

### THIRTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 21, 1983

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

#### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Gerald J. Bruhn.

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

Adkins	Diessner	Kroening	Pehler	Solon
Anderson	Dieterich	Kronebusch	Peterson, C.C.	Spear
Belanger	Frank	Laidig	Peterson, D.C.	Storm
Benson	Frederick	Langseth	Peterson, D.L.	Stumpf
Berg	Frederickson	Lantry	Peterson, R.W.	Taylor
Berglin	Freeman	Lessard	Petty	Ulland
Bernhagen	Hughes	Luther	Pogemiller	Vega
Bertram	Isackson	McQuaid	Purfeerst	Waldorf
Brataas	Johnson, D.E.	Mehrrens	Ramstad	Wegscheid
Chmielewski	Johnson, D.J.	Moe, D.M.	Reichgott	Willet
Dahl	Jude	Moe, R.D.	Renneke	
Davis	Kamrath	Nelson	Samuelson	
DeCramer	Knaak	Novak	Schmitz	
Dicklich	Knutson	Olson	Sieloff	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

#### REPORTS OF COMMITTEES

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

Mr. Pehler from the Committee on Education, to which was re-referred

S.F. No. 839: A bill for an act relating to veterans; clarifying eligibility for certain educational programs; standardize the definition of "veteran"; improve management of grant program; coordinate program with federal law; amending Minnesota Statutes 1982, section 197.75; proposing new law coded in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 1982, sections 197.09; 197.10; and 197.11.

Reports the same back with the recommendation that the bill be amended

as follows:

Page 1, line 24, after "college," insert "*an area vocational-technical institute,*"

Page 2, line 2, reinstate the stricken "trade"

Page 2, line 2, before "vocational" insert ", business, or"

Page 2, line 2, delete "technical"

Page 2, line 2, strike "which may be"

Page 2, line 8, strike "that" and insert "the"

Page 2, line 8, strike "therefor" and insert "*for the benefit*"

Page 2, line 11, strike "herein" and insert "*in this section*"

Page 2, line 11, strike "such" and insert "the"

Page 2, line 12, strike "shall have"

Page 2, line 13, strike "said" and insert "the"

Page 2, line 14, strike "hereunder" and insert "*according to this section*"

Page 2, line 17, delete "benefits" and strike "as provided for herein"

Page 2, line 17, before "shall" insert "*benefits*"

Page 2, line 24, strike the comma

Page 2, line 25, after "law" insert "*or regulation*"

Page 2, line 26, strike ", rule or regulation of any department thereof,"

Page 2, line 27, strike "said"

Page 2, line 27, before "veteran" insert "the"

Page 2, lines 28 and 30, strike "he" and insert "*the veteran*"

Page 2, line 30, after "thereof" insert a comma

Page 3, line 29, delete "such" and insert "an"

Page 4, line 18, delete the second "that" and insert "who"

Page 4, line 23, delete "his/her" and insert "the"

Page 4, line 27, delete "*as defined herein*"

Page 4, line 27, delete "his"

Page 4, line 28, delete "*state supported*" and insert "*public post-secondary*"

Page 4, line 28, delete "of"

Page 4, delete line 29

Page 4, line 30, delete "*vocational school*"

Page 4, line 32, delete "he" and insert "*the dependent*"

Page 4, line 33, after "Minnesota" insert "*post-secondary*"

Page 4, line 34, delete everything after "*institution*"

Page 4, line 35, delete everything before "*shall*"

Page 4, line 36, delete "*established by the*" and insert "*not to exceed \$250 per year*"

Page 5, delete lines 1 and 2

Page 5, line 3, delete "*institutions*"

Page 5, line 3, delete "*he*" and insert "*the dependent*"

Page 5, line 3, delete "*such*" and insert "*the*"

Page 5, line 7, delete "*subdivision*" and insert "*section*"

Page 5, line 8, delete "*he*" and insert "*the person*"

Page 5, line 16, delete "*his*" and insert "*the*"

Page 5, line 22, delete "*subdivision*" and insert "*section*"

Page 5, line 23, delete "*father*" and insert "*spouse or parent*" in both places

Page 5, line 25, delete "*subdivision*" and insert "*section*"

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

Mr. Pehler from the Committee on Education, to which was referred

H.F. No. 159: A bill for an act relating to education; requiring school boards to adopt and review discipline policies including rules of conduct for pupils, and grounds and procedures for removal of pupils from class; amending Minnesota Statutes 1982, section 127.27, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 127.

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

Page 1, line 23, delete "*local*"

Page 1, line 24, delete "*of this act*"

Page 2, line 16, delete "*therein*" and insert "*in the policy*"

Page 2, line 29, delete "*those*" and insert "*the*"

Page 3, line 1, delete "*provided that a pupil*" and insert "*which*"

Page 3, line 1, delete "*be removed from a*" and insert "*exceed*"

Page 3, line 2, delete everything before "*three*"

Page 3, line 3, before the semicolon, insert "*for a violation of a rule of conduct*"

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 519: A bill for an act relating to taxation; property; clarifying the

valuation of agricultural land located in cities; amending Minnesota Statutes 1982, section 273.11, subdivision 7.

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

H.F. No. 403: A bill for an act relating to taxation; providing a special levy for operating costs of a county jail; amending Minnesota Statutes 1982, section 275.50, subdivision 5.

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-referred

S.F. No. 86: A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education; modifying certain components of foundation aid; modifying the method for calculating transportation aid; suspending certain special education rules; providing for community education aid and levy; providing for AVTI instructional aid; providing certain powers to intermediate school districts; modifying certain provisions relating to teacher mobility programs; modifying certain duties of the council on quality education; establishing certain programs relating to high technology; modifying the method of payment of certain aids and credits to school districts and related matters; appropriating money; amending Minnesota Statutes 1982, sections 6.54; 6.62, subdivision 1; 121.15; 120.17, subdivision 3; 121.503; 121.505; 121.904, subdivision 4a, as amended; 121.908; 121.936, by adding a subdivision; 123.32, by adding a subdivision; 123.33, subdivisions 10 and 14; 123.34, subdivision 9; 123.36, subdivisions 9, 13, and by adding a subdivision; 123.37, subdivision 1b; 123.702, subdivision 1a; 123.705; 123.933, subdivision 3; 124.14, subdivision 1; 124.15, subdivision 5; 124.155, subdivisions 1, and 2, as amended; 124.17, subdivision 2d; 124.19, subdivision 3; 124.201, subdivision 2; 124.2122, subdivisions 1 and 2; 124.2124, subdivision 1; 124.2126, subdivision 3; 124.2127, subdivision 1; 124.2132, subdivision 1; 124.214, subdivision 2; 124.225; 124.245, by adding a subdivision; 124.246, subdivision 2; 124.247, subdivision 3, and by adding a subdivision; 124.273, subdivision 4; 124.32, subdivisions 3a, 5, and 5a; 124.43, subdivision 1; 124.572, subdivision 2; 124.646, subdivision 1; 125.60, subdivisions 3 and 7; 126.54, subdivision 1; 129B.01, subdivisions 1 and 2; 129B.02; 129B.04; 129B.05; 129B.09, subdivisions 1 and 12; 134.07; 134.08; 134.09; 134.10; 134.11; 134.12; 134.13; 134.14; 134.15; 134.30; 134.32, subdivisions 1 and 7; 134.351, subdivisions 3 and 7; 134.353; 134.36; 273.1392; 275.125, subdivisions 2d, 5, 5b, 9, 11a, 11b, and by adding subdivisions; 354.094, subdivisions 1, 1a, and by adding a subdivision; 354.66, subdivisions 4, 9, and by adding a subdivision; 354A.091, subdivision 1, 1a, and by adding a subdivision; 354A.094, subdivisions 4, 9, and by adding a subdivision; 375.335;

475.61, subdivision 3; and 648.39, subdivision 1; amending Laws 1967, chapter 822, by adding a section; Laws 1969, chapter 775, section 3, subdivision 2, as amended; section 3, by adding a subdivision; and chapter 1060, by adding sections; Laws 1981, chapter 358, article VII, section 29, as amended; and Laws 1982, chapter 548, article IV, section 21; proposing new law coded in Minnesota Statutes, chapters 121; 124; 124A; 125; 126; 129B; and 134; repealing Minnesota Statutes 1982, sections 122.542; 122.90; 124.2123; 124.2124; 124.2125; 124.2128; 124.24; 124.251; 124.271; 124.273, subdivisions 1 and 2; 124.32, subdivision 1; 124.561; 124.562; 124.5621; 124.5622; 124.5623; 124.5624; 124.5625; 124.5626; 124.5627; 125.60, subdivisions 2a and 7; 129B.09, subdivision 5; 134.03; 134.06; 134.16; 134.19; 134.352; 275.125, subdivisions 6b, 6c, 6d, 7a, 7c, and 8; 354.66, subdivision 9; 354A.094, subdivision 9; and 375.33.

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

Page 89, after line 30, insert:

*"Subd. 21. [PINE POINT SCHOOL.] There is appropriated from the general fund to Independent School District No. 309, Pine Point School, the sum of \$57,000 for payment of obligations. The sum shall be available until June 30, 1985."*

Page 89, line 31, delete "21" and insert "22"

Page 110, line 2, delete "Carleton" and insert "Carlton"

Page 112, after line 13, insert:

*"Sec. 30. [INDEPENDENT SCHOOL DISTRICT NO. 784.]*

*Subdivision 1. [ISSUE OBLIGATIONS.] Notwithstanding the provisions of Minnesota Statutes, section 475.58, or any other law to the contrary, Independent School District No. 784, Appleton, without an election, may issue obligations in the amount of not more than \$100,000, which mature at later than December 31, 1988, for roof repair of district facilities. The obligations shall be repaid from the proceeds of Minnesota Statutes, sections 124.245 and 275.125, subdivisions 11a and 11b, received before the maturity of the obligation.*

*Subd. 2. [NO LOCAL APPROVAL.] The provisions of subdivision 1 shall be effective without local approval, according to Minnesota Statutes, section 645.023, subdivision 1, clause (a)."*

Page 112, line 28, delete "and 25" and insert ", 25, and 30"

Renumber the sections of article 7 in sequence

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 1060: A bill for an act relating to taxation; requiring certain information on income tax forms; amending Minnesota Statutes 1982, section 290.39, by adding a subdivision.

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

Page 1, delete lines 9 to 13 and insert:

*"Subd. 4. [FORMS DESIGN.] The commissioner shall design the individual income tax returns and envelopes to expedite the sorting of returns into refund claims and returns requiring an additional payment, if the commissioner finds that expediting the sorting will be cost effective when accounting for any increase or decrease in interest income and administrative costs to the state."*

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 608: A bill for an act relating to insurance; accident and health; exempting administrators of self insured health plans established by collective bargaining agreement from certain regulatory provisions; amending Minnesota Statutes 1982, section 60A.23, subdivision 8.

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

Page 1, line 15, strike "shall" and insert "does"

Page 2, line 24, strike "such" and insert "that"

Page 2, line 29, strike "shall" and insert "may"

Page 2, line 36, strike "shall be" and insert "is"

Page 3, line 12, strike "promulgate administrative" and insert "adopt"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 584: A bill for an act relating to commerce; regulating the consignment of works of art; specifying the rights and duties of consignors and consignees; defining terms; proposing new law coded as Minnesota Statutes, chapter 324.

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

Page 1, line 9, before "For" insert "Subdivision 1. [SCOPE.]"

Page 1, line 10, delete the colon and insert a period

Page 1, line 11, delete "(1)" and insert "Subd. 2. [ARTIST.]"

Page 1, lines 13, 15, and 18, delete the semicolon and insert a period

Page 1, line 14, delete "(2)" and insert "Subd. 3. [ART.]"

Page 1, line 16, delete "(3)" and insert "Subd. 4. [ART DEALER.]"

Page 1, line 19, delete "(4)" and insert "Subd. 5. [PERSON.]"

Page 1, line 20, delete "; and" and insert a period

Page 1, line 21, delete "(5)" and insert "Subd. 6. [CONSIGNMENT.]"

Page 1, line 21, delete "that" and insert "the delivery of possession of an art work by an artist to an art dealer by which"

Page 1, lines 22 and 25, delete "consignor" and insert "artist"

Page 1, line 23, delete "consignee" and insert "art dealer"

Page 1, line 23, delete "consignee's" and insert "art dealer's"

Page 1, line 25, delete "such" and insert "that work of"

Page 2, line 4, delete "whenever" and insert "if"

Page 2, line 21, delete the comma

Page 3, line 12, delete "the Uniform Commercial"

Page 3, line 13, delete "Code" and insert "chapter 336"

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 230: A bill for an act relating to insurance; prohibiting sex discrimination under Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1982, section 62E.08, subdivision 1.

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 903: A bill for an act relating to insurance; removing obsolete statutory provisions regulating assessment benefit associations; repealing Minnesota Statutes 1982, sections 63.01 to 63.35.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 801: A bill for an act relating to financial institutions; authorizing electronic financial terminals at locations other than retail locations established by persons other than retailers; amending Minnesota Statutes 1982, sections 47.62, subdivision 1; and 47.64, subdivision 3; repealing Minnesota Statutes 1982, section 47.61, subdivision 5.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 989: A bill for an act relating to collection and dissemination of data; classifying government data as public, private, and nonpublic; clarifying issues relating to classifications of data, access to data, the effect of death of individuals on classifications, and the temporary classification of data; refining provisions of the data practice act; amending Minnesota Statutes 1982, sections 13.02, subdivision 8; 13.03, subdivisions 2, 3, and 4, and by adding subdivisions; 13.04, subdivisions 2 and 3; 13.05, subdivisions 3, 7, and 9; 13.06, subdivisions 1 and 6; 13.31, subdivision 2; 13.43, subdivision 2; 13.44; 13.67; and proposing new law coded in Minnesota Statutes, chapter 13.

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

Pages 1 and 2, delete section 2 and insert:

“Sec. 2. Minnesota Statutes 1982, section 13.02, is amended by adding a subdivision to read:

*Subd. 8a. [NOT PUBLIC DATA.] “Not public data” means any government data which is classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.”*

Page 2, line 26, delete “access to government data or” and before “government” insert “public”

Page 2, line 27, after “which” insert “has commercial value and”

Page 3, line 4, strike “so”

Page 3, line 9, after the period, insert “Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law which was the basis for the denial.”

Page 3, delete lines 18 to 22, and insert:

“If data on individuals is classified as both private and confidential by this chapter, or any other statute or federal law, then the correct classification of the data shall be presumed to be private.”

Page 4, after line 1, insert:

“The presiding officer shall make his decision as to whether or not the data is discoverable under the rules of civil, criminal, or administrative procedure appropriate to the action.”

Page 4, line 2, delete everything before the comma and insert “In addition”

Page 4, line 8, after the period, insert “The presiding officer may fashion and issue any protective orders necessary to assure proper handling of the data by the parties.”

Page 4, line 16, after “shall” insert “make his decision as to whether or not to order the data to be released under the rules of civil, criminal, or administrative procedure appropriate to the action. In addition, the presiding officer shall”



Page 4, line 27, delete everything after “*death*” and insert a period

Page 4, delete lines 28 to 36

Pages 5 and 6, delete section 9

Page 6, line 21, strike “shall be” and insert “*is*”

Page 6, line 25, strike “, provided that” and insert “*if*”

Page 7, after line 7, insert:

“Sec. 12. Minnesota Statutes 1982, section 13.05, subdivision 10, is amended to read:

Subd. 10. [INTERNATIONAL DISSEMINATION PROHIBITED.] No state agency or political subdivision shall transfer or disseminate any private or confidential data on individuals to the private international organization known as Interpol, *except through the Interpol-United States National Central Bureau, United States Department of Justice.*”

Page 8, line 2, strike “All” and insert “A”

Page 8, line 3, strike “classifications” and insert “*classification*”

Page 8, line 6, strike “shall expire” and before “24” insert “*expires*” and strike “the”

Page 8, line 7, strike “classification” and insert “*it*”

Page 8, after line 18, insert:

“Sec. 16. Minnesota Statutes 1982, section 13.41, is amended by adding a subdivision to read:

*Subd. 5. [RELEASING DATA.] Any licensing agency may make any data classified as private or confidential pursuant to this section accessible to an appropriate person or agency if the licensing agency determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.*”

Page 8, line 21, after “2.” insert “[PUBLIC DATA.]”

Page 9, after line 13, insert:

“Sec. 19. Minnesota Statutes 1982, section 13.46, subdivision 2, is amended to read:

Subd. 2. [GENERAL.] Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (a) pursuant to section 13.05;
- (b) pursuant to a valid court order;
- (c) pursuant to a statute specifically authorizing access to the private data;
- (d) to an agent of the welfare system, including appropriate law enforcement personnel, who are acting in the investigation, prosecution, criminal or civil proceeding relating to the administration of a program;
- (e) to personnel of the welfare system who require the data to determine

eligibility, amount of assistance, and the need to provide services of additional programs to the individual;

(f) to administer federal funds or programs; or

(g) between personnel of the welfare system working in the same program.

*In the case of data on individual clients or patients of public or private community mental health centers of mental health divisions of counties and other providers under contract to deliver mental health services, it shall be treated as provided in subdivisions 7, 8, and 9.*

Sec. 20. Minnesota Statutes 1982, section 13.46, is amended by adding a subdivision to read:

*Subd. 7. [MENTAL HEALTH CENTER DATA.] Data on individual clients and patients of public or private community mental health centers of mental health divisions of counties and other providers under contract to deliver mental health services shall not be disclosed, except:*

*(a) pursuant to section 13.05;*

*(b) pursuant to a valid court order; or*

*(c) pursuant to a statute specifically authorizing access to or disclosure of private data.*

Sec. 21. Minnesota Statutes 1982, section 13.46, is amended by adding a subdivision to read:

*Subd. 8. [ACCESS FOR AUDITING.] To the extent required by state or federal law, qualified representatives of federal, state, or local agencies shall have access to data maintained by public or private community mental health centers, mental health divisions of counties, and other providers under contract to deliver mental health services which is necessary to achieve the purpose of auditing. Public or private community mental health centers, mental health divisions of counties, and other providers under contract to deliver mental health services shall not permit this data to identify any particular patient or client by name or contain any other unique personal identifier.*

Sec. 22. Minnesota Statutes 1982, section 13.46, is amended by adding a subdivision to read:

*Subd. 9. [FRAUD.] In cases of suspected fraud, in which access to mental health data maintained by public or private community mental health centers or mental health divisions of counties and other providers under contract to deliver mental health services is necessary to a proper investigation, the county board or the appropriate prosecutorial authority shall refer the matter to the commissioner of public welfare. The commissioner and his agents, while maintaining the privacy rights of individuals and families, shall have access to mental health data to conduct an investigation. If, as a result of the investigation, the commissioner deems it appropriate, he shall refer the matter to the appropriate legal authorities and may disseminate to those authorities whatever mental health data are necessary to properly prosecute the case."*

Page 9, line 23, delete "and maintained" and insert "in surveys of indi-

*viduals conducted'*

Page 9, line 30, delete "*and maintained*" and insert "*in surveys of businesses conducted*"

Page 10, line 4, delete "*, studies,*"

Page 10, lines 9 and 11, delete "*, study,*"

Page 11, after line 9, insert:

"Sec. 28. Minnesota Statutes 1982, section 144.335, subdivision 2, is amended to read:

Subd. 2. [PATIENT ACCESS.] Upon request a provider shall supply to a patient complete and current information possessed by that provider concerning any diagnosis, treatment and prognosis of the patient in terms and language the patient can reasonably be expected to understand.

Upon a patient's written request, a provider at a reasonable cost to the patient shall furnish to the patient: ~~(a)~~ copies of the patient's health record, including but not limited to laboratory reports, x-rays, prescriptions, and other technical information used in assessing the patient's health condition; ~~(b)~~, or the ~~pertinent~~ portion of the record relating to a ~~specific~~ condition; ~~or~~ ~~(c)~~ *specified by the patient. With the consent of the patient, the provider may instead furnish only a summary of the record.*

Subd. 2a. [EXCEPTION; NONFACILITY PROVIDERS.] *Notwithstanding the provisions of subdivision 2, if a provider, as defined in subdivision 1, clause (b) (1), reasonably determines that the information is detrimental to the physical or mental health of the patient, or is likely to cause the patient to harm himself or another, he may withhold the information from the patient and may supply the information may be supplied to an appropriate third party or to another provider, as defined in subdivision 1, clause (b) (1). The other provider or third party may release the information to the patient.*

*A provider as defined in subdivision 1, clause (b)(2), shall release information upon written request unless, prior to the request, a provider as defined in subdivision 1, clause (b)(1), has designated and described the specific basis for withholding the information as provided by this subdivision.*

Sec. 29. Minnesota Statutes 1982, section 253B.03, subdivision 8, is amended to read:

Subd. 8. [MEDICAL RECORDS.] A patient has the right to access to his medical records. Notwithstanding the provisions of section 144.335, ~~subdivision 2,~~ every person subject to a proceeding or receiving services pursuant to this chapter shall have complete access to all of his medical records relevant to his commitment."

Page 11, line 11, delete "*Sections 1 to 22 are*" and insert "*This act is*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, before the semicolon, insert "*, and by adding a subdivision,*"

Page 1, line 10, delete "*2,*" and after "*3*" delete the comma

Page 1, line 11, delete "subdivisions 2 and 3" and insert "subdivision 2"

Page 1, line 12, delete the first "and" and after "9" insert ", and 10"

Page 1, line 13, before "13.43" insert "13.41, by adding a subdivision;" and after "13.44" insert "; 13.46, subdivision 2, and by adding subdivisions" and before "and" insert "144.335, subdivision 2;" and after "and" insert "253B.03, subdivision 8;"

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was re-referred

S.F. No. 388: A bill for an act relating to education; establishing a state board of vocational-technical education to govern post-secondary and adult vocational education; establishing the powers and duties of the state board of vocational-technical education; clarifying the powers and duties of school boards; abolishing the state board for vocational education; clarifying certain matters related to the transfer of powers; requiring a plan for cooperation between certain community colleges and area vocational-technical institutes; appropriating money; proposing new law coded in Minnesota Statutes, chapter 136B; repealing Minnesota Statutes 1982, sections 121.11, subdivision 1; and 124.53.

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

Page 2, after line 17, insert:

"Sec. 2. Minnesota Statutes 1982, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

	Salary or Range			
	Effective July 1, 1979	Effective July 1, 1980	Effective July 1, 1981	Effective July 1, 1984
Administration, department of commissioner	\$44,000	\$47,000		
Administrative hearings office chief				
hearing examiner	38,000	40,000		
Agriculture, department of commissioner	38,000	40,000		
Commerce, department of commissioner of banks	34,000	36,500		
commissioner of insurance	34,000	36,500		
commissioner of securities and real estate	34,000	36,500		

director of consumer services	28,000	30,000	
Community college system chancellor	44,000	46,000	
Corrections, department of commissioner	42,000	45,000	
ombudsman	33,000	35,000	
Economic security, department of commissioner	43,000	45,000	
Education, department of commissioner	43,000	45,000	
Energy, planning and development department of commissioner			46,000
Finance, department of commissioner	48,000	50,000	
Health, department of commissioner	47,000	49,000	
Higher education coordinating board executive director	40,000	42,000	
Housing finance agency executive director	39,000	41,000	
Human rights, department of commissioner	31,000	33,000	
Indian affairs board executive director	27,000	29,000	
Iron range resources and rehabilitation board commissioner	30,000	31,000	
Labor and industry, department of commissioner	38,000	40,000	
judge of the workers' compensation court of appeals	38,000	40,000	
Mediation services, bureau of director	36,000	38,000	
Natural resources, department of commissioner	44,000	47,000	
Personnel, department of commissioner	44,000	47,000	
Pollution control			

agency director	38,000	40,000	
Public safety, department of commissioner	38,000	41,000	
Public service, department of commissioner, public utilities commission director	34,000 34,000	36,000 36,000	
Public welfare, department of commissioner	44,000	48,000	
Revenue, department of commissioner	44,000	47,000	
State university system chancellor	44,000	46,000	
Transportation, department of commissioner	44,000	48,000	
Transportation, regulation board, board member	32,000		
Veterans affairs, department of commissioner	31,000	33,000	
<i>Vocational-technical education board, chancellor</i>			\$ _____

Sec. 3. Minnesota Statutes 1982, section 43A.08, subdivision 1a, is amended to read:

Subd. 1a. [ADDITIONAL UNCLASSIFIED POSITIONS.] Appointing authorities for the following agencies may designate additional unclassified positions pursuant to this subdivision: the departments of administration; agriculture; corrections; economic security; education; employee relations; energy, planning and development; finance; health; human rights; labor and industry; natural resources; public safety; public service; public welfare; revenue; transportation; and veterans affairs; the banking, securities and real estate, insurance and consumer services divisions of the department of commerce; the housing finance and pollution control agencies; the state board of investment; ~~and~~ the offices of the secretary of state, state auditor and state treasurer; *and the state board of vocational-technical education.*

A position designated by an appointing authority pursuant to this subdivision must meet the following standards and criteria:

(a) The designation of the position would not be contrary to the provisions of other law relating specifically to that agency;

(b) The person occupying the position would report directly to the agency head or deputy agency head and would be designated as part of the agency head's management team;

(c) The duties of the position would involve significant discretion and substantial involvement in the development, interpretation and implementation of agency policy;

(d) The duties of the position would not require primarily personnel, accounting, or other technical expertise where continuity in the position would be important;

(e) There would be a need for the person occupying the position to be accountable to, loyal to, and compatible with the governor and the agency head, or the employing constitutional officer;

(f) The position would be at the level of division or bureau director or assistant to the agency head; and

(g) The commissioner has approved the designation as being consistent with the standards and criteria in this subdivision."

Page 3, line 10, delete "*purposes*" and insert "*purpose*"

Page 3, line 10, delete "*requesting and*"

Page 3, line 10, delete "*state and*"

Page 3, line 11, delete "*and for carrying out state*"

Page 3, line 12, delete "*coordination as provided by state and federal statutes*"

Page 5, line 9, after the period, insert "*The chancellor may be paid an allowance not to exceed \$\_\_\_\_\_ annually for miscellaneous expenses in connection with his duties. The provisions of chapter 16A shall not apply to these expenditures but the state board shall prescribe the manner, amount and purpose of the expenditures and report to the legislature on the expenditures by November 15 of each even-numbered year.*"

Page 5, line 10, delete "*shall*" and insert "*may*"

Page 5, delete lines 11 to 18 and insert "*up to seven positions including one confidential secretary in the unclassified service provided the positions meet the standards and criteria established for unclassified positions in section 43A.08, subdivision 1a. The board may appoint other employees in the classified service necessary to carry out its duties and responsibilities consistent with chapter 43A.*"

Page 5, line 19, delete "*The chancellor or*"

Page 5, delete line 20

Page 5, line 21, delete everything before "*The*"

Page 5, line 21, after "*commissioner*" insert "*of employee relations*"

Page 8, line 11, delete "*7*" and insert "*9*"

Page 8, line 22, delete "*2*" and insert "*4*"

Page 9, line 10, delete "*3*" and insert "*5*"

Page 10, after line 1, insert:

"*Subd. 9. [TRANSFER OF POSITIONS.] All classified and unclassified*

*positions and incumbent employees in adult vocational, post-secondary, operational support sections of the vocational-technical education division, including the assistant commissioner, fiscal accounting and logistical support staff on the effective date of this section, are transferred to the state board of vocational-technical education. Nothing in this subdivision shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the managerial or commissioners' plans or the terms of an agreement between the exclusive representatives of public employees and the state or one of its appointing authorities."*

Page 11, line 7, delete "6, 10, and" and insert "8,"

Page 11, line 7, after "12" insert ", and 14"

Page 11, line 8, after "5," insert "6,"

Page 11, line 8, delete "8,"

Page 11, line 8, delete "and" and insert "10,"

Page 11, after "11" insert ", and 13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "setting a salary for the chancellor of the vocational-technical education board; permitting unclassified positions for employees of the state board of vocational-technical education;"

Page 1, line 12, after "money;" insert "amending Minnesota Statutes 1982, sections 15A.081, subdivision 1; and 43A.08, subdivision 1a;"

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was re-referred

S.F. No. 776: A bill for an act relating to state government; reorganizing functions related to water; abolishing the water planning board and the southern Minnesota rivers basin board; transferring duties to the environmental quality board; appropriating money; amending Minnesota Statutes 1982, sections 116C.03, subdivision 2; 473.878, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 116C; repealing Minnesota Statutes 1982, chapter 114A.

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

Page 2, line 23, delete the period and insert ", except that"

Page 3, line 9, delete "Incumbents of"

Page 3, delete lines 10 to 17 and insert "Nothing in this subdivision shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the commissioner's or managerial plans for unrepresented employees or the terms of an agreement between the exclusive representa-



*tives of public employees and the state or one of its appointing authorities.”*

Page 5, line 2, delete “4” and insert “2”

Page 5, line 3, delete “may” and insert “shall”

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

Mr. Moe, D. M. from the Committee on Governmental Operations, to which was re-referred

S.F. No. 654: A bill for an act relating to state departments and agencies; authorizing a study by the department of energy, planning and development of a possible merger of the departments of health and public welfare into a new state department to be called the department of human services; appropriating money.

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

Page 1, line 12, delete “*commissioner of energy, planning and development*” and insert “*director of the state planning agency*”

Page 1, line 26, delete “*commissioner of energy, planning and development*” and insert “*director of the state planning agency*”

Amend the title as follows:

Page 1, lines 3 and 4, delete “department of energy, planning and development” and insert “state planning agency”

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-referred

S.F. No. 883: A bill for an act relating to transportation; modifying the definition of truck-tractor to include the power unit of automobile carriers; allowing quarterly registration of trucks; adjusting the motor vehicle registration tax on certain trailers; requiring proof of payment of the federal heavy use tax on heavy trucks; increasing the maximum allowable width on vehicles from 8 to 8-1/2 feet; modifying vehicle length requirements to allow longer semitrailers and vehicle combinations; modifying the gross weight seasonal increase to include all axle combinations; modifying the distance a peace officer may require a vehicle to travel to a scale; increasing width requirement on loads of baled hay before flashing amber lights are required; amending Minnesota Statutes 1982, sections 168.011, subdivision 12; 168.013, subdivision 1d, and by adding a subdivision; 168.018; 169.01, subdivision 7; 169.80, subdivision 2; 169.81, subdivisions 2 and 3; 169.825, subdivision 11; 169.85; 169.862; and 169.871, subdivision 1; repealing Minnesota Statutes 1982, sections 169.80, subdivision 2a; and 169.81, subdivisions 3a, 3b, and 7.

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

Pages 2 and 3, delete section 4

Page 10, line 16, after "bus," insert "except a bus registered in Minnesota,"

Page 10, line 22, after the period, insert "A suitable place is a location where loading or tampering with the load is not prohibited by federal, state, or local law, rule or ordinance."

Pages 12 and 13, delete section 12 and insert:

"Sec. 11. Minnesota Statutes 1982, Section 169.871, subdivision 1, is amended to read:

Subdivision 1. [CIVIL LIABILITY.] The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed under sections 169.825 and 169.832 to 169.851 and 169.87 or a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit imposed under sections 169.825 and 169.832 to 169.851 and 169.87 is liable for a civil penalty as follows:

(a) If the total gross excess weight is not more than 3,000 pounds, one cent per pound for each pound in excess of the legal limit;

(b) If the total gross excess weight is more than 3,000 pounds but not more than 4,000 pounds, five cents per pound for each pound in excess of the legal limit;

(c) If the total gross excess weight is more than 4,000 pounds but not more than 6,000 pounds, 15 cents per pound for each pound in excess of the legal limit; or

(d) If the total gross excess weight is more than 6,000 pounds, 30 cents per pound for each pound in excess of the legal limit.

*A motor carrier, as defined in section 221.011, subdivision 15, that provides both the tractor and the trailer when assuming shipment of unprocessed or raw farm products shall assume full liability for civil penalty under this subdivision.*

Any penalty imposed upon a defendant under this section shall not exceed the ~~maximum~~ penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation shall be applied toward payment of the civil penalty. A peace officer who cites a driver for a violation of the weight limitations established by sections 169.81 to 169.851 and 169.87 shall give written notice to the driver that he or another may also be liable for the civil penalties provided herein in the same or separate proceedings.

Sec. 12. Minnesota Statutes 1982, Section 169.872, is amended by adding a subdivision to read:

*Subd. 1a. The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed by permit under sections 169.86 and 169.862 and a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit permitted under sections 169.86 or 169.862 is liable for a civil penalty at a rate of five cents per pound for each pound in excess of the weight permitted under*

section 169.86 or 169.862, or \$100, whichever is greater.

*Any penalty imposed upon a defendant under this section shall not exceed the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation may not be applied toward payment of the civil penalty. A peace officer who cites a driver for a violation of the weight limitations established by permit pursuant to section 169.86 or 169.862 shall give written notice to the driver that the driver or another may also be liable for the civil penalty provided in this subdivision in the same or separate proceedings.*

Page 13, line 14, delete “and” and after “11” insert “and 12”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete “allowing quarterly registration”

Page 1, line 5, delete “of trucks;”

Page 1, line 14, after “scale” insert “and defining a suitable place for unloading an overweight vehicle”

Page 1, line 14, after the semicolon, insert “modifying the civil penalty for overweight vehicles;”

Page 1, line 18, delete “168.018;”

Page 1, line 20, delete “and”

Page 1, line 21, after the semicolon, insert “and 169.872, by adding a subdivision;”

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

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

H.F. No. 605 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
605	471				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 605 be amended as follows:

Page 2, line 5, before “A” insert “*Subdivision 1. [EXTENDED TIME.]*”

Page 2, line 5, delete “of two”

Page 2, line 6, delete “years or less in duration”

Page 2, line 7, delete “point of admission to” and insert “time the student began” and delete “a period of”

Page 2, line 8, after “time” insert “usually” and delete “that” and insert

“a”

Page 2, line 8, delete “For”

Page 2, delete lines 9 to 14 and insert:

*Subd. 2. [PROGRAM TERMINATED.] The provisions of this section do not apply to a program or course which is discontinued by an institution.*

*Subd. 3. [APPLICABILITY.] The provisions of this section apply to a student enrolled in an area vocational-technical institute, community college, state university, and the University of Minnesota.*

And when so amended H.F. No. 605 will be identical to S.F. No. 471, and further recommends that H.F. No. 605 be given its second reading and substituted for S.F. No. 471, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 958 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
958	830				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 958 be amended as follows:

Page 1, line 21, delete everything after “(3)”

Page 1, line 22, delete “*recommendations relating to the establishment of*” and insert “*an analysis of options to establish*”

And when so amended H.F. No. 958 will be identical to S.F. No. 830, and further recommends that H.F. No. 958 be given its second reading and substituted for S.F. No. 830, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 519, 1060 and 989 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 159, 403, 608, 584, 230, 903, 801, 605 and 958 were read the second time.

### MOTIONS AND RESOLUTIONS

Mr. Johnson, D.E. moved that the name of Mr. Nelson be added as a co-author to S.F. No. 1133. The motion prevailed.

Mr. Willet moved that the names of Messrs. Nelson and Dahl be added as co-authors to S.F. No. 1191. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Consent Calendar. The motion prevailed.

### CONSENT CALENDAR

H.F. No. 516: A bill for an act relating to the city of Montevideo; giving it certain powers of a statutory city.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kamrath	Moe, R. D.	Schmitz
Anderson	Diessner	Knaak	Nelson	Sieloff
Belanger	Dieterich	Knutson	Novak	Solon
Benson	Frank	Kroening	Olson	Spear
Berg	Frederick	Kronebusch	Peterson, D.C.	Storm
Bernhagen	Frederickson	Langseth	Peterson, D.L.	Stumpf
Bertram	Freeman	Lantry	Peterson, R.W.	Taylor
Brataas	Hughes	Lessard	Petty	Ulland
Chmielewski	Isackson	Luther	Pogemiller	Vega
Dahl	Johnson, D.E.	McQuaid	Ramstad	Waldorf
Davis	Johnson, D.J.	Mehrkens	Reichgott	Wegscheid
DeCramer	Jude	Moe, D. M.	Renneke	

Messrs. Pehler, Purfeerst and Willet voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1079: A bill for an act relating to social and charitable organizations; including planning and developing costs as fundraising costs; amending Minnesota Statutes 1982, section 309.50, subdivision 12.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knaak	Nelson	Renneke
Anderson	Diessner	Knutson	Novak	Schmitz
Belanger	Dieterich	Kroening	Olson	Sieloff
Benson	Frank	Kronebusch	Pehler	Solon
Berg	Frederick	Laidig	Peterson, C.C.	Spear
Berglin	Frederickson	Langseth	Peterson, D.C.	Storm
Bernhagen	Freeman	Lantry	Peterson, D.L.	Stumpf
Bertram	Hughes	Lessard	Peterson, R.W.	Taylor
Brataas	Isackson	Luther	Petty	Ulland
Chmielewski	Johnson, D.E.	McQuaid	Pogemiller	Vega
Dahl	Johnson, D.J.	Mehrkens	Purfeerst	Waldorf
Davis	Jude	Moe, D.M.	Ramstad	Wegscheid
DeCramer	Kamrath	Moe, R.D.	Reichgott	Willet

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS - CONTINUED****CONFIRMATION**

Mr. Chmielewski moved that the report from the Committee on Employment, reported April 13, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chmielewski moved that the foregoing report be now adopted. The motion prevailed.

Mr. Chmielewski moved that in accordance with the report from the Committee on Employment, reported April 13, 1983, the Senate, having given its advice, do now consent to and confirm the appointment of:

**BUREAU OF MEDIATION SERVICES  
DIRECTOR**

Paul Goldberg, 176 Kent Street, St. Paul, Ramsey County, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Chmielewski moved that the report from the Committee on Employment, reported April 13, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chmielewski moved that the foregoing report be now adopted. The motion prevailed.

Mr. Chmielewski moved that in accordance with the report from the Committee on Employment, reported April 13, 1983, the Senate, having given its advice, do now consent to and confirm the appointment of:

**OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD**

Kenneth L. Sovereign, 4415 Olson Lake Trail North, Lake Elmo, Washington County, effective February 18, 1982, for a term expiring the first Monday in January, 1986.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Dieterich moved that the report from the Committee on Public Utilities and State Regulated Industries, reported April 14, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Dieterich moved that the foregoing report be now adopted. The motion prevailed.

Mr. Dieterich moved that in accordance with the report from the Committee on Public Utilities and State Regulated Industries, reported April 14, 1983, the Senate, having given its advice, do now consent to and confirm

the appointment of:

**DEPARTMENT OF PUBLIC SERVICE  
DIRECTOR**

Ray Bohn, 1042 Beatrice Street, Eagan, Dakota County, effective March 15, 1983, for a term expiring the first Monday in January, 1987.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 43 and nays 20, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Pehler	Schmitz
Belanger	Dieterich	Langseth	Peterson, C.C.	Solon
Berg	Frank	Lantry	Peterson, D.C.	Spear
Berglin	Frederick	Lessard	Peterson, R.W.	Stumpf
Bertram	Freeman	Luther	Petty	Vega
Chmielewski	Hughes	Moe, D. M.	Pogemiller	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Purfeerst	Willet
Davis	Jude	Nelson	Reichgott	
DeCramer	Knutson	Novak	Samuelson	

Those who voted in the negative were:

Anderson	Isackson	Kronebusch	Olson	Sieloff
Benson	Johnson, D.E.	Laidig	Peterson, D.L.	Storm
Brataas	Kamrath	McQuaid	Ramstad	Taylor
Frederickson	Knaak	Mehrkens	Renneke	Ulland

The motion prevailed. So the appointment was confirmed.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Pehler, Dicklich, Nelson, Waldorf and Taylor introduced—

S.F. No. 1193: A bill for an act relating to education; appropriating money for high technology programs to the board of regents of the University of Minnesota, the higher education coordinating board, and the state university board.

Referred to the Committee on Finance.

Messrs. Novak; Johnson, D.J. and Pehler introduced—

S.F. No. 1194: A bill for an act relating to taxation; changing the tax paid on aviation gasoline; amending Minnesota Statutes 1982, section 296.02, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Novak; Moe, R.D.; Mehrkens; Kroening and Ulland introduced—

S.F. No. 1195: A resolution memorializing the United States Congress to vote favorably on the bill H.R. 1646, the Railroad Retirement Solvency Act of 1983.

Messrs. Bertram and Frank introduced—

S.F. No. 1196: A bill for an act relating to taxation; sales; providing an exemption for sales by community service organizations; amending Minnesota Statutes 1982, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson, D.J. introduced—

S.F. No. 1197: A bill for an act relating to state government; defining the nature and scope of the state budget reserve account; amending Minnesota Statutes 1982, section 16A.15, subdivision 1, and by adding subdivisions; repealing Minnesota Statutes 1982, section 16A.153.

Referred to the Committee on Finance.

### MOTIONS AND RESOLUTIONS - CONTINUED SUSPENSION OF RULES

Mr. Novak moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1195 and that the rules of the Senate be so far suspended as to give S.F. No. 1195 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 1195: A resolution memorializing the United States Congress to vote favorably on the bill H.R. 1646, the Railroad Retirement Solvency Act of 1983.

S.F. No. 1195 was read the second time.

S.F. No. 1195 was read the third time and placed on its final passage.

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knaak	Nelson	Renneke
Anderson	Diessner	Knutson	Novak	Samuelson
Belanger	Dieterich	Kroening	Olson	Sieloff
Benson	Frank	Kronebusch	Pehler	Solon
Berg	Frederick	Langseth	Peterson, C.C.	Spear
Berglin	Frederickson	Lantry	Peterson, D.C.	Stumpf
Bertram	Freeman	Lessard	Peterson, D.L.	Taylor
Braatas	Hughes	Luther	Peterson, R.W.	Ulland
Chmielewski	Isackson	McQuaid	Pogemiller	Vega
Dahl	Johnson, D.J.	Mehrkens	Purfeerst	Waldorf
Davis	Jude	Moe, D. M.	Ramstad	Willet
DeCramer	Kamrath	Moe, R. D.	Reichgott	

So the resolution passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Messrs. Merriam; Moe, R.D. and Bernhagen introduced—



Senate Resolution No. 54: A Senate resolution proclaiming Minnesota Environmental Awareness Day.

WHEREAS, Minnesota is one of the most aesthetically beautiful states in the country; and

WHEREAS, Minnesota has clean air and clear water to sustain its healthy and hardy people; and

WHEREAS, Minnesota sustains abundant fish and wildlife; and

WHEREAS, Minnesota is famous for its natural diversity including prairies, hardwood and coniferous forests, lakes, streams, and rivers; and

WHEREAS, Minnesota affords an abundance of recreational opportunities including biking, canoeing, boating, hiking, snowmobiling, bird-watching, hunting, and fishing; and

WHEREAS, Minnesota has two nationally significant water resources of Lake Superior and the Mississippi River; and

WHEREAS, Minnesota is noted for its excellent state, county, and local parks and trails; and

WHEREAS, it has been 13 years since the original earth day and recognizable improvement of the environment has ensued; and

WHEREAS, all of the above important attributes of this state are due to the fact that Minnesota's environment is clean, and the State of Minnesota has been a leader among the states in environmental protection and maintaining a high quality of life for its citizens; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that Saturday, April 23, 1983, is Environmental Awareness Day in Minnesota. We, the people of Minnesota, recognize that our natural environment is one of our greatest resources for the health, well being, and prosperity of our populace. On Environmental Awareness Day all people of Minnesota should take note of the benefits a clean environment and a bountiful natural heritage bring to our state and our people.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to enroll a copy of this resolution, to be authenticated by his signature and that of the Chairman of the Rules and Administration Committee of the Senate, and that it be presented to representatives of the environmental movement.

Mr. Moe, R.D., for Mr. Merriam, moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

### GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. Nos. 170, 889 and 679, which the committee recommends to pass.

S.F. No. 634, which the committee recommends to pass with the following amendments offered by Messrs. Peterson, C.C.; Johnson, D.J. and Willet:

Mr. Peterson, C.C. moved to amend S.F. No. 634 as follows:

Page 3, line 21, after "compensation" insert "for more than 20 hours in any year"

Page 3, line 26, delete "monthly" and insert "annual"

Page 3, line 31, delete "\$25" and insert "\$15"

Page 4, line 4, delete "No person licensed"

Page 4, delete lines 5 and 6

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.J. moved to amend S.F. No. 634 as follows:

Page 8, line 12, after the period, insert "This section does not apply to the Lake Superior fishery."

The motion prevailed. So the amendment was adopted.

Mr. Willet moved to amend S.F. No. 634 as follows:

Page 5, line 1, delete "and"

Page 5, line 2, before the period, insert ", and purchase of fish from private hatcheries for stocking purposes"

The motion prevailed. So the amendment was adopted.

S.F. No. 887, which the committee recommends to pass, after the following motion:

Mr. Laidig moved to amend S.F. No. 887 as follows:

Page 2, after line 16, insert:

"Sec. 3. Minnesota Statutes 1982, section 174.03, is amended by adding a subdivision to read:

*Subd. 1a. Only the criteria outlined by the statewide transportation plan, as prepared pursuant to section 174.03 and adopted by the Minnesota department of transportation in July, 1978, shall be used in the prioritization of highway projects on which highway funds shall be expended."*

Page 2, line 18, delete "Section 1 is" and insert "Sections 1 and 3 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring certain criteria in the expending of highway funds for highway projects;"

Page 1, line 5, delete "section" and insert "sections"

Page 1, line 6, after "subdivision" insert "; and 174.03, by adding a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kronebusch	Peterson, D.L.	Taylor
Belanger	Frederickson	Laidig	Ramstad	Ulland
Benson	Isackson	McQuaid	Renneke	
Berg	Johnson, D.E.	Mehrkens	Sieloff	
Bernhagen	Knaak	Olson	Storm	

Those who voted in the negative were:

Adkins	Dicklich	Kroening	Peterson, D.C.	Spear
Berglin	Diessner	Lantry	Peterson, R.W.	Stumpf
Bertram	Dieterich	Luther	Pogemiller	Vega
Chmielewski	Frank	Nelson	Purfeerst	Waldorf
Dahl	Hughes	Novak	Reichgott	Wegscheid
Davis	Johnson, D.J.	Pehler	Schmitz	Willet
DeCramer	Jude	Peterson, C.C.	Solon	

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

On motion of Mr. Luther, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that S.F. No. 183, No. 141 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Frank moved that S.F. No. 393, No. 85 on General Orders, be stricken and returned to the author. The motion prevailed.

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Mr. Willet, for the Committee on Finance, introduced—

S.F. No. 1198: A bill for an act relating to state government; providing for deficiencies in appropriations for the expenses of state government with certain conditions; appropriating money.

Under the rules of the Senate, laid over one day.

### MEMBERS EXCUSED

Mr. Merriam was excused from the Session of today. Mr. Samuelson was excused from the Session of today until 10:45 a.m.

### ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 10:00 a.m., Monday, April 25, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate