, subdivisions 1, clauses (2) to (4), 2, clauses (2) to (4), 3, clauses (2) to (4), or 4, clauses (2) to (4);

(ii) civil liability under section 84.911, subdivision 2, or 86B.335, subdivision 2; or

(iii) conviction under an ordinance of this state or a statute or ordinance from another state in conformity with either any of them; or

(2) within ten years of the first of two or more prior:

(i) convictions under ~~that subdivision or~~ subdivision 1, sections 84.91, subdivision 1, 169.121, 169.129, or 609.21, subdivisions 1, clauses (2) to (4), 2, clauses (2) to (4), 3, clauses (2) to (4), or 4, clauses (2) to (4);

(ii) civil liability liabilities under section 84.911, subdivision 2, or 86B.335, subdivision 2, ~~or an ordinance;~~

(iii) convictions of ordinances in conformity with either any of them, ~~is guilty of a gross misdemeanor;~~ or

(iv) convictions or liabilities under any combination of items (i) to (iii).

(c) The attorney in the jurisdiction where the violation occurred who is responsible for prosecution of misdemeanor violations of this section is also responsible for prosecution of gross misdemeanor violations of this section. When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior convictions from a court, the court must furnish the information without charge.

(d) A person who operates a motorboat on the waters of this state during the period the person is prohibited from operating any motorboat or after the person's watercraft operator's permit has been revoked, as provided under subdivision 6, is guilty of a misdemeanor.

Sec. 6. Minnesota Statutes 1992, section 86B.331, subdivision 7, is amended to read:

Subd. 7. [DUTIES OF COMMISSIONER.] The court shall promptly forward copies of all convictions and criminal and civil penalties imposed under subdivision 5 and section 86B.335, subdivision 2, to the commissioner and the department of public safety. The commissioner shall notify the convicted person of the period when the person is prohibited from operating a motorboat as provided under subdivision 6 or section 86B.335, subdivision 2. The commissioner shall also periodically circulate to appropriate law enforcement agencies a list of all persons who are prohibited from operating any motorboat or have had their watercraft operator's permits revoked pursuant to subdivision 6 or section 86B.335, subdivision 2.

Sec. 7. Minnesota Statutes 1992, section 86B.335, is amended by adding a subdivision to read:

Subd. 13. [CORONER TO REPORT DEATH.] Every coroner or medical examiner shall report in writing to the department of natural resources the death of any person within the coroner's jurisdiction as the result of an accident involving any watercraft or drowning and the circumstances of the accident. The report shall be made within 15 days after the death or recovery.

In the case of operators killed in watercraft accidents, or the death of passengers or drowning victims 14 years of age or older, who die within four hours after accident, the coroner or medical examiner shall examine the body and shall make tests as are necessary to determine the presence and percentage concentration of alcohol, and drugs if feasible, in the blood of the victim. This information shall be included in each report submitted pursuant to the provisions of this subdivision and shall be tabulated by the department of natural resources. Periodically, the commissioner of natural resources must transmit a summary of the reports to the commissioner of public safety.

Sec. 8. Minnesota Statutes 1992, section 86B.341, subdivision 1, is amended to read:

Subdivision 1. [OPERATOR'S DUTY AT ACCIDENT OR INCIDENT.] (a) The operator of a watercraft involved in an accident or incident resulting in injury or death to a person or in damage to property shall, if possible without serious danger to the watercraft or the persons aboard, immediately stop at the scene of the accident or incident and render assistance as may be practicable and necessary.

(b) The operator must give the operator's name, address, and license number of the watercraft and the name and address of the owner of the watercraft to the person injured or the operator or occupants of the other watercraft or owner or occupant of the property involved. The operator must promptly report the accident or incident to the sheriff of the county where the accident or incident occurred. Sheriffs are required to report all accidents and incidents to the commissioner of natural resources, who ~~shall~~ must periodically transmit a summary of the reports to the commissioner of public safety, and transmit statistics on boating accidents and incidents to the United States Coast Guard.

Sec. 9. Minnesota Statutes 1992, section 168.042, subdivision 8, is amended to read:

Subd. 8. [REISSUANCE OF REGISTRATION PLATES.] (a) The commissioner shall rescind the impoundment order if a person subject to an impoundment order under this section, other than the violator, files with the commissioner an acceptable sworn statement that the person containing the following information:

(1) that the person is the registered owner of the vehicle from which the plates have been impounded under this section;

(2) that the person is the current owner and possessor of the vehicle used in the violation;

(3) the date on which the violator obtained the vehicle from the registered owner;

(4) the residence addresses of the registered owner and the violator on the date the violator obtained the vehicle from the registered owner;

(5) that the person was not a passenger in the vehicle at the time of the violation; and

(4) (6) that the person knows that the violator may not drive, operate, or be in physical control of a vehicle without a valid driver's license.

(b) The commissioner may not rescind the impoundment order nor reissue registration plates to a registered owner if the owner knew or had reason to know that the violator did not have a valid driver's license on the date the violator obtained the vehicle from the owner.

(c) If the order is rescinded, the owner shall receive new registration plates at no cost, if the plates were seized and destroyed.

Sec. 10. Minnesota Statutes 1993 Supplement, section 169.121, subdivision 1c, is amended to read:

Subd. 1c. [CONDITIONAL RELEASE.] Unless maximum bail is imposed, a person charged with violating subdivision 1 within ten years of the first of three prior impaired driving convictions or within the person's lifetime after four or more prior impaired driving convictions may be released from detention only upon if the following conditions unless maximum bail is imposed are imposed in addition to the other conditions of release ordered by the court:

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

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

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

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

Sec. 11. Minnesota Statutes 1993 Supplement, section 169.121, subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] (a) As used in this subdivision:

(1) "prior impaired driving conviction" means a prior conviction under this section; section 84.91, subdivision 1, paragraph (a); 86B.331, subdivision 1, paragraph (a); 169.129; 360.0752; 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); 609.21, subdivision 4, clauses (2) to (4); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them. A prior impaired driving conviction also includes a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult; and

(2) "prior license revocation" means a driver's license suspension, revocation, or cancellation under this section; section 169.123; 171.04; 171.14; 171.16; 171.17; or 171.18 because of an alcohol-related incident; 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); or 609.21, subdivision 4, clauses (2) to (4).

(b) A person who violates subdivision 1 or 1a, or an ordinance in conformity with either of them, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor under any of the following circumstances:

(1) the person violates subdivision 1 within five years of a prior impaired driving conviction, or within ten years of the first of two or more prior impaired driving convictions;

(2) the person violates subdivision 1a within five years of a prior license revocation, or within ten years of the first of two or more prior license revocations;

(3) the person violates section 169.26 while in violation of subdivision 1; or

(4) the person violates subdivision 1 or 1a while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator.

(d) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

(e) The court must impose consecutive sentences when it sentences a person for a violation of this section or section 169.29 arising out of separate behavioral incidents. The court also must impose a consecutive sentence when it sentences a person for a violation of this section or section 169.129 and the person, at the time of sentencing, is on probation for, or serving, an executed sentence for a violation of this section or section 169.29 and the prior sentence involved a separate behavioral incident. The court also may order that the sentence imposed for a violation of this section or section 169.29 shall run consecutively to a previously imposed misdemeanor, gross misdemeanor or felony sentence for a violation other than this section or section 169.129.

(f) When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior impaired driving convictions from a court, the court must furnish the information without charge.

(g) A violation of subdivision 1a may be prosecuted either in the jurisdiction where the arresting officer observed the defendant driving, operating, or in control of the motor vehicle or in the jurisdiction where the refusal occurred.

Sec. 12. Minnesota Statutes 1993 Supplement, section 169.121, subdivision 3a, is amended to read:

Subd. 3a. [HABITUAL OFFENDER PENALTIES.] (a) If Except as otherwise provided in paragraph (b), a person has been convicted under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them, and if the person is then convicted of a gross misdemeanor violation of this section, a violation of section 169.129, or an ordinance in conformity with either of them (1) once within five years after the first conviction or (2) two or more times within ten years after the first conviction, the person must be sentenced to a minimum of 30 days imprisonment, at least 48 hours of which must be served consecutively, or to eight hours of community work service for each day less than 30 days that the person is ordered

to serve in jail. Provided, that if a person is convicted of violating this section, section 169.129, or an ordinance in conformity with either of them two or more times within five years after the first conviction, or within five years after the first of two or more license revocations, as defined in subdivision 3, paragraph (a), clause (2), the person must be sentenced to a minimum of 30 days imprisonment, at least 48 hours of which must be served consecutively, and the sentence may not be waived under paragraph ~~(b)~~ or (c) or (d). Notwithstanding section 609.135, the above sentence must be executed, unless the court departs from the mandatory minimum sentence under paragraph ~~(b)~~ or (c) or (d).

(b) A person must be sentenced to a minimum of one year of incarceration, at least 48 hours of which must be served consecutively, or of intensive probation using an electronic alcohol monitoring system, or a combination thereof, if the person is convicted of violating this section, section 169.129, or an ordinance in conformity with either of them: (1) within 10 years of the first of five, or within 15 years of the first of seven, prior license revocations, as defined in subdivision 3, paragraph (a), clause (2), or (2) within 10 years of the first of five, or within 15 years of the first of seven, prior convictions under this section, section 169.129, or an ordinance in conformity with either of them.

~~(b)~~ (c) Prior to sentencing the prosecutor may file a motion to have the defendant sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons for it. When presented with the prosecutor's motion and if it finds that substantial mitigating factors exist, the court shall sentence the defendant without regard to the mandatory minimum sentence established by this subdivision.

~~(e)~~ (d) The court may, on its own motion, sentence the defendant without regard to the mandatory minimum sentence established by this subdivision if it finds that substantial mitigating factors exist and if its sentencing departure is accompanied by a statement on the record of the reasons for it.

~~(e)~~ (e) The court may sentence the defendant without regard to the mandatory minimum sentence established by this subdivision if the defendant is sentenced to probation and ordered to participate in a program established under section 169.1265.

(e) (f) When any portion of the sentence required by this subdivision is not executed, the court should impose a sentence that is proportional to the extent of the offender's prior criminal and moving traffic violation record. Any sentence required under this subdivision must include a mandatory sentence that is not subject to suspension or a stay of imposition or execution, and that includes incarceration for not less than 48 consecutive hours or at least 80 hours of community work service.

Sec. 13. Minnesota Statutes 1993 Supplement, section 169.121, subdivision 4, is amended to read:

Subd. 4. [ADMINISTRATIVE PENALTIES.] (a) The commissioner of public safety shall revoke the driver's license of a person convicted of violating this section or an ordinance in conformity with it as follows:

(1) first offense under subdivision 1: not less than 30 days;

(2) first offense under subdivision 1a: not less than 90 days;

(3) second offense in less than five years, or third or subsequent offense on the record: (i) if the current conviction is for a violation of subdivision 1, not less than 180 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126; or (ii) if the current conviction is for a violation of subdivision 1a, not less than one year and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126;

(4) third offense in less than five years: not less than one year, together with denial under section 171.04, subdivision 1, clause (8), until rehabilitation is established in accordance with standards established by the commissioner;

(5) fourth or subsequent offense on the record: not less than two years, together with denial under section 171.04, subdivision 1, clause (8), until rehabilitation is established in accordance with standards established by the commissioner.

(b) If the person convicted of violating this section is under the age of 21 years, the commissioner of public safety shall revoke the offender's driver's license or operating privileges for a period of six months or for the appropriate period of time under paragraph (a), clauses (1) to (5), for the offense committed, whichever is the greatest period.

(c) For purposes of this subdivision, a juvenile adjudication under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them is an offense.

(d) Whenever department records show that the violation involved personal injury or death to any person, not less than 90 additional days shall be added to the base periods provided above.

(e) Except for a person whose license has been revoked under paragraph (b), and except for a person who commits a violation described in subdivision 3, paragraph (c), clause (4), (child endangerment), any person whose license has been revoked pursuant to section 169.123 as the result of the same incident, and who does not have a prior impaired driving conviction or prior license revocation as defined in subdivision 3 within the previous ten years, is subject to the mandatory revocation provisions of paragraph (a), clause (1) or (2), in lieu of the mandatory revocation provisions of section 169.123.

Sec. 14. Minnesota Statutes 1992, section 169.121, subdivision 11, is amended to read:

Subd. 11. [APPLICABILITY TO RECREATIONAL VEHICLES.] For purposes of this section and section 169.123, "motor vehicle" does not include a snowmobile as defined in section 84.81, or an all-terrain vehicle as defined in section 84.92. This subdivision does not prevent the commissioner of public safety from recording on driving records violations involving snowmobiles and all-terrain vehicles.

Sec. 15. Minnesota Statutes 1993 Supplement, section 169.1217, subdivision 9, is amended to read:

Subd. 9. [DISPOSITION OF FORFEITED VEHICLES.] (a) If the court finds under subdivision 8 that the vehicle is subject to forfeiture, it shall order the appropriate agency to:

(1) sell the vehicle and distribute the proceeds under paragraph (b); or

(2) keep the vehicle for official use. If the agency keeps a forfeited motor vehicle for official use, it shall make reasonable efforts to ensure that the motor vehicle is available for use by the agency's officers who participate in the drug abuse resistance education program.

(b) The proceeds from the sale of forfeited vehicles, after payment of seizure, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be forwarded to the treasury of the political subdivision that employs the appropriate agency responsible for the forfeiture for use in DWI-related enforcement, training and education. If the appropriate agency is an agency of state government, the net proceeds must be forwarded to the agency for use in DWI-related enforcement, training, and education until June 30, 1994, and thereafter to the state treasury and credited to the general fund.

Sec. 16. Minnesota Statutes 1993 Supplement, section 169.129, is amended to read:

169.129 [AGGRAVATED VIOLATIONS; PENALTY.]

Any person is guilty of a gross misdemeanor who drives, operates, or is in physical control of a motor vehicle, the operation of which requires a driver's license, within this state or upon the ice of any boundary water of this state in violation of section 169.121 or an ordinance in conformity with it before the person's driver's license or driver's privilege has been reinstated following its cancellation, suspension, revocation, or denial under any of the following: section 169.121, 169.1211, or 169.123; section 171.04, 171.14, 171.16, 171.17, or 171.18 because of an alcohol-related incident; section 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); or 609.21, subdivision 4, clauses (2) to (4).

The attorney in the jurisdiction in which the violation of this section occurred who is responsible for prosecution of misdemeanor violations of section 169.121 shall also be responsible for prosecution of violations of this section.

Sec. 17. Minnesota Statutes 1992, section 169.791, subdivision 2, is amended to read:

Subd. 2. [REQUIREMENT FOR DRIVER WHETHER OR NOT THE OWNER.] Every driver shall have in possession at all times when operating a vehicle and shall produce on demand of a peace officer proof of insurance in force at the time of the demand covering the vehicle being operated. If the driver does not produce the required proof of insurance upon the demand of a peace officer, the driver is guilty of a misdemeanor. A person is guilty of a gross

misdemeanor who violates this section within ten years of the first of two prior convictions under this section, section 169.797, or a statute or ordinance in conformity with one of those sections. The same prosecuting authority who is responsible for prosecuting misdemeanor violations of this section is responsible for prosecuting gross misdemeanor violations of this section. A driver who is not the owner of the vehicle may not be convicted under this section unless the driver knew or had reason to know that the owner did not have proof of insurance required by this section, provided that the driver provides the officer with the name and address of the owner at the time of the demand or complies with subdivision 3.

Sec. 18. Minnesota Statutes, 1992 is amended by adding a section to read:

[169.991] [TAB CHARGES.]

The supreme court is requested to consider adding to the offenses listed in rule 17.01 of the Rules of Criminal Procedures a gross misdemeanor violation of section 171.24 (driving without a license) so that that offense may be prosecuted by tab charge in lieu of indictment or complaint.

Sec. 19. Minnesota Statutes 1992, section 171.12, subdivision 2, is amended to read:

Subd. 2. [ACCIDENT REPORTS AND RECORDS OF CONVICTION FILED.] The department shall file all accident reports and abstracts of court records of convictions and violations received by it under the laws of this state and its political subdivisions, and in connection therewith maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions of such licensee and the traffic accidents in which the licensee has been involved shall be readily ascertainable and available for the consideration of the department upon any application for renewal of license and the revocation, suspension, or limitation of licenses.

Sec. 20. Minnesota Statutes 1993 Supplement, section 171.24, is amended to read:

171.24 [VIOLATIONS; DRIVING WITHOUT VALID LICENSE.]

(a) Except as otherwise provided in paragraph (c), any person whose driver's license or driving privilege has been canceled, suspended, or revoked and who has been given notice of, or reasonably should know of the revocation, suspension, or cancellation, and who disobeys such order by operating anywhere in this state any motor vehicle, the operation of which requires a driver's license, while such license or privilege is canceled, suspended, or revoked is guilty of a misdemeanor.

(b) Any person who has been disqualified from holding a commercial driver's license or been denied the privilege to operate a commercial motor vehicle, who has been given notice of or reasonably should know of the disqualification, and who disobeys the order by operating in this state a commercial motor vehicle while the person is disqualified to hold the license or privilege, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor if:

(1) the person's driver's license or driving privileges has been canceled under section 171.04, subdivision 1, clause (8), and the person has been given notice of or reasonably should know of the cancellation; and

(2) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is canceled.

(d) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section is also responsible for prosecution of gross misdemeanor violations of this section.

(e) Notice of revocation, suspension, cancellation, or disqualification is sufficient if personally served, or if mailed by first class mail to the person's last known address or to the address listed on the person's driver's license. Notice is also sufficient if the person was informed that revocation, suspension, cancellation, or disqualification would be imposed upon a condition occurring or failing to occur, and where the condition has in fact occurred or failed to occur. It is not a defense that a person failed to file a change of address with the post office, or failed to notify the department of public safety of a change of name or address as required under section 171.11.

Sec. 21. Minnesota Statutes 1993 Supplement, section 340A.503, subdivision 1, is amended to read:

Subdivision 1. [CONSUMPTION.] (a) It is unlawful for any:

(1) retail intoxicating liquor or nonintoxicating liquor licensee, municipal liquor store, or bottle club permit holder under section 340A.414, to permit any person under the age of 21 years to ~~consume~~ drink alcoholic beverages on the licensed premises or within the municipal liquor store; or

(2) person under the age of 21 years to consume any alcoholic beverages. ~~As used in this clause, "consume" includes the ingestion of an alcoholic beverage and the physical condition of having ingested an alcoholic beverage.~~ If proven by a preponderance of the evidence, it is an affirmative defense to a violation of this clause that the defendant consumed the alcoholic beverage in the household of the defendant's parent or guardian and with the consent of the parent or guardian.

(b) An offense under paragraph (a), clause (2), may be prosecuted either at the place where consumption occurs or the place where evidence of consumption is observed.

(c) When a person is convicted of or adjudicated for an offense under paragraph (a), clause (2), the court shall determine whether the person ~~committed the offense~~ consumed the alcohol while operating a motor vehicle. If so, the court shall notify the commissioner of public safety of its determination. Upon receipt of the court's determination, the commissioner shall suspend the person's driver's license or operating privileges for 30 days, or for 180 days if the person has previously been convicted of or adjudicated for an offense under paragraph (a), clause (2).

(d) As used in this paragraph, "consume" includes the ingestion of an alcoholic beverage and the physical condition of having ingested an alcoholic beverage.

Sec. 22. Minnesota Statutes 1993 Supplement, section 487.25, subdivision 10, is amended to read:

Subd. 10. [PROSECUTING ATTORNEYS.] Except as otherwise provided by law, violations of state law that are petty misdemeanors or misdemeanors must be prosecuted by the attorney of the statutory or home rule charter city where the violation is alleged to have occurred, if the city has a population greater than ~~500~~ 600. If a city has a population of ~~500~~ 600 or less, it may, by resolution of the city council, and with the approval of the board of county commissioners, give the duty to the county attorney. In cities of the first, second, and third class, gross misdemeanor violations of sections 609.52, 609.535, 609.595, 609.631, and 609.821 must be prosecuted by the attorney of the city where the violation is alleged to have occurred. The statutory or home rule charter city may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other petty misdemeanors, misdemeanors, and gross misdemeanors must be prosecuted by the county attorney of the county in which the alleged violation occurred. All violations of a municipal ordinance, charter provision, rule, or regulation must be prosecuted by the attorney for the governmental unit that promulgated the municipal ordinance, charter provision, rule, or regulation, regardless of its population, or by the county attorney with whom it has contracted to prosecute these matters.

In the counties of Anoka, Carver, Dakota, Scott, and Washington, violations of state law that are petty misdemeanors, misdemeanors, or gross misdemeanors except as provided in section 388.051, subdivision 2, must be prosecuted by the attorney of the statutory or home rule charter city where the violation is alleged to have occurred. The statutory or home rule charter city may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other petty misdemeanors, misdemeanors, or gross misdemeanors must be prosecuted by the county attorney of the county in which the alleged violation occurred. All violations of a municipal ordinance, charter provision, rule, or regulation must be prosecuted by the attorney for the governmental unit that promulgated the municipal ordinance, charter provision, rule, or regulation or by the county attorney with whom it has contracted to prosecute these matters.

Sec. 23. Minnesota Statutes 1993 Supplement, section 609.035, is amended to read:

609.035 [CRIME PUNISHABLE UNDER DIFFERENT PROVISIONS.]

Subdivision 1. Except as provided in subdivision 2, and in sections 609.251, 609.585, 609.21, subdivisions 3 and 4, 609.2691, 609.486, 609.494, and 609.856, if a person's conduct constitutes more than one offense under the laws of this state, the person may be punished for only one of the offenses and a conviction or acquittal of any one of them is a bar to prosecution for any other of them. All the offenses, if prosecuted, shall be included in one prosecution which shall be stated in separate counts.

Subd. 2. (a) When a person is being sentenced for a violation of a provision listed in paragraph (f), the court may sentence the person to a consecutive term of imprisonment for a violation of any other provision listed in paragraph (f), notwithstanding the fact that the offenses arose out of the same course of conduct, subject to the limitation on consecutive sentences contained in section 609.15, subdivision 2, and except as provided in paragraphs (b), (c), and (d) of this subdivision.

(b) When a person is being sentenced for a violation of section 169.129 the court may not impose a consecutive sentence for a violation of a provision of section 169.121, subdivision 1, or for a violation of a provision of section 171.20, 171.24, or 171.30.

(c) When a person is being sentenced for a violation of section 171.20, 171.24, or 171.30, the court may not impose a consecutive sentence for another violation of a provision in chapter 171.

(d) When a person is being sentenced for a violation of section 169.791 or 169.797, the court may not impose a consecutive sentence for another violation of a provision of sections 169.79 to 169.7995.

(e) This subdivision does not limit the authority of the court to impose consecutive sentences for crimes arising on different dates or to impose a consecutive sentence when a person is being sentenced for a crime and is also in violation of the conditions of a stayed or otherwise deferred sentence under section 609.135.

(f) This subdivision applies to misdemeanor and gross misdemeanor violations of the following if the offender has two or more prior impaired driving convictions as defined in section 169.121, subdivision 3:

- (1) section 169.121, subdivision 1, driving while intoxicated;
- (2) section 169.121, subdivision 1a, testing refusal;
- (3) section 169.129, aggravated driving while intoxicated;
- (4) section 169.791, failure to provide proof of insurance;
- (5) section 169.797, failure to provide vehicle insurance;
- (6) section 171.20, subdivision 2, operation after revocation, suspension, cancellation, or disqualification;
- (7) section 171.24, driving without valid license;
- (8) section 171.30, violation of condition of limited license; and
- (9) section 609.487, fleeing a peace officer.

Sec. 24. Minnesota Statutes 1993 Supplement, section 609.135, subdivision 2, is amended to read:

Subd. 2. (a) If the conviction is for a felony the stay shall be for not more than ~~three~~ four years or the maximum period for which the sentence of imprisonment might have been imposed, whichever is longer.

(b) If the conviction is for a gross misdemeanor violation of section 169.121 or 169.129, the stay shall be for not more than ~~three~~ four years. The court shall provide for unsupervised probation for the last one year of the stay unless the court finds that the defendant needs supervised probation for all or part of the last one year.

(c) If the conviction is for a gross misdemeanor not specified in paragraph (b), the stay shall be for not more than two years.

(d) If the conviction is for any misdemeanor under section 169.121; 609.746, subdivision 1; 609.79; or 617.23; or for a misdemeanor under section 609.224, subdivision 1, in which the victim of the crime was a family or household member as defined in section 518B.01, the stay shall be for not more than two years. The court shall provide for unsupervised probation for the second year of the stay unless the court finds that the defendant needs supervised probation for all or part of the second year.

(e) If the conviction is for a misdemeanor not specified in paragraph (d), the stay shall be for not more than one year.

(f) The defendant shall be discharged six months after the term of the stay expires, unless the stay has been revoked or extended under paragraph (g), or the defendant has already been discharged.

(g) Notwithstanding the maximum periods specified for stays of sentences under paragraphs (a) to (f), a court may extend a defendant's term of probation for up to one year if it finds, at a hearing conducted under subdivision 1a, that:

(1) the defendant has not paid court-ordered restitution or a fine in accordance with the payment schedule or structure; and

(2) the defendant is likely to not pay the restitution or fine the defendant owes before the term of probation expires.

This one-year extension of probation for failure to pay restitution or a fine may be extended by the court for up to one additional year if the court finds, at another hearing conducted under subdivision 1a, that the defendant still has not paid the court-ordered restitution or fine that the defendant owes.

Sec. 25. Minnesota Statutes 1993 Supplement, section 609.15, subdivision 2, is amended to read:

Subd. 2. [LIMIT ON SENTENCES; MISDEMEANOR AND GROSS MISDEMEANOR.] If the court specifies that the sentence shall run consecutively and all of the sentences are for misdemeanors, the total of the sentences shall not exceed one year. If the sentences are for a gross misdemeanor and one or more misdemeanors, the total of the sentences shall not exceed two years. If all of the sentences are for gross misdemeanors, the total of the sentences shall not exceed ~~three~~ four years.

Sec. 26. Minnesota Statutes 1992, section 629.471, subdivision 2, is amended to read:

Subd. 2. [QUADRUPLE THE FINE.] For offenses under sections 169.09, 169.121, 169.129, 171.24, paragraph (c), 518B.01, 609.2231, subdivision 2, 609.224, 609.487, and 609.525, the maximum cash bail that may be required for a person charged with a misdemeanor or gross misdemeanor violation is quadruple the highest cash fine that may be imposed for the offense.

Sec. 27. [SENTENCING GUIDELINES MODIFICATION.]

The sentencing guidelines commission shall modify the sentencing guidelines by ranking violations of section 609.21, subdivisions 1, clauses (3) and (4); and 3, clauses (3) and (4), (criminal vehicular homicide) in severity level VII of the sentencing guidelines grid.

Sec. 28. [REPEALER.]

Minnesota Statutes 1992, sections 84.87, subdivision 2b; and 84.928, subdivision 3, are repealed.

Sec. 29. [EFFECTIVE DATE.]

Sections 1 to 28 are effective August 1, 1994 and apply to crimes committed on or after that date."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Kahn to the Chair.

S. F. No. 1961, A bill for an act relating to driving while intoxicated; imposing increased penalties on persons who operate a snowmobile or motorboat while intoxicated and who have previously been convicted of driving a motor vehicle while intoxicated; extending maximum length for multiple gross misdemeanor sentences and combined gross misdemeanor and misdemeanor sentences; extending maximum length of a stayed gross misdemeanor DWI sentence and certain felony sentences; authorizing consecutive sentences for multiple crimes committed by repeat DWI offenders; authorizing certain cities to transfer responsibility for petty misdemeanor and misdemeanor offenses to the county attorney; clarifying prosecution authority for certain offenses; amending Minnesota Statutes 1992, sections 84.91, subdivision 5; 86B.331, subdivision 5; 169.797, subdivision 4; Minnesota Statutes 1993 Supplement, sections 169.121, subdivisions 3 and 3a; 171.24; 487.25, subdivision 10; 609.035; 609.135, subdivision 2; and 609.15, subdivision 2.

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R. Stanius

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

SPECIAL ORDERS

H. F. No. 1809 was reported to the House.

Skoglund moved that H. F. No. 1809 be continued on Special Orders. The motion prevailed.

S. F. No. 2309 was reported to the House.

Pugh moved that S. F. No. 2309 be continued on Special Orders. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Carruthers, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately preceding printed Special Orders for today:

S. F. Nos. 788, 2297 and 2011; H. F. No. 1830; S. F. Nos. 2232 and 2197; H. F. No. 2287; and S. F. No. 1483.

Carruthers 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.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2951, A bill for an act relating to health care financing; modifying provisions for enrollment in the MinnesotaCare program; establishing a health care access reserve account; transferring money; amending Minnesota Statutes 1993 Supplement, section 256.9352, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1919, A bill for an act relating to manufactured homes; clarifying certain language governing application fees with in park sales; requiring a study; amending Minnesota Statutes 1992, section 327C.07, subdivisions 1, 2, 3, and 6.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2365, A bill for an act relating to traffic regulations; making technical changes; removing requirement for auxiliary low beam lights to be removed or covered when snowplow blade removed; requiring seat belts for commercial motor vehicles; allowing transportation within state of raw farm and forest products exceeding maximum weight limitation by not more than ten percent; amending Minnesota Statutes 1992, sections 169.743; and 169.851, subdivision 5; Minnesota Statutes 1993 Supplement, sections 169.122, subdivision 5; 169.47, subdivision 1; 169.522, subdivision 1; 169.56, subdivision 5; and 169.686, subdivision 1.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2493, A bill for an act relating to agriculture; changing the law on nuisance liability of agricultural operations; amending Minnesota Statutes 1992, section 561.19, subdivisions 1 and 2.

The Senate has appointed as such committee:

Messrs. Sams, Bertram and Dille.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3011, A bill for an act relating to transportation; defining terms; making technical changes; ensuring safety is factor in standards for scenic highways and park roads; directing commissioner of transportation to accept performance-specification bids for constructing design-built bridges; prohibiting personal transportation vehicles from picking up passengers in seven-county metropolitan area; allowing horse trailer to be component of a recreational vehicle combination; increasing length limitations for recreational vehicle combinations; setting speed limit for residential roadways; providing for installation of override systems to allow operators of emergency vehicles to activate traffic signals; allowing self-propelled implement of husbandry to display flashing amber light; allowing emergency vehicles to display flashing blue lights; creating child passenger restraint and education account to assist families in financial need and for educational purposes; requiring use of mileage-recording equipment on motor vehicles after 1999; establishing youth charter carrier permit system; allowing rail carriers to participate in rail user loan guarantee program; requiring publicly owned or leased motor vehicles to be identified; establishing advisory council on major transportation projects; authorizing donation of vacation leave for state employee; directing commissioner of transportation to erect signs, traffic signals, and noise barriers; exempting public bodies from regulations on all-terrain vehicles; allowing commissioner of transportation to transfer certain real property acquired for highway purposes to former owner through negotiated settlement; modifying highway fund apportionment to counties and changing composition of screening board; providing for bridge inspection frequency and reports; delaying required revision of state transportation plan; authorizing expenditure of rail service maintenance account money for maintenance of rail lines and right-of-way in the rail bank; providing funding sources for rail bank maintenance account; authorizing sale of certain tax-forfeited land that borders public water in New Scandia township in Washington county, and an exchange of that land for land located in Stillwater township in Washington county between the state of Minnesota and the United States Department of Interior, National Park Service; requiring studies; providing for appointments; appropriating money; amending Minnesota Statutes 1992, sections 84.928, subdivision 1; 160.085, subdivision 3; 160.262, by adding a subdivision; 160.81; 160.82, subdivision 2; 161.25; 162.07, subdivisions 1, 3, 5, and 6; 162.09, subdivision 1; 165.03; 168.1281, by adding a subdivision; 169.01, by adding a subdivision; 169.06, by adding a subdivision; 169.14, subdivision 2; 169.64, subdivision 4; 169.685, by adding a subdivision; 174.03, subdivision 1a; 221.011, by adding a subdivision; 221.121, by adding a subdivision; 221.85, subdivision 1; 222.50, subdivision 7; 222.55; 222.56, subdivisions 5, 6, and by adding subdivisions; 222.57; 222.58, subdivision 2; and 222.63, subdivision 8; Minnesota Statutes 1993 Supplement, sections 169.01, subdivision 78; 169.18, subdivision 5; 169.685, subdivision 5; 169.81, subdivision 3c; and 221.111; proposing coding for new law in Minnesota Statutes, chapters 161; 169; and 471; repealing Minnesota Statutes 1992, sections 162.07, subdivision 4; 173.14; and 222.58, subdivision 6; Minnesota Statutes 1993 Supplement, section 168.1281, subdivision 4; Laws 1993, chapter 323, sections 3; and 4; Minnesota Rules, part 8810.1300, subpart 6.

The Senate has appointed as such committee:

Messrs. Langseth, Chmielewski; Meses. Hanson, Pappas and Johnston.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3211, A bill for an act relating to claims against the state; providing for payment of various claims; imposing a fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

The Senate has appointed as such committee:

Mr. Kelly; Ms. Johnston; Mr. Hottinger; Ms. Johnson, J. B., and Mr. Beckman.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3179, A bill for an act relating to waters; preservation of wetlands; creating the wetlands wildlife legacy account; modifying easements; drainage and filling for public roads; defining terms; board action on local government plans; action on approval of replacement plans; computation of value; establishing special vehicle license plates for wetlands wildlife purposes; amending Minnesota Statutes 1992, sections 103F.516, subdivision 1; 103G.2242, subdivisions 1, 5, 6, 7, and 8; and 103G.237, subdivision 4; Minnesota Statutes 1993 Supplement, sections 103G.222; and 103G.2241; proposing coding for new law in Minnesota Statutes, chapters 84; and 168.

PATRICK E. FLAHAVEN, Secretary of the Senate

Munger moved that the House refuse to concur in the Senate amendments to H. F. No. 3179, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 3041 and S. F. No. 1736.

H. F. No. 3041 was reported to the House.

Jefferson moved to amend H. F. No. 3041, the fourth engrossment, as follows:

Page 13, line 5, delete "the metrodome or"

Page 13, line 6, delete the second comma

Page 13, line 7, delete "respectively, for metrodome debt service or" and insert "for"

Page 13, line 8, delete ", as the case may be"

Page 14, line 1, delete "or metrodome"

Page 47, line 27, delete "metrodome or"

The motion prevailed and the amendment was adopted.

Jefferson and Van Dellen moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Page 16, line 34, strike everything after "hereunder"

Page 16, line 35, strike everything before the semicolon

Page 22, line 31, strike everything before the second "and"

The motion prevailed and the amendment was adopted.

Milbert, Evans, Murphy, Reding, Stanius, Solberg, Holsten, Neary, Pugh, Osthoff, Kahn, McGuire, Lourey, Luther and McCollum moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Page 1, after line 15, insert:

"ARTICLE 1"

Page 14, line 1, delete "50" and insert "10"

Page 26, line 23, delete everything after "be"

Page 26, line 24, delete "revenues must be"

Page 26, line 26, delete the semicolon and insert a period

Page 26, delete lines 27 to 36

Page 27, delete lines 1 to 15

Page 27, line 16, delete "subclause (iii)."

Page 30, line 17, delete "\$1" and insert "\$1.50"

Page 30, line 30, after the period, insert "After the initial \$1 of surcharge, the proceeds of the next 50 cents of the surcharge shall be designated as the investment recapture surcharge and must be deposited in the state ice facilities development account."

Page 48, line 5, delete "act" and insert "article"

Page 48, after line 11, insert:

"ARTICLE 2"

Section 1. [PLAN DEVELOPMENT; CRITERIA.]

The Minnesota amateur sports commission shall develop a plan to promote the development of proposals for new statewide public ice facilities including proposals for ice centers and matching grants based on the criteria in this section.

(a) For ice center proposals, the commission will give priority to proposals that come from more than one local government unit and that involve construction of more than three ice sheets in a single facility.

(b) The Minnesota amateur sports commission shall administer a site selection process for the ice centers. The commission shall invite proposals from cities or counties or consortia of cities. A proposal for an ice center must include matching contributions including in-kind contributions of land, access roadways and access roadway improvements, and necessary utility services, landscaping, and parking.

(c) Proposals for ice centers and matching grants must provide for meeting the demand for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m. to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.

(d) The location for all proposed facilities must be in areas of maximum demonstrated interest and must maximize accessibility to an arterial highway.

(e) To the extent possible, all proposed facilities must be dispersed equitably and must be located to maximize potential for full utilization and profitable operation.

(f) The Minnesota amateur sports commission may also use the funds to upgrade current facilities, purchase girl's ice time, or conduct amateur women's hockey and other ice sport tournaments.

Sec. 2. [AGREEMENTS.]

The Minnesota amateur sports commission may enter into agreements with local units of government and provide financial assistance in the form of grants for the construction of ice arena facilities that in the determination of the commission, conform to its criteria.

Sec. 3. [ICE FACILITIES DEVELOPMENT ACCOUNT.]

The ice facilities development account is established in the general fund to receive money resulting from the surcharge imposed under Minnesota Statutes, section 473.595, subdivision 1a, to the extent provided in that section. The money in the account must be used only for grants to be made for public ice facilities and for amateur sports commission expenses in developing proposals to build ice facilities according to commission criteria to buy ice time for girl's sports, and for amateur women's hockey and other ice sport tournaments.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective July 1, 1994."

Amend the title as follows:

Page 1, line 2, delete "metropolitan"

A roll call was requested and properly seconded.

The question was taken on the Milbert et al amendment and the roll was called. There were 95 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Jennings	Limmer	Munger	Reding	Tomassoni
Anderson, R.	Delmont	Johnson, R.	Lindner	Murphy	Rest	Tompkins
Asch	Dorn	Johnson, V.	Long	Neary	Rhodes	Trimble
Battaglia	Evans	Kahn	Lourey	Nelson	Rukavina	Tunheim
Beard	Farrell	Kalis	Luther	Olson, K.	Sarna	Vellenga
Bergson	Finseth	Kelley	Lynch	Orenstein	Seagren	Weaver
Bishop	Garcia	Kelso	Macklin	Orfield	Sekhon	Wejcman
Brown, C.	Greenfield	Kinkel	Mahon	Osthoff	Simoneau	Wenzel
Brown, K.	Greiling	Klinzing	Mariani	Ozment	Skoglund	Winter
Carlson	Hasskamp	Krickerbocker	McCollum	Pawlenty	Smith	Workman
Carruthers	Hausman	Krueger	McGuire	Pelowski	Solberg	Spk. Anderson, I.
Clark	Holsten	Lasley	Milbert	Perlt	Stanius	
Commers	Jacobs	Leppik	Morrison	Peterson	Steensma	
Dauner	Jaros	Lieder	Mosel	Pugh	Swenson	

Those who voted in the negative were:

Bauerly	Dempsey	Gruenes	Johnson, A.	Ness	Ostrom	Vickerman
Bertram	Erhardt	Gutknecht	Knight	Olson, E.	Rodosovich	Wagenius
Bettermann	Frerichs	Haukoos	Koppendrayner	Olson, M.	Sviggum	Waltman
Davids	Girard	Hugoson	Krinkie	Ornen	Van Dellen	Wolf
Dehler	Goodno	Huntley	Molnau	Opatz	Van Engen	Worke

The motion prevailed and the amendment was adopted.

Wejcman and Kahn moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Page 26, line 20, before the period insert "until the bonds issued under section 473.599 have been retired"

The motion prevailed and the amendment was adopted.

Reding, Greiling, Knickerbocker and Kahn moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Page 2, line 26, after "municipalities" insert "other than the city of Minneapolis"

Page 2, line 29, after the period insert "Payment of amortization state aid to the city of Minneapolis must be made directly to the city in three equal installments on July 15, September 15, and November 15 annually."

The motion prevailed and the amendment was adopted.

Dawkins, Sviggum and Lasley moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Page 7, after line 18, insert:

"Sec. 5. Minnesota Statutes 1992, section 473.553, is amended to read:

473.553 [COMMISSION; MEMBERSHIP; ADMINISTRATION.]

Subdivision 1. [GENERAL.] The metropolitan sports facilities commission is established and shall be organized, structured, and administered as provided in this section and section 473.141, subdivisions 6 to 11, 13, and 14.

Subd. 2. [MEMBERSHIP.] The commission shall consist of ~~six~~ eight members, ~~appointed by the governor during the period before substantial completion of construction of sports facilities pursuant to sections 473.551 to 473.595 and thereafter as hereinafter provided, plus a chair appointed as provided in subdivision 3. Initial appointments of members shall be made within 30 days of May 17, 1977. One member shall be appointed from each of the following combinations of metropolitan commission precincts defined in section 473.141, subdivision 2: A and B; C and C; D and E; F and H. Two members shall be appointed from outside the metropolitan area. Upon substantial completion of construction of the sports facility, vacancies occurring on the commission, whether at the completion of or prior to the completion of a member's term, shall be filled~~ Six members shall be appointed by the Minneapolis city council of the city in which the stadium is located. Two members, other than the chair, shall be appointed by the governor, neither of whom shall reside in the city of Minneapolis, and one of whom must reside outside the metropolitan area.

Subd. 3. [CHAIR.] The chair shall be appointed by the governor as the ~~seventh~~ ninth voting member and shall meet all of the qualifications of a member, except the chair need only reside outside the ~~metropolitan area~~ city of Minneapolis. The chair shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned by the commission or by law. The commission may appoint from among its members a vice-chair to act for the chair during temporary absence or disability.

Subd. 4. [QUALIFICATIONS.] ~~Each member appointed prior to substantial completion of construction of a sports facility constructed pursuant to sections 473.551 to 473.595 shall be a resident of the precincts or area of the state for which appointed. A member appointed at any time shall not during a term of office hold the office of metropolitan council member or be a member of another metropolitan agency that is subject to section 473.141 or hold any judicial office or office of state government. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, article V, section 6. The oath, duly certified by the official administering it, shall be filed with the chair of the metropolitan council.~~

Subd. 4a. [ADDITIONAL QUALIFICATION.] ~~None of the members appointed by the Minneapolis city council of the city in which the stadium is located shall be an elected public official of that city or of another political subdivision any part of whose territory is shared with that city.~~

Subd. 5. [TERMS.] ~~The terms of three of the members representing precincts A and B and C and C and the term of one of the members from outside the metropolitan area appointed by the Minneapolis city council shall end the first Monday in January, 1981 1989. The terms of the other members and the chair shall end the first Monday in January, 1983 1991. After the initial term provided for in this subdivision, The term of one of the members other than the chair appointed by the governor shall end the first Monday in January, 1995 and the term of the other member~~

appointed by the governor shall end the first monday in January, 1997. Thereafter, the term of each member and the chair shall be four years. The terms shall continue until a successor is appointed and qualified. Members and the chair may be removed in the manner specified in chapter 351."

Renumber the sections in sequence

Correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Dawkins et al amendment and the roll was called. There were 95 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Johnson, A.	Lourey	Olson, K.	Rhodes	Tunheim
Anderson, R.	Farrell	Johnson, R.	Lynch	Olson, M.	Rodosovich	Van Dellen
Asch	Finseth	Johnson, V.	Macklin	Onnen	Rukavina	Van Engen
Beard	Frerichs	Kelley	Mahon	Opatz	Seagren	Vickerman
Bettermann	Goodno	Kinkel	Mariani	Orenstein	Sekhon	Waltman
Bishop	Greiling	Knickerbocker	McCollum	Osthoff	Smith	Weaver
Brown, K.	Gutknecht	Knight	McGuire	Ostrom	Solberg	Wenzel
Carlson	Hasskamp	Koppendrayer	Molnau	Ozment	Stanis	Winter
Commers	Haukoos	Krinkie	Morrison	Pawlenty	Steensma	Wolf
Cooper	Hausman	Lasley	Mosel	Perlt	Sviggum	Worke
Dauner	Holsten	Leppik	Munger	Peterson	Swenson	Workman
Davids	Hugoson	Lieder	Neary	Pugh	Tomassoni	
Dawkins	Jacobs	Limmer	Nelson	Reding	Tompkins	
Dempsey	Jaros	Lindner	Ness	Rest	Trimble	

Those who voted in the negative were:

Battaglia	Clark	Girard	Kalis	Milbert	Sarna
Bauerly	Dehler	Gruenes	Kelso	Murphy	Simoneau
Bergson	Delmont	Huntley	Klinzing	Olson, E.	Skoglund
Bertram	Erhardt	Jefferson	Krueger	Orfield	Wagenius
Brown, C.	Evans	Jennings	Long	Pelowski	Wejzman
Carruthers	Garcia	Kahn	Luther	Rice	Spk. Anderson, I.

The motion prevailed and the amendment was adopted.

Krueger, Neary, Kinkel, Osthoff, Frerichs and Pelowski moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Page 44, after line 24, insert:

"Subd. 8. [REIMBURSEMENT TO STATE.] The commission shall compensate the state for its contribution from the general fund under section 19, plus accrued interest, after payment of basketball and hockey arena debt service, the necessary and appropriate funding of debt reserve of the basketball and hockey arena and all expenses of operation, administration, and maintenance and the funding of a capital reserve for the repair, remodeling and renovation of the basketball and hockey arena. Compensation paid to the state shall occur at the same time that

compensation is paid to the city of Minneapolis, as provided in paragraph (n) of subdivision 4, on a basis proportionate to the amount of forbearance of the entertainment tax on surcharge as provided in paragraph (n) to that date, and the amount of general fund appropriations paid by the state under section 19 to that date."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

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

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

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

Macklin, Gutknecht, Smith, Limmer, Worke, Onnen, Workman, Van Engen and Bettermann moved to amend H. F. No. 3041, the fourth engrossment, as amended, as follows:

Pages 1 to 4, delete sections 1 to 3

Delete page 13

Page 14, delete lines 1 to 5 and insert:

"Subd. 16. [AGREEMENT WITH CITY.] The commission may agree with the city of Minneapolis that the city will provide money to support the acquisition, improvement, or operation of the basketball and hockey arena. The agreement may cover a term of one or more years and may be contingent upon other revenues being insufficient to meet specified levels. In addition, the agreement may provide for city or other public use of the facility under specified circumstances or conditions. The commission may pledge the money received under an agreement entered into under this subdivision to pay debt service on obligations issued to acquire or improve the basketball and hockey arena."

Page 26, delete line 23

Page 26, line 24, delete "revenues"

Page 26, line 26, delete the semicolon and insert a period

Page 26, delete lines 27 to 36

Page 27, delete lines 1 to 15

Page 27, line 16, delete "subclause (iii)."

Pages 44 to 47, delete sections 16 and 17

Page 47, delete section 19 and insert:

"Sec. 14. [MINNEAPOLIS; AUTHORITY TO APPROPRIATE AND PLEDGE SALES TAX REVENUE.]

Notwithstanding any limitation in Laws 1986, chapter 396, or other law to the contrary, the city of Minneapolis may, by resolution, appropriate the proceeds of sales and use taxes collected or received by the city under Laws 1986, chapter 396, section 4, under an agreement with the metropolitan sports facilities commission to fund an agreement entered into under Minnesota Statutes, section 473.556, subdivision 16. The city may irrevocably pledge these revenues. The amount of the appropriation may not exceed the amount of revenue accruing to the city as a result of the advance refunding of bonds issued under Laws 1986, chapter 396. Providing financial assistance for a basketball and hockey arena under this act is an authorized use of the tax revenues under Laws 1986, chapter 396."

Page 48, line 5, delete "(a)"

Page 48, delete lines 8 to 11

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 6, delete everything after "sections"

Page 1, delete line 7

Page 1, line 10, delete everything after the semicolon

Page 1, delete line 11

Page 1, line 13, delete "chapters 240A; and" and insert "chapter"

A roll call was requested and properly seconded.

The question was taken on the Macklin et al amendment and the roll was called. There were 44 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Johnson, V.	Mahon	Opatz	Seagren	Worke
Asch	Finseth	Kelso	Molnau	Orenstein	Steensma	Workman
Bauerly	Goodno	Koppendrayner	Mosel	Ostrom	Sviggum	
Bergson	Gruenes	Krinkie	Neary	Pauly	Tompkins	
Bertram	Gutknecht	Limmer	Nelson	Pawlenty	Van Engen	
Bettermann	Haukoos	Lindner	Ness	Perlt	Vickerman	
Commers	Holsten	Macklin	Olson, M.	Rhodes	Waltman	

Those who voted in the negative were:

Anderson, R.	Bishop	Carlson	Cooper	Dawkins	Dorn	Farrell
Battaglia	Brown, C.	Carruthers	Dauner	Delmont	Erhardt	Frerichs
Beard	Brown, K.	Clark	Dauids	Dempsey	Evans	Garcia

Girard	Jennings	Krueger	McGuire	Ozment	Sekhon	Van Dellen
Greenfield	Johnson, A.	Lasley	Milbert	Pelowski	Simoneau	Vellenga
Greiling	Johnson, R.	Leppik	Morrison	Peterson	Skoglund	Wagenius
Hasskamp	Kahn	Lieder	Munger	Pugh	Smith	Weaver
Hausman	Kalis	Long	Murphy	Reding	Solberg	Wejcman
Hugoson	Kelley	Lourey	Olson, E.	Rest	Stanius	Wenzel
Huntley	Kinkel	Luther	Olson, K.	Rice	Swenson	Winter
Jacobs	Klinzing	Lynch	Onnen	Rodosovich	Tomassoni	Wolf
Jaros	Knickerbocker	Mariani	Orfield	Rukavina	Trimble	Spk. Anderson, I.
Jefferson	Knight	McCollum	Osthoff	Sarna	Tunheim	

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

H. F. No. 3041, A bill for an act relating to government; providing for the ownership, financing, and use of certain sports facilities; permitting the issuance of bonds and other obligations; appropriating money; amending Minnesota Statutes 1992, sections 423A.02, subdivision 1; 423B.01, subdivision 9; 423B.15, subdivision 3; 473.551; 473.552; 473.553; 473.556; 473.561; 473.564, subdivision 2; 473.572; 473.581; 473.592; 473.595; and 473.596; Laws 1989, chapter 319, article 19, section 7, subdivisions 1, as amended, and 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 240A; and 473; repealing Minnesota Statutes 1992, sections 473.564, subdivision 1; and 473.571.

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 69 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Battaglia	Dawkins	Huntley	Krueger	Murphy	Rodosovich	Tunheim
Bauerly	Dempsey	Jacobs	Leppik	Olson, E.	Rukavina	Van Dellen
Bishop	Dorn	Jaros	Long	Olson, K.	Sarna	Wagenius
Brown, C.	Erhardt	Jefferson	Lourey	Onnen	Sekhon	Weaver
Brown, K.	Evans	Jennings	Lynch	Orfield	Simoneau	Wejcman
Carruthers	Frerichs	Kahn	Mariani	Ozment	Skoglund	Wenzel
Clark	Girard	Kelley	McGuire	Pelowski	Solberg	Winter
Cooper	Greiling	Kinkel	Milbert	Peterson	Stanius	Wolf
Dauner	Hasskamp	Klinzing	Morrison	Reding	Swenson	Spk. Anderson, I.
Davids	Hugoson	Knickerbocker	Munger	Rice	Tomassoni	

Those who voted in the negative were:

Abrams	Delmont	Holsten	Lieder	Nelson	Pugh	Vellenga
Anderson, R.	Farrell	Johnson, A.	Limmer	Ness	Rest	Vickerman
Asch	Finseth	Johnson, R.	Lindner	Olson, M.	Rhodes	Waltman
Beard	Garcia	Johnson, V.	Luther	Opatz	Seagren	Worke
Bergson	Goodno	Kalis	Macklin	Orenstein	Smith	Workman
Bertram	Greenfield	Kelso	Mahon	Osthoff	Steensma	
Bettermann	Gruenes	Knight	McCollum	Ostrom	Sviggum	
Carlson	Gutknecht	Koppendrayner	Molnau	Pauly	Tompkins	
Commers	Haukoos	Krinkie	Mosel	Pawlenty	Trimble	
Dehler	Hausman	Lasley	Neary	Perl	Van Engen	

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

CALL OF THE HOUSE LIFTED

Carruthers moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3179:

Munger, Trimble and Jaros.

S. F. No. 1736, A bill for an act relating to metropolitan government; providing for financial assistance and capital expenditures of the regional transit board; amending Minnesota Statutes 1992, sections 473.375, subdivision 13; and 473.39, subdivision 1b.

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 127 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Knight Olson, M. Orfield Perl

The bill was passed and its title agreed to.

SPECIAL ORDERS

S. F. No. 788 was reported to the House.

McCollum, Goodno and Reding moved to amend S. F. No. 788, the unofficial engrossment, as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1992, section 117.042, is amended to read:

117.042 [POSSESSION.]

Subdivision 1. [QUICK TAKE PROCEDURE.] Except as provided in subdivision 2, whenever the petitioner shall require title and possession of all or part of the owner's property prior to the filing of an award by the court appointed commissioners, the petitioner shall, at least 90 days prior to the date on which possession is to be taken,

notify the owner of the intent to possess by notice served by certified mail and before taking title and possession shall pay to the owner or deposit with the court an amount equal to petitioner's approved appraisal of value. Amounts deposited with the court shall be paid out under the direction of the court. If it is deemed necessary to deposit the above amount with the court the petitioner may apply to the court for an order transferring title and possession of the property or properties involved from the owner to the petitioner. In all other cases, petitioner has the right to the title and possession after the filing of the award by the court appointed commissioners as follows:

(a) if appeal is waived by the parties upon payment of the award;

(b) if appeal is not waived by the parties upon payment or deposit of three-fourths of the award. The amount deposited shall be deposited by the court administrator in an interest bearing account no later than the business day next following the day on which the amount was deposited with the court. All interest credited to the amount deposited from the date of deposit shall be paid to the ultimate recipient of the amount deposited.

Subd. 2. [LIMITATION ON COOPERATIVE ELECTRIC ASSOCIATION.] Notwithstanding subdivision 1, a cooperative electric association seeking to acquire the property of a public utility or municipal electric utility in eminent domain proceedings is excluded from acquiring any right to furnish electric service until the proceedings conducted under the other sections of this chapter are concluded.

Subd. 3. [APPLICABILITY TO PUBLIC ASSISTANCE ELIGIBILITY.] Nothing in this section shall limit rights granted in section 117.155.

Sec. 2. Minnesota Statutes 1992, section 308A.201, subdivision 13, is amended to read:

Subd. 13. [UTILITY COOPERATIVE CONDEMNATION POWER.] Except as otherwise provided in section 117.042, subdivision 2, or other law, a cooperative that is engaged in the electrical, heat, light, power, or telephone business may exercise the power of eminent domain in the manner provided by state law for the exercise of the power by other corporations engaged in the same business.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "municipality" and insert "cooperative electric association"

Page 1, line 6, delete "section 216B.47" and insert "sections 216B.47; and 308A.201, subdivision 13"

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

Abrams	Carlson	Finseth	Holsten	Knight	Lynch	Olson, E.
Anderson, R.	Carruthers	Frerichs	Huntley	Koppendrayner	Mahon	Olson, K.
Asch	Comumers	Garcia	Jacobs	Krinkie	McCollum	Olson, M.
Battaglia	Cooper	Girard	Jaros	Krueger	McGuire	Onnen
Bauerly	Dauner	Goodno	Johnson, A.	Lasley	Milbert	Opatz
Beard	Dauids	Greenfield	Johnson, R.	Leppik	Molnau	Orenstein
Bergson	Dehler	Greiling	Johnson, V.	Lieder	Morrison	Orfield
Bertram	Dempsey	Gruenes	Kahn	Limmer	Mosel	Osthoff
Bettermann	Dorn	Gutknecht	Kelley	Lindner	Munger	Ostrom
Bishop	Erhardt	Hasskamp	Kelso	Long	Neary	Ozment
Brown, C.	Evans	Haukoos	Klinzing	Lourey	Nelson	Pauly
Brown, K.	Farrell	Hausman	Knickerbocker	Luther	Ness	Pawlenty

Pelowski	Rhodes	Smith	Swenson	Vellenga	Wejcman	Spk. Anderson, I.
Perl	Rodosovich	Solberg	Tomassoni	Vickerman	Wenzel	
Peterson	Rukavina	Stanis	Tompkins	Wagenius	Winter	
Pugh	Seagren	Steensma	Tunheim	Waltman	Wolf	
Reding	Sekhon	Sviggum	Van Engen	Weaver	Workman	

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

POINT OF ORDER

Bertram raised a point of order pursuant to rule 3.09 that the McCollum et al amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

MOTION TO LAY ON THE TABLE

Bishop moved to lay S. F. No. 788, the unofficial engrossment, on the table.

A roll call was requested and properly seconded.

The question was taken on the Bishop motion and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Asch	Dorn	Huntley	Lourey	Ness	Rice	Wagenius
Battaglia	Farrell	Jefferson	Luther	Orenstein	Rukavina	Wejcman
Bergson	Finseth	Johnson, A.	Mariani	Osthoff	Seagren	Wenzel
Bishop	Garcia	Johnson, R.	McCollum	Ostrom	Sekhon	Spk. Anderson, I.
Brown, K.	Goodno	Kahn	Milbert	Pelowski	Solberg	
Carlson	Greenfield	Kelso	Munger	Perl	Tomassoni	
Cooper	Greiling	Klinzing	Murphy	Peterson	Trimble	
Dauner	Hausman	Knickerbocker	Neary	Pugh	Vellenga	
Dawkins	Holsten	Krinkie	Nelson	Reding	Vickerman	

Those who voted in the negative were:

Abrams	Davids	Hasskamp	Krueger	Morrison	Rhodes	Tunheim
Anderson, R.	Dehler	Haukoos	Lasley	Mosel	Rodosovich	Van Dellen
Bauerly	Delmont	Hugoson	Leppik	Olson, E.	Sarna	Van Engen
Beard	Dempsey	Jacobs	Lieder	Olson, K.	Simoneau	Waltman
Bertram	Erhardt	Jaros	Limmer	Olson, M.	Smith	Weaver
Bettermann	Evans	Johnson, V.	Lindner	Onnen	Stanis	Winter
Brown, C.	Frerichs	Kelley	Long	Opatz	Steensma	Wolf
Carruthers	Girard	Kinkel	Lynch	Ozment	Sviggum	Worke
Clark	Gruenes	Knight	Mahon	Pawlenty	Swenson	Workman
Commers	Gutknecht	Koppendraye	Molnau	Rest	Tompkins	

The motion did not prevail.

The Speaker called Kahn to the Chair.

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

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

There were 35 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Asch	Dawkins	Goodno	Johnson, R.	McGuire	Orenstein	Rukavina
Battaglia	Dorn	Greiling	Kahn	Milbert	Osthoff	Tomassoni
Bergson	Evans	Huntley	Kelso	Murphy	Pauly	Wagenius
Bishop	Farrell	Jefferson	Mahon	Neary	Pugh	Wejcman
Clark	Garcia	Johnson, A.	McCollum	Ness	Reding	Worke

Those who voted in the negative were:

Abrams	Dauids	Jacobs	Leppik	Nelson	Rhodes	Trimble
Anderson, R.	Dehler	Jaros	Lieder	Olson, E.	Rodosovich	Tunheim
Bauerly	Delmont	Johnson, V.	Limmer	Olson, K.	Sarna	Van Dellen
Beard	Dempsey	Kalis	Lindner	Olson, M.	Seagren	Van Engen
Bertram	Erhardt	Kelley	Long	Onnen	Sekhon	Vellenga
Bettermann	Finseth	Kinkel	Lourey	Opatz	Simoneau	Vickerman
Brown, C.	Frerichs	Klinzing	Luther	Ostrom	Smith	Waltman
Brown, K.	Girard	Knickerbocker	Lynch	Ozment	Solberg	Weaver
Carlson	Gruenes	Knight	Mariani	Pawlenty	Stanius	Wenzel
Carruthers	Gutknecht	Koppendrayner	Molnau	Pelowski	Steensma	Winter
Commers	Haukoos	Krinkie	Morrison	Perlt	Sviggum	Wolf
Cooper	Holsten	Krueger	Mosel	Peterson	Swenson	Workman
Dauner	Hugoson	Lasley	Munger	Rest	Tompkins	Spk. Anderson, I.

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

CALL OF THE HOUSE LIFTED

Bishop moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

S. F. No. 788, A bill for an act relating to energy; clarifying maximum energy consumption requirements for certain exit lamps; eliminating advance forecast reporting requirements for public electric utilities submitting advance forecasts in an integrated resource plan; updating the municipal energy conservation loan program; eliminating the district heating loan program; providing for certain energy related matters with respect to rental property; amending Minnesota Statutes 1992, sections 16B.61, subdivision 3; 116C.54; 216B.16, by adding a subdivision; 216B.241, subdivisions 1b and 2; 216C.17, subdivision 3; 216C.19, subdivisions 17 and 19; 216C.31; 216C.37, subdivision 1; 299F.011, subdivision 4c; 446A.10, subdivision 2; 504.185, subdivision 1, and by adding a subdivision; and 504.22, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1992, sections 216C.36; and 327C.04, subdivision 4; Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380.

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 85 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abrams	Beard	Carruthers	Dauner	Dempsey	Garcia	Haukoos
Anderson, R.	Bertram	Clark	Dauids	Erhardt	Girard	Holsten
Battaglia	Bettermann	Commers	Dehler	Evans	Gruenes	Hugoson
Bauerly	Brown, C.	Cooper	Delmont	Frerichs	Gutknecht	Jacobs

Jaros	Knight	Luther	Olson, K.	Rodosovich	Tompkins	Worke
Johnson, A.	Koppendrayner	Lynch	Olson, M.	Sarna	Tunheim	Workman
Johnson, R.	Krueger	Molnau	Ornen	Seagren	Van Dellen	Spk. Anderson, I.
Johnson, V.	Lasley	Morrison	Opatz	Simoneau	Vellenga	
Kalis	Leppik	Mosel	Ozment	Smith	Vickerman	
Kelley	Lieder	Murphy	Pelowski	Solberg	Waltman	
Kelso	Lindner	Nelson	Peterson	Stanis	Wenzel	
Kinkel	Long	Ness	Rest	Steensma	Winter	
Knickerbocker	Lourey	Olson, E.	Rhodes	Sviggum	Wolf	

Those who voted in the negative were:

Asch	Dorn	Huntley	Mariani	Osthoff	Reding	Tomassoni
Bergson	Farrell	Kahn	McCollum	Ostrom	Rice	Trimble
Bishop	Finseth	Klinzing	Milbert	Pauly	Rukavina	Van Engen
Brown, K.	Goodno	Krinkie	Neary	Pawlenty	Sekhon	Wagenius
Carlson	Greiling	Limmer	Orenstein	Perlt	Skoglund	Weaver
Dawkins	Hasskamp	Mahon	Orfield	Pugh	Swenson	Wejman

The bill was passed and its title agreed to.

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

GENERAL ORDERS

Trimble moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Rodosovich moved that the name of Knickerbocker be added as an author on H. F. No. 2602. The motion prevailed.

Rodosovich moved that the name of Knickerbocker be added as an author on H. F. No. 2672. The motion prevailed.

Peterson moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Monday, May 2, 1994, when the vote was taken on the repassage of H. F. No. 2234, as amended by the Senate." The motion prevailed.

Mosel moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Monday, May 2, 1994, when the vote was taken on the Frerichs and Vickerman amendment to H. F. No. 2742." The motion prevailed.

Van Dellen moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Monday, May 2, 1994, when the vote was taken on the repassage of H. F. No. 3209, as amended by Conference." The motion prevailed.

Mahon moved that the following statement be printed in the Journal of the House: "Had I been present, it was my intention to vote in the negative on Friday, April 29, 1994, when the vote was taken on the final passage of H. F. No. 3230, as amended." The motion prevailed.

Goodno moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative, while I was excused while in Conference, on Friday, April 29, 1994, when the vote was taken on the Frerichs appeal of the decision of the Chair on the Carruthers point of order on the Frerichs amendment to H. F. No. 3230, the first engrossment, as amended." The motion prevailed.

Goodno moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative, while I was excused while in Conference, on Friday, April 29, 1994, when the vote was taken on the second Sviggum amendment to H. F. No. 3230, the first engrossment, as amended." The motion prevailed.

Goodno moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative, while I was excused while in Conference, on Friday, April 29, 1994, when the vote was taken on the final passage of H. F. No. 3230, as amended." The motion prevailed.

Mahon moved that the following statement be printed in the Journal of the House: "Had I been present, it was my intention to vote in the affirmative on Friday, April 29, 1994, when the vote was taken on the final passage of S. F. No. 103, as amended." The motion prevailed.

Carlson moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Friday, April 29, 1994, when the vote was taken on the final passage of S. F. No. 309." The motion prevailed.

ADJOURNMENT

Trimble moved that when the House adjourns today it adjourn until 9:30 a.m., Wednesday, May 4, 1994. The motion prevailed.

Trimble moved that the House adjourn. The motion prevailed, and Speaker pro tempore Kahn declared the House stands adjourned until 9:30 a.m., Wednesday, May 4, 1994.

EDWARD A. BURDICK, Chief Clerk, House of Representatives