

FORTY-EIGHTH DAY

St. Paul, Minnesota, Tuesday, April 30, 1985

The Senate met at 3:00 p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Peterson, R.W. 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. Stan Maslowski.

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

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1119.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 29, 1985

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 8: A House concurrent resolution des-

ignating the "Red Ribbon" to commemorate Minnesota citizens who are still missing in action or are being held against their will in Asian countries.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 29, 1985

Mr. Moe, R.D. moved that House Concurrent Resolution No. 8 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 143: A bill for an act relating to real property; changing effective dates for provisions relating to validation of foreclosure sales; amending Minnesota Statutes 1984, section 582.27.

Senate File No. 143 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 29, 1985

CONCURRENCE AND REPASSAGE

Mr. Peterson, R.W. moved that the Senate concur in the amendments by the House to S.F. No. 143 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 143 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Merriam	Ramstad
Anderson	Dicklich	Kroening	Moe, R. D.	Renneke
Belanger	Frank	Kronebusch	Nelson	Schmitz
Benson	Frederickson	Laidig	Novak	Spear
Berg	Freeman	Langseth	Olson	Storm
Berglin	Gustafson	Lantry	Peterson, C. C.	Stumpf
Bertram	Hughes	Lessard	Peterson, D. C.	Taylor
Chmielewski	Isackson	Luther	Peterson, D. L.	Vega
Dahl	Jude	McQuaid	Peterson, R. W.	Wegscheid
Davis	Kamrath	Mehrkins	Pogemiller	Willet

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 783: A bill for an act relating to natural resources; authorizing

additions to and deletions from certain state parks; amending Laws 1980, chapter 489, section 1, subdivision 4, and by adding a subdivision.

Senate File No. 783 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 29, 1985

CONCURRENCE AND REPASSAGE

Mr. Moe, R.D. moved that the Senate concur in the amendments by the House to S.F. No. 783 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 783 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 55 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kamrath	Moe, R. D.	Reichgott
Anderson	Dicklich	Knaak	Nelson	Renneke
Belanger	Diessner	Kroening	Novak	Schmitz
Benson	Frank	Kronebusch	Olson	Spear
Berg	Frederickson	Laidig	Pehler	Storm
Berghin	Freeman	Langseth	Peterson, C. C.	Stumpf
Bernhagen	Gustafson	Lantry	Peterson, D. C.	Taylor
Bertram	Isackson	Lessard	Peterson, D. L.	Vega
Chmielewski	Johnson, D.E.	Luther	Peterson, R. W.	Waldorf
Dahl	Johnson, D.J.	McQuaid	Pogemiller	Wegscheid
Davis	Jude	Mehrken	Ramstad	Willett

Messrs. Merriam and Moe, D.M. voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 535:

H.F. No. 535: A bill for an act relating to health; restricting the use of lead in pipes, solders, and flux; requiring schools to flush certain pipes; amending Minnesota Statutes 1984, section 123.36, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.

The House respectfully requests that a Conference Committee of three members be appointed thereon.

Sherman, Vellenga and Clausnitzer have been appointed as such committee on the part of the House.

House File No. 535 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 29, 1985

Mrs. Adkins moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 535, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 186:

H.F. No. 186: A bill for an act relating to mental health services; authorizing interstate contracts for mental health services; proposing coding for new law in Minnesota Statutes, chapter 245.

The House respectfully requests that a Conference Committee of three members be appointed thereon.

Sherman, Elioff and Gruenes have been appointed as such committee on the part of the House.

House File No. 186 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 29, 1985

Mr. Samuelson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 186, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1382:

H.F. No. 1382: A bill for an act relating to courts; providing for transcript fees; amending Minnesota Statutes 1984, section 486.06.

The House respectfully requests that a Conference Committee of three members be appointed thereon.

Cohen, Halberg and Dempsey have been appointed as such committee on the part of the House.

House File No. 1382 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 29, 1985

Mr. Moe, R.D. moved that H.F. No. 1382 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 756.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 29, 1985

FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H.F. No. 756: A bill for an act relating to taxation; simplifying Minnesota income tax law by increasing conformity to federal income tax law; changing income tax rates, rate brackets, credits, and deductions; providing for computation of interest on overpayments; providing for timely payment of certain taxes; changing the estate tax; changing corporate income tax provisions; rescheduling payments and reducing the budget reserve; reducing sales tax rates and providing sales tax exemptions; authorizing lodging taxes for towns; reducing the basic maintenance mill rate; changing the computation of or eliminating certain property tax credits; changing property tax exemptions, classes, and classification ratios; changing the taxation of telephone companies; providing for studies; imposing duties on the commissioner of revenue and commissioner of natural resources; providing for changes in the levy limit base; changing property tax provisions relating to collection of property tax, confessions of judgment, and sale of tax forfeit lands; changing property tax refund benefit schedules, eligible claimants, and definition of property taxes payable; changing local government aids; appropriating money; amending Minnesota Statutes 1984, sections 10A.31, subdivisions 1 and 3; 13.04, subdivision 2; 16A.15, subdivision 6; 41.55; 60A.15, subdivision 12; 60A.199, subdivision 8; 92.46, subdivision 1; 117.55; 124.2137, subdivision 1; 124A.02, subdivision 7; 270A.07, subdivision 5; 271.12; 272.02, subdivision 1; 272.03, subdivision 1; 273.111, subdivision 11; 273.115, subdivisions 2 and 3; 273.116, subdivisions 2 and 3; 273.13, subdivisions 4, 5a, 6, 6a, 7, 7b, 7c, 7d, 8a, 9, 14a, 16, 17, 17b, 17c, 17d, 19, 20, and 21; 273.133, by adding a subdivision; 273.135, subdivisions 1, 2, and 5; 273.1391, subdivisions 1, 2, and 4; 273.1392; 273.40; 273.42, subdivision 2; 275.50, by adding a subdivision; 275.51, subdivision 3h; 277.03; 277.10; 279.37, subdivisions 1, 3, 4, 8, and by adding a subdivision; 281.23, subdivision 1; 281.29; 282.01, subdivision 7a; 282.021; 282.261, by adding a subdivision; 290.01, subdivisions 20, 20a, 20b, 20d, 20e, and 20f; 290.032, subdivision 2; 290.05, subdivision 3; 290.06, subdivisions 2c, 2d, 3f, 3g, 11, and by adding a subdivision; 290.067, subdivision 1; 290.069, subdivision 4; 290.07, subdivision 1; 290.08, subdivision 26, and by adding a subdivision; 290.089, subdivision 2; 290.09, subdivisions 1 and 7; 290.091; 290.095, subdivisions 3, 7, 9, and 11; 290.10; 290.12, subdivision 2; 290.14; 290.17, subdivision 2; 290.175; 290.18, subdivision 2; 290.21, subdivisions 3 and 4; 290.34, subdivision 1, and by adding a subdivision; 290.37, subdivision 1; 290.38; 290.39, subdivision 1a; 290.41, subdivision 2; 290.50, subdivisions 1, 5, and 6; 290.92, subdivisions 2a, 6, 11, 13, and 19; 290.93, subdivision 9; 290.932, subdivision 1; 290.933, subdivision 1; 290.936; 290A.03, subdivisions 3 and 13; 290A.04, subdivisions 1, 2, 3, and by adding a subdivision; 290A.06; 290A.07, subdivisions 2a and 3; 290A.10; 290A.19; 291.005, subdivision 1; 291.03, subdivision 1; 291.075; 291.09, subdivisions 1a, 2a, and 3a; 291.11, subdivision 1; 291.15, subdivisions 1 and 3; 291.18; 291.215, subdivision 1; 291.32; 294.09, subdivision 1; 295.34, sub-

sivision 1; 297A.01, subdivisions 15 and 16; 297A.02, subdivisions 1, 2, and 3; 297A.03, subdivision 2; 297A.14; 297A.25, subdivision 1; 297A.26, subdivision 1, and by adding a subdivision; 297A.27, subdivision 1; 297A.35, subdivision 1; 298.09, subdivision 4; 298.40, by adding a subdivision; 299.05; 299F.26, subdivision 1; 473.556, subdivision 4; 477A.011, subdivision 3, and by adding subdivisions; 477A.013; 477A.018; 524.3-1202; amending Laws 1984, chapter 644, section 85; proposing coding for new law in Minnesota Statutes, chapters 16A; 124A; 270; 290; and 297A; repealing Minnesota Statutes 1984, sections 41.58, subdivision 3; 41.59, subdivisions 2 and 3; 55.10, subdivision 2; 62E.03, subdivision 2; 270.75, subdivision 7; 273.115, subdivisions 1, 5, 6, and 7; 273.116, subdivisions 1, 5, 6, and 7; 273.1311; 273.1315; 290.01, subdivisions 20c and 26; 290.012; 290.06, subdivisions 2f, 3d, 3e, 14, 15, 16, 17, 18, and 19; 290.067, subdivisions 2 and 4; 290.068, subdivision 6; 290.077, subdivision 4; 290.08, subdivisions 23 and 24; 290.089, subdivisions 1, 3, 4, 5, and 6; 290.09, subdivision 29; 290.101; 290.18, subdivision 4; 290.21, subdivision 8; 290.34, subdivision 2; 290.39, subdivision 2; 290.41, subdivision 5; 290A.04, subdivisions 2a and 2b; 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, subdivision 5; 291.111; 291.131, subdivisions 5 and 6; 291.132; 291.15, subdivision 2; 291.18; 291.20; 291.29, subdivision 5; 295.34, subdivision 2; 297A.15, subdivision 5; 297A.26, subdivision 3; 297A.275; 385.36; 477A.011, subdivision 10; and 477A.0131; repealing Laws 1982, chapter 523, article 7, section 3.

Referred to the Committee on Taxes and Tax Laws.

REPORTS OF COMMITTEES

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

Mr. Willet from the Committee on Finance, to which was re-referred

H.F. No. 876: A bill for an act relating to hazardous waste; establishing a hazardous substance compensation trust account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115B.

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

Delete everything after the enacting clause and insert:

“Section 1. [115B.051] [PROOF OF CAUSATION; LEGAL PRINCIPLES APPLICABLE.]

In any action brought under section 115B.05, or under any other law, to recover damages for death, personal injury, or disease arising out of the release of a hazardous substance:

(a) the enactment and subsequent repeal of section 115B.07, relating to proof of causation, shall not be construed in any way as a determination of legislative policy regarding the legal principles applicable to the proof of the causal connection between the release and the death, injury, or disease; and

(b) the legal principles applicable to the proof of causation shall be deter-

mined solely on the basis of applicable statutory and common law.

Sec. 2. [115B.25] [DEFINITIONS.]

Subdivision 1. [GENERAL.] The terms used in sections 3 to 14 have the definitions given them in section 115B.02 and this section.

Subd. 2. [BOARD.] "Board" means the hazardous substance injury compensation board established in section 4.

Subd. 3. [ELIGIBLE PROPERTY.] "Eligible property" means property damage that is eligible for compensation under section 6.

Subd. 4. [ELIGIBLE PERSONAL INJURY.] "Eligible personal injury" means personal injury that is eligible for compensation under section 6.

Subd. 5. [COMPENSABLE LOSS.] "Compensable loss" means a loss that is compensable under section 10.

Subd. 6. [FUND.] "Fund" means the hazardous substance injury compensation fund established in section 3.

Sec. 3. [115B.26] [HAZARDOUS SUBSTANCE INJURY COMPENSATION FUND.]

Subdivision 1. [ESTABLISHMENT.] A hazardous substance injury compensation fund is established as an account in the state treasury. Earnings, such as interest, dividends, and any other earnings arising from fund assets, must be credited to the fund.

Subd. 2. [APPROPRIATION.] The amount necessary to pay for staff assistance, administrative services, and office space under section 5, subdivision 4, and to pay claims of compensation granted by the board under sections 3 to 14 is appropriated to the board from the hazardous substance injury compensation fund.

Subd. 3. [PAYMENT OF CLAIMS WHEN FUND INSUFFICIENT.] If the amount of the claims granted exceeds the amount in the fund, the board shall request a transfer from the general contingent account to the hazardous substance injury compensation fund as provided in section 3.30. If no transfer is approved, the board shall pay the claims in the order granted only to the extent of the money remaining in the fund. The board may summarily pay the remaining claims after additional money is credited to the fund.

Sec. 4. [115B.27] [HAZARDOUS SUBSTANCE INJURY COMPENSATION BOARD.]

Subdivision 1. [ESTABLISHMENT OF BOARD.] The hazardous substance injury compensation board is established. The board consists of three members appointed by the governor. One member must be a physician knowledgeable in toxicology; one member must be a member of the bar of this state; and one member must be a health professional knowledgeable in the area of hazardous substance injuries. The board shall annually elect a member to serve as chairman for a term of one year. Filling of vacancies on the board and removal of members are governed by section 15.0575.

Subd. 2. [MEMBERSHIP TERMS.] The initial members shall be appointed to terms as follows:

(1) the first member appointed for six years;

(2) the second member appointed for four years;

(3) the third member appointed for two years.

At the end of each member's term, the successor shall be appointed for six years and each successor thereafter shall be appointed for six years.

Subd. 3. [COMPENSATION AND EXPENSES.] The commissioner of employee relations shall establish the compensation or salary to be paid members of the board, based on the professional expertise and experience of the members and the workload of the board.

Sec. 5. [115B.28] [POWERS AND DUTIES OF THE BOARD.]

Subdivision 1. [DUTIES.] In addition to performing duties specified in sections 3 to 14 or in other law, the board shall:

(1) adopt rules, including emergency rules, as soon as practicable after all members are appointed, including rules governing practice and procedure before the board, the form and procedure for applications for compensation, and procedures for claims investigations;

(2) publicize the availability of compensation and application procedures on a statewide basis with special emphasis on geographical areas surrounding sites identified by the pollution control agency as having releases prior to July 1, 1983;

(3) collect, analyze, and make available to the public, in consultation with the department of health, the pollution control agency, the University of Minnesota medical and public health schools, and the medical community, data regarding injuries relating to exposure to hazardous substances; and

(4) prepare and transmit by December 31 of each year to the governor and the legislature an annual report to include (a) a summary of board activity under clause (3); (b) data determined by the board from actual cases, including but not limited to number of cases, actual compensation received by each claimant, types of cases, and types of injuries compensated, as they relate to types of hazardous substances as well as length of exposure; (c) all administrative costs associated with the business of the board; and (d) board recommendations for legislative changes, further study, or any other recommendation aimed at improving the system of compensation.

Subd. 2. [POWERS.] In addition to exercising any powers specified in sections 3 to 14 or in other law, the board may:

(1) in reviewing a claim, consider any information that the board determines is relevant to the claim;

(2) contract for consultant or other services necessary to carry out the board's duties under sections 3 to 14;

(3) grant reasonable partial compensation on an emergency basis pending the final decision on a claim, subject to the adoption of rules by the board, if the claim is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made.

Subd. 3. [INVESTIGATION; OBTAINING INFORMATION.] The board may investigate any claim for compensation and for this purpose it may request from any person information regarding any matter, fact, or circum-

stance which is relevant to deciding the claim. In order to obtain this information the board, subject to any applicable privilege, may:

(a) request any person to produce documents, papers, books, or other tangible things in his possession, custody, or control;

(b) request the sworn testimony of any person as to any relevant fact or opinion;

(c) direct written questions to any person and request written answers and objections; and

(d) request a mental or physical examination or autopsy of the claimant.

The board shall give written notice of any request under this subdivision at least 15 days before the person is expected to comply with the request. If any person fails or refuses to comply with the request, the board may apply to a district court for an order to compel compliance with the request. The district court shall issue the order upon a showing of cause by the board, subject to applicable protective provisions of the rules of civil procedure.

Subd. 4. [ADMINISTRATIVE PERSONNEL AND SERVICES.] The commissioner of health shall provide staff assistance, administrative services, and office space under a contract with the board. The board shall reimburse the commissioner for the staff, services, and space provided. In order to perform its duties, the board may request information from the supervising officer of any state agency or state institution of higher education. The supervising officer shall comply with the board's request to the extent possible considering available agency or institution appropriations and may assign agency or institution employees to assist the board in performing its duties under sections 3 to 14.

Sec. 6. [115B.29] [ELIGIBLE INJURY AND PROPERTY DAMAGE.]

Subdivision 1. [ELIGIBLE PERSONAL INJURY.] (a) A personal injury is eligible for compensation from the fund if it is a medically verified injury, including a chronic or acute disease or death, which is related to exposure to a hazardous substance released from a site where the substance was deposited. An eligible personal injury includes but is not limited to cancer, genetic mutations, behavioral abnormalities, physiological malfunctions, and physical deformations.

(b) A personal injury is not eligible for compensation from the fund if:

(1) the exposure took place outside the geographical boundaries of the state;

(2) the injury is one that is compensable under the workers compensation law, chapter 176;

(3) the injury arises out of the ordinary use of a consumer product; or

(4) it is the result of the release of a hazardous substance for which the injured or damaged party is a responsible person.

Subd. 2. [ELIGIBLE PROPERTY DAMAGE.] Damage to real property owned by the claimant is eligible for compensation from the fund if the damage results from the presence in or on the property of a hazardous substance released from a site where the substance was deposited. Damage to property

is not eligible for compensation from the fund if it results from the release of a hazardous substance for which the claimant is a responsible person..

Subd. 3. [TIME FOR FILING CLAIM.] A claim is not eligible for compensation from the fund unless it is filed with the board within the time provided in this subdivision.

(a) A claim for compensation for personal injury must be filed within two years after the injury and its connection to exposure to a hazardous substance has been discovered.

(b) A claim for compensation for property damage must be filed within two years after the damage occurred.

Notwithstanding the provisions of this subdivision, claims for compensation that would otherwise be barred by the passage of time may be filed not later than January 1, 1988.

Sec. 7. [115B.30] [OTHER ACTIONS.]

Subdivision 1. [BY CLAIMANT.] Except as provided in subdivision 4, a claimant who receives compensation from the fund may bring a personal injury, wrongful death, or other action in court for damages not compensated by the fund. In any case where the final judgment does not exceed 25 percent of the amount previously recovered from the fund, the court may assess costs and fees, not including attorney fees, against the claimant. A decision by the board to grant or deny compensation is inadmissible as evidence in any court action brought by the claimant to recover for additional injury or damage, except that if a verdict or decision is rendered for the claimant, the court shall take judicial notice of any board decision granting compensation in determining whether or not fees must be assessed as provided in this subdivision, and in entering judgment shall reduce the total damages to the extent already compensated by the fund.

Subd. 2. [SUBROGATION BY STATE.] The state is subrogated to all the claimant's rights to recover losses compensated from the fund from other sources, including responsible persons as defined in section 115B.03. The state may bring a subrogation action in its own name or in the name of the claimant. Money recovered by the state under this subdivision must be deposited in the fund.

Subd. 3. [JOINDER OF ACTIONS.] Nothing in subdivision 1 or 2 precludes joinder of actions brought by the state and a claimant or intervention in an action by any party.

Subd. 4. [SIMULTANEOUS CLAIM AND COURT ACTION PROHIBITED.] A claimant may not commence a court action to recover for any injury or damage for which the claimant seeks compensation from the fund during the time that a claim is pending before the board. A person may not file a claim with the board for compensation for any injury or damage for which the claimant seeks to recover in a pending court action. The time for filing a claim under section 6 or the statute of limitations for any civil action is suspended during the period of time that a claimant is precluded from filing a claim or commencing an action under this subdivision.

Sec. 8. [115B.31] [CLAIM FOR COMPENSATION.]

Subdivision 1. [FORM.] A claim for compensation from the fund must be

filed with the board in the form required by the board. When a claim does not include all of the information required by subdivision 2 and applicable board rules, board staff shall notify a claimant of the absence of required information within 14 days of the filing of the claim. All required information must be received by the board not later than 60 days after the claimant received notice of its absence or the claim will be inactivated and may not be resubmitted for at least one year following the date of inactivation. The board may decide not to inactivate a claim under this subdivision if it finds serious extenuating circumstances.

Subd. 2. [REQUIRED INFORMATION.] A claimant must provide as part of the claim:

(1) a sworn verification by the claimant of the facts set forth in the claim to the best of the claimant's knowledge;

(2) evidence of the claimant's exposure to a named hazardous substance;

(3) evidence that the exposure experienced by the claimant causes or significantly contributes to injury of the type suffered by the claimant, except when the claim is based on an earlier decision of the board as provided in section 9, subdivision 3;

(4) evidence of the injury eligible for compensation suffered by the claimant and the compensable losses resulting from the injury;

(5) evidence of any property damage eligible for compensation and the amount of compensable losses resulting from the damage;

(6) information regarding any collateral sources of compensation; and

(7) other information required by the rules of the board.

Subd. 3. [DEATH CLAIMS.] In any case in which death is claimed as a compensable injury, the claim may be brought on behalf of the claimant by the individuals eligible for death benefits and by the claimant's estate for compensable medical expenses.

Sec. 9. [115B.32] [DETERMINATION OF CLAIM.]

Subdivision 1. [STANDARD FOR PERSONAL INJURY.] The board shall grant compensation to a claimant who shows that it is more likely than not that:

(1) the claimant suffers a medically verified injury that is eligible for compensation from the fund and that has resulted in a compensable loss;

(2) the claimant has been exposed to a hazardous substance in an amount and duration sufficient to cause or significantly contribute to injury of the type suffered by claimant; and

(3) the exposure of the claimant could reasonably have resulted from the release of the hazardous substance from an identified site where the substance was deposited.

Subd. 2. [STANDARD FOR PROPERTY DAMAGE.] The board shall grant compensation to a claimant who shows that it is more likely than not that:

(1) the claimant has suffered property damage that is eligible for compen-

sation and that has resulted in compensable loss; and

(2) the presence of the hazardous substance in or on the property could reasonably have resulted from the release of the hazardous substance from an identified site where the substance was deposited.

Subd. 3. [EFFECT OF PRIOR DECISION; EXCEPTION.] (a) Except as provided in this subdivision, the board may not rely on an earlier decision granting or denying compensation as dispositive of any later claim.

(b) If the board finds that exposure to a particular hazardous substance in a particular amount, duration, and location causes or significantly contributes to an injury of the type suffered by a claimant, it may rely on that finding as dispositive of any future claim by another claimant who shows that it is more likely than not that he or she suffered the same type of injury and was exposed to the same hazardous substance in substantially the same amount, duration, and location.

Sec. 10. [115B.33] [COMPENSABLE LOSSES.]

Subdivision 1. [PERSONAL INJURY LOSSES.] Losses compensable by the fund for personal injury are limited to:

(a) medical expenses directly related to the claimant's injury;

(b) up to two-thirds of the claimant's lost wages not to exceed \$2,000 per month or \$24,000 per year;

(c) up to two-thirds of a self-employed claimant's lost income, not to exceed \$2,000 per month or \$24,000 per year;

(d) death benefits to dependents as follows:

(1) to a spouse with no dependent children, a sum equal to the deceased claimant's lost wages or lost income, calculated on a monthly basis not to exceed \$2,000 per month, multiplied by 60 months;

(2) to a spouse with three or fewer dependent children, a sum equal to two-thirds of the deceased claimant's lost wages or lost income, calculated on a monthly basis not to exceed \$2,000 per month, multiplied by the number of months remaining until the youngest dependent child attains the age of 18;

(3) to a spouse with four or more dependent children, a sum equal to three-fourths of the deceased claimant's lost wages or lost income, calculated on a monthly basis not to exceed \$2,000 per month, multiplied by the number of months remaining until the youngest dependent child attains the age of 18;

(4) to three or fewer dependent children when there is no surviving spouse, an amount as calculated in clause (2) but using one-half of the deceased claimant's lost wages or lost income as the base for the calculation;

(5) to four or more dependent children when there is no surviving spouse, an amount as calculated in clause (3) but using two-thirds of the deceased claimant's lost wages or lost income as the base for the calculation; and

(6) to any other individual who can show dependence on the deceased claimant, an amount equal to the amount of actual average monthly contribution made by the claimant to that individual prior to his or her inability to contribute or one-fourth of the deceased claimant's lost wages or lost in-

come, calculated on a monthly basis not to exceed \$2,000 per month, whichever is less, multiplied by 36 months. A person who cannot show actual dependence on the deceased claimant may not recover death benefits. For the purposes of all the provisions in clause (d), lost wages includes the value of lost household labor; and

(e) the value of household labor lost due to the claimant's injury or disease not to exceed \$2,000 per month or \$24,000 per year.

Subd. 2. [PROPERTY DAMAGE LOSSES.] Losses compensable by the fund for property damage are limited to the following loss caused by damage to the principal residence of the claimant: the reasonable cost of replacing or decontaminating the primary source of drinking water for the property to the extent actually expended by the claimant or assessed by a local taxing authority, if the department of health has determined that the water is contaminated or has included the property in a well advisory area and has certified that the replacement or decontamination of the source of drinking water effectively has or will eliminate the contamination, up to a maximum of \$25,000.

Sec. 11. [115B.34] [DETERMINATION OF CLAIMS.]

Subdivision 1. [ASSIGNMENT OF CLAIMS.] The chairman of the board shall assign each claim that has been accepted for filing to a member of the board.

Subd. 2. [PRELIMINARY DECISION.] The board member to whom the claim is assigned shall review all materials filed in support of the claim and may cause an investigation to be conducted into the validity of the claim. The board member may make a preliminary decision on the basis of the papers filed in support of the claim and the report of any investigation of it. The decision must be in writing and include the reasons for the decision.

Subd. 3. [CIRCULATION OF PRELIMINARY DECISION.] Copies of the preliminary decision made under subdivision 2 must be circulated to the other two board members as soon as practicable. On receipt of the preliminary decision, the other two members have 20 days to challenge it by written notice to the member who made the decision. If neither member challenges the preliminary decision, a copy must be sent to the claimant who may challenge the decision by written notice to the board within 30 days of receipt of the decision. If no notice is received within the required time, the preliminary decision becomes a final decision of the board.

Subd. 4. [CHALLENGES.] If a board member or a claimant challenges a preliminary decision made pursuant to subdivision 2, the full board shall order the claimant to appear before the board. The appearance is not a contested case hearing under chapter 14. The claimant may produce further evidence to support the claim, including books, studies, reports, and any other written material and oral testimony of witnesses, including experts. The board members may ask questions of the claimant and any witnesses presented by the claimant. After the appearance, the board shall make a final decision on the claim as soon as practicable. The decision must be in writing and include the reasons for the decision. A copy of each final decision must be sent to the claimant, including, for a claim that is granted, an explanation of the form in which the claim will be paid.

Subd. 5. [RECORD.] Any appearance by a claimant or witnesses must be tape recorded but a formal record pursuant to chapter 14 is not required.

Subd. 6. [APPEAL.] A final decision of the board made pursuant to this section is conclusive on all matters decided. There is no right to judicial review of a final decision of the board.

Sec. 12. [115B.35] [AMOUNT AND FORM OF PAYMENT.]

If the board decides to grant compensation, it shall determine the net uncompensated loss payable to the claimant by computing the total amount of compensable losses payable to the claimant and subtracting the total amount of any compensation received by the claimant for the same injury or damage from other sources including, but not limited to, all forms of insurance and social security and any emergency award made by the board. The board shall pay compensation in the amount of the net uncompensated loss, provided that no claimant may receive more than \$250,000.

Compensation from the fund may be awarded in a lump sum or in installments at the discretion of the board.

Sec. 13. [115B.36] [ATTORNEY FEES.]

The board may by rule limit the fee charged by any attorney for representing a claimant before the board.

Sec. 14. [115B.37] [PARTIAL RECOUPMENT.]

At the end of each fiscal year, the board shall certify to the commissioner of revenue the amount expended from the fund to compensate persons injured by hazardous substances less amounts recovered under subrogation claims under section 7. The commissioner of revenue shall compute the rate of a surtax to be added to the hazardous waste generator tax in section 115B.22 which, collected over the next calendar year, will recoup 50 percent of the expenditures made from the fund during the previous fiscal year in excess of the subrogation claims recovered. The computation by the commissioner of the rate in this section shall not be considered a rule and shall not be subject to the administrative procedure act contained in chapter 14. The surtax is imposed effective January 1, 1987. Surtaxes collected under this section must be deposited in the fund.

Sec. 15. [APPROPRIATION.]

\$2,000,000 is appropriated from the general fund to the hazardous substance injury compensation fund, to be available until expended. Up to \$250,000 of this appropriation may be used for staff assistance, administrative services, and office space.

Sec. 16. [REPEALER.]

Minnesota Statutes 1984, section 115B.07, is repealed."

Amend the title as follows:

Page 1, delete lines 2 to 5 and insert "relating to environment; creating a hazardous substance injury compensation fund; establishing a board to administer compensation; limiting compensable losses; prescribing claims procedures; allowing partial subrogation rights; providing for partial recoupment of expenditures from hazardous waste generators; removing statutory

provision for causation for personal injury; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1984, section 115B.07."

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1041: A bill for an act relating to education; establishing a limitation on the value of farm land for awarding scholarships and grants; requesting the legislative auditor to conduct a study of the methodology used to determine need for financial aid.

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

Page 1, line 19, after "*Minnesota*" insert "*or the commissioner of revenue, whichever is lower,*"

Page 2, delete line 16 and insert "*The higher education coordinating board shall*"

Page 2, line 17, delete everything before "*review*"

Page 2, line 25, delete "*auditor*" and insert "*board*"

Page 2, line 26, after "*the*" insert "*education, finance, and appropriation committees of the*"

Amend the title as follows:

Page 1, line 4, delete "*requesting*" and insert "*requiring*"

Page 1, line 4, delete "*legislative auditor*" and insert "*higher education coordinating board*"

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 832: A bill for an act relating to the University of Minnesota; changing restrictions on the permanent university fund so that the fund can be used to help endow professorial chairs; appropriating money; amending Minnesota Statutes 1984, section 137.022.

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

Page 2, line 9, delete "*annually*"

Page 2, line 15, delete everything after the first "*The*"

Page 2, line 16, delete "*shall*" and insert "*must*" and after "*to*" insert "*help*"

Page 2, line 17, delete everything except "*endow*"

Page 2, line 18, delete "*to 70*" and after the period, insert "*This income must not provide more than half the sum of the endowments for all chairs*"

endowed, with nonstate sources providing the remainder. The income may provide more than half the endowment of an individual chair."

Page 2, line 19, after "*purpose*" insert "*lapses and must be added to the principal*"

Page 2, line 20, delete "*shall become part*" and delete "*An average*"

Page 2, delete lines 21 to 23

Page 2, after line 23, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1, subdivision 2, is effective July 1, 1986."

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 946: A bill for an act relating to education; authorizing post-secondary boards to award scholarships based on academic achievement; providing conciliation court with jurisdiction to determine actions brought by educational institutions to recover student loans; authorizing state universities to adopt and enforce parking rules on their property; permitting payroll deductions for employees of state universities and the state university board for an eligible nonprofit university foundation; amending Minnesota Statutes 1984, sections 487.30, by adding a subdivision; 488A.12, subdivision 3; and 488A.29, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A and 136.

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

Page 1, line 21, delete "*its*" and insert "*their*"

Page 2, line 24, delete "*of*" and insert "*sought in*" and delete "*loan sought to be recovered*" and insert "*action*"

Page 2, line 25, delete "\$2,500" and insert "\$2,000"

Page 4, line 13, delete "*of*" and insert "*sought in*" and delete "*loan sought to be recovered*" and insert "*action*"

Page 4, line 14, delete "\$2,500" and insert "\$2,000"

Page 6, line 1, delete "*of*" and insert "*sought in*" and delete "*loan sought to be recovered*" and insert "*action*"

Page 6, line 2, delete "\$2,500" and insert "\$2,000"

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

Mr. Willet from the Committee on Finance, to which was re-referred

S.F. No. 966: A bill for an act relating to human services; requiring the commissioner of human services to establish services for the care of brain damaged adults; appropriating money; proposing coding for new law as

Minnesota Statutes, chapter 252B.

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

Delete everything after the enacting clause and insert:

"Section 1. [STUDY OF SERVICES FOR PERSONS WITH BRAIN IMPAIRMENT.]

Subdivision 1. [DEFINITION.] "Brain impairment" means serious traumatic injury to the brain or degenerative brain disease resulting in significant destruction of brain tissue with resultant loss of brain function which requires extensive services over an extended period of time.

Subd. 2. [TASK FORCE.] The commissioner of human services shall establish a task force to study the needs of persons with brain impairments. The task force shall consist of no more than 15 persons, two of whom are parents. In addition, the task force shall include representation from physicians specializing in brain impairments, rehabilitation facilities, day programs, acute care rehabilitation programs, nursing home programs, community-based residential programs, vocational counselors, the Minnesota chapter of the national head injury foundation, chemical abuse counselors, and other persons who may provide a useful perspective to the task force.

Subd. 3. [DUTIES.] The commissioner of human services, or his or her designee, shall prepare a report for the legislature with the advice of the task force. The task force shall:

(a) assess the needs of persons who have brain impairments and their families;

(b) develop a model for a continuum of care to adequately meet the needs described in clause (a), including acute care, intermediate rehabilitation, long-term care, community-based housing, and vocational, social, and community integration;

(c) identify the resources that currently exist to meet the needs of persons who are brain impaired;

(d) identify the gaps in current delivery of services to meet these specialized needs;

(e) determine the feasibility and cost effectiveness of developing new programs for this population or expanding utilization of existing services and programs;

(f) identify potential sources of funding for services for brain impaired persons and describe how present lack of funding has affected the provision of services to the brain impaired population; and

(g) examine the potential for expanding existing criteria and disability definitions to allow persons with brain impairment access to housing, case-management, independent living skills programs, and other similar programs now available to other groups.

The commissioner shall deliver the report and the task force's recommendations to the legislature by January 15, 1986."

Delete the title and insert:

“A bill for an act relating to health; requiring a study and a report on the needs of persons with brain impairments.”

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1041, 832, 946 and 966 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 876 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Mehrkens introduced—

Senate Resolution No. 77: A Senate resolution congratulating the Vasa-Spring Garden Mutual Insurance Company upon the 125th anniversary of its founding.

Referred to the Committee on Rules and Administration.

Mr. Schmitz introduced—

Senate Resolution No. 78: A Senate resolution congratulating the Prior Lake Senior High School Band for its outstanding musicianship and designating them as Minnesota's official representative at White House Ellipse and Pentagon Concerts on June 27, 1985.

Referred to the Committee on Rules and Administration.

Remaining on the Order of Business of Motions and Resolutions, pursuant to Rule 10, Mr. Moe, R.D., Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

H.F. No. 538: A bill for an act relating to taxation; updating income tax provisions to changes in the Internal Revenue Code; providing an income tax exemption for certain payments to members of the state highway patrol; amending Minnesota Statutes 1984, sections 290.01, subdivisions 20, as amended, 20a, 20b, and 21; 290.032, subdivision 1; 290.06, subdivision 14; 290.067, subdivision 1; 290.068, subdivisions 2, 4, and 5; 290.07, subdivisions 5 and 7; 290.071, subdivision 5; 290.079, subdivision 1; 290.08, subdivision 26; 290.089, subdivision 7; 290.09, subdivisions 7 and 19; 290.091; 290.10; 290.13, subdivision 1; 290.131, subdivision 1; 290.132, subdivision 1; 290.133, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 290.14; 290.16, subdivisions 3, 7, 9, 13, 15, 16, and by adding a subdivision; 290.17, subdivision 2; 290.21, subdivision 4; 290.23, subdivision 5; 290.26, subdivision 2; 290.31, subdivisions 2, 4, and 5; 290.37, subdivision 1; 290.39, subdivision 2; 290.41, subdivision 1, and by adding a subdivision; 290.53, subdivision 9; 290.65, subdivision 16; 290.93, subdivisions 1, 3, 5, 6, 7, and 10; and 290A.03, subdivision 3; repealing Laws 1984, chapter 502,

article 2, section 4.

Mr. Merriam moved to amend H.F. No. 538, as amended pursuant to Rule 49, adopted by the Senate March 28, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 665.)

Page 4, line 13, delete “, (B)” and insert “(b)”

The motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend H.F. No. 538, as amended pursuant to Rule 49, adopted by the Senate March 28, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 665.)

Page 6, line 22, after the semicolon insert “and”

Page 6, line 23, delete “(16)” and strike the remaining language

Page 6, strike lines 24 to 27

Page 6, line 28, delete the comma and strike the remaining language

Page 6, line 29, delete the new language and strike “to”

Page 6, strike lines 30 to 33

Page 6, line 34, delete “41” and “409” and strike the remaining language

Page 6, strike lines 35 and 36

Page 7, strike lines 1 to 4

Page 7, line 5, delete “(17)” and insert “(16)”

Page 11, line 15, delete “(17)” and insert “(16)”

Page 11, line 22, after “to” insert “*Minnesota Statutes 1984, section 290.01,*”

Amend the title as follows:

Page 1, line 3, after the semicolon insert “providing conformity with federal treatment of contributions to individual retirement accounts and certain other plans;”

CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate for the balance of the proceedings on H.F. No. 538. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kamrath	McQuaid	Storm
Belanger	Frederickson	Knaak	Mehrkens	
Benson	Gustafson	Knutson	Olson	
Bernhagen	Isackson	Kronebusch	Peterson, D.L.	
Bertram	Johnson, D.E.	Laidig	Ramstad	
Brataas	Jude	Lessard	Renneke	

Those who voted in the negative were:

Adkins	Dieterich	Luther	Peterson, D.C.	Spear
Berglin	Frank	Merriam	Peterson, R.W.	Stumpf
Chmielewski	Freeman	Moe, D.M.	Petty	Vega
Dahl	Hughes	Moe, R.D.	Pogemiller	Waldorf
Davis	Johnson, D.J.	Nelson	Reichgott	Wegscheid
DeCramer	Kroening	Novak	Samuelson	Willet
Dicklich	Langseth	Pehler	Schmitz	
Diessner	Lantry	Peterson, C.C.	Solon	

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

Mr. Knaak moved to amend H.F. No. 538, as amended pursuant to Rule 49, adopted by the Senate March 28, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 665.)

Page 6, line 15, delete "(13)" and strike the remaining language

Page 6, strike line 16

Renumber the paragraphs in sequence

Page 11, line 15, delete "(17)" and insert "(16)"

Page 11, line 23, delete "(16)" and insert "(15)"

Page 60, line 31, after "(8)," insert "and" and strike ", and" and delete "(13)"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "eliminating the addition to federal adjusted gross income for the deduction for two-earner married couples;"

The question was taken on the adoption of the amendment.

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

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

Those who voted in the affirmative were:

Anderson	Brataas	Johnson, D.E.	McQuaid	Renneke
Belanger	Frederick	Kamrath	Mehrkens	Storm
Benson	Frederickson	Knaak	Olson	
Berg	Gustafson	Knutson	Peterson, D.L.	
Bernhagen	Isackson	Kronebusch	Ramstad	

Those who voted in the negative were:

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

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

H.F. No. 538 was then progressed.

SPECIAL ORDER

S.F. No. 643: A bill for an act relating to fish and game; changing desig-

nation of muskellunge lakes; providing for certain restrictions on designated muskellunge lakes; providing a penalty for a person that spears a muskellunge; amending Minnesota Statutes 1984, sections 97.55, by adding a subdivision; and 101.475, subdivision 1; repealing Minnesota Statutes 1984, section 101.475, subdivision 2.

Mr. Wegscheid moved to amend S.F. No. 643 as follows:

Page 1, line 14, delete "SPEARING" and insert "ILLEGALLY TAKING OR POSSESSING"

Page 1, line 15, after "takes" insert "or possesses" and delete "with a spear" and insert "in violation of chapters 97 to 102"

Page 2, line 2, delete "notice and hearing" and insert "holding a public meeting"

Page 2, after line 17, insert:

"(d) The provisions of section 97.48, subdivision 1, requiring the angling season on a lake to be closed in proportion to the spearing season do not apply to designated muskellunge lakes."

Amend the title as follows:

Page 1, line 5, delete "spears" and insert "illegally takes or possesses"

The motion prevailed. So the amendment was adopted.

S.F. No. 643 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 46 and nays 12, as follows:

Those who voted in the affirmative were:

Adkins	Frederickson	Laidig	Peterson, D.C.	Storm
Benson	Freeman	Langseth	Peterson, D.L.	Stumpf
Berglin	Hughes	Lantry	Peterson, R.W.	Taylor
Bertram	Johnson, D.E.	Lessard	Petty	Vega
Brataas	Jude	Luther	Pogemiller	Waldorf
Chmielewski	Kamrath	McQuaid	Ramstad	Wegscheid
Dahl	Knaak	Mehrkens	Reichgott	
DeCramer	Knutson	Merriam	Renneke	
Diessner	Kroening	Novak	Solon	
Dieterich	Kronebusch	Olson	Spear	

Those who voted in the negative were:

Anderson	Davis	Isackson	Pehler	Schmitz
Belanger	Dicklich	Moe, R.D.	Samuelson	Willet
Berg	Frank			

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

SPECIAL ORDER

S.F. No. 243: A bill for an act relating to health; providing for physical therapy evaluation and referral; prohibiting certain practices by physical therapists; amending Minnesota Statutes 1984, sections 148.65, subdivision 1; 148.75; and 148.76.

Mr. Dicklich moved to amend S.F. No. 243 as follows:

Page 1, line 24, after the period, insert *“Physical therapy” does not include the practice of medicine as defined in section 147.10, or the practice of chiropractic as defined in section 148.01.*”

The motion prevailed. So the amendment was adopted.

Mr. Dicklich then moved to amend S.F. No. 243 as follows:

Page 2, line 24, after “medicine” insert *“or chiropractic”*

Page 4, line 14, after “medicine” insert *“or chiropractic”*

Mr. Knaak questioned whether the amendment was germane.

The Chair ruled that the amendment was germane.

The question recurred on the Dicklich amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Davis	Kroening	Peterson, C.C.	Solon
Belanger	DeCramer	Laidig	Peterson, D.L.	Stumpf
Benson	Dicklich	Langseth	Peterson, R.W.	Taylor
Berg	Freeman	Merriam	Purfeerst	Vega
Bernhagen	Isackson	Nelson	Renneke	Willet
Bertram	Johnson, D.J.	Novak	Samuelson	
Chmielewski	Kamrath	Pehler	Schmitz	

Those who voted in the negative were:

Adkins	Frederick	Knutson	Moe, D.M.	Reichgott
Berglin	Frederickson	Kronebusch	Moe, R.D.	Sieloff
Brataas	Gustafson	Lantry	Olson	Spear
Dahl	Hughes	Lessard	Peterson, D.C.	Storm
Diessner	Johnson, D.E.	Luther	Petty	Waldorf
Dieterich	Jude	McQuaid	Pogemiller	Wegscheid
Frank	Knaak	Mehrkens	Ramstad	

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

S.F. No. 243 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

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

Mrs. Adkins and Mr. Merriam voted in the negative.

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

RECONSIDERATION

Mr. Merriam moved that the vote whereby S.F. No. 643 was passed by the Senate on April 30, 1985, be now reconsidered. The motion prevailed.

SPECIAL ORDER

S.F. No. 643: A bill for an act relating to fish and game; changing designation of muskellunge lakes; providing for certain restrictions on designated muskellunge lakes; providing a penalty for a person that illegally takes or possesses a muskellunge; amending Minnesota Statutes 1984, sections 97.55, by adding a subdivision; and 101.475, subdivision 1; repealing Minnesota Statutes 1984, section 101.475, subdivision 2.

Mr. Merriam moved to amend S.F. No. 643 as follows:

Page 2, line 22, before "*enactment*" insert "*final*"

The motion prevailed. So the amendment was adopted.

S.F. No. 643 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 45 and nays 15, as follows:

Those who voted in the affirmative were:

Benson	Frederickson	Kronebusch	Novak	Ramstad
Berglin	Freeman	Laidig	Olson	Reichgott
Bernhagen	Gustafson	Langseth	Pehler	Renneke
Brataas	Hughes	Lantry	Peterson, D.C.	Spear
Chmielewski	Johnson, D.E.	Lessard	Peterson, D.L.	Storm
Dahl	Jude	McQuaid	Peterson, R.W.	Taylor
DeCramer	Kamrath	Mehrkens	Petty	Vega
Diessner	Knaak	Merriam	Pogemiller	Waldorf
Dieterich	Knutson	Nelson	Purfeerst	Wegscheid

Those who voted in the negative were:

Adkins	Bertram	Isackson	Peterson, C.C.	Sieloff
Anderson	Dicklich	Kroening	Samuelson	Stumpf
Belanger	Frank	Moe, R.D.	Schmitz	Willet

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Chmielewski moved that House Concurrent Resolution No. 8 be taken from the table. The motion prevailed.

House Concurrent Resolution No. 8: A House concurrent resolution designating the "Red Ribbon" to commemorate Minnesota citizens who are still missing in action or are being held against their will in Asian countries.

WHEREAS, the State of Minnesota is proud of the veterans of this nation's wars; and

WHEREAS, 8,800 Americans including 121 Minnesotans remain unac-

counted for from the Korean conflict and 2,483 Americans including 49 Minnesotans remain unaccounted for from the Vietnam conflict; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the State of Minnesota, the Senate concurring, that an official symbol is established in memory of those Americans who are missing and unaccounted for. The symbol established is a "Red Ribbon" and that the Red Ribbon will be displayed in all public buildings and other appropriate locations on the national day of recognition as designated by the Congress of the United States.

BE IT FURTHER RESOLVED that the Chief Clerk is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and those of the Speaker, the President of the Senate, and the Secretary of the Senate, and present them to representatives of the various Minnesota veterans organizations.

Mr. Chmielewski moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Spear moved that Senate Resolution No. 73 be taken from the table. The motion prevailed.

Senate Resolution No. 73: A Senate resolution expressing the sense of the Senate that the President of the United States should not pay tribute to those who perpetrated the holocaust.

WHEREAS, the plans for the President of the United States' trip to Germany include a visit and wreath laying at a cemetery where members of the Waffen SS who died in the Battle of the Bulge are buried; and

WHEREAS, the Waffen SS is one of the units primarily responsible for the perpetration of the holocaust; and

WHEREAS, it is not only beyond understanding why any tribute would be paid to the deceased Waffen SS members but is morally wrong and offensive to the survivors of the holocaust and the American and other allied soldiers who fought against the Nazi regime; and

WHEREAS, alternatives have been suggested, including visiting one of the many former concentration or extermination camp sites, as an appropriate remembrance of World War II; and

WHEREAS, the President of the United States should heed the just indignation of religious and veterans groups and many individual Americans about the proposed honoring of the battle casualties including Waffen SS troopers; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it is its sense that a visit by the President of the United States to a cemetery including Waffen SS troopers is an outrage. The visit should be replaced with one to a former concentration or extermination camp site to honor those who were victims of the Waffen SS or other groups perpetrating the Nazi horror.

Mr. Spear moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

SPECIAL ORDER

S.F. No. 391: A bill for an act relating to causes of action; allowing an

award of damages for mental anguish in actions for death by wrongful act; amending Minnesota Statutes 1984, section 573.02, subdivisions 1 and 4.

Mr. Dieterich moved to amend S.F. No. 391 as follows:

Page 2, delete section 2

Amend the title as follows:

Page 1, line 5, delete "subdivisions" and insert "subdivision" and delete "and 4"

The motion prevailed. So the amendment was adopted.

S.F. No. 391 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

Berglin	Johnson, D.J.	Moe, R.D.	Purfeerst	Spear
Dahl	Knaak	Nelson	Ramstad	Vega
Dicklich	Lantry	Novak	Reichgott	Willet
Dieterich	Luther	Peterson, D.C.	Samuelson	
Freeman	Merriam	Peterson, R.W.	Schmitz	
Hughes	Moe, D.M.	Pogemiller	Solon	

Those who voted in the negative were:

Adkins	DeCramer	Jude	McQuaid	Sieloff
Anderson	Diessner	Kamrath	Mehrkins	Storm
Belanger	Frank	Knutson	Olson	Taylor
Benson	Frederick	Kroening	Pehler	Waldorf
Bernhagen	Frederickson	Kronebusch	Peterson, C.C.	Wegscheid
Bertram	Gustafson	Laidig	Peterson, D.L.	
Brataas	Isackson	Langseth	Petty	
Chmielewski	Johnson, D.E.	Lessard	Renneke	

So the bill, as amended, failed to pass.

SPECIAL ORDER

S.F. No. 1131: A bill for an act relating to the city of South St. Paul; providing for the financing of certain public improvements.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knaak	Merriam	Ramstad
Anderson	Diessner	Knutson	Moe, R.D.	Renneke
Belanger	Frank	Kroening	Nelson	Sieloff
Benson	Frederickson	Kronebusch	Novak	Spear
Berglin	Freeman	Laidig	Olson	Storm
Bernhagen	Gustafson	Langseth	Pehler	Taylor
Bertram	Hughes	Lantry	Peterson, C.C.	Vega
Brataas	Isackson	Lessard	Peterson, R.W.	Waldorf
Chmielewski	Johnson, D.E.	Luther	Petty	Wegscheid
Dahl	Jude	McQuaid	Pogemiller	Willet
DeCramer	Kamrath	Mehrkins	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1485: A bill for an act relating to the city of South St. Paul; authorizing the expenditure of certain tax increments to pay costs of a combined storm-sanitary sewer separation project.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Merriam and Peterson, R.W. voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Sieloff moved that H.F. No. 1382 be taken from the table. The motion prevailed.

H.F. No. 1382: A bill for an act relating to courts; providing for transcript fees; amending Minnesota Statutes 1984, section 486.06.

Mr. Sieloff moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1382, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

SPECIAL ORDER

H.F. No. 889: A bill for an act relating to local government; providing for the conduct of the business of towns; providing for certain town debt; authorizing certain towns to provide certain services; revising various other town laws; amending Minnesota Statutes 1984, sections 160.17, subdivision 1; 160.25, subdivision 3; 163.11, subdivision 5a, and by adding a subdivision; 164.06; 365.10; 365.37; 365.44; 366.095; 367.03, subdivision 2; 367.10; 367.23; 444.075; and 471.56, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 379; repealing Minnesota Statutes 1984, section 375.18, subdivisions 4, 5, and 6.

Mr. Pehler moved to amend H.F. No. 889, as amended pursuant to Rule 49, adopted by the Senate April 29, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 639.)

Page 14, after line 35, insert:

"Sec. 17. [CIVIL ACTIONS.]

The provisions of this act do not apply to any civil action commenced before August 1, 1985."

Renumber the sections in sequence

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

Mr. Benson moved to amend H.F. No. 889, as amended pursuant to Rule 49, adopted by the Senate April 29, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 639.)

Page 3, after line 10, insert:

"Sec. 6. Minnesota Statutes 1984, section 204C.05, subdivision 1, is amended to read:

Subdivision 1. [OPENING AND CLOSING TIMES.] Except as otherwise provided in this section, at the state primary and the state general election the hours for voting in every precinct in the state shall begin at 7:00 a.m. and shall extend continuously until 8:00 p.m.

By resolution adopted at least 30 days before a state primary, special, or general election, the governing body of a municipality with less than 1,000 inhabitants which is located outside the metropolitan area as defined in section 473.121, subdivision 2, may fix a later time for voting to begin. The later time may not be later than 9:00 a.m. for a general election or 5:00 p.m. for a special or primary election. A resolution adopted under this subdivision is effective for all subsequent primary, special, or general elections until it is revoked."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon insert "allowing certain municipalities to set shorter voting hours;"

Page 1, line 8, after "164.06;" insert "204C.05, subdivision 1;"

Mr. Frank questioned whether the amendment was germane.

The Chair ruled that the amendment was germane.

H.F. No. 889 was then progressed.

SPECIAL ORDER

S.F. No. 251: A bill for an act relating to nursing homes; establishing an educational program for resident and family advisory councils; authorizing a surcharge on license fees; requiring evaluation and a report to the legislature by the Minnesota board on aging; appropriating money; amending Minnesota Statutes 1984, sections 256B.421, subdivision 8; and 256B.431, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 144A.

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 54 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Kronebusch	Olson	Renneke
Belanger	Frank	Laidig	Pehler	Schmitz
Berglin	Frederick	Langseth	Peterson, C.C.	Sieloff
Bernhagen	Frederickson	Lantry	Peterson, D.C.	Solon
Bertram	Freeman	Lessard	Peterson, D.L.	Spear
Brataas	Gustafson	Luther	Peterson, R.W.	Storm
Chmielewski	Hughes	McQuaid	Petty	Vega
Dahl	Johnson, D.E.	Mehrkins	Pogemiller	Waldorf
DeCramer	Jude	Merriam	Purfeerst	Wegscheid
Dicklich	Knaak	Moe, R.D.	Ramstad	Willet
Diessner	Kroening	Novak	Reichgott	

Messrs. Benson, Isackson, Kamrath and Knutson voted in the negative.

So the bill passed and its title was agreed to.

The question recurred on H.F. No. 889.

SPECIAL ORDER

H.F. No. 889: A bill for an act relating to local government; providing for the conduct of the business of towns; providing for certain town debt; authorizing certain towns to provide certain services; revising various other town laws; amending Minnesota Statutes 1984, sections 160.17, subdivision 1; 160.25, subdivision 3; 163.11, subdivision 5a, and by adding a subdivision; 164.06; 365.10; 365.37; 365.44; 366.095; 367.03, subdivision 2; 367.10; 367.23; 444.075; and 471.56, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 379; repealing Minnesota Statutes 1984, section 375.18, subdivisions 4, 5, and 6.

The question recurred on the Benson amendment.

Mr. Benson moved to amend H.F. No. 889, as amended pursuant to Rule 49, adopted by the Senate April 29, 1985, as follows:

(The text of the amended House File is identical to S.F. No. 639.)

Page 3, after line 10, insert:

"Sec. 6. Minnesota Statutes 1984, section 204C.05, subdivision 1, is amended to read:

Subdivision 1. [OPENING AND CLOSING TIMES.] Except as otherwise provided in this section, at the state primary and the state general election the hours for voting in every precinct in the state shall begin at 7:00 a.m. and shall extend continuously until 8:00 p.m.

By resolution adopted at least 30 days before a state primary, special, or general election, the governing body of a municipality with less than 1,000 inhabitants which is located outside the metropolitan area as defined in section 473.121, subdivision 2, may fix a later time for voting to begin. The later time may not be later than 9:00 a.m. for a general election or 5:00 p.m. for a special or primary election. A resolution adopted under this subdivision is effective for all subsequent primary, special, or general elections until it is revoked."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon insert "allowing certain municipalities to set shorter voting hours;"

Page 1, line 8, after "164.06;" insert "204C.05, subdivision 1;"

CALL OF THE SENATE

Mr. Dahl imposed a call of the Senate for the balance of the proceedings on H.F. No. 889. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

Mr. Benson moved that those not voting be excused from voting. The motion did not prevail.

Mr. Benson moved that those not voting be excused from voting. The motion did not prevail.

Mr. Benson moved that those not voting be excused from voting. The motion did not prevail.

Mr. Dicklich moved that those not voting be excused from voting. The motion did not prevail.

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

The roll was called, and there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

Adkins	Brataas	Johnson, D.E.	Lessard	Samuelson
Anderson	Chmielewski	Kamrath	McQuaid	Schmitz
Belanger	DeCramer	Knaak	Mehrkens	Sieloff
Benson	Frederick	Knutson	Olson	Storm
Berg	Frederickson	Kronebusch	Peterson, D.L.	Stumpf
Bernhagen	Gustafson	Laidig	Ramstad	Taylor
Bertram	Isackson	Langseth	Renneke	Wegscheid

Those who voted in the negative were:

Berglin	Freeman	Merriam	Peterson, D.C.	Spear
Dahl	Hughes	Moe, D.M.	Peterson, R.W.	Vega
Davis	Johnson, D.J.	Moe, R.D.	Petty	Waldorf
Dicklich	Jude	Nelson	Pogemiller	Willet
Diessner	Kroening	Novak	Purfeerst	
Dieterich	Lantry	Pehler	Reichgott	
Frank	Luther	Peterson, C.C.	Solon	

The motion prevailed. So the amendment was adopted.

H.F. No. 889 was then progressed.

SPECIAL ORDER

H.F. No. 786: A bill for an act relating to state departments and agencies; transferring authority to make certain appointments to various commissioners; reducing size of alcohol and drug abuse advisory council; abolishing the cable communications board and the telecommunications council; amending

Minnesota Statutes 1984, sections 1.22; 4.31, subdivision 5; 14.02, subdivision 4; 16B.20, subdivision 2; 16B.33, subdivision 2; 35.02, subdivision 1; 40.03, subdivision 1; 84B.11, subdivision 1; 115.74, subdivision 1; 116C.41, subdivision 2; 116L.03; 121.82, subdivision 1; 121.83; 129B.01, subdivision 1; 144A.19, subdivision 1; 147.01, subdivisions 1 and 2; 148.03; 148.181; 148.52; 148.90, subdivision 2; 150A.02, subdivision 1; 151.03; 153.02; 154.22; 156.01, subdivisions 1 and 2; 161.1419, subdivision 2; 250.05, subdivision 2; 254A.04; 270.41; 326.04; 326.17; 326.241, subdivision 1; 343.01, subdivision 3; 386.63, subdivision 1; 611.215, subdivision 1; and 626.841; amending Laws 1984, chapter 654, article 2, section 151, subdivision 2; repealing Minnesota Statutes 1984, sections 3.29, subdivisions 1 to 11; 16C.01; 238.01; 238.02, subdivision 4; 238.04 to 238.06; 238.08, subdivision 2; 238.09; 238.10; 238.11, subdivision 1; 238.12, subdivision 3; and 238.13 to 238.17.

Mr. Kroening moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Pages 3 and 4, delete section 5

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 13, delete "84B.11, subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Pages 6 to 18, delete sections 10 to 25

Page 23, line 18, after the second semicolon insert "*238.01; 238.02, subdivision 4;*" and delete the second "*and*" and insert "*238.05; 238.06; 238.08, subdivision 2; 238.09; 238.10; 238.11, subdivision 1; 238.12, subdivision 3; 238.13; 238.14; 238.15; 238.16;*" and after "*238.17*" delete the comma and insert "*; 238.22; 238.23; 238.24; 238.25; 238.26; 238.27; and 238.35*"

Page 23, line 19, delete "*subdivision 7*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "transferring the duties"

Page 1, line 6, delete "of" and insert "abolishing" and delete "to the commissioner"

Page 1, line 7, delete "of administration" and insert "and eliminating the requirement that cable communications companies be provided certain access"

Page 1, line 15, delete everything after the first semicolon

Page 1, delete lines 16 to 18

Page 1, line 19, delete "subdivisions 1, 5, 6, and 8;"

Page 1, line 21, after the second semicolon insert "*238.01; 238.02, sub-*

division 4;"

Page 1, line 22, after "238.04" insert "to 238.06; 238.08, subdivision 2; 238.09; 238.10; 238.11, subdivision 1; 238.12, subdivision 3" and delete the first "and" and insert "238.13 to" and delete ", subdivision 7" and insert "; 238.22 to 238.27; and 238.35"

Mr. Spear questioned whether the amendment was germane.

The Chair ruled that the amendment was not germane.

Mr. Hughes moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Pages 4 and 5, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 14, delete "121.82, subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. Frank moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Page 23, after line 15, insert:

"Sec. 32. [SUPPORT OF A TELECOMMUNICATIONS COUNCIL PROHIBITED.]

No state money, staff, or office space may be used to support a telecommunications council, whether created by statute, executive order, or otherwise."

Renumber the sections in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Page 2, after line 5, insert:

"Sec. 2. Minnesota Statutes 1984, section 1.33, is amended to read:

1.33 [REPRESENTATIVES, SELECTION.]

The Minnesota representation on the Minnesota-Wisconsin boundary area commission shall consist of five commissioners appointed by the governor *with the advice and consent of the senate*, each for a four-year-term. The terms of the commissioners shall be staggered. Vacancies shall be filled by appointment by the governor for the unexpired term."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 11, after "1.22;" insert "1.33;"

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

Mr. Pogemiller moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Page 23, after line 15, insert:

“Sec. 32. [GILLETTE CHILDREN'S HOSPITAL BOARD TRANSITION.]

Members of the Gillette children's hospital board on July 31, 1985, carry over as members of the board as restructured by this act and shall elect additional members other than designees.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 9 and 10

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend H.F. No. 786, the unofficial engrossment, as follows:

Page 22, delete section 28

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 19, after “250.05;” insert “and” and after “254A.04;” delete “and”

Page 1, line 20, delete “611.215, subdivision 1;”

The motion prevailed. So the amendment was adopted.

H.F. No. 786 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 34 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Lessard	Pehler	Solon
Belanger	Frederickson	Luther	Peterson, D.C.	Spear
Benson	Gustafson	McQuaid	Peterson, R.W.	Storm
Berglin	Jude	Mehrkens	Petty	Taylor
Dahl	Knaak	Merriam	Pogemiller	Vega
Davis	Kronebusch	Moe, D.M.	Reichgott	Wegscheid
Diessner	Langseth	Moe, R.D.	Samuelson	

Those who voted in the negative were:

Adkins	DeCramer	Kamrath	Olson	Stumpf
Berg	Dicklich	Knutson	Peterson, D.L.	Waldorf
Bernhagen	Freeman	Kroening	Ramstad	Willet
Bertram	Hughes	Laidig	Renneke	
Brataas	Isackson	Lantry	Schmitz	
Chmielewski	Johnson, D.J.	Nelson	Sieloff	

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

SPECIAL ORDER

S.F. No. 862: A bill for an act relating to courts; providing conciliation court with jurisdiction to determine actions brought by educational institutions to recover student loans; amending Minnesota Statutes 1984, sections

487.30, by adding a subdivision; 488A.12, subdivision 3; and 488A.29, subdivision 3.

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 47 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kroening	Pehler	Storm
Anderson	Dieterich	Kronebusch	Peterson, D.C.	Stumpf
Berg	Frank	Lantry	Peterson, D.L.	Taylor
Berglin	Frederickson	Lessard	Peterson, R.W.	Vega
Bernhagen	Freeman	Luther	Petty	Waldorf
Bertram	Gustafson	McQuaid	Pogemiller	Wegscheid
Brataas	Hughes	Merriam	Reichgott	Willet
Dahl	Isackson	Moe, D.M.	Renneke	
Davis	Johnson, D.J.	Moe, R.D.	Samuelson	
DeCramer	Jude	Olson	Schmitz	

Those who voted in the negative were:

Benson	Frederick	Knaak	Ramstad	Sieloff
Chmielewski	Kamrath	Knutson		

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 835: A bill for an act relating to driver's licenses; allowing same time for expiration of driver's license for spouse of active duty member of armed forces; amending Minnesota Statutes 1984, section 171.27.

Mr. Peterson, R.W. moved to amend H.F. No. 835 as follows:

Page 2, line 5, delete "or"

Page 2, line 6, delete "*the person's spouse*"

Page 2, line 7, after "States" insert "*, or the person's spouse,*"

The motion prevailed. So the amendment was adopted.

H.F. No. 835 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Adkins	Dicklich	Kamrath	Merriam	Renneke
Anderson	Diessner	Knaak	Moe, D.M.	Samuelson
Benson	Dieterich	Knutson	Moe, R.D.	Schmitz
Berg	Frank	Kroening	Olson	Sieloff
Berglin	Frederick	Kronebusch	Pehler	Storm
Bernhagen	Frederickson	Laidig	Peterson, D.C.	Stumpf
Bertram	Freeman	Langseth	Peterson, D.L.	Taylor
Chmielewski	Gustafson	Lantry	Peterson, R.W.	Vega
Dahl	Hughes	Lessard	Petty	Waldorf
Davis	Isackson	Luther	Pogemiller	Wegscheid
DeCramer	Jude	McQuaid	Ramstad	Willet

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

SPECIAL ORDER

S.F. No. 952: A bill for an act relating to occupations and professions; exempting installers of alarm and communication systems from regulation under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 326.

Mr. Waldorf moved to amend S.F. No. 952 as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1984, section 326.01, is amended by adding a subdivision to read:

Subd. 6c. [ALARM AND COMMUNICATION SYSTEM.] The term “alarm and communication system” means class II or class III signaling circuits, fire protective circuits, alarm systems, or communication circuits or systems, as covered by articles 725, 760, 770, 800, 810, and 820 of the National Electrical Code as approved by the United States of America Standards Institute in effect January 1, 1985.

Sec. 2. Minnesota Statutes 1984, section 326.01, is amended by adding a subdivision to read:

Subd. 6d. [ALARM AND COMMUNICATIONS INSTALLER.] The term “alarm and communications installer” means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install alarms and communications systems as determined by the board of electricity under section 4, and who is licensed as an alarm and communication system installer by the board of electricity.

Sec. 3. Minnesota Statutes 1984, section 326.241, is amended to read:

326.241 [BOARD OF ELECTRICITY.]

Subdivision 1. [COMPOSITION.] The board of electricity shall consist of ~~nine~~ ten members, residents of the state, appointed by the governor of whom at least two shall be representatives of the electrical suppliers in the rural areas of the state, two shall be master electricians, who shall be contractors, two journeyman electricians, one registered consulting electrical engineer, *one licensed alarm and communication system installer*, and two public members as defined by section 214.02. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214.

Subd. 2. [POWERS.] The board shall have power to:

(1) Elect its own officers;

(2) Engage and fix the compensation of inspectors, and hire employees. The salary of the executive secretary shall be established pursuant to chapter 43A. All agents and employees other than contract inspectors shall be in the classified service and shall be compensated pursuant to chapter 43A. All inspectors shall hold licenses as master or journeyman electricians under section 326.242, subdivision 1(1) or subdivision 2(1), and shall give bond in

an amount fixed by the board, conditioned upon the faithful performance of their duties.

(3) To pay such other expenses as it may deem necessary in the performance of its duties, including rent, supplies, and such like.

(4) To enforce the provisions of ~~Laws 1967, chapter 602 sections 326.241 to 326.248~~, and provide, upon request, such additional voluntary inspections and reviews as it may deem appropriate.

(5) To issue, renew, refuse to renew, suspend and revoke licenses provided for in ~~Laws 1967, chapter 602 sections 326.241 to 326.248~~.

(6) To adopt reasonable rules to carry out its duties under ~~Laws 1967, chapter 602 sections 326.241 to 326.248~~ and to provide for the amount and collection of fees for inspection and other services. All rules shall be adopted in accordance with chapter 14.

Subd. 3. [FEES AND FINANCES; DISPOSITION.] All license fees collected under the provisions of sections 326.241 to 326.248 are to be credited to the general fund. The expenses of administering sections 326.241 to 326.248 shall be paid from appropriations made to the board of electricity.

Sec. 4. Minnesota Statutes 1984, section 326.242, is amended by adding a subdivision to read:

Subd. 3a. [ALARM AND COMMUNICATIONS INSTALLER.] (a) Notwithstanding the provisions of subdivisions 1 and 2, and section 5, any person holding an alarm and communications installer's license may lay out and install electrical wiring, apparatus, and equipment for alarm and communications systems.

(b) An applicant for an alarm and communications installer's license shall have at least two years' experience, acceptable to the board, in laying out and installing electrical wiring, apparatus, and equipment for alarm and communications systems, or have completed a post-high school course in electricity acceptable to the board.

(c) No person who has been convicted of a felony within the previous three years may obtain an alarm and communications installer's license.

Sec. 5. Minnesota Statutes 1984, section 326.242, is amended by adding a subdivision to read:

Subd. 6a. [ALARM AND COMMUNICATION SYSTEM CONTRACTOR.] (a) Except as provided by law, no person other than an employee of a licensed alarm and communication system contractor shall undertake or offer to undertake for another the installation, maintenance, repair, planning, or servicing of any wiring or equipment used in an alarm and communication system for a fixed sum, price, fee, percentage, or other compensation.

(b) The board shall issue an alarm and communication system contractor's license to any person who has obtained a bond and insurance as specified under subdivision 6.

(c) No alarm and communication system contractor shall engage in business unless the contractor has employed a licensed alarm and communications installer, who shall be responsible for the performance of all electrical

work relating to the installation of an alarm and communication system in accordance with the requirements of sections 326.241 to 326.248.

(d) Each person licensed under this subdivision shall provide the board with the names and addresses of all persons under his or her employ who sell, install, maintain, alter, repair, monitor, respond to, or inspect an alarm or communication system.

(e) No person who has been convicted of a felony within the previous three years may install, maintain, alter, monitor, respond to, or inspect any wiring or equipment used in an alarm and communication system. The department of public safety shall provide assistance to the board in conducting criminal background checks.

Sec. 6. Minnesota Statutes 1984, section 326.242, subdivision 7, is amended to read:

Subd. 7. [EXAMINATION.] In addition to the requirements imposed herein and except as herein otherwise provided, as a precondition to issuance of an electrician's or an alarm and communications installer's license, each applicant must pass a written or oral examination given by the board to insure the competence of each applicant for license. An oral examination shall be administered only to an applicant who furnishes a written statement from a certified teacher or other professional, trained in the area of reading disabilities stating that the applicant has a specific reading disability which would prevent the applicant from performing satisfactorily on a written test. The oral examination shall be structured so that an applicant who passes the examination will not impair the safety of himself or others while acting as an electrician. No person failing an examination may retake it for six months thereafter, but within such six months he may take an examination for a lesser grade of license. Any licensee failing to renew his license for two years or more after its expiration shall be required to retake the examination before he is issued a new license.

An applicant for journeyman's or special electrician's license who shall furnish evidence satisfactory to the board that he has the requisite experience, upon written application, payment of the examination fee and fulfillment of all other requirements stated herein, may work as a journeyman or special electrician until the examination next following and the announcement of the results of such latter examination by the board.

Sec. 7. Minnesota Statutes 1984, section 326.242, subdivision 8, is amended to read:

Subd. 8. [LICENSE AND RENEWAL FEES.] All licenses issued hereunder shall expire in a manner as provided by the board. Fees, as set by the board, shall be payable for examination, issuance and renewal of the following:

(1) For examination:

Class A Master.

Class B Master.

Class A Journeyman, Class B Journeyman, Installer, Alarm and Communications Installer, or Special Electrician.

(2) For issuance of original license and renewal:

Class A Master.

Class B Master.

Class A Journeyman, Class B Journeyman, Installer, *Alarm and Communications Installer*, or Special Electrician.

Electrical contractor.

Alarm and Communication System Contractor.

Sec. 8. Minnesota Statutes 1984, section 326.243, is amended to read:

326.243 [SAFETY STANDARDS.]

All electrical wiring, apparatus and equipment for electric light, heat and power, and *alarm and communication systems* shall comply with the rules and regulations of the department of public service, the commissioner of commerce, or the department of labor and industry, as applicable, and be installed in conformity with accepted standards of construction for safety to life and property. For the purposes of this chapter, the regulations and safety standards stated at the time the work is done in the then most recently published edition of the National Electrical Code as approved by the United States of America Standards Institute, and the National Electrical Safety Code as issued by the National Bureau of Standards, shall be prima facie evidence of accepted standards of construction for safety to life and property; provided further, that in the event a Minnesota building code is formulated pursuant to section 16B.61, containing approved methods of electrical construction for safety to life and property, compliance with said methods of electrical construction of said Minnesota building code shall also constitute compliance with this section, and provided further, that nothing herein contained shall prohibit any political subdivision from making and enforcing more stringent requirements than set forth herein and such requirements shall be complied with by all licensed electricians working within the jurisdiction of such political subdivisions.

Sec. 9. Minnesota Statutes 1984, section 326.244, subdivision 4, is amended to read:

Subd. 4. [POWERS OF POLITICAL SUBDIVISIONS.] Any political subdivision may make provision for inspection of electrical installations within its jurisdiction, in which case it shall keep on file with the board copies of its current inspection ordinances and codes. No political subdivision shall require any individual, partnership, corporation or other business association holding a license from the state board of electricity under ~~Laws 1967, Chapter 602 sections 326.241 to 326.248~~ to pay any license or registration fee, provided however, that any such political subdivision may provide by ordinance a requirement that each individual, partnership, corporation or other business association doing electrical work within the jurisdiction of such political subdivision have on file with said political subdivision a copy of the current license issued by the state board of electricity or such other evidence of such license as may be provided by the state board of electricity.

Each electrical inspector of any political subdivision must be a licensed master or journeyman electrician under section 326.242, subdivision 1(1) or

subdivision 2(1) and may not otherwise engage or be employed in the sale or installation of electrical wiring, devices, appliances or equipment, and shall have no financial interest in any concern engaged in any such business.

Sec. 10. Minnesota Statutes 1984, section 326.244, subdivision 5, is amended to read:

Subd. 5. [EXEMPTIONS FROM INSPECTIONS.] Installations, materials, or equipment shall not be subject to inspection under ~~Laws 1967, Chapter 602 sections 326.241 to 326.248:~~

1. When owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under ~~Laws 1967, Chapter 602 sections 326.241 to 326.248~~, except any electrical installations in any new construction or major remodeling; or

2. When owned or leased, and operated and maintained by any electric, communications or railway utility in the exercise of its utility function; and

(i) are used in connection with the generations, transformation, distribution, transmission, or metering of electric current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility; and

(ii) are generally accessible only to employees of such utility or persons acting under its control or direction; or

3. When used in the street lighting operations of an electric utility; or

4. When used as outdoor area lights which are owned and operated by an electric utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction.

Sec. 11. Minnesota Statutes 1984, section 326.246, is amended to read:

326.246 [CRIMES.]

It is a misdemeanor knowingly and willfully to commit, or to order, instruct, or direct another to commit, any of the following acts:

(1) To make a false statement in any license application, request for inspection, certificate or other lawfully authorized or required form or statement provided by ~~Laws 1967, Chapter 602 sections 326.241 to 326.248;~~

(2) To perform electrical work for another without a proper license for such work;

(3) To fail to file a request for inspection when required;

(4) To interfere with, or refuse entry to, an inspector lawfully engaged in the performance of his duties; and

(5) To violate any lawful rule, regulation or order of the board.

Sec. 12. [EXISTING ALARM AND COMMUNICATIONS INSTALLERS.]

Notwithstanding the requirement of examination under Minnesota Stat-

utes, section 326.242, subdivision 7, the board of electricity shall issue an alarm and communications installer's license to any person who makes application to the board by September 1, 1985, upon payment of the applicable license fee and proof that the person has at least two years' experience installing electrical wiring, apparatus, or equipment for alarm and communication systems.

Sec. 13. [EFFECTIVE DATE.]

This act is effective July 1, 1985."

Delete the title and insert:

"A bill for an act relating to occupations and professions; providing for licensing of alarm and communication contractors and installers by the board of electricity; amending Minnesota Statutes 1984, sections 326.01, by adding subdivisions; 326.241; 326.242, subdivisions 7 and 8, and by adding subdivisions; 326.243; 326.244, subdivisions 4 and 5; and 326.246."

Mr. Wegscheid moved to amend the Waldorf amendment to S.F. No. 952 as follows:

Page 5, after line 19, insert:

"Sec. 8. Minnesota Statutes 1984, section 326.242, is amended by adding a subdivision to read:

Subd. 13. [EXEMPTIONS; ALARM AND COMMUNICATIONS SYSTEMS.] Notwithstanding any law to the contrary, sections 326.241 to 326.248 do not apply to a person who lays out, installs, or maintains an alarm or communications system, provided that the person maintains a bond and insurance in the amounts required under section 326.242, subdivision 6, and the system is to be installed within a residential building which has a separate outside entrance for each dwelling unit. No person exempt under this section may be required to obtain any authorization, permit, franchise, or license from, or pay any fee, franchise tax, or other assessment to, any agency, department, board, or political subdivision of the state. Nothing in this section prohibits a unit of local government from charging a franchise fee to the operator of a cable communications system, or from maintaining a system for inspecting and issuing building permits for residential buildings."

Renumber the sections in sequence

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

The question recurred on the Waldorf amendment, as amended.

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

S.F. No. 952 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 51 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gustafson	Merriam	Ramstad	Sieloff
Benson	Kamrath	Peterson, D.L.	Renneke	Taylor

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

SPECIAL ORDER

S.F. No. 1061: A bill for an act relating to taxation; property; clarifying the definition of real property; amending Minnesota Statutes 1984, section 272.03, subdivision 1.

Mr. Bernhagen moved to amend S.F. No. 1061 as follows:

Page 2, line 17, delete "This"

Page 2, delete lines 18 and 19

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on S.F. No. 1061. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 1061 was read the third time, as amended, and placed on its final passage.

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

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

The roll was called, and there were yeas 34 and nays 27, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Langseth	Nelson	Samuelson
Berglin	Diessner	Lantry	Pehler	Schmitz
Bertram	Freeman	Lessard	Peterson, D.C.	Vega
Chmielewski	Hughes	Luther	Peterson, R.W.	Waldorf
Dahl	Johnson, D.J.	Merriam	Petty	Wegscheid
Davis	Jude	Moe, D.M.	Pogemiller	Willet
DeCramer	Kroening	Moe, R.D.	Reichgott	

Those who voted in the negative were:

Anderson	Dieterich	Kamrath	Mehrkens	Storm
Belanger	Frank	Knaak	Olson	Stumpf
Benson	Frederick	Knutson	Peterson, D.L.	Taylor
Berg	Frederickson	Kronebusch	Ramstad	
Bernhagen	Gustafson	Laidig	Renneke	
Brataas	Isackson	McQuaid	Sieloff	

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

SPECIAL ORDER

H.F. No. 730: A bill for an act relating to petroleum products; setting standards for heating fuel, diesel fuel, and kerosene; providing testing authority for the weights and measures division of the department of public service; amending Minnesota Statutes 1984, sections 296.01, subdivision 4, and by adding subdivisions; and 296.05, subdivisions 2 and 4; repealing Minnesota Statutes 1984, section 296.05, subdivision 3a.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 273: A bill for an act relating to commerce; making permanent the time price differential rate on certain motor vehicles; providing a time price differential rate for certain classes of manufactured homes; amending Minnesota Statutes 1984, section 168.72, subdivisions 1 and 4; repealing Minnesota Statutes 1984, section 168.72, subdivision 2.

Mr. Wegscheid moved that the amendment made to H.F. No. 273 by the Committee on Rules and Administration in the report adopted April 1, 1985, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 273 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1279: A bill for an act relating to housing; providing for a product standard for formaldehyde in building materials used in the construction of housing units; amending Minnesota Statutes 1984, sections 144.495; and 325F.18, subdivisions 1, 1a, and 4; proposing coding for new law in Minnesota Statutes, chapter 325F; repealing Minnesota Statutes 1984, section 325F.18, subdivision 5.

Mr. Vega moved to amend S.F. No. 1279 as follows:

Page 1, lines 18 and 21, delete "4" and insert "5"

Page 3, line 2, delete "RESULTING FROM ENERGY EFFICIENCY"

Page 3, line 3, delete "STANDARDS"

Page 3, line 8, after the period insert "OTHER MEANS OF CONTROLLED MECHANICAL VENTILATION CAN BE USED TO REDUCE LEVELS OF FORMALDEHYDE AND OTHER INDOOR AIR CONTAMINANTS."

Page 3, line 19, strike the first "or" and insert a comma and after "insulation" insert a comma

Page 3, line 28, delete the comma

Page 3, line 31, after "not" insert ", at the time of manufacture,"

Page 3, line 32, delete "3," and strike "and in addition" and insert "5. The builder of a housing unit shall pay the reasonable cost of repair or relocation if the consumer can document that the builder used products in the construction of the housing unit that were subject to the product standard adopted under section 5 but were not certified and labeled under section 5. A manufacturer or builder is not liable under this subdivision unless the consumer."

Page 3, line 36, strike "ambient air level of the" and after "unit" insert "or products"

Page 4, line 3, reinstate the stricken language

Page 4, line 16, after "standards" insert ", certification and labeling requirements, and other provisions"

Page 4, line 20, after "standard" insert ", certification and labeling requirements, and other provisions"

The motion prevailed. So the amendment was adopted.

S.F. No. 1279 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Adkins	Dicklich	Kamrath	Moe, D.M.	Samuelson
Anderson	Diessner	Knaak	Olson	Schmitt
Belanger	Dieterich	Knutson	Pehler	Sieloff
Benson	Frank	Kroening	Peterson, D.C.	Storm
Berglin	Frederick	Kronebusch	Peterson, D.L.	Stumpf
Bernhagen	Frederickson	Laidig	Peterson, R.W.	Taylor
Bertram	Freeman	Langseth	Petty	Vega
Brataas	Gustafson	Lantry	Pogemiller	Waldorf
Chmielewski	Hughes	McQuaid	Ramstad	Wegscheid
Dahl	Isackson	Mehrkens	Reichgott	Willet
DeCramer	Jude	Merriam	Renneke	

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

SPECIAL ORDER

S.F. No. 1362: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws affected; amending Minnesota Statutes 1984, chapters 35; 37; 92; 219; 315; 344; 390; 458; 589; 629; and 631; Laws 1959, chapter 699, section 4; Laws 1961, chapter 545, section 1; Laws 1963, chapters 254, section 1; and 827, section 1; Laws 1965, chapter 344, as amended; Laws 1967, chapter 541, section 1, as amended; Laws 1971, extra session, chapter 35, sections 7, 8, and 9; Laws 1974, chapter 218; Laws 1975, chapter 326, section 1; Laws 1976, chapter 234, section 3, as amended; Laws 1979, chapters 269, section 1; and 303, article 10, section 16; Laws 1980, chapter 453, section 1; and chapter 595, section 5; Laws 1982, chapter 523, article 24, section 2; Laws 1983, chapters 110, sections 1 and 2; and 257, section 1; Laws 1984, chapters 397, section 1; 498, section 1; and 548, section 9; repealing Minnesota Statutes 1984, sections 458.13; 458.16, subdivision 3; 458.192, subdivision 3a; 458.41; 458.50; 458.51; 458.52; 458.54; 458.55; 458.56; 458.57; 458.58; and 458.60.

Mr. Merriam moved to amend S.F. No. 1362 as follows:

Page 2, line 7, delete "*a person*" and insert "*an individual*"

The motion prevailed. So the amendment was adopted.

Mr. Petty moved to amend S.F. No. 1362 as follows:

Page 330, line 8, after "*by*" insert "*articles 1 to 12 of*"

Page 330, lines 11 and 14, before "*this*" insert "*articles 1 to 12 of*"

Page 330, after line 19, insert:

"ARTICLE 13

Section 1. Minnesota Statutes 1984, section 14.47, subdivision 8, is amended to read:

Subd. 8. [SALES AND DISTRIBUTION OF COMPILATION.] Any compilation, reissue, or supplement published by the revisor shall be sold by the revisor for a reasonable fee and its proceeds deposited in the general fund. An agency shall purchase from the revisor the number of copies of the compilation or supplement needed by the agency. The revisor shall provide *without charge copies of each edition of any compilation, reissue, or supple-*

ment to the persons or bodies listed in this subdivision. Those copies must be marked with the words "State Copy" and kept for the use of the office. The revisor shall distribute:

- (a) 25 copies to the office of the attorney general;
- (b) 12 copies for the legislative commission for review of administrative rules;
- (c) 3 copies to the revisor of statutes for transmission to the Library of Congress for copyright and depository purposes;
- (d) 150 copies to the state law library;
- (e) 10 copies to the law school of the University of Minnesota; and
- (f) one copy of any compilation or supplement to each county library maintained pursuant to section 134.12 or 375.33 upon its request, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 134.12 or 375.33, the copy will be provided to any public library in the county upon its request."

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "expanding the mandatory free distribution of Minnesota Rules;"

Page 1, line 7, before "chapters" insert "section 14.47, subdivision 8;"

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 1362 as follows:

Page 330, delete lines 15 to 19

The motion prevailed. So the amendment was adopted.

S.F. No. 1362 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 44 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Jude	McQuaid	Pogemiller
Anderson	Dicklich	Kamrath	Mehrkens	Ramstad
Belanger	Diessner	Knaak	Merriam	Schmitz
Benson	Frank	Knutson	Moe, R.D.	Stumpf
Bernhagen	Frederick	Kroening	Olson	Taylor
Bertram	Frederickson	Kronebusch	Peterson, D.C.	Vega
Brataas	Freeman	Lantry	Peterson, D.L.	Waldorf
Dahl	Gustafson	Lessard	Peterson, R.W.	Willet
Davis	Hughes	Luther	Petty	

Mr. Renneke voted in the negative.

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

SPECIAL ORDER

S.F. No. 1363: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted, and obsolete references and text; eliminating certain redundant, conflicting, and superseded provisions; reenacting

certain laws; providing instructions to the revisor; amending Minnesota Statutes 1984, sections 3C.12, subdivision 2; 8.31, subdivision 2; 13.37, subdivision 2; 14.47, subdivision 8; 16A.065; 16A.133, subdivision 1; 16B.64, subdivision 2; 21.92; 35.09, subdivision 1; 42.09, subdivision 9; 46.046, subdivision 1; 47.101, subdivisions 2 and 3; 47.29, subdivision 1; 47.30, subdivisions 2 and 3; 47.51; 48.89, subdivision 1; 60A.03, subdivision 2; 62D.04, subdivision 1; 62D.041, subdivision 5; 62D.09; 62H.06; 83.23, subdivision 3; 106.631, subdivisions 2 and 4; 116J.58, subdivision 4; 122.531, subdivisions 3a and 5; 124A.03, subdivision 3; 204B.14, subdivision 5; 214.13, subdivision 4; 240.16, subdivision 6; 256B.431, subdivision 4; 257.67, subdivision 3; 260.121, subdivision 3; 268.04, subdivision 32; 268.08, subdivision 1; 268.675, subdivision 1; 270.84, subdivision 1; 290.531; 290A.111, subdivision 2; 296.18, subdivision 1; 297A.391; 307.06; 309.502; 349.51, subdivision 5; 352.01, subdivision 2A; 360.531, subdivision 7; 363.071, subdivision 1; 388.051, subdivision 2; 422A.101, subdivision 2; 453.55, subdivision 11; 473.384, subdivision 6; 473.446, subdivision 1; 474.17, subdivision 3; 474.19, subdivisions 3 and 7; 519.01; 525.619; 571.41, subdivision 5b; amending Laws 1984, chapter 463, article 7, section 53, subdivision 2; reenacting Minnesota Statutes 1984, sections 10A.31, subdivision 5; 62D.03, subdivision 4; repealing Minnesota Statutes 1984, sections 124A.035, subdivision 6; 177.295; 204B.19, subdivision 3; repealing Laws 1977, chapter 434, sections 4 and 5; chapter 386, section 1; Laws 1978, chapter 772, section 8; Laws 1980, chapter 522, section 4; Laws 1983, chapter 222, section 14; chapter 247, sections 122, 176, and 217; chapter 253, section 19; chapter 299, section 20; chapter 301, section 220; chapter 314, article 11, section 19; chapter 359, section 149; Laws 1984, chapter 464, section 12, clause (g), and the second paragraph after clause (g); chapter 468, section 1; chapter 471, sections 14, 15, and 16; chapter 514, article 2, section 13; chapter 541, section 1; chapter 543, section 8; chapter 618, section 59; that part of Laws 1984, chapter 629, section 2, that amends section 375.193; Laws 1984, chapter 638, section 3; chapter 654, article 2, section 118.

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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Moe, R.D.	Schmitz
Anderson	Dicklich	Knutson	Olson	Sieloff
Belanger	Diessner	Kroening	Pehler	Storm
Benson	Frank	Kronebusch	Peterson, D.C.	Stumpf
Berg	Frederick	Laidig	Peterson, D.L.	Taylor
Bernhagen	Frederickson	Lantry	Peterson, R.W.	Vega
Bertram	Freeman	Lessard	Petty	Waldorf
Brataas	Gustafson	Luther	Pogemiller	Willet
Chmielewski	Isackson	McQuaid	Ramstad	
Dahl	Jude	Mehrkens	Renneke	
Davis	Kamrath	Merriam	Samuelson	

So the bill passed and its title was agreed to.

Mr. Jude moved that S.F. No. 99, No. 62 on General Orders, be stricken and returned to its author. The motion prevailed.

SPECIAL ORDER

S.F. No. 547: A bill for an act relating to motor vehicles; prohibiting issuance of a motor vehicle dealer license to a person convicted of certain crimes; authorizing immediate revocation or suspension of motor vehicle dealer licenses upon conviction; removing an exception allowing a motor vehicle dealer to register a vehicle without a certificate of title; amending Minnesota Statutes 1984, sections 168.27, subdivisions 11, 12, and 24; and 168A.02, subdivision 2.

Mr. Sieloff moved to amend S.F. No. 547 as follows:

Page 1, line 25, before "*convicted*" insert "*enjoined due to a violation of section 325F.69 or*" and delete "*subdivision 12*" and insert "*sections 325E.14, 325E.15, 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen vehicles, or convicted of violating United States Code, title 15, sections 1981 to 1991, as amended through December 31, 1984.*"

Page 1, line 26, delete the new language

Page 3, line 9, strike everything after "of"

Page 3, strike line 10

Page 3, line 11, strike everything before the semicolon and insert "*violating section 325F.69, or having been enjoined due to a violation of section 325F.69*"

Page 3, strike lines 10 and 11

Page 3, line 13, strike "*sections 325.821 to 325.824*" and insert "*section 325E.14, 325E.15, or 325E.16*"

Page 3, line 14, before "15" insert "*United States Code, title*" and strike "U.S.C." and insert a comma and after "1991" insert "*, as amended through December 31, 1984*"

Page 3, line 17, after "*convicted*" insert "*under section 609.53*"

Page 3, line 21, before the period insert "*or permanent injunction*"

Page 3, line 22, delete "*the*" and insert "*a summary*"

Page 3, line 23, before the comma insert "*under this paragraph*"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S.F. No. 547, as follows:

Page 1, after the enacting clause, insert:

"Section 1. Minnesota Statutes 1984, section 168.27, subdivision 2, is amended to read:

Subd. 2. [NEW MOTOR VEHICLE DEALER.] (a) No person shall engage in the business of selling or arranging the sale of new motor vehicles or shall offer to sell, solicit, arrange or advertise the sale of new motor vehicles without first acquiring a new motor vehicle dealer license. A new motor vehicle dealer licensee shall be entitled thereunder to sell, broker, wholesale or auction and to solicit and advertise the sale, broker, wholesale or auction of new motor vehicles covered by his franchise and any used motor vehicles or to lease and to solicit and advertise the lease of new motor vehicles and any used motor vehicles and such sales or leases may be either for consumer

use at retail or for resale to a dealer. Nothing herein shall be construed to require an applicant for a dealer license who proposes to deal in new and unused motor vehicle bodies to have a bona fide contract or franchise in effect with the manufacturer or distributor of any motor vehicle chassis upon which the new and unused motor vehicle body is mounted.

(b) The requirements pertaining to franchises do not apply to persons who remodel or convert motor vehicles for medical purposes. For purposes of this subdivision, "medical purpose" means certification by a licensed physician that remodeling or conversion of a motor vehicle is necessary to enable a handicapped person to use the vehicle."

Page 4, line 17, delete "4" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon insert "exempting from certain franchising requirements those dealers who remodel or convert motor vehicles for medical purposes;"

Page 1, line 9, after "subdivisions" insert "2,"

The motion prevailed. So the amendment was adopted.

S.F. No. 547 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Pehler	Sieloff
Anderson	Frank	Kronebusch	Peterson, D.C.	Storm
Belanger	Frederick	Laidig	Peterson, D.L.	Stumpf
Benson	Frederickson	Lantry	Peterson, R.W.	Taylor
Bernhagen	Freeman	Lessard	Petty	Vega
Bertram	Gustafson	Luther	Pogemiller	Waldorf
Brataas	Isackson	McQuaid	Ramstad	Willet
Chmielewski	Jude	Mehrken	Reichgott	
Dahl	Kamrath	Merriam	Renneke	
Davis	Knaak	Moe, R.D.	Samuelson	
DeCramer	Knutson	Olson	Schmitz	

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

SPECIAL ORDER

S.F. No. 879: A bill for an act relating to economic development; adding definitions to the Minnesota energy and economic development authority law; clarifying purposes of the economic development fund; adding development power and authority; restricting the duties of the energy and economic development authority and enlarging the duties of the commissioner of energy and economic development; extending the life of the Minnesota manufacturing growth council; amending Minnesota Statutes 1984, sections 116J.58, subdivision 1; 116M.03, subdivisions 10, 11, 13, and by adding subdivisions; 116M.04, subdivision 1; 116M.06, subdivisions 2, 4, and 11; 116M.07, subdivisions 1, 2, 11, 12, and by adding a subdivision; 116M.08,

subdivisions 11, 13, 16, 19, 20, and by adding subdivisions; 116M.10, subdivision 5; 474.01, subdivisions 6, 7b, 8, and 11; and Laws 1984, chapter 654, article 2, section 151, subdivision 5.

Mr. Frederickson moved to amend S.F. No. 879 as follows:

Page 21, delete section 37

Amend the title as follows:

Page 1, line 9, delete everything after the semicolon

Page 1, line 10, delete everything before "amending"

Page 1, line 17, after "5;" insert "and"

Page 1, line 18, delete everything after "11"

Page 1, line 19, delete everything before the period

CALL OF THE SENATE

Mr. Freeman imposed a call of the Senate for the vote on the Frederickson amendment: The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Anderson	Dieterich	Kamrath	McQuaid	Peterson, R.W.
Belanger	Frederick	Knaak	Mehrkens	Ramstad
Benson	Frederickson	Knutson	Merriam	Renneke
Bernhagen	Gustafson	Kronebusch	Moe, D.M.	Sieloff
Brataas	Isackson	Laidig	Olson	Storm
Chmielewski	Jude	Lantry	Peterson, D.L.	Taylor

Those who voted in the negative were:

Adkins	Dicklich	Kroening	Pehler	Schmitz
Berglin	Diessner	Langseth	Peterson, D.C.	Stumpf
Bertram	Frank	Lessard	Petty	Vega
Dahl	Freeman	Luther	Pogemiller	Waldorf
Davis	Hughes	Moe, R.D.	Reichgott	Wegscheid
DeCramer	Johnson, D.J.	Nelson	Samuelson	Willet

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

Mr. Benson moved to amend S.F. No. 879 as follows:

Page 18, delete section 32

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, delete "116M.10, subdivision 5;"

The motion prevailed. So the amendment was adopted.

S.F. No. 879 was then progressed.

SPECIAL ORDER

H.F. No. 1150: A bill for an act relating to state lands; providing for the

sale of certain tax-forfeited land in Chisago county.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kamrath	Merriam	Schmitz
Anderson	Diessner	Knaak	Olson	Sieloff
Belanger	Dieterich	Knutson	Pehler	Storm
Benson	Frank	Kroening	Peterson, D.C.	Stumpf
Berglin	Frederick	Kronebusch	Peterson, D.L.	Taylor
Bernhagen	Frederickson	Laidig	Peterson, R.W.	Vega
Bertram	Freeman	Lantry	Petty	Wegscheid
Brataas	Gustafson	Lessard	Pogemiller	
Chmielewski	Hughes	Luther	Ramstad	
Dahl	Isackson	McQuaid	Reichgott	
Davis	Jude	Mehrkens	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 537: A bill for an act relating to Itasca county; changing the permissible expenditure on tourist, agricultural, and industrial promotion; changing allocation of proceeds for tax-forfeited land; amending Laws 1965, chapter 326, section 1, subdivisions 1, 4, 5, as amended, and 7.

Mr. Lessard moved that the amendment made to H.F. No. 537 by the Committee on Rules and Administration in the report adopted April 2, 1985, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 537 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	DeCramer	Jude	Mehrkens	Reichgott
Anderson	Diessner	Kamrath	Merriam	Renneke
Belanger	Dieterich	Knaak	Moe, R.D.	Samuelson
Benson	Frank	Knutson	Olson	Schmitz
Berglin	Frederick	Kroening	Pehler	Sieloff
Bernhagen	Frederickson	Kronebusch	Peterson, D.C.	Storm
Bertram	Freeman	Laidig	Peterson, D.L.	Stumpf
Brataas	Gustafson	Lantry	Peterson, R.W.	Taylor
Chmielewski	Hughes	Lessard	Petty	Vega
Dahl	Isackson	Luther	Pogemiller	Waldorf
Davis	Johnson, D.J.	McQuaid	Ramstad	Willett

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1499: A bill for an act relating to Goodhue county; permitting the county to levy a tax for the county historical society; imposing a reverse referendum requirement.

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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 87: A bill for an act relating to agriculture; removing the limitation on certain fees for state livestock weighing services; amending Minnesota Statutes 1984, section 17A.11.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Dicklich	Kamrath	Moe, D.M.	Renneke
Anderson	Diessner	Knaak	Moe, R.D.	Samuelson
Belanger	Dieterich	Knutson	Nelson	Schmitz
Benson	Frank	Kroening	Olson	Sieloff
Berglin	Frederick	Kronebusch	Pehler	Storm
Bernhagen	Frederickson	Laidig	Peterson, D.C.	Stumpf
Bertram	Freeman	Lessard	Peterson, D.L.	Taylor
Chmielewski	Gustafson	Luther	Peterson, R.W.	Vega
Dahl	Hughes	McQuaid	Pogemiller	Waldorf
Davis	Isackson	Mehrkens	Ramstad	Wegscheid
DeCramer	Jude	Merriam	Reichgott	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 887: A bill for an act relating to the environment; providing procedures for condemnation of property with environmental impairment; amending Minnesota Statutes 1984, sections 117.025, by adding subdivisions; and 117.085; proposing coding for new law in Minnesota Statutes, chapter 117.

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

Pages 1 to 3, delete sections 1 to 3

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to the environment; providing for determination of environmental impairment; amending Minnesota Statutes 1984, section 117.085."

The motion prevailed. So the amendment was adopted.

S.F. No. 887 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, D.M.	Sieloff
Anderson	Dieterich	Knutson	Moe, R.D.	Storm
Belanger	Frank	Kroening	Olson	Stumpf
Berglin	Frederick	Kronebusch	Pehler	Taylor
Bernhagen	Frederickson	Laidig	Peterson, D.C.	Vega
Bertram	Freeman	Langseth	Peterson, D.L.	Waldorf
Brataas	Gustafson	Lantry	Peterson, R.W.	Wegscheid
Chmielewski	Hughes	Lessard	Pogemiller	Willit
Dahl	Isackson	Luther	Ramstad	
Davis	Johnson, D.J.	McQuaid	Renneke	
DeCramer	Jude	Mehrken	Samuelson	
Dicklich	Kamrath	Merriam	Schmitz	

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Reports of Committees. The motion prevailed.

REPORTS OF COMMITTEES

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

S.F. No. 1510: A bill for an act relating to economic development; creating a special enterprise zone for a large manufacturing facility; providing for the taxation of the facility; authorizing the issuance of bonds; providing assistance to locate a large manufacturing facility in the state; appropriating money; amending Minnesota Statutes 1984, sections 273.1312, subdivisions 3 and 4; and 273.1314, subdivisions 3, 4, 6, 7, 8, 9, and by adding a subdivision.

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

Page 6, line 19, delete "*at any time prior to*" and insert "*no later than*"

Page 10, line 9, delete "*municipalities and other local*"

Page 10, line 13, delete "*municipality*" and insert "*local taxing authority*"

Page 10, line 14, delete "*the*" and insert "*its budget.*"

Page 10, delete line 15

Page 10, line 18, delete "*municipality and other*"

Page 10, line 19, delete "*authorities*" and insert "*authority*" and after "*increase*" insert "*in equalized assessed property values as determined by the commissioner of revenue, multiplied by the mill rate of the local taxing authority for taxes payable in the current year.*"

Page 10, line 21, delete "*municipality's and other*" and insert "*local*" and delete "*authorities' budgets*" and insert "*authority's budget for the current year*"

Page 10, line 24, delete "*municipality's and other*" and delete "*authorities*" and insert "*authority's*"

Page 10, line 26, delete "*municipality*" and insert "*local taxing authority*"

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

Mr. Moe, R.D. moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Luther, Novak, Jude, Freeman and Dieterich introduced—

S.F. No. 1514: A bill for an act relating to taxation; increasing the maximum dependent care credit and extending eligibility; amending Minnesota Statutes 1984, section 290.067, subdivisions 1 and 2.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Lantry, Messrs. Knaak, Novak, Hughes and Dieterich introduced—

S.F. No. 1515: A bill for an act relating to Ramsey county; authorizing the issuance of bonds for the construction of library buildings and an annual levy for debt retirement.

Referred to the Committee on Local and Urban Government.

Mrs. Lantry introduced—

S.F. No. 1516: A bill for an act relating to Ramsey county; authorizing the issuance of county bonds for capital improvement projects; proposing coding for new law in Minnesota Statutes, chapter 383A.

Referred to the Committee on Local and Urban Government.

Mr. Jude introduced—

S.F. No. 1517: A bill for an act relating to real property; providing a restriction on the duration of conditions affecting certain real property; providing an exemption for the city of North Oaks; amending Minnesota Statutes 1984, section 500.20, by adding a subdivision.

Referred to the Committee on Judiciary.

MEMBERS EXCUSED

Mr. Mehrkens was excused from the Session of today from 7:15 to 8:15 p.m. Mr. Stumpf was excused from the Session of today from 4:30 to 7:15 p.m. Mr. Purfeerst was excused from the Session of today at 6:30 p.m. Messrs. Peterson, C.C. and Novak were excused from the Session of today at 7:00 p.m. Mr. Johnson, D.E. was excused from the Session of today at 7:15 p.m. Mr. Solon was excused from the Session of today at 6:45 p.m. Mr. Spear was excused from the Session of today at 7:30 p.m. Mr. Berg was excused from the Session of today at 9:45 p.m.

The following members were excused from today's Session for brief periods of time: Messrs. Dieterich, Frank and Gustafson.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Stumpf moved that the following members be excused for a Conference Committee on H.F. No. 1216 from 4:30 to 7:15 p.m.:

Messrs. Stumpf, Berg and Davis. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 3:00 p.m., Thursday, May 2, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate