

## FORTY-SIXTH DAY

St. Paul, Minnesota, Thursday, May 7, 1987

The Senate met at 9:00 a.m. and was called to order by the President.

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. James N. McCutcheon.

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

Adkins	Davis	Knaak	Moe, D.M.	Samuelson
Anderson	DeCramer	Knutson	Moe, R.D.	Schmitz
Beckman	Dicklich	Kroening	Morse	Solon
Belanger	Diessner	Laidig	Novak	Spear
Benson	Frank	Langseth	Olson	Storm
Berg	Frederick	Lantry	Pehler	Stumpf
Berglin	Frederickson, D.J.	Larson	Peterson, D.C.	Taylor
Bernhagen	Frederickson, D.R.	Lessard	Peterson, R.W.	Vickerman
Bertram	Freeman	Luther	Piper	Waldorf
Brandl	Gustafson	Marty	Pogemiller	Wegscheid
Brataas	Hughes	McQuaid	Purfeerst	Willet
Chmielewski	Johnson, D.E.	Mehrkins	Ramstad	
Cohen	Johnson, D.J.	Merriam	Reichgott	
Dahl	Jude	Metzen	Renneke	

The President declared a quorum present.

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

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Solon moved that the following members be excused for a Conference Committee on S.F. Nos. 1152 and 1114 from 10:00 to 10:30 a.m.:

Messrs. Solon, Spear and Anderson. The motion prevailed.

### REPORTS OF COMMITTEES

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

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

H.F. No. 1026 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1026	1033				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1026 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1026 and insert the language after the enacting clause of S.F. No. 1033, the first engrossment; further, delete the title of H.F. No. 1026 and insert the title of S.F. No. 1033, the first engrossment.

And when so amended H.F. No. 1026 will be identical to S.F. No. 1033, and further recommends that H.F. No. 1026 be given its second reading and substituted for S.F. No. 1033, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1071 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1071	1019				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1622 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1622	1007				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1622 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1622 and insert the language after the enacting clause of S.F. No. 1007, the first engrossment; further, delete the title of H.F. No. 1622 and insert the title of S.F. No. 1007, the first engrossment.

And when so amended H.F. No. 1622 will be identical to S.F. No. 1007, and further recommends that H.F. No. 1622 be given its second reading and substituted for S.F. No. 1007, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 867 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
867	748				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 508 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				508	506

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 508 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 508 and insert the language after the enacting clause of S.F. No. 506, the third engrossment; further, delete the title of H.F. No. 508 and insert the title of S.F. No. 506, the third engrossment.

And when so amended H.F. No. 508 will be identical to S.F. No. 506, and further recommends that H.F. No. 508 be given its second reading and substituted for S.F. No. 506, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 940 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				940	855

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 940 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 940 and insert the language after the enacting clause of S.F. No. 855, the third engrossment; further, delete the title of H.F. No. 940 and insert the title of S.F. No. 855, the third engrossment.

And when so amended H.F. No. 940 will be identical to S.F. No. 855, and further recommends that H.F. No. 940 be given its second reading and substituted for S.F. No. 855, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 792 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
792	666				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 792 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 792 and insert the language after the enacting clause of S.F. No. 666, the first engrossment; further, delete the title of H.F. No. 792 and insert the title of S.F. No. 666, the first engrossment.

And when so amended H.F. No. 792 will be identical to S.F. No. 666, and further recommends that H.F. No. 792 be given its second reading and substituted for S.F. No. 666, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 569 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File

as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
569	481				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 401 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
401	818				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 401 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 401 and insert the language after the enacting clause of S.F. No. 818, the second engrossment; further, delete the title of H.F. No. 401 and insert the title of S.F. No. 818, the second engrossment.

And when so amended H.F. No. 401 will be identical to S.F. No. 818, and further recommends that H.F. No. 401 be given its second reading and substituted for S.F. No. 818, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1350 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1350	712				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1350 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1350 and insert the language after the enacting clause of S.F. No. 712, the first engrossment; further, delete the title of H.F. No. 1350 and insert the title of S.F. No. 712, the first engrossment.

And when so amended H.F. No. 1350 will be identical to S.F. No. 712, and further recommends that H.F. No. 1350 be given its second reading

and substituted for S.F. No. 712, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1515 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1515	1433				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1524 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1524	1396				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1524 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1524 and insert the language after the enacting clause of S.F. No. 1396, the first engrossment; further, delete the title of H.F. No. 1524 and insert the title of S.F. No. 1396, the first engrossment.

And when so amended H.F. No. 1524 will be identical to S.F. No. 1396, and further recommends that H.F. No. 1524 be given its second reading and substituted for S.F. No. 1396, and that the Senate File be indefinitely postponed.

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

## SECOND READING OF HOUSE BILLS

H.F. Nos. 1026, 1071, 1622, 867, 508, 940, 792, 569, 401, 1350, 1515 and 1524 were read the second time.

### MOTIONS AND RESOLUTIONS

Mr. DeCramer moved that the name of Mr. Pehler be added as a co-author to S.F. No. 776. The motion prevailed.

Mr. Cohen moved that the name of Ms. Piper be added as a co-author to S.F. No. 853. The motion prevailed.

Mr. Luther moved that the name of Mr. Freeman be added as a co-author to S.F. No. 1175. The motion prevailed.

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

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Jude, Cohen, Ms. Piper, Messrs. Knaak and Marty introduced—

S.F. No. 1526: A resolution memorializing the President and Congress of the United States to award posthumous Medals of Freedom to Andrew Goodman, Michael Schwerner, and James Chaney.

Referred to the Committee on Judiciary.

### MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1495 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 1495: A bill for an act relating to liquor; authorizing the city of Little Falls to issue a temporary on-sale intoxicating liquor license.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Johnson, D.E.	Metzen	Samuelson
Beckman	Dahl	Jude	Moe, D.M.	Schmitz
Belanger	Davis	Kroening	Olson	Storm
Benson	DeCramer	Laidig	Pehler	Vickerman
Berg	Dicklich	Langseth	Peterson, R.W.	Wegscheid
Berglin	Diessner	Lantry	Piper	Willet
Bertram	Frank	Larson	Pogemiller	
Brandl	Frederickson, D.J.	Luther	Purfeerst	
Brataas	Freeman	Marty	Reichgott	
Chmielewski	Hughes	Mehrkins	Renneke	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 904 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 904: A bill for an act relating to human services; requiring notification to spouse of nursing home resident; amending Minnesota Statutes 1986, section 256B.48, by adding a subdivision.

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	Dahl	Jude	Metzen	Ramstad
Beckman	Davis	Knutson	Moe, D.M.	Reichgott
Belanger	DeCramer	Kroening	Moe, R.D.	Renneke
Benson	Dicklich	Laidig	Morse	Samuelson
Berg	Diessner	Langseth	Novak	Schmitz
Berglin	Frank	Lantry	Olson	Storm
Bertram	Frederickson, D.J.	Larson	Pehler	Stumpf
Brandl	Frederickson, D.R.	Luther	Peterson, R.W.	Taylor
Brataas	Freeman	Marty	Piper	Vickerman
Chmielewski	Hughes	McQuaid	Pogemiller	Wegscheid
Cohen	Johnson, D.E.	Mehrkens	Purfeerst	Willet

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1056 a Special Order to be heard immediately.

**SPECIAL ORDER**

S.F. No. 1056: A bill for an act relating to natural resources; increasing certain game, fish, and related license and other fees; amending Minnesota Statutes 1986, sections 84.091, subdivision 3; 97A.065, by adding subdivisions; 97A.415, subdivision 1; 97A.475, subdivisions 2, 3, 6, 7, 8, 9, 11, 12, 13, and 20, and by adding subdivisions; and 97C.305; repealing Minnesota Statutes 1986, section 97A.451, subdivision 1.

Mr. Ramstad moved to amend S.F. No. 1056 as follows:

Page 3, delete lines 19 and 20

Page 3, line 21, reinstate the stricken "(2)" and delete "(3)"

Page 3, line 23, delete "(4)" and insert "(3)"

Page 3, line 25, delete "(5)" and insert "(4)"

Page 5, delete section 18

Page 5, line 31, delete "18" and insert "17"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "; repealing Minnesota" and insert a period

Page 1, delete line 9

**CALL OF THE SENATE**

Mr. Berg imposed a call of the Senate for the balance of the proceedings on S.F. No. 1056. The Sergeant at Arms was instructed to bring in the



absent members.

The question recurred on the adoption of the Ramstad amendment.

The roll was called, and there were yeas 20 and nays 33, as follows:

Those who voted in the affirmative were:

Benson	Dicklich	Knutson	Metzen	Samuelson
Berglin	Johnson, D.E.	Larson	Ramstad	Schmitz
Bertram	Jude	McQuaid	Reichgott	Storm
Chmielewski	Knaak	Mehrkins	Renneke	Vickerman

Those who voted in the negative were:

Adkins	Dahl	Freeman	Luther	Piper
Beckman	Davis	Hughes	Marty	Pogemiller
Belanger	DeCramer	Kroening	Moe, R.D.	Stumpf
Berg	Diessner	Laidig	Morse	Waldorf
Bernhagen	Frank	Langseth	Pehler	Willet
Brandl	Frederickson, D.J.	Lantry	Peterson, D.C.	
Cohen	Frederickson, D.R.	Lessard	Peterson, R.W.	

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

Mr. Dahl moved to amend S.F. No. 1056 as follows:

Page 2, after line 13, insert:

"Sec. 5. [97A.443] [FISHING LICENSE FEE REFUND; RESIDENTS OVER AGE 65.]

*The commissioner shall refund the license fee to take fish by angling or spearing for a resident over age 65 that cannot afford the license fee. The commissioner must prescribe a form to be mailed to the commissioner to receive the refund. The form must contain a statement by the applicant that the applicant cannot afford the license fee and require the applicant to sign the refund form. The refund forms must be available where licenses are sold."*

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 29, as follows:

Those who voted in the affirmative were:

Beckman	Cohen	Kroening	Pehler	Vickerman
Benson	Dahl	Laidig	Pogemiller	Waldorf
Berglin	Davis	Larson	Ramstad	
Bernhagen	Dicklich	Lessard	Samuelson	
Bertram	Frank	Luther	Schmitz	
Chmielewski	Knaak	Metzen	Taylor	

Those who voted in the negative were:

Adkins	Frederickson, D.J.	Knutson	Morse	Renneke
Belanger	Frederickson, D.R.	Langseth	Peterson, D.C.	Storm
Berg	Freeman	Lantry	Peterson, R.W.	Stumpf
Brandl	Hughes	Marty	Piper	Wegscheid
DeCramer	Johnson, D.E.	Mehrkins	Purfeerst	Willet
Diessner	Jude	Moe, R.D.	Reichgott	

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

Mr. Morse moved to amend S.F. No. 1056 as follows:

Page 2, lines 21 and 22, reinstate the stricken language and delete the new language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	DeCramer	Mehrkens	Ramstad	Taylor
Beckman	Frederickson, D.J.	Morse	Renneke	Waldorf
Brataas	Jude	Olson	Samuelson	
Chmielewski	Larson	Piper	Schmitz	
Davis	Marty	Pogemiller	Stumpf	

Those who voted in the negative were:

Adkins	Dahl	Johnson, D.E.	Lessard	Reichgott
Belanger	Dicklich	Johnson, D.J.	Luther	Spear
Berg	Diessner	Knaak	McQuaid	Storm
Berglin	Frank	Knutson	Moe, R.D.	Vickerman
Bernhagen	Frederickson, D.R.	Kroening	Novak	Wegscheid
Bertram	Freeman	Laidig	Pehler	Willet
Brandl	Gustafson	Langseth	Peterson, D.C.	
Cohen	Hughes	Lantry	Peterson, R.W.	

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

Mr. Knutson moved to amend S.F. No. 1056 as follows:

Page 2, after line 13, insert:

"Sec. 5. Minnesota Statutes 1986, section 97A.441, subdivision 1, is amended to read:

Subdivision 1. [ANGLING AND SPEARING; DISABLED RESIDENTS.] Licenses to take fish by angling or spearing shall be issued without a fee to a resident that is:

(1) blind;

(2) a recipient of supplemental security income for the aged, blind, and disabled;

(3) a recipient of social security aid to the disabled under United States Code, title 42, section 416, paragraph (i)(1) or section 423(d); or

(4) is a recipient of workers' compensation based on a finding of total and permanent disability; or

(5) a recipient of disability benefits from any private or public disability program or plan which utilizes disability standards substantially equivalent to the social security aid to the disabled plan."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1056 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 35 and nays 29, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, D.M.	Purfeerst
Belanger	Frank	Kroening	Moe, R.D.	Reichgott
Berg	Frederickson, D.J.	Langseth	Novak	Solon
Brandl	Frederickson, D.R.	Lantry	Pehler	Spear
Cohen	Freeman	Lessard	Peterson, D.C.	Waldorf
Dahl	Hughes	Luther	Peterson, R.W.	Wegscheid
Davis	Johnson, D.J.	Marty	Piper	Willet

Those who voted in the negative were:

Anderson	Brataas	Knutson	Morse	Schmitz
Beckman	Chmielewski	Laidig	Olson	Storm
Benson	Dicklich	Larson	Pogemiller	Stumpf
Berglin	Gustafson	McQuaid	Ramstad	Taylor
Bernhagen	Johnson, D.E.	Mehrkins	Renneke	Vickerman
Bertram	Jude	Metzen	Samuelson	

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1521 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 1521: A bill for an act relating to local government; providing the Lake county housing and redevelopment authority with certain port authority powers.

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 53 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Jude	Moe, R.D.	Samuelson
Anderson	Davis	Knutson	Morse	Schmitz
Beckman	Dicklich	Kroening	Novak	Spear
Belanger	Diessner	Laidig	Pehler	Storm
Berglin	Frank	Lantry	Peterson, D.C.	Stumpf
Bernhagen	Frederickson, D.J.	Larson	Piper	Vickerman
Bertram	Frederickson, D.R.	Luther	Pogemiller	Waldorf
Brandl	Freeman	Marty	Purfeerst	Wegscheid
Brataas	Gustafson	McQuaid	Ramstad	Willet
Chmielewski	Johnson, D.E.	Mehrkins	Reichgott	
Cohen	Johnson, D.J.	Metzen	Renneke	

Mr. Benson voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1412 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 1412: A bill for an act relating to state land; authorizing private sale of certain tax-forfeited land in Lake county to city of Two Harbors; providing timing for 1987 sales of lakeshore lots; amending Minnesota Statutes 1986, section 92.67, subdivision 4.

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	Dahl	Jude	Novak	Schmitz
Anderson	Davis	Knutson	Olson	Spear
Beckman	Dicklich	Kroening	Pehler	Storm
Belanger	Diessner	Laidig	Peterson, D.C.	Stumpf
Benson	Frank	Lantry	Piper	Vickerman
Berglin	Frederickson, D.J.	Larson	Pogemiller	Waldorf
Bertram	Frederickson, D.R.	Luther	Purfeerst	Willet
Brandl	Freeman	Marty	Ramstad	
Brataas	Gustafson	McQuaid	Reichgott	
Chmielewski	Johnson, D.E.	Mehrkens	Renneke	
Cohen	Johnson, D.J.	Morse	Samuelson	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 947 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 947: A bill for an act relating to state lands; authorizing private sales of certain tax-forfeited land in St. Louis county.

Mr. Johnson, D.J. moved to amend H.F. No. 947, as amended pursuant to Rule 49, adopted by the Senate April 23, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 940.)

Page 1, delete lines 14 to 16 and insert "*Floodwood, Minnesota, by private sale but otherwise in accordance with Minnesota Statutes, chapter 282.*"

Page 2, after line 2, insert:

"Sec. 2. [TAX-FORFEITED LAND SALE; ST. LOUIS COUNTY.]

*Notwithstanding the public sale requirements of Minnesota Statutes, section 282.01, St. Louis county may sell and convey tax-forfeited land described in this section to Jerald J. Chesney, 139 Fish Lake Road, Duluth, Minnesota, by private sale, but otherwise in accordance with Minnesota Statutes, chapter 282.*

*The land that may be sold is in St. Louis county and described as:*

*The East half of the Northwest quarter of the Northeast quarter, Section 25, Township 52 North, Range 15 West, consisting of approximately 20 acres.*

*The land to be conveyed had been previously owned by the Chesney family and part of the Chesney salvage business is located on the property to be conveyed.*

Sec. 3. [TAX-FORFEITED LAND SALE; ST. LOUIS COUNTY.]

*Notwithstanding Minnesota Statutes, section 282.018, and the public sale requirements of Minnesota Statutes, section 282.01, St. Louis county may sell and convey the tax-forfeited land described in this section to Mark G. Peterson and Mildred A. Peterson of 104 West Mankato Street, Duluth, Minnesota, by private sale, but otherwise in accordance with Minnesota Statutes, chapter 282.*

*The land that may be sold is a 0.73 acre parcel on Linwood Lake in St. Louis county and described as:*

*The North 45 feet of Government Lot 2, Section 28, Township 56 North, Range 14 West.*

*A recent survey has shown that a cabin was inadvertently built over the boundary of the Peterson property."*

Page 2, delete line 3 and insert:

"Sec. 4. [TAX-FORFEITED LAND SALE TO CITY OF WINTON; ST. LOUIS COUNTY.]"

Page 2, line 4, after the second comma, insert "*and the public sale provision of chapter 282,*"

Page 2, line 6, before the period, insert "*by private sale*"

Page 2, line 18, delete "225.00" and insert "255.00"

Page 2, delete lines 28 to 36 and insert:

"Sec. 5. [CONVEYANCE OF TAX-FORFEITED LAND; LAKE COUNTY.]

*Notwithstanding any other law, Lake county may convey without consideration the tax-forfeited land described in this section to the city of Two Harbors, Minnesota."*

Page 3, line 3, delete "*sold*" and insert "*conveyed*"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 947 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 1, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Johnson, D.E.	Metzen	Renneke
Anderson	Dahl	Johnson, D.J.	Moe, R.D.	Samuelson
Beckman	Davis	Jude	Morse	Schmitz
Belanger	Dicklich	Knutson	Novak	Solon
Benson	Diessner	Laidig	Olson	Spear
Berglin	Frank	Lantry	Pehler	Storm
Bernhagen	Frederickson, D.I.	Larson	Peterson, D.C.	Stumpf
Bertram	Frederickson, D.R.	Luther	Piper	Taylor
Brandl	Freeman	Marty	Pogemiller	Vickerman
Brataas	Gustafson	McQuaid	Ramstad	Waldorf
Chmielewski	Hughes	Mehrkens	Reichgott	Willet

Mr. Kroening voted in the negative.

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1200 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 1200: A bill for an act relating to human rights; defining "employee" to include commission salespersons for certain purposes; clarifying certain provisions; amending Minnesota Statutes 1986, sections 181.81, subdivision 1; and 363.01, by adding a subdivision.

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	Dahl	Johnson, D.J.	Metzen	Samuelson
Anderson	Davis	Jude	Moe, R.D.	Schmitz
Beckman	Dicklich	Knutson	Morse	Solon
Belanger	Diessner	Kroening	Novak	Spear
Benson	Frank	Laidig	Olson	Storm
Berglin	Frederickson, D.J.	Lantry	Pehler	Stumpf
Bertram	Frederickson, D.R.	Larson	Peterson, D.C.	Taylor
Brandl	Freeman	Luther	Piper	Vickerman
Brataas	Gustafson	Marty	Pogemiller	Waldorf
Chmielewski	Hughes	McQuaid	Ramstad	Willet
Cohen	Johnson, D.E.	Mehrkens	Renneke	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1590 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 1590: A bill for an act relating to education; clarifying the authority of school boards to appoint directors of area vocational technical institutes; amending Minnesota Statutes 1986, section 136C.05, subdivision 1.

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	Dahl	Knutson	Morse	Solon
Anderson	Davis	Kroening	Olson	Spear
Beckman	Dicklich	Laidig	Pehler	Storm
Belanger	Diessner	Lantry	Peterson, D.C.	Stumpf
Benson	Frank	Larson	Piper	Taylor
Berglin	Frederickson, D.J.	Luther	Pogemiller	Vickerman
Bertram	Frederickson, D.R.	Marty	Ramstad	Waldorf
Brandl	Freeman	McQuaid	Reichgott	Willet
Brataas	Hughes	Mehrkens	Renneke	
Chmielewski	Johnson, D.E.	Metzen	Samuelson	
Cohen	Jude	Moe, R.D.	Schmitz	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 230 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 230: A bill for an act relating to elections; authorizing combination of certain municipalities for election purposes; amending Minnesota Statutes 1986, sections 204B.14, subdivisions 2, 4, 5, and by adding a subdivision; 204B.21, subdivision 2; and 204B.22, subdivision 1.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Jude	Moe, R.D.	Samuelson
Anderson	Dahl	Knutson	Morse	Schmitz
Beckman	Davis	Kroening	Olson	Solon
Belanger	Dicklich	Laidig	Pehler	Storm
Benson	Diessner	Lantry	Peterson, D.C.	Stumpf
Berglin	Frank	Larson	Piper	Taylor
Bernhagen	Frederickson, D.J.	Marty	Pogemiller	Vickerman
Bertram	Frederickson, D.R.	McQuaid	Purfeerst	Waldorf
Brandl	Freeman	Mehrken	Ramstad	Willet
Brataas	Hughes	Metzen	Reichgott	
Chmielewski	Johnson, D.E.	Moe, D.M.	Renneke	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 575 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 575: A resolution memorializing the President and Congress to immediately direct the Farmers Home Administration to participate in and cooperate with the Farmer-Lender Mediation Program in the State of Minnesota.

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

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 48 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Hughes	Metzen	Samuelson
Beckman	Dahl	Johnson, D.E.	Moe, R.D.	Schmitz
Belanger	Davis	Jude	Morse	Solon
Benson	Dicklich	Knutson	Novak	Spear
Berglin	Diessner	Langseth	Olson	Stumpf
Bernhagen	Frank	Lantry	Peterson, D.C.	Taylor
Bertram	Frederickson, D.J.	Larson	Piper	Vickerman
Brandl	Frederickson, D.R.	Luther	Pogemiller	Willet
Brataas	Freeman	Marty	Purfeerst	
Chmielewski	Gustafson	McQuaid	Reichgott	

Messrs. Kroening, Laidig, Storm and Waldorf voted in the negative.

So the resolution passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 836 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 836: A bill for an act relating to natural resources; revising the boundary of Lost River State Forest; amending Minnesota Statutes 1986, section 89.021, subdivision 59.

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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Hughes	Mehrkens	Renneke
Beckman	Dahl	Johnson, D.E.	Moe, R.D.	Samuelson
Belanger	Davis	Jude	Morse	Solon
Benson	Dicklich	Laidig	Novak	Spear
Berglin	Diessner	Langseth	Olson	Storm
Bernhagen	Frank	Lantry	Peterson, D.C.	Stumpf
Bertram	Frederickson, D.I.	Larson	Piper	Taylor
Brandl	Frederickson, D.R.	Luther	Pogemiller	Vickerman
Brataas	Freeman	Marty	Purfeerst	Waldorf
Chmielewski	Gustafson	McQuaid	Reichgott	Willet

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1204 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 1204: A bill for an act relating to Hennepin county; providing for the management of county health facilities; permitting the county board to hold closed meetings on certain medical center business; permitting certain data to be treated as trade secret information; amending Minnesota Statutes 1986, section 383B.217, subdivision 7.

Mr. Luther moved to amend H.F. No. 1204, as amended pursuant to Rule 49, adopted by the Senate May 6, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1351.)

Page 2, lines 15 and 16, delete "marketing efforts for the medical center's"

Page 2, line 19, after "would" insert "clearly"

Page 2, line 35, after the period, insert "A contract entered into by the county board at a meeting held on behalf of the medical center is subject to section 471.345. All bids and any related materials that are considered at the meeting must be retained for a period of not less than five years. After the expiration of the term of any contract entered into pursuant to this subdivision or a period of two years, whichever is less, the contract, the bids, and any related materials are public data. The contract, the bids, and any related materials are subject to review by the state auditor at any time."

Page 2, line 36, delete "marketing efforts for the medical" and insert "specific"

Page 3, line 1, delete "center's"

Page 3, line 2, delete "and" and insert "or"



Page 3, line 5, after "would" insert "clearly"

Page 3, line 6, after the period, insert "*The data are trade secret information for the term of the contract or a two-year period, whichever is less.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1204 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 13, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Gustafson	McQuaid	Purfeerst
Anderson	Dahl	Hughes	Mehrkens	Reichgott
Beckman	Davis	Johnson, D.E.	Metzen	Samuelson
Belanger	Dicklich	Jude	Moe, R.D.	Schmitz
Berg	Diessner	Kroening	Novak	Solon
Berglin	Frederick	Langseth	Olson	Stumpf
Bernhagen	Frederickson, D.J.	Lantry	Peterson, D.C.	Taylor
Bertram	Frederickson, D.R.	Lessard	Piper	Vickerman
Brandl	Freeman	Luther	Pogemiller	Willet

Those who voted in the negative were:

Benson	Frank	Laidig	Peterson, R.W.	Wegscheid
Brataas	Knaak	Larson	Renneke	
Cohen	Knutson	Merriam	Spear	

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 285 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 285: A bill for an act relating to liquor laws; eliminating vicarious criminal liability for the employer of an individual who violates a liquor law; reenacting certain amendments to the dram shop act; providing for liability of professional review organizations; amending Minnesota Statutes 1986, sections 145.63; 340A.501; and 340A.801, subdivision 1; repealing Minnesota Statutes 1986, section 340A.801, subdivision 5.

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	Cohen	Johnson, D.E.	Merriam	Samuelson
Anderson	Dahl	Jude	Metzen	Schmitz
Beckman	Davis	Knaak	Moe, R.D.	Solon
Belanger	Dicklich	Kroening	Novak	Spear
Benson	Diessner	Laidig	Olson	Stumpf
Berg	Frank	Langseth	Peterson, D.C.	Taylor
Berglin	Frederick	Lantry	Peterson, R.W.	Vickerman
Bernhagen	Frederickson, D.J.	Larson	Piper	Waldorf
Bertram	Frederickson, D.R.	Lessard	Pogemiller	Wegscheid
Brandl	Freeman	Luther	Purfeerst	Willet
Brataas	Gustafson	McQuaid	Reichgott	
Chmielewski	Hughes	Mehrkens	Renneke	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 806 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 806: A bill for an act relating to human services; requiring certain written reports of abuse within 72 hours; requiring county attorneys to be on child protection teams; requiring specific investigations of certain abuse cases; amending Minnesota Statutes 1986, sections 626.556, subdivisions 7, 10, and 10a; and 626.558, subdivisions 1, 2, and 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Jude	Mehrkens	Renneke
Anderson	Davis	Knaak	Merriam	Samuelson
Beckman	Dicklich	Knutson	Metzen	Schmitz
Belanger	Frank	Kroening	Morse	Solon
Benson	Frederick	Laidig	Novak	Spear
Berg	Frederickson, D.J.	Langseth	Peterson, D.C.	Taylor
Berglin	Frederickson, D.R.	Lantry	Peterson, R.W.	Vickerman
Bernhagen	Freeman	Larson	Piper	Waldorf
Bertram	Gustafson	Lessard	Pogemiller	Wegscheid
Brandl	Hughes	Luther	Purfeerst	Willet
Brataas	Johnson, D.E.	McQuaid	Reichgott	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 909 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 909: A bill for an act relating to waters; changing the posting and publication of notice requirements for aeration operations by a permittee of the commissioner of natural resources; providing an exclusion from government tort liability; amending Minnesota Statutes 1986, sections 3.736, subdivision 3; and 378.22, subdivisions 2 and 3.

Mr. Berg moved to amend H.F. No. 909, as amended pursuant to Rule 49, adopted by the Senate May 4, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 801.)

Page 3, line 4, delete everything after "resources"

Page 3, line 5, delete everything before the period.

The motion prevailed. So the amendment was adopted.

H.F. No. 909 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Jude	Merriam	Reichgott
Anderson	Davis	Knaak	Metzen	Renneke
Beckman	Dicklich	Kroening	Moe, D.M.	Schmitz
Belanger	Diessner	Laidig	Morse	Solon
Benson	Frank	Langseth	Olson	Spear
Berg	Frederick	Lantry	Pehler	Stumpf
Berglin	Frederickson, D.J.	Larson	Peterson, D.C.	Taylor
Bernhagen	Frederickson, D.R.	Lessard	Peterson, R.W.	Vickerman
Bertram	Freeman	Luther	Piper	Waldorf
Brandl	Gustafson	Marty	Pogemiller	Wegscheid
Brataas	Hughes	McQuaid	Purfurst	Willet
Cohen	Johnson, D.E.	Mehrkins	Ramstad	

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1369 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 1369: A bill for an act relating to traffic safety; speed limit; increasing the speed limit on rural interstate highways to 65 miles per hour; allowing speed violation to be recorded on driver's record if violation occurs on a rural interstate; repealing governor's authority to establish speed limits; amending Minnesota Statutes 1986, sections 169.14, subdivision 2; 169.99, subdivision 1b; and 171.12, subdivision 6; repealing Minnesota Statutes 1986, section 169.141.

### CALL OF THE SENATE

Mr. Purfurst imposed a call of the Senate for the balance of the proceedings on S.F. No. 1369. The Sergeant at Arms was instructed to bring in the absent members.

Mrs. Lantry moved to amend S.F. No. 1369 as follows:

Page 2, delete sections 2 and 3

Page 2, line 28, delete "section 169.141, is" and insert "sections 169.141; 169.99, subdivision 1b; and 171.12, subdivision 6; are"

Page 2, line 30, delete "to 4" and insert "and 2"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to traffic safety; speed limit; increasing the speed limit on rural interstate highways to 65 miles per hour; requiring all speeding violations to be recorded on drivers' records; repealing governor's authority to establish speed limits; amending Minnesota Statutes 1986, section 169.14, subdivision 2; repealing Minnesota Statutes 1986, sections 169.141; 169.99, subdivision 1b; and 171.12, subdivision 6."

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend S.F. No. 1369 as follows:

Page 2, after line 26, insert:

"Sec. 4. [171.172] [SUSPENSIONS; AGGRAVATED VIOLATION OF SPEED LIMIT.]

*The commissioner shall suspend for a period of 15 days the driver's license of a person who is convicted of a violation of section 169.14, subdivision 2, clause (2), if the conviction is based on a speed of 85 miles per hour or more. For a second or subsequent violation within one year, the commissioner shall suspend the license for a period of 30 days. In suspending a license under this section, the commissioner shall follow the suspension and hearing procedures of section 171.18."*

Page 2, line 30, delete "4" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "requiring suspension of driver's license for a speeding violation of 85 miles per hour or more;"

Page 1, line 9, after the second semicolon, insert "proposing coding for new law in Minnesota Statutes, chapter 171;"

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

S.F. No. 1369 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 21, as follows:

Those who voted in the affirmative were:

Anderson	Dicklich	Knutson	Moe, R.D.	Ramstad
Belanger	Diessner	Lantry	Morse	Reichgott
Benson	Frederick	Larson	Novak	Samuelson
Berg	Frederickson, D.R.	Lessard	Olson	Solon
Berglin	Freeman	Luther	Pehler	Spear
Bernhagen	Gustafson	Marty	Peterson, D.C.	Stumpf
Bertram	Hughes	Mehrken	Piper	Taylor
Chmielewski	Johnson, D.E.	Metzen	Pogemiller	Wegscheid
Dahl	Jude	Moe, D.M.	Purfeerst	

Those who voted in the negative were:

Adkins	Davis	Kroening	Peterson, R.W.	Willet
Beckman	Frank	Laidig	Renneke	
Brandl	Frederickson, D.J.	Langseth	Schmitz	
Brataas	Johnson, D.J.	McQuaid	Vickerman	
Cohen	Knaak	Merriam	Waldorf	

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 682 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 682: A bill for an act relating to human services; expanding employment and training services in the aid to families with dependent children program; changing standards of eligibility for general assistance recipients and work readiness recipients; implementing immediate income withholding; modifying the child care sliding fee program; establishing the family health insurance program; changing standards of eligibility for the medical assistance program; amending Minnesota Statutes 1986, sections 144.219; 256.01, subdivision 2; 256.736, subdivisions 3, 4, 6, and 8, and

by adding subdivisions; 256.74, subdivision 1; 256B.06, subdivision 1; 256D.01, subdivision 1a; 256D.02, subdivisions 5 and 8 and by adding a subdivision; 256D.03, subdivision 2; 256D.05, subdivision 1; 256D.051, subdivisions 1, 2, 6, and 8; 256D.06, subdivisions 1, 1b, and 2; 256D.08, subdivision 1; 256D.101; 256D.15; 257.33; 257.34, subdivision 1; 257.57, subdivision 2; 257.60; 257.62, by adding a subdivision; 257.63, subdivision 2; 267.02, by adding a subdivision; 267.03, subdivision 2; 268.0122, subdivision 3; 268.86, subdivision 2; 268.871, subdivisions 1 and 2, and by adding a subdivision; 268.88; 268.91, subdivisions 1, 2, 3, 4, 5, and 6, and by adding subdivisions; 510.07; 518.131, subdivision 7; 518.171, subdivision 1; 518.24; 518.551, subdivision 1, and by adding a subdivision; 518.57, subdivision 1; 518.611, subdivisions 1, 2, 3, 4, 6, and 8, and by adding a subdivision; 518.64, subdivision 2; and 518.645; proposing coding for new law in Minnesota Statutes, chapters 256, 256D, and 518; repealing Minnesota Statutes 1986, sections 256D.051, subdivisions 4, 5, and 12; 257.34, subdivision 2; and 268.86, subdivisions 1, 3, 4, and 5.

S.F. No. 682 was read the third time.

### CALL OF THE SENATE

Mr. Lessard imposed a call of the Senate for the balance of the proceedings on S.F. No. 682. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Lessard moved that the rules of the Senate be so far suspended as to allow an amendment after third reading. The motion did not prevail.

Mr. Knaak moved that S.F. No. 682, No. 29 on Special Orders, be stricken and placed at the top of General Orders.

The question was taken on the adoption of the motion.

Mr. Lessard 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 31 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Diessner	Knutson	Merriam	Stumpf
Benson	Frank	Kroening	Metzen	Taylor
Berg	Frederick	Laidig	Morse	Vickerman
Bernhagen	Gustafson	Langseth	Olson	
Bertram	Hughes	Larson	Renneke	
Chmielewski	Jude	Lessard	Schmitz	
Dahl	Knaak	Mehrkens	Storm	

Those who voted in the negative were:

Adkins	Davis	Lantry	Pehler	Samuelson
Beckman	DeCramer	Luther	Peterson, D.C.	Solon
Belanger	Dicklich	Marty	Piper	Spear
Berglin	Frederickson, D.J.	McQuaid	Pogemiller	Waldorf
Brandl	Frederickson, D.R.	Moe, D.M.	Purfeerst	Wegscheid
Brataas	Freeman	Moe, R.D.	Ramstad	Willet
Cohen	Johnson, D.E.	Novak	Reichgott	

The motion did not prevail.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.E.	Moe, R.D.	Schmitz
Anderson	Davis	Jude	Morse	Solon
Beckman	DeCramer	Knutson	Novak	Spear
Belanger	Dicklich	Langseth	Olson	Storm
Benson	Djessner	Lantry	Pehler	Taylor
Berg	Frank	Larson	Peterson, D.C.	Vickerman
Berglin	Frederick	Lessard	Piper	Waldorf
Bernhagen	Frederickson, D.J.	Luther	Pogemiller	Wegscheid
Bertram	Frederickson, D.R.	Marty	Purfeerst	Willet
Brandl	Freeman	McQuaid	Ramstad	
Brataas	Gustafson	Mehrkens	Reichgott	
Cohen	Hughes	Moe, D.M.	Renneke	

Those who voted in the negative were:

Chmielewski	Kroening	Merriam	Samuelson	Stumpf
Knaak	Laidig	Metzen		

So the bill passed and its title was agreed to.

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 529:

Messrs. Johnson, D.J.; Brandl; Stumpf; Pogemiller and Novak. The motion prevailed.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### NOTICE OF RECONSIDERATION

Mr. Lessard gave notice of intention to move for reconsideration of S.F. No. 682.

#### RECONSIDERATION

Mrs. Lantry moved that the vote whereby S.F. No. 682 was passed by the Senate on May 7, 1987, be now reconsidered.

#### CALL OF THE SENATE

Mrs. Lantry imposed a call of the Senate for the balance of the proceedings on S.F. No. 682. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the motion of Mrs. Lantry. The motion prevailed. So the vote was reconsidered.

Mr. Lessard moved to amend S.F. No. 682 as follows:

Page 78, lines 20 and 21, reinstate the stricken language

Page 78, line 22, delete the new language

Pages 82 to 84, delete sections 83 and 84

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 46, as follows:

Those who voted in the affirmative were:

Bernhagen	Jude	Langseth	Renneke	Wegscheid
Chmielewski	Knaak	Lessard	Samuelson	
Dahl	Knutson	Mehrkens	Schmitz	
Diessner	Kroening	Merriam	Solon	
Frederick	Laidig	Metzen	Stumpf	

Those who voted in the negative were:

Adkins	Cohen	Johnson, D.E.	Novak	Spear
Anderson	Davis	Johnson, D.J.	Olson	Storm
Beckman	DeCramer	Lantry	Pehler	Taylor
Belanger	Dicklich	Larson	Peterson, D.C.	Vickerman
Benson	Frank	Luther	Peterson, R.W.	Waldorf
Berg	Frederickson, D.J.	Marty	Piper	Willet
Berglin	Frederickson, D.R.	McQuaid	Pogemiller	
Bertram	Freeman	Moe, D.M.	Purfeerst	
Brandl	Gustafson	Moe, R.D.	Ramstad	
Brataas	Hughes	Morse	Reichgott	

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

Mr. Lessard then moved to amend S.F. No. 682 as follows:

Page 83, line 24, delete everything after the period

Page 83, delete line 25

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

Adkins	Frederick	Kroening	Metzen	Schmitz
Anderson	Frederickson, D.R.	Laidig	Novak	Solon
Benson	Freeman	Langseth	Olson	Stumpf
Bernhagen	Gustafson	Larson	Peterson, R.W.	Taylor
Bertram	Johnson, D.E.	Lessard	Purfeerst	Vickerman
Chmielewski	Jude	McQuaid	Ramstad	
Dahl	Knaak	Mehrkens	Renneke	
Diessner	Knutson	Merriam	Samuelson	

Those who voted in the negative were:

Beckman	Cohen	Johnson, D.J.	Morse	Spear
Belanger	Davis	Lantry	Pehler	Storm
Berg	DeCramer	Luther	Peterson, D.C.	Waldorf
Berglin	Dicklich	Marty	Piper	Wegscheid
Brandl	Frank	Moe, D.M.	Pogemiller	Willet
Brataas	Frederickson, D.J.	Moe, R.D.	Reichgott	

The motion prevailed. So the amendment was adopted.

Mr. Benson moved to amend S.F. No. 682 as follows:

Page 1, after line 38, insert:

"Section 1. Minnesota Statutes 1986, section 126.67, is amended by adding a subdivision to read:

*Subd. 3b. [STATEWIDE LITERACY ASSESSMENT.] By January 1, 1988, each school district shall adopt the literacy assessment test adopted*

*by the commissioner of human services to assess the literacy of general assistance recipients. During the 1988-1989 school year, each district shall use this assessment test to measure the achievement level of students enrolled in the tenth grade. The results of the district assessments under this subdivision shall be reported to the department of education each year."*

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title accordingly

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

S.F. No. 682 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 63 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Moe, D.M.	Renneke
Anderson	DeCramer	Knutson	Moe, R.D.	Samuelson
Beckman	Dicklich	Kroening	Morse	Schmitz
Belanger	Diessner	Laidig	Novak	Solon
Benson	Frank	Langseth	Olson	Spear
Berg	Frederick	Lantry	Pehler	Storm
Berglin	Frederickson, D.J.	Larson	Peterson, D.C.	Stumpf
Bernhagen	Frederickson, D.R.	Luther	Peterson, R.W.	Taylor
Bertram	Freeman	Marty	Piper	Vickerman
Brandl	Gustafson	McQuaid	Pogemiller	Waldorf
Brataas	Johnson, D.E.	Mehrkens	Purfeerst	Willet
Cohen	Johnson, D.J.	Merriam	Ramstad	
Dahl	Jude	Metzen	Reichgott	

Messrs. Chmielewski and Lessard voted in the negative.

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

## RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 6:00 p.m. The motion prevailed.

The hour of 6:00 p.m. having arrived, the President called the Senate to order.

## RECESS

Mr. Cohen moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

## CALL OF THE SENATE

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

## CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Peterson, R.W. moved that the following members be excused for a Conference Committee on H.F. No. 753 at 7:30 p.m.:



Messrs. Peterson, R. W.; DeCramer; Pehler; Mses. Reichgott and Peterson, D.C. The motion prevailed.

### MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Orders of Business of Messages From the House, First Reading of House Bills, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills. The motion prevailed.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1081, 1204 and 1313.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. President:

I have the honor to announce that the House accedes to the request of the Senate for the return of Senate File No. 1044 for further consideration.

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

Senate File No. 1044 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. Dahl moved that S.F. No. 1044 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. 1308: A bill for an act relating to game and fish; designation and use of waterfowl feeding or resting areas; amending Minnesota Statutes 1986, section 97A.095, subdivision 2.

Senate File No. 1308 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

**CONCURRENCE AND REPASSAGE**

Mr. Marty moved that the Senate concur in the amendments by the House to S.F. No. 1308 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1308 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Knaak	Mehrkens	Spear
Anderson	Cohen	Knutson	Merriam	Storm
Beckman	Dahl	Laidig	Metzen	Vickerman
Belanger	Diessner	Langseth	Moe, R.D.	Wegscheid
Benson	Frank	Lantry	Morse	Willet
Berg	Frederickson, D.J.	Larson	Piper	
Berglin	Freeman	Luther	Purfeerst	
Bertram	Gustafson	Marty	Ramstad	
Brataas	Jude	McQuaid	Schmitz	

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 has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

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

There has been appointed as such committee on the part of the House: Jacobs, Osthoff and Bennett.

Senate File No. 1114 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1152: A bill for an act relating to alcoholic beverages; limiting imports by individuals; maximum volume for volume prices; purchases by delinquent licensees; restricting employment of minors in nonintoxicating liquor premises; providing for inspections; amending Minnesota Statutes

1986, sections 297C.09; 340A.302, subdivision 1; 340A.312, subdivision 2; 340A.318, subdivisions 1 and 3; and 340A.411, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

There has been appointed as such committee on the part of the House: Jacobs, Ogren and Bennett.

Senate File No. 1152 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

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

There has been appointed as such committee on the part of the House: Nelson, D.; Pauly and Larsen.

Senate File No. 353 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

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. 948: A bill for an act relating to crimes; permitting evidence showing a tendency to fabricate allegations of sexual assault; requiring three days' notice of intent to introduce evidence of victim's prior sexual conduct; amending Minnesota Statutes 1986, section 609.347, subdivisions 3, 4, and 6.

Senate File No. 948 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

### CONCURRENCE AND REPASSAGE

Ms. Berglin moved that the Senate concur in the amendments by the House to S.F. No. 948 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 948 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Knaak	McQuaid	Schmitz
Anderson	Dahl	Knutson	Mehrkens	Spear
Beckman	Diessner	Kroening	Merriam	Storm
Benson	Frank	Laidig	Metzen	Vickerman
Berg	Frederick	Langseth	Moe, R.D.	Wegscheid
Berglin	Frederickson, D.J.	Lantry	Morse	Willet
Bertram	Freeman	Larson	Piper	
Brataas	Gustafson	Luther	Purfeerst	
Chmielewski	Jude	Marty	Ramstad	

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 House File, herewith transmitted: H.F. No. 1315.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1987

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1315: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; providing for a study of the Minnesota veterans' home; providing for information systems management; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; amending Minnesota Statutes 1986, sections 2.722, subdivision 1; 3.099, subdivision 3; 3.30, subdivision 2; 3.85, subdivision 12; 3C.11, subdivision 2; 3C.12, subdivision 7; 8.15; 14.07, subdivisions 1 and 2; 14.08; 14.47, subdivision 8; 15.01; 15.06, subdivision 1; 15A.081, subdivision 1; 16A.127, subdivision 8; 16A.85, by adding a subdivision; 16B.20, subdivision 2; 16B.41; 16B.42, subdivision 4; 69.021, subdivision 5; 84.01, subdivision 3; 84.0272; 84.091, subdivision 3; 84.83, subdivision 3; 85.30; 85.41; 85.42; 85.43; 85.45; 85A.04, subdivision 1; 88.065; 88.17, subdivision 2; 88.75, subdivision 1; 88.76; 88.79, subdivision 2; 89.04; 92.46, subdivision 1; 92.67, subdivisions 1, 4, and by adding a subdivision; 93.335, subdivision 4; 97A.061, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivision 1; 97A.415, subdivision 1; 97A.445, subdivision 1; 97A.451, subdivision 4; 97A.475, subdivisions 2, 3, 6, 7, 8, 9, 11, 12, 13, and 20; 97A.485, subdivision 6; 97C.211, by adding a subdivision; 115A.15, subdivision 6; 115A.42;

115A.44; 115A.45; 115A.46, subdivision 1; 115A.49; 115A.51; 115A.52; 115A.53; 115A.917; 116.41, subdivision 2; 116J.615, by adding a subdivision; 116M.06, subdivisions 2 and 4; 116M.11, subdivision 2; 161.1419, subdivision 4; 175A.07, subdivision 2; 176.611, subdivisions 2, 6a, and by adding a subdivision; 179A.03, subdivision 17; 179A.04, subdivision 3; 179A.13; 179A.16; 179A.21; 179A.25; 197.481, subdivision 5; 204B.11, subdivision 1; 221.67; 271.01, by adding a subdivision; 273.1314, subdivision 16a; 296.16, subdivision 1; 296.421, subdivision 5; 302A.011, subdivision 11; 302A.153; 303.13, subdivision 1; 303.21, subdivision 3; 317.67, subdivision 2; 322A.16; 322A.71; 330.11, subdivision 3; 333.055, subdivision 3; 363.05, subdivision 1; 363.071, subdivision 2; 363.14, subdivision 1; 403.11, subdivision 1; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; 473.351, by adding a subdivision; 480.241; 480A.08, subdivision 3; 540.152; 543.08; 609.101; 626.861, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 43A; 84; 86; 88; 89; 93; 97A; 97C; 115A; 480; 481; repealing Minnesota Statutes 1986, sections 3.9226, subdivision 8; 3C.035, subdivision 2; 3C.055; 3C.056; 3C.057; 6.495, subdivision 2; 92.67, subdivision 6; 116J.87; 179A.03, subdivision 3; 179A.05; 296.421, subdivision 5a; 363.01, subdivisions 14 and 26; 363.04, subdivisions 1, 2, 9, and 10; 363.12, subdivision 3; 363.121; 473.351, subdivision 5.

Mr. Moe, R.D. moved that H.F. No. 1315 be laid on the table. The motion prevailed.

### REPORTS OF COMMITTEES

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

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

Senate Concurrent Resolution No. 10: A Senate concurrent resolution relating to the legislature; requiring a study of broadcasting the proceedings and hearings of the Senate and House of Representatives.

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

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

S.F. No. 81: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 23; article V, sections 1, 3, and 4; article VII, section 8; article VIII, section 2; article XI, sections 6, 7, 8, and 10; and article XIII, section 11; combining the offices of state treasurer, state auditor, and secretary of state into the office of state comptroller; providing that the first comptroller would be elected in 1990; transferring the powers, responsibilities, and duties of the state auditor, the secretary of state, and the state treasurer to the state comptroller.

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

H.F. No. 391: A bill for an act relating to crimes; increasing penalties for distributing controlled substances to a minor or employing a minor to distribute controlled substances; defining measurement and purity requirements of controlled substances for criminal and tax law purposes; amending Minnesota Statutes 1986, sections 152.15, subdivisions 1 and 4; 297D.01, subdivision 3; and 297D.07.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for May 5, 1987, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

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

S.F. No. 1497: A bill for an act relating to water pollution; providing for grants and loans for the construction and rehabilitation of wastewater treatment facilities and systems; authorizing rulemaking; amending Minnesota Statutes 1986, section 116.18, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Page 4, line 24, delete "\$100,000,000" and insert "\$1,000,000"

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

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

H.F. No. 642: A bill for an act relating to human services; prohibiting licensing of supportive living residences; requiring monitoring of facilities; providing for various levels of care for persons with mental illness; directing the commissioner of human services to review and alter rules relating to residential care facilities for persons with mental illness; requiring study of housing needs for persons with mental illness; prohibiting payment to newly-licensed facilities having more than four residents with mental illness; amending Minnesota Statutes 1986, sections 245.802, subdivision 1a, and by adding subdivisions; 256D.01, by adding a subdivision; and 256D.37, by adding a subdivision.

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

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

S.F. No. 1472: A bill for an act relating to traffic regulations; requiring certain persons convicted of DWI or a DWI-related offense and certain juveniles adjudicated for a DWI offense to undergo chemical use assessment; imposing a chemical dependency assessment charge on persons convicted of DWI or a DWI-related offense, and juveniles adjudicated for a DWI offense for the purpose of financing these chemical use assessments; appropriating money; amending Minnesota Statutes 1986, sections 169.121,

subdivision 5, and by adding a subdivision; 169.124; 169.125; 169.126, subdivisions 1, 2, 3, 4, 6, and by adding subdivisions; and 260.193, subdivision 8; repealing Minnesota Statutes 1986, section 169.126, subdivision 5.

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

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

S.F. No. 463: A bill for an act relating to commerce; providing enforcement powers; regulating securities; regulating the business of financial planning; restricting certain charges made by investment advisors and broker dealers; providing for the registration of securities; providing for disclosure of interest rate commitments; providing for the denial, suspension, and revocation of licenses and the censure of licensees; exempting the sale of certain stock of a closely-held corporation; exempting certain industrial revenue bond transactions; regulating real estate brokers and salespersons; prohibiting commission-splitting and rebating on timeshare and other recreational lands; providing for continuing education of brokers; regulating licensees acting as principals; regulating abandoned property; establishing a presumption of abandonment for certain profits or sums held by a co-operative; regulating the transfer and storage of abstracts of title to real property; transferring the powers and duties of the commissioner for the regulation of social and charitable organizations to the attorney general and providing for further regulation of such organizations; amending Minnesota Statutes 1986, sections 60A.17, subdivision 6c; 72A.27; 80A.06, subdivision 5; 80A.07, subdivision 1; 80A.09, subdivision 1; 80A.12, by adding a subdivision; 80A.14, subdivision 18; 80A.15, subdivisions 1 and 2; 80A.19, subdivision 1; 80A.23, subdivision 11; 80A.26, subdivision 3; 80C.17, subdivision 1; 82.17, subdivision 4; 82.19, subdivision 3; 82.21, subdivision 1; 82.22, subdivision 6; 82.24, subdivision 2; 82.34, subdivision 19; 308.12, by adding a subdivision; 309.50, subdivision 6; 309.515, subdivision 1; 309.52, subdivisions 1a and 2; 309.53, subdivisions 1a, 3, 4, and by adding a subdivision; 309.531; 309.533, by adding a subdivision; 309.54; 309.55, subdivision 6; 309.556; 309.56, subdivision 1; 309.57; 345.39; and 386.375; proposing coding for new law in Minnesota Statutes, chapters 45, 47, and 82; repealing Minnesota Statutes 1986, sections 72A.23; 72A.24; 72A.28; 80A.20; 80A.21; 80C.15; 80C.16, subdivision 1; 82.25; 82.26; 83.34; 83.35, subdivision 3; 238.085; 309.515, subdivision 3; 309.532; 309.533, subdivisions 2, 3, and 4; 309.534; 309.555; and 309.58.

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

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

S.F. No. 478: A bill for an act relating to insurance; requiring notification of group life or health coverage changes; eliminating mandatory temporary insurance agent licenses; requiring those who solicit insurance to act as agent for the insured; regulating surplus lines insurance; regulating rates and forms; regulating insurance plan administrators; regulating trust funds; regulating the renewal, nonrenewal, and cancellation of commercial liability and property insurance policies; authorizing employers to jointly self-insure for property or casualty liability and regulating these plans; providing continued group life coverage upon termination or layoff; providing for the

establishment and operation of the insurance guaranty association and the life and health guaranty association; regulating accident and health insurance; requiring group coverage for the treatment of eating disorders; regulating joint self-insurance employee health plans; requiring the treatment of pregnancy-related conditions in the same manner as other illnesses; mandating certain coverages; clarifying coverage for handicapped dependents; providing continued group accident and health coverage upon termination or layoff; requiring coverage of current spouse and children; imposing surety bond or securities requirements on certain health benefit plans; regulating Medicare supplement plan premium refunds; authorizing the renewal of certain long-term health policies; providing for the establishment and operation of the comprehensive health association and the joint underwriting association; providing comprehensive health insurance coverage for certain employees not eligible for Medicare; regulating fraternal benefit associations; regulating automobile insurance; providing for exemption from certain legal process of cash value, proceeds, or benefits under certain life insurance or annuity contracts; limiting the cancellation of fire insurance binders and policies; providing for administration of the FAIR plan; requiring accident prevention course premium reductions; limiting the grounds for cancellation or reduction in limits during the policy period; providing for the priority of security for payment of basic economic loss benefits; extending basic economic loss benefit protection; requiring coverages for former spouses; specifying membership on the assigned claims bureau; extending no-fault benefits to pedestrians who are struck by motorcycles; regulating township mutual insurance companies; providing for mandatory arbitration of certain claims; establishing a demonstration project to provide medical insurance to certain low income persons; requiring the commissioner to set rates for cooperative housing and neighborhood real estate trust insurance; authorizing investments in certain insurers; regulating trade practices; requiring life and health insurers to substantiate the underwriting standards they use; providing assigned risk plan coverage for certain vehicles used by the handicapped; regulating motor vehicle repairs; regulating certain self-insurance by political subdivisions; granting immunity from liability for volunteer coaches, managers, and officials; clarifying the statute of limitations applicable to actions regarding manufacturers or suppliers of material containing asbestos; modifying discounting of future damages; prescribing penalties; amending Minnesota Statutes 1986, sections 16A.133, subdivision 1; 45.024, subdivision 2; 60A.17, subdivisions 1a, 2c, 11, and 13; 60A.1701, subdivisions 7, and 8; 60A.196; 60A.197; 60A.198, subdivision 3; 60A.23, subdivision 8; 60A.29, subdivisions 2, 5, and 16, and by adding subdivisions; 60A.30; 60A.31; 60B.44, subdivisions 1, 4, 5, and 9; 60C.08, subdivision 1; 60C.09; 60C.12; 61A.28, subdivision 12; 61B.05, subdivision 1; 61B.09; 62A.041; 62A.043, by adding a subdivision; 62A.141; 62A.146; 62A.152, subdivision 2; 62A.17; 62A.21; 62A.27; 62A.31, subdivision 1a; 62A.43, subdivision 2, and by adding a subdivision; 62A.46, by adding a subdivision; 62A.48, subdivisions 1, 2, 6, and by adding a subdivision; 62A.50, subdivision 3; 62D.05, by adding a subdivision; 62D.102; 62E.06, subdivision 1; 62E.10, subdivision 2, and by adding subdivisions; 62E.14, by adding a subdivision; 62F.041, subdivision 2; 62F.06, subdivision 1; 62H.01; 62H.02; 62H.04; 62I.02, subdivisions 1, and 3, and by adding a subdivision; 62I.03, subdivision 5; 62I.04; 62I.12, subdivision 1; 62I.13, by adding a subdivision; 62I.16, subdivision 3; 62I.22, subdivision 2, and by adding a subdivision; 64B.11, subdivision 4; 64B.18; 64B.27; 65A.01, subdivision 3a; 65A.03, subdivision 1; 65A.10; 65A.29, by adding a subdivision; 65A.35, subdivi-



vision 5; 65A.39; 65B.03, subdivision 1; 65B.12; 65B.1311; 65B.16; 65B.21, subdivision 2; 65B.28; 65B.46; 65B.49, by adding a subdivision; 65B.525, subdivision 1; 65B.63, subdivision 1; 67A.05, subdivision 2; 67A.06; 67A.231; 70A.06, by adding a subdivision; 70A.08, subdivision 3; 72A.20, subdivisions 11, 17, and by adding subdivisions; 72A.31, subdivision 1; 169.045, subdivision 1, and by adding a subdivision; 471.98, subdivision 2; 604.07, subdivisions 2, 3, 4, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 60A; 61A; 62A; 62E; 65A; 65B; 72A; 256B; 541; and 604; proposing coding for new law as Minnesota Statutes, chapter 60E; repealing Minnesota Statutes 1986, sections 62A.12; and 67A.43, subdivision 3; and Minnesota Rules, parts 2700.2400 to 2700.2440.

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

Pages 38 and 39, delete section 51

Page 77, line 34, after "*vehicle*" insert "*, loss of rental income during the time of repair of the vehicle, and any administrative expenses incurred by the rental company as a result of property damage to the rented vehicle,*"

Page 95, line 21, delete "67, and 68" and insert "66, and 67"

Page 95, line 31, delete "124" and insert "123"

Page 96, lines 2 and 3, delete "60 to 62, 65, 74, 90, 119, 123, and 124" and insert "59 to 61, 64, 73, 89, 118, 122, and 123"

Page 96, line 4, delete "131" and insert "130"

Page 96, line 5, delete "135" and insert "134"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, delete everything after the semicolon

Page 1, line 18, delete everything before "regulating"

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 81, 1497, 1472, 463 and 478 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 391 and 642 were read the second time.

## MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, without objection, the Senate reverted to the Order of Business of Messages From the House. The motion prevailed.

## MESSAGES FROM THE HOUSE

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. 785: A bill for an act relating to crimes; eliminating consent defense to charge of depriving another of parental rights; allowing filing of felony charges before 14 days have elapsed; increasing penalty for depriving another of parental rights; amending Minnesota Statutes 1986, section 609.26, subdivisions 2, 5, and 6.

Senate File No. 785 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Ms. Peterson, D.C. moved that the Senate do not concur in the amendments by the House to S.F. No. 785, 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 to be appointed on the part of the House. The motion prevailed.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Remaining on the Order of Business of Motions and Resolutions, without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Diessner introduced—

S.F. No. 1527: A bill for an act relating to health; providing that patients and residents of health care facilities have a right to execute a declaration or designate a proxy to give informed consent in health care decisions; providing for execution of a declaration and designation of a proxy; establishing procedures for informed consent to health care; amending Minnesota Statutes 1986, section 144.651, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Judiciary.

### **CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Mr. Waldorf moved that the following members be excused for a Conference Committee on S.F. No. 1515 from 7:00 to 8:30 p.m.:

Messrs. Waldorf, Dicklich, Hughes, Taylor and Johnson, D.E. The motion prevailed.

### **CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Mr. Novak that the following members be excused for a Conference Committee on H.F. No. 529 at 7:00 p.m.:

Messrs. Johnson, D.J.; Brandt; Stumpf; Pogemiller and Novak. The mo-

tion prevailed.

### MOTIONS AND RESOLUTIONS - CONTINUED

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

### GENERAL ORDERS

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

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

S.F. Nos. 462, 634, 852 and H.F. Nos. 809, 924, 357, 102, 96, 653, 332, 1416, 1444, 1120 and 1213, which the committee recommends to pass.

S.F. No. 283, which the Committee recommends be re-referred to the Committee on Health and Human Services.

H.F. No. 1141, which the committee recommends to pass, subject to the following motions:

Mr. Merriam moved that the amendment made to H.F. No. 1141 by the Committee on Rules and Administration in the report adopted April 27, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Merriam then moved to amend H.F. No. 1141 as follows:

Page 1, line 8, delete everything before the second "the"

The motion prevailed. So the amendment was adopted.

H.F. No. 1420, which the committee recommends to pass with the following amendment offered by Mr. Renneke:

Amend H.F. No. 1420, as amended pursuant to Rule 49, adopted by the Senate May 6, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 611.)

Page 1, line 11, before "No" insert "(a)"

Page 1, line 21, after the period, insert "*An amateur radio license holder is not entitled to exercise the privilege granted by this paragraph if the license holder has been convicted in this state or elsewhere of a crime of violence, as defined in section 624.712, subdivision 5, unless ten years have elapsed since the person has been restored to civil rights or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence. For purposes of this section, "crime of violence" includes a crime in another state or jurisdiction that would have been a crime of violence if it had been committed in this state. Radio equipment installed, used, or possessed as permitted by this paragraph must be under the direct control of the license holder whenever it is used.*"

(b) Except as provided in paragraph (c)."

Page 1, after line 24, insert:

*"(c) An amateur radio license holder who exercises the privilege granted by paragraph (a) shall carry the amateur radio license in the motor vehicle at all times and shall present the license to a peace officer on request. A violation of this paragraph is a petty misdemeanor. A second or subsequent violation is a misdemeanor."*

The motion prevailed. So the amendment was adopted.

S.F. No. 677, which the committee recommends to pass with the following amendments offered by Messrs. Dicklich and Frank:

Mr. Dicklich moved to amend S.F. No. 677 as follows:

Page 2, line 23, delete *"to be nonessential or"*

Page 4, delete line 5

Page 4, after line 9, insert:

*"(12) inter-LATA and intra-LATA private line services;"*

Renumber the clauses in sequence

Page 7, delete lines 30 to 36 and insert:

*"In any proceeding to reclassify a service the person initiating the complaint has the burden of proving that the existing classification is inappropriate, except the telephone company providing the service has the burden of proving that the classification is appropriate when the proceeding is commenced by the commission on its own motion or when the complainant is the department or the attorney general."*

Page 11, line 11, delete everything after the period

Page 11, delete line 12

Page 11, line 13, delete *"of trade."*

Page 13, delete lines 19 to 24 and insert:

*"Subd. 2. [BOND.] Telephone companies offering services that have been found to be competitive shall maintain a bond if the company requires advance payments or deposits from its customers, unless waived by the commission. The bond must be issued by a surety company admitted to do business in this state in the principal sum of all deposits and advance payments to be held by the company. The department shall determine the amount of the bond and may require the company to supply information to determine the appropriate amount of the bond. The bond must be in favor of the state for the benefit of any customer who suffers the loss of a deposit or advance payment due to insolvency, cessation of business, or failure to return any unused portion of the deposit or advance payment. The bond must be filed with the department."*

The motion prevailed. So the amendment was adopted.

Mr. Frank moved to amend S.F. No. 677 as follows:

Pages 1 and 2, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 1421, which the committee recommends to pass with the fol-

lowing amendment offered by Mr. Luther:

Amend H.F. No. 1421, as amended pursuant to Rule 49, adopted by the Senate May 6, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1043.)

Page 9, line 12, after "*insureds*," insert "*or claimants against its insureds*"

The motion prevailed. So the amendment was adopted.

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved pursuant to the report from the Committee on Rules and Administration adopted by the Senate May 7, 1987, that Senate Concurrent Resolution No. 10, be laid on the table. The motion prevailed.

Mr. Renneke moved that S.F. No. 648, No. 20 on General Orders, be stricken and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Frank moved that H.F. No. 269, No. 3 on General Orders, be stricken and re-referred to the Committee on Transportation. The motion prevailed.

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 Messages From the House. The motion prevailed.

### MESSAGES FROM THE HOUSE

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. 911: A bill for an act relating to education; requiring school districts to make available instruction in Braille reading and writing to blind pupils; proposing coding for new law in Minnesota Statutes, chapter 126.

Senate File No. 911 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. Moe, R.D. moved that S.F. No. 911 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. 915: A bill for an act relating to crime; amending trespass law to prohibit harassment on private property; prohibiting following and stalking with intent to harass, abuse, or threaten; removing requirement that caller not disclose identity for purposes of misdemeanor harassing tele-

phone calls; prohibiting intentional harassment by delivering a letter or object; providing penalties; amending Minnesota Statutes 1986, sections 609.605, subdivision 1; 609.746; 609.79, subdivision 1; and 609.795.

Senate File No. 915 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. Moe, R.D. moved that S.F. No. 915 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. 1097: A bill for an act relating to crimes; domestic assault; requiring courts to issue written orders for conditional release; requiring arrest on violation of conditions of release; providing for notice to alleged victims of conditions of release; amending Minnesota Statutes 1986, section 629.72, subdivision 2, and by adding subdivisions.

Senate File No. 1097 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. Moe, R.D. moved that S.F. No. 1097 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. 1323: A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; amending Minnesota Statutes 1986, sections 169.123, subdivision 7; 325B.15; 487.01, subdivisions 2, 3, and 4; 487.21, subdivision 4; 487.23, subdivisions 1, 2, and 3; 487.25, subdivisions 1 and 2; 487.33, subdivision 1; 488A.01, subdivision 14; 488A.18, subdivision 14; 501.35; and 525.712; repealing Minnesota Statutes 1986, sections 466.03, subdivision 2; 487.39; and 595.04.

Senate File No. 1323 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1987

Mr. Moe, R.D. moved that S.F. No. 1323 be laid on the table. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

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

S.F. No. 1528: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain money in the state treasury; amending Minnesota Statutes 1986, sections 2.722, subdivision 1; 3.9226, subdivision 8; 3C.035, subdivisions 1 and 2; 3C.11, subdivision 2; 3C.12, subdivision 7; 8.15; 14.08; 14.26; 85A.04, subdivision 1; 97A.061, subdivision 1; 116.41, subdivision 2; 116C.712, by adding a subdivision; 168.012, subdivision 1c; 175A.07, subdivision 2; 176.183, subdivision 2; 176.611, subdivisions 2 and 6a, and by adding a subdivision; 204B.11, subdivision 1; 221.67; 271.01, by adding a subdivision; 290.431; 296.16, subdivision 1; 296.421, subdivision 5; 302A.011, subdivision 11; 302A.153; 303.07, subdivision 2; 303.13, subdivision 1; 303.21, subdivision 3; 317.67, subdivisions 2 and 3; 322A.16; 322A.71; 330.11, subdivision 3; 333.055, subdivision 3; 403.11, subdivision 1; 480.15, by adding a subdivision; 480.241; 480A.08, subdivision 3; 480A.09, subdivisions 1, 2, and 4; 484.68, subdivisions 3 and 5; 540.152; and 543.08; repealing Minnesota Statutes 1986, sections 296.421, subdivision 5a; and 473.351, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 5; 16A; 84; 480; 481; and 484.

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

## MEMBERS EXCUSED

Mr. Johnson, D.J. was excused from the Session of today at 11:20 a.m. Mr. Frederick was excused from the Session of today from 9:00 to 11:45 a.m. Mr. Lessard was excused from the Session of today from 9:00 to 9:30 a.m. and from 7:25 to 8:15 p.m. Ms. Peterson, D.C. was excused from the Session of today from 9:00 to 9:45 a.m. Mr. Gustafson was excused from the Session of today from 9:00 to 10:30 a.m. Messrs. Peterson, R.W.; Knaak; Lessard and Berg were excused from the Session of today from 10:45 to 11:45 a.m. Mr. Ramstad was excused from the Session of today from 11:30 a.m. to 12:00 noon. Mr. DeCramer was excused from the Session of today from 10:45 a.m. to 1:40 p.m. Mr. Morse was excused from the Session of today from 10:40 to 10:50 a.m. Mr. Storm was excused from the Session of today from 11:45 a.m. to 1:30 p.m. Mr. Novak was excused from the Session of today from 2:15 to 2:30 p.m. Mr. Solon was excused from the Session of today from 7:25 to 9:15 p.m. Mr. Hughes was excused from the Session of today at 3:40 p.m. Mr. Wegscheid was excused from the Session of today at 9:30 p.m. Mr. Mehrkens was excused from the Session of today at 9:30 p.m. Ms. Reichgott was excused from the Session of today at 9:45 p.m. Mr. Belanger was excused from the Session of today at 10:05 p.m. Mr. Ramstad was excused from the Session of today at 10:00 p.m.

## ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon Friday, May 8, 1987. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate