

## FORTY-EIGHTH DAY

St. Paul, Minnesota, Saturday, May 9, 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 Steen.

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.	Mehrkens	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.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 6, 1987

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 157, 161, 248, 324, 341, 698, 721 and 1349.

Sincerely,

Rudy Perpich, Governor

May 7, 1987

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 59, 470, 863, 922 and 1015.

Sincerely,

Rudy Perpich, Governor

### 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. 555, 577 and 607.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 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. 830: A bill for an act relating to commerce; regulating nonrenewals and transfers of franchises; providing civil liability for unfair practices in relation to franchises; amending Minnesota Statutes 1986, sections 80C.14; and 80C.17, subdivision 1.

Senate File No. 830 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1987

Mr. Pehler moved that the Senate do not concur in the amendments by the House to S.F. No. 830, 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.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1189.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 7, 1987

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 601, 834, 995, 916, 1030, 1450 and 163.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1987

### FIRST READING OF HOUSE BILLS

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

H.F. No. 1189: A resolution memorializing the United States Congress to amend the Employment Retirement Security Act to permit the direct regulation of self-insured health care plans.

Referred to the Committee on Health and Human Services.

H.F. No. 601: A bill for an act relating to natural resources; providing that money recovered by the state for forest fire fighting expenses be restored to the fund of origination; increasing the amount that may be paid for tips related to forest fire crimes; clarifying provisions relating to the burden of proof and evidence of negligence; amending Minnesota Statutes 1986, sections 88.17, subdivision 2; 88.75, subdivision 1; and 88.76.

Referred to the Committee on Finance.

H.F. No. 834: A bill for an act relating to natural resources; providing for the deposit of receipts from private forest management services into the forest management fund; amending Minnesota Statutes 1986, sections 88.79, subdivision 2; and 89.04.

Referred to the Committee on Finance.

H.F. No. 995: A bill for an act relating to human services; clarifying chemical dependency consolidated fund administration procedures; amending Minnesota Statutes 1986, sections 246.51; 246.511; 254B.01, subdivision 5; 254B.02, subdivisions 1, 2, 3, and 5; 254B.03, subdivisions 1, 2, 3, 4, and 5; 254B.04; 254B.05; 254B.06, subdivision 1; 254B.08; and 254B.09, subdivisions 3, 5, and 7; repealing Minnesota Statutes 1986, section 256.968.

Referred to the Committee on Finance.

H.F. No. 916: A bill for an act relating to state government; amending, creating, and deleting various duties of the commissioner of administration; creating the productivity loan fund; providing definitions; requiring interest earned on the revolving fund for vocational rehabilitation of the blind to be credited to the fund; amending Minnesota Statutes 1986, sections 4.31, subdivisions 1, 5, and by adding a subdivision; 14.04; 16B.06, subdivision 4; 16B.08, subdivisions 3 and 7; 16B.09, subdivision 1; 16B.17, subdivision 2; 16B.24, subdivision 6; 16B.29; 16B.39, by adding a subdivision; 16B.51, subdivision 3; 138.17, subdivision 7; 139.19; 248.07, subdivision 8; and Laws 1979, chapter 333, section 18; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1986, sections 16B.39, subdivision 1; and 138.22.

Referred to the Committee on Finance.

H.F. No. 1030: 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, sections 116.16, subdivision 5; 116.167; 116.18, subdivisions 2a, 3a, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1497, now on General Orders.

H.F. No. 1450: A bill for an act relating to workers' compensation; requiring security of self-insurers; regulating special compensation fund assessments and liability; creating a self-insurer insolvency fund; authorizing certain inspections; providing penalties; amending Minnesota Statutes 1986, sections 176.041, subdivision 4; 176.129, subdivisions 9, 11, and 13; 176.131, subdivisions 1 and 8; 176.181, subdivision 3; 176.182; 176.183, subdivisions 1a and 2; 176.225, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 60A and 176.

Referred to the Committee on Finance.

H.F. No. 163: A bill for an act relating to children; regulating paternity determinations; requiring obligee to use available prepaid health plan; regulating support and maintenance obligations; providing for withholding of support; amending Minnesota Statutes 1986, sections 144.219; 256B.37, by adding a subdivision; 257.34, subdivision 1; 257.57, subdivision 2; 257.60; 257.62, by adding a subdivision; 257.63, subdivision 2; 510.07; 518.171, subdivision 1; 518.24; 518.551, subdivision 1, and by adding a subdivision; 518.611, subdivisions 1, 2, 3, 4, 6, and 8; proposing coding for new law in Minnesota Statutes, chapters 256 and 518; repealing Minnesota Statutes 1986, section 257.34, subdivision 2.

Referred to the Committee on Health and Human Services.

## REPORTS OF COMMITTEES

Mr. Willet moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

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

H.F. No. 663 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.
663		389			

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 663 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 663 and insert the language after the enacting clause of S.F. No. 389, the first engrossment; further, delete the title of H.F. No. 663 and insert the title of S.F. No. 389, the first engrossment.

And when so amended H.F. No. 663 will be identical to S.F. No. 389, and further recommends that H.F. No. 663 be given its second reading and substituted for S.F. No. 389, 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. 350 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.
350	1259				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 350 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 350 and insert the language after the enacting clause of S.F. No. 1259, the first engrossment; further, delete the title of H.F. No. 350 and insert the title of S.F. No. 1259, the first engrossment.

And when so amended H.F. No. 350 will be identical to S.F. No. 1259, and further recommends that H.F. No. 350 be given its second reading and substituted for S.F. No. 1259, 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. 1283 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.
1283	962				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1283 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1283 and insert the language after the enacting clause of S.F. No. 962, the first engrossment; further, delete the title of H.F. No. 1283 and insert the title of S.F. No. 962, the first engrossment.

And when so amended H.F. No. 1283 will be identical to S.F. No. 962, and further recommends that H.F. No. 1283 be given its second reading and substituted for S.F. No. 962, 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. Frank from the Committee on Economic Development and Housing, to which were referred the following appointments as reported in the Journal for March 12, 1987:

#### WORLD TRADE CENTER BOARD

William L. Wilson

Martha Firling

Arthur J. Petrie

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Willet moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Frank from the Committee on Economic Development and Housing, to which was referred the following appointment as reported in the Journal for March 16, 1987:

#### IRON RANGE RESOURCES AND REHABILITATION COMMISSIONER

Jack DeLuca

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Willet moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Frank from the Committee on Economic Development and Housing, to which was referred the following appointment as reported in the Journal for April 6, 1987:

#### DEPARTMENT OF ENERGY AND ECONOMIC DEVELOPMENT COMMISSIONER

David Speer

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Willet moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Frank from the Committee on Economic Development and Housing, to which were referred the following appointments as reported in the Journal for February 16, 1987:

**WORLD TRADE CENTER BOARD**

Willis R. Eken

Ronald Bosrock

Arnold Aberman

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Willet moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Frank from the Committee on Economic Development and Housing, to which were referred the following appointments as reported in the Journal for February 12, 1987:

**WORLD TRADE CENTER BOARD**

Paul Rexford Thatcher

Irving M. Stern

Thomas A. Foster

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Willet moved that the foregoing committee report be laid on the table. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S.F. No. 1530 was read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 663, 350 and 1283 were read the second time.

**MOTIONS AND RESOLUTIONS**

Messrs. Belanger and Freeman introduced—

Senate Resolution No. 68: A Senate resolution congratulating Bridget Thompson from Bloomington Jefferson High School for winning first place in balance beam competition in the 1987 Class AA State High School Girls Gymnastics Championship.

Referred to the Committee on Rules and Administration.

Messrs. Belanger and Freeman introduced—

Senate Resolution No. 69: A Senate resolution congratulating the boys gymnastics team from Bloomington Jefferson High School for winning the 1986 Boys State High School Gymnastics Championship.

Referred to the Committee on Rules and Administration.

Messrs. Belanger and Freeman introduced—

Senate Resolution No. 70: A Senate resolution congratulating the boys slalom ski team from Bloomington Jefferson High School for winning the 1987 State High School Slalom Skiing Championship.

Referred to the Committee on Rules and Administration.

Messrs. Belanger and Freeman introduced—

Senate Resolution No. 71: A Senate resolution congratulating the Bloomington adapted floor hockey team for winning the 1987 Minnesota Association for Adaptive Athletics Hockey Championship.

Referred to the Committee on Rules and Administration.

Ms. Reichgott introduced—

Senate Resolution No. 72: A Senate resolution commending Homeward Bound, New Hope, Minnesota, on its Tenth Anniversary.

Referred to the Committee on Rules and Administration.

Ms. Reichgott introduced—

Senate Resolution No. 73: A Senate resolution congratulating the Zachary Lane Elementary Chess Team for winning Third Place in the National Elementary Chess Tournament.

Referred to the Committee on Rules and Administration.

Ms. Reichgott introduced—

Senate Resolution No. 74: A Senate resolution congratulating the Pilgrim Lane Elementary Chess Team for finishing 12th and 14th in the National Elementary Chess Tournament.

Referred to the Committee on Rules and Administration.

Messrs. Laidig and Knaak introduced—

Senate Resolution No. 75: A Senate resolution congratulating the girls gymnastics team from Mahtomedi High School for winning the 1987 Class A State High School Gymnastics Championship.

Referred to the Committee on Rules and Administration.

Mr. Hughes moved that S.F. No. 911 be taken from the table. The motion prevailed.

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.

Mr. Hughes moved that the Senate do not concur in the amendments by the House to S.F. No. 911, 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.



**CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Mr. Brandl moved that the following members be excused for a Conference Committee on H.F. No. 529 at 9:45 a.m.:

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

**CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Mr. Samuelson moved that the following members be excused for a Conference Committee on H.F. No. 243:

Messrs. Samuelson, Knutson, Spear, Mrs. Lantry and Ms. Berglin. The motion prevailed.

**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:

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

**CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Mr. Lessard moved that the following members be excused for a Conference Committee on S.F. No. 1516:

Messrs. Langseth, Lessard, Metzen, Purfeerst and Mehrkens. 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 take up the General Orders Calendar. The motion prevailed.

**GENERAL ORDERS**

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

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

S.F. Nos. 361, 1335 and H.F. Nos. 638, 889, 624, 1071 and 1515, which the committee recommends to pass.

H.F. No. 564, which the committee recommends to pass, subject to the following motion:

Ms. Peterson, D.C. moved that the amendment made to H.F. No. 564 by the Committee on Rules and Administration in the report adopted April 8, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S.F. No. 247, which the committee recommends to pass with the following amendments offered by Ms. Peterson, D.C.; Messrs. Frederickson, D.R.; Johnson, D.E. and Luther:

Ms. Peterson, D.C. moved to amend S.F. No. 247 as follows:

Page 4, lines 2 and 36, delete "*any*" and insert "*a*"

Page 4, line 12, delete "*on or before*" and insert "*by*"

Page 5, line 6, delete "*funds*" and insert "*money*"

Page 5, line 31, delete "*any*" and insert "*a*"

Page 5, line 32, delete "*Each*" and insert "*A*"

Page 7, line 7, delete "*that*" and insert "*the*"

Page 7, line 9, delete "*any*"

Page 7, line 11, delete "*No*" and insert "*A*"

Page 7, line 12, after "*may*" insert "*not*"

Page 7, line 19, delete the second "*a*"

Page 7, line 20, delete "*provision of*"

Page 7, line 30, after the comma, insert "*the candidate's nomination or election is not void*"

Page 8, line 2, delete the semicolon and insert a period

Page 8, line 3, delete everything before "*Neither*" and insert a paragraph code

Page 8, line 10, delete "*that may occur*" and delete the second "*that*" and insert "*the*"

Page 8, line 14, delete "*any*" and insert "*a*" and delete "*that*" and insert "*the*"

Page 8, line 20, delete "*any*" and insert "*an*"

Page 9, lines 5 and 27, delete "*any*" and insert "*a*"

Page 9, line 34, delete "*No*" and insert "*A*"

Page 9, line 35, after "*may*" insert "*not*"

Page 10, lines 15, 23, and 34, delete "*which*" and insert "*that*"

Page 10, line 19, after "*on*" insert "*behalf of*" and delete "*candidate's*" and insert "*candidate*"

Page 10, line 20, delete "*question's behalf*" and insert "*question*"

Page 10, line 35, delete "*any*" and insert "*a*"

Page 11, line 5, after the first "*a*" insert "*newspaper publisher or a*"

Page 11, line 8, after "*advertisements*" insert "*or letters to the editor*"

Page 11, lines 13 and 18, delete "*any*" and insert "*a*"

Page 12, line 3, delete "*any*" and insert "*an*"

Page 12, line 4, delete "*that*" and insert "*the*" and delete "*any*" and insert "*a*"

Page 12, line 21, delete "*any*" and insert "*a*"

Page 12, line 36, after "*REFRAINING*" insert "*FROM*"

Page 13, line 3, delete "*any*" and insert "*a*"

Page 13, line 25, delete "*No*" and insert "*A*"

Page 13, line 26, after "may" insert "not"

Page 14, line 30, delete "any other" and insert "another"

Page 14, line 36, delete "any" and insert "a"

Page 16, line 7, delete "No" and insert "A corporation may not make a" and delete "shall be made"

Page 16, line 20, delete "any provision of"

Page 17, line 12, delete "any" and insert "an"

Page 18, line 2, delete "shall forfeit" and insert "forfeits"

Page 18, line 9, delete "that" and insert "the"

Page 18, line 13, delete "No" and insert "A" and delete "shall" and insert "must not"

Page 18, line 23, delete "a provision of"

Page 18, line 33, after the comma, insert "the candidate's nomination or election is not void"

Page 19, line 6, delete ". the candidate's"

Page 19, line 7, delete everything before the period and after the period, insert a paragraph code

Page 19, line 14, delete "that may occur"

Page 19, line 18, delete "any" and insert "a" and delete "that" and insert "the"

Page 19, line 25, delete "any" and insert "an"

Page 19, line 29, delete "a provision of"

Page 19, line 33, delete "any" and insert "a"

Page 19, lines 34 and 36, delete "any" and insert "an"

Page 20, line 2, delete "any" and insert "a"

Page 20, line 12, after the first "of" insert "a" and delete "homes" and insert "home"

The motion prevailed. So the amendment was adopted.

Mr. Frederickson, D.R. moved to amend S.F. No. 247 as follows:

Page 11, line 11, after "periodical," insert "or" and delete everything after "magazine"

Page 11, line 12, delete "cable system"

Page 11, line 13, after "magazine," insert "or" and delete ", or broadcast"

Page 11, line 16, after the period, insert "A radio station, television station, or cable system may not accept for broadcast a political advertisement unless the disclaimer required under section 3 is included at the beginning or end of the advertisement."

The motion prevailed. So the amendment was adopted.

Mr. Frederickson, D.R. then moved to amend S.F. No. 247 as follows:

Page 11, lines 4 and 5, delete ", and who does not know the printed

*matter is false"*

Page 11, line 8, delete "*, and who does not know the information is false"*

Mr. Luther requested division of the amendment as follows:

First portion:

Page 11, lines 4 and 5, delete "*, and who does not know the printed matter is false"*

Second portion:

Page 11, line 8, delete "*, and who does not know the information is false"*

The question was taken on the adoption of the first portion of the amendment. The motion prevailed. So the first portion of the amendment was adopted.

The question was taken on the adoption of the second portion of the amendment. The motion prevailed. So the second portion of the amendment was adopted.

Mr. Johnson, D.E. moved to amend S.F. No. 247 as follows:

Page 1, line 15, delete "*Articles 2 and 3*" and strike "*apply*" and insert "*Article 3 applies*"

Page 1, line 22, after the period, insert "*Article 2 does not apply to school district elections.*"

Page 3, line 10, delete "*school*"

Page 3, line 11, delete "*district,*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 25, as follows:

Those who voted in the affirmative were:

Adkins	Bernhagen	Johnson, D.E.	McQuaid	Renneke
Anderson	Brataas	Jude	Moe, D.M.	Storm
Belanger	Frederick	Knutson	Olson	Taylor
Benson	Frederickson, D.R.	Laidig	Peterson, R.W.	Wegscheid
Berg	Gustafson	Larson	Ramstad	

Those who voted in the negative were:

Beckman	DeCramer	Hughes	Moe, R.D.	Reichgott
Chmielewski	Dicklich	Kroening	Morse	Schmitz
Cohen	Diessner	Luther	Pehler	Solon
Dahl	Frank	Marty	Peterson, D.C.	Waldorf
Davis	Frederickson, D.J.	Merriam	Piper	Willet

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

Mr. Johnson, D.E. then moved to amend S.F. No. 247 as follows:

Page 4, lines 7 and 10, delete "*\$250*" and insert "*\$1,000*"

Mr. Morse moved to amend the Johnson, D.E. amendment to S.F. No. 247 as follows:

Page 1, line 2, delete "*\$1,000*" and insert "*\$400*"

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

The question recurred on the Johnson, D.E. amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Mr. Luther moved to amend S.F. No. 247 as follows:

Page 10, after line 2, insert:

"Sec. 3. [211B.021] [USE OF THE TERM REELECT.]

*A person or candidate may not use the term "reelect" in a campaign for elective office unless the candidate using that designation is the incumbent of the office for which election is being sought."*

Renumber the sections of article 3 in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend the Luther amendment to S.F. No. 247, adopted by the Senate May 9, 1987, as follows:

Page 1, line 5, delete everything after "office" and insert a period

Page 1, delete line 6

Page 1, line 7, delete "being sought."

The question was taken on the adoption of the amendment to the amendment.

The roll was called, and there were yeas 14 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laidig	Olson	Storm
Benson	Johnson, D.E.	McQuaid	Ramstad	Taylor
Bernhagen	Knaak	Mehrkens	Renneke	

Those who voted in the negative were:

Adkins	Dahl	Kroening	Moe, R.D.	Schmitz
Beckman	Davis	Lessard	Morse	Solon
Belanger	DeCramer	Luther	Peterson, D.C.	Waldorf
Berg	Diessner	Marty	Peterson, R.W.	Wegscheid
Chmielewski	Hughes	Merriam	Piper	Willett
Cohen	Jude	Metzen	Reichgott	

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

Mr. Frederick then moved to amend S.F. No. 247 as follows:

Page 4, line 6, after "candidate" insert "in every primary, special, or regular election in all municipalities, counties, school districts, or other political subdivisions, with a population of more than 20,000,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 24, as follows:

Those who voted in the affirmative were:

Adkins	Bernhagen	Jude	Lessard	Ramstad
Anderson	Brataas	Knaak	McQuaid	Renneke
Belanger	Frederick	Laidig	Mehrkens	Schmitz
Berg	Frederickson, D.R.	Larson	Olson	Storm

Those who voted in the negative were:

Beckman	DeCramer	Kroening	Moe, D.M.	Piper
Chmielewski	Diessner	Luther	Morse	Solon
Cohen	Frank	Marty	Pehler	Vickerman
Dahl	Frederickson, D.J.	Merriam	Peterson, D.C.	Willet
Davis	Freeman	Metzen	Peterson, R.W.	

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

Mr. Luther moved to amend S.F. No. 247 as follows:

Page 11, line 2, delete "*campaign material*" and insert "*a newspaper, periodical or magazine*"

Page 11, line 3, delete "*campaign material*" and insert "*the newspaper, periodical or magazine*"

Page 11, line 8, after the period, insert "*Subdivision 1 does not apply to any other printer or manufacturer of campaign material whose sole act is the printing or manufacturing of campaign material and delivery to the person who orders it, and also does not know the printed matter is false.*"

The motion prevailed. So the amendment was adopted.

Mr. Berg moved to amend S.F. No. 247 as follows:

Page 2, after line 21, insert:

"Sec. 4. Minnesota Statutes 1986, section 204B.36, subdivision 5, is amended to read:

"Subd. 5. [DESIGNATION OF INCUMBENT; JUDICIAL OFFICES.] If a chief justice, or associate justice, or judge is a candidate to succeed again, the word "incumbent" shall be printed after that judge's name as a candidate."

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 20 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Frederick	Langseth	Renneke
Belanger	Brataas	Frederickson, D.R.	Larson	Storm
Benson	Cohen	Jude	McQuaid	Wegscheid
Berg	Frank	Laidig	Ramstad	Willet

Those who voted in the negative were:

Beckman	Diessner	Luther	Moe, R.D.	Peterson, R.W.
Chmielewski	Frederickson, D.J.	Marty	Morse	Piper
Dahl	Freeman	Mehrkens	Olson	Solon
Davis	Knaak	Merriam	Pehler	Spear
DeCramer	Knutson	Metzen	Peterson, D.C.	Vickerman

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

Mr. Luther moved to amend S.F. No. 247 as follows:

Page 10, line 30, delete the first comma and insert "*or*" and delete "*, or a letter to the editor*"

Page 10, after line 36, insert:

"*A person is guilty of a misdemeanor who intentionally participates in*

*the preparation or dissemination of a letter to the editor with respect to the personal or political character or acts of a candidate, if defamatory, or with respect to the effect of a ballot question, that the person knows is false and which is designed or tends to elect, injure, or defeat any candidate for nomination or election to a public office or to promote or defeat a ballot question."*

The motion prevailed. So the amendment was adopted.

Mr. Luther, for Mr. Waldorf, moved to amend the first Luther amendment to S.F. No. 247, adopted by the Senate May 9, 1987, as follows:

Page 1, line 6, delete the first "the" and insert "an"

Page 1, line 7, after the period, insert "*In the event of redistricting, a candidate may use the term "reelect" if the candidate is the incumbent of an office that represents any part of the new district."*

The motion prevailed. So the amendment was adopted.

S.F. No. 1018, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 26, delete everything after "contact" and insert ". For purposes of this section, "sexual contact" has the meaning given in section 609.341, subdivision 11, paragraph (a), clauses (i) and (iv), but does not include the intentional touching of the clothing covering the immediate area of the buttocks."

Page 2, delete line 1

The motion prevailed. So the amendment was adopted.

H.F. No. 1304, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Amend H.F. No. 1304, 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. 1137.)

Page 2, line 5, delete "the day following final enactment" and insert "January 1, 1987"

The motion prevailed. So the amendment was adopted.

H.F. No. 384, which the committee recommends to pass with the following amendments offered by Messrs. Spear and Cohen:

Mr. Spear moved to amend H.F. No. 384, 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. 286.)

Page 1, line 30, delete "13," and strike the comma and insert a semicolon

Page 2, delete lines 1 and 2 and insert:

"169.121<sup>7</sup>; 169.123<sup>7</sup>; 169.129<sup>7</sup>; 171.22<sup>7</sup>; 171.24<sup>7</sup>; 171.30<sup>7</sup>; ~~or~~ 609.41; 609.487, subdivision 3; section 13, subdivision 4, clause (3); or 609.821, subdivision 3, clause (1), item (iv), and clause (3)."

Page 2, line 9, after the period, insert "*In cities of the first, second, and third class, gross misdemeanor violations of sections 609.52, 609.595,*

*section 13, and 609.821 must be prosecuted by the attorney of the city where the violation is alleged to have occurred."*

Page 2, line 12, strike "and" and insert a comma and after the second "misdemeanors" insert ", and gross misdemeanors"

Page 2, lines 25 to 30, delete the new language

Page 4, line 16, delete the comma and insert a semicolon

Page 4, line 17, delete the first comma and insert a semicolon and delete the third comma and insert "; 609.52;"

Page 11, line 23, delete "13, or sections"

Page 11, line 24, delete "and" and insert "section 13; or"

Page 12, delete lines 33 to 36

Page 14, delete lines 11 to 14

Page 16, line 28, delete "sections" and insert "section"

Page 19, line 27, delete "sections" and insert "section"

Page 21, after line 6, insert:

"Sec. 18. Minnesota Statutes 1986, section 629.34, subdivision 1, is amended to read:

Subdivision 1. [PEACE OFFICERS AND CONSTABLES.] (a) A peace officer, as defined in section 626.84, subdivision 1, clause (c), or a constable, as defined in section 367.40, subdivision 3, who is on or off duty within the jurisdiction of the appointing authority, or on duty outside the jurisdiction of the appointing authority pursuant to section 629.40, may arrest a person without a warrant as provided under paragraph (c).

(b) A part-time peace officer, as defined in section 626.84, subdivision 1, clause (f), who is on duty within the jurisdiction of the appointing authority, or on duty outside the jurisdiction of the appointing authority pursuant to section 629.40 may arrest a person without a warrant as provided under paragraph (c).

(c) A peace officer, constable, or part-time peace officer who is authorized under paragraph (a) or (b) to make an arrest without a warrant may do so under the following circumstances:

(1) When a public offense has been committed or attempted in the officer's or constable's presence;

(2) When the person arrested has committed a felony, although not in the officer's or constable's presence;

(3) When a felony has in fact been committed, and the officer or constable has reasonable cause for believing the person arrested to have committed it; or

(4) Upon a charge based upon reasonable cause of the commission of a felony by the person arrested; or

(5) Under the circumstances described in clause (2), (3), or (4), when the offense is a gross misdemeanor violation of section 609.52, 609.595, section 13, or 609.821.

(d) To make an arrest authorized under this subdivision, the officer or



constable may break open an outer or inner door or window of a dwelling house if, after notice of office and purpose, the officer or constable is refused admittance."

Page 21, line 27, after "518B.01," insert "609.2231, subdivision 2."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H.F. No. 384, 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. 286.)

Pages 1 and 2; delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 10, delete "171.07, subdivision 1a;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Davis	Frederick	Moe, D.M.	Piper
Beckman	DeCramer	Freeman	Moe, R.D.	Storm
Berg	Diessner	Merriam	Morse	

Those who voted in the negative were:

Adkins	Dahl	Luther	Reichgott	Willet
Benson	Frank	Marty	Solon	
Bernhagen	Frederickson, D.J.	Pehler	Spear	
Chmielewski	Jude	Peterson, R.W.	Vickerman	
Cohen	Knaak	Ramstad	Wegscheid	

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

Mr. Cohen moved to amend H.F. No. 384, 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. 286.)

Page 4, line 17, delete the first comma and insert "609.226;"

The motion prevailed. So the amendment was adopted.

H.F. No. 948, which the committee recommends to pass, subject to the following motion:

Mr. Moe, D.M. moved that the amendment made to H.F. No. 948 by the Committee on Rules and Administration in the report adopted April 20, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 822, which the committee recommends to pass with the following amendments offered by Mr. Luther:

Amend H.F. No. 822, 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. 728.)

Page 1, line 10, delete "6" and insert "7"

Page 1, line 14, delete "6" and insert "7"

Page 1, line 17, delete "6" and insert "7"

Page 4, line 10, delete "is" and insert "becomes" and delete "under" and insert "by"

Page 4, after line 15, insert:

"Sec. 7. [ALTERNATIVE COMPLIANCE.]

*In lieu of complying with section 3, subdivision 2, a creditor, in connection with the distribution of a credit card application, may disclose the specific terms of section 3 in compliance with Code of Federal Regulations, title 12, part 226.5."*

Page 4, line 17, delete "6" and insert "7"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend H.F. No. 822, 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. 728.)

Page 4, after line 15, insert:

"Sec. 8. [325G.46] [NOTIFICATION OF ANNUAL FEE.]

*The customer must be notified of the amount of the annual fee, if any, and the date the fee is payable at least 30 days before the account is charged for the fee, and during that 30-day period the customer may cancel the open-end credit plan without penalty other than payment of any outstanding balance."*

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. 1622, which the committee recommends to pass with the following amendment offered by Mr. Cohen:

Amend H.F. No. 1622, as amended pursuant to Rule 49, adopted by the Senate May 7, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1007.)

Page 2, after line 9, insert:

"Sec. 2. Minnesota Statutes 1986, section 244.09, subdivision 3, is amended to read:

Subd. 3. Each appointed member shall be appointed for four years and shall continue to serve during that time as long as the member occupies the position which made the member eligible for the appointment. Each member shall continue in office until a successor is duly appointed. Members shall be eligible for reappointment, and appointment may be made to fill an unexpired term. *The term of any member appointed or reappointed by the governor before the first Monday in January 1991 expires on that date. The term of any member appointed or reappointed by the governor*

*after the first Monday in January 1991 is coterminous with the governor. The members of the commission shall elect any additional officers necessary for the efficient discharge of their duties.*

Sec. 3. Minnesota Statutes 1986, section 244.09, subdivision 11, is amended to read:

Subd. 11. [MODIFICATION.] The commission shall meet as necessary for the purpose of modifying and improving the guidelines. Any modification which amends the sentencing guidelines grid, including severity levels and criminal history scores, or which would result in the reduction of any sentence or in the early release of any inmate, with the exception of a modification mandated or authorized by the legislature or relating to a crime created or amended by the legislature in the preceding session, shall be submitted to the legislature by January 1 of any year in which the commission wishes to make the change and shall be effective on August 1 of that year, unless the legislature by law provides otherwise. All other modifications shall take effect according to the procedural rules of the commission. On or before ~~November~~ January 1 of each year, the commission shall submit a written report to the judiciary committees of the senate and the house of representatives that identifies and explains all modifications made during the preceding 12 months and all proposed modifications that ~~will be~~ *are being* submitted to the legislature ~~on January 1 that year.~~

Page 3, after line 6, insert:

"Sec. 6. Minnesota Statutes 1986, section 481.02, subdivision 3, is amended to read:

Subd. 3. [PERMITTED ACTIONS.] The provisions of this section shall not prohibit:

(1) any person from drawing, without charge, any document to which the person, an employer of the person, a firm of which the person is a member, or a corporation whose officer or employee the person is, is a party, except another's will or testamentary disposition or instrument of trust serving purposes similar to those of a will;

(2) a person from drawing a will for another in an emergency if the imminence of death leaves insufficient time to have it drawn and its execution supervised by a licensed attorney at law;

(3) any one, acting as broker for the parties or agent of one of the parties to a sale or trade or lease of property or to a loan, from drawing or assisting in drawing, with or without charge, papers incident to the sale, trade, lease, or loan;

(4) any insurance company from causing to be defended, or from offering to cause to be defended through lawyers of its selection, the insureds in policies issued or to be issued by it, in accordance with the terms of the policies;

(5) a licensed attorney at law from acting for several common-carrier corporations or any of its subsidiaries pursuant to arrangement between the corporations;

(6) any bona fide labor organization from giving legal advice to its members in matters arising out of their employment;

(7) any person from conferring or cooperating with a licensed attorney

at law of another in preparing any legal document, if the attorney is not, directly or indirectly, in the employ of the person or of any person, firm, or corporation represented by the person;

(8) any licensed attorney at law of Minnesota, who is an officer or employee of a corporation, from drawing, for or without compensation, any document to which the corporation is a party or in which it is interested personally or in a representative capacity, except wills or testamentary dispositions or instruments of trust serving purposes similar to those of a will, but any charge made for the legal work connected with preparing and drawing the document shall not exceed the amount paid to and received and retained by the attorney, and the attorney shall not, directly or indirectly, rebate the fee to or divide the fee with the corporation;

(9) any person or corporation from drawing, for or without a fee, farm or house leases, notes, mortgages, chattel mortgages, bills of sale, deeds, assignments, satisfactions or any other conveyances except testamentary dispositions and instruments of trust;

(10) a licensed attorney at law of Minnesota from rendering to a corporation legal services to itself at the expense of one or more of its bona fide principal stockholders by whom the attorney is employed and by whom no compensation is, directly or indirectly, received for the services;

(11) any person or corporation engaged in the business of making collections from engaging or turning over to an attorney at law for the purpose of instituting and conducting suit or making proof of claim of a creditor in any case in which the attorney at law receives the entire compensation for the work;

(12) any regularly established farm journal or newspaper, devoted to general news, from publishing a department of legal questions and answers to them, made by a licensed attorney at law, if no answer is accompanied or at any time preceded or followed by any charge for it, any disclosure of any name of the maker of any answer, any recommendation of or reference to any one to furnish legal advice or services, or by any legal advice or service for the periodical or any one connected with it or suggested by it, directly or indirectly;

(13) any authorized management agent of an owner of rental property used for residential purposes, whether the management agent is a natural person, corporation, partnership, limited partnership, or any other business entity, from commencing, maintaining, conducting, or defending in its own behalf any action in any court in this state to recover or retain possession of the property, except that the provision of this clause does not authorize a person who is not a licensed attorney at law to conduct a jury trial or to appear before a district court or the court of appeals or supreme court pursuant to an appeal; and

(14) any person from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any ~~county or municipal~~ court of this state pursuant to the provisions of section 566.175 or sections 566.18 to 566.33 or from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any ~~county or county municipal~~ court of this state for the recovery of rental property used for residential purposes pursuant to the provisions of sections 566.02 or 566.03, subdivision 1, except that the provision of this clause does not authorize a person who is not a licensed attorney at law to conduct

a jury trial or to appear before a district court or the court of appeals or supreme court pursuant to an appeal, and provided that, except for a non-profit corporation, a person who is not a licensed attorney at law shall not charge or collect a separate fee for services rendered pursuant to this clause."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after the semicolon, insert "providing that terms of guidelines commission members are coterminous with governor; changing date of commission report;"

Page 1, line 10, delete "subdivision 2" and insert "subdivisions 2, 3, and 11;"

Page 1, line 11, before "484.545" insert "481.02, subdivision 3;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1563, which the committee recommends to pass, subject to the following motions:

Mr. Morse moved that the amendment made to H.F. No. 1563 by the Committee on Rules and Administration in the report adopted May 6, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Morse then moved to amend H.F. No. 1563 as follows:

Page 2, line 3, after "housing" insert ", provided that the spirit of the code is complied with and public safety secured"

The motion prevailed. So the amendment was adopted.

S.F. No. 980, which the committee reports progress, subject to the following motions:

Mr. Moe, D.M. moved to amend S.F. No. 980 as follows:

Page 3, line 17, delete "listed in section 356A.03,"

Page 3, line 18, delete everything before the period, and insert "requiring the exercise of judgment and not specifically required by statute or undertaken at the direction of a person in a superior position or of a superior rank"

Page 4, line 15, delete everything after "activity"

Page 4, line 16, delete "paragraph (b)" and insert "specifically required by statute or undertaken at the direction of a person in a superior position or of a superior rank"

Page 10, line 15, delete "fiduciary"

Page 10, line 16, delete everything before "shall" and insert "member of the governing board of a pension plan and the chief administrative officer of the plan"

Page 14, line 24, after "plan" insert ". The summary must be provided"

Page 14, line 25, delete "upon"

Page 14, delete line 26

Page 14, line 27, delete "applicable law" and insert "at the end of each

succeeding three-year period" and after the period, insert "A copy of the plan document or law covering the plan must be furnished to a plan participant or benefit recipient upon request. Amendments to the plan document or law must be communicated to plan participants and benefit recipients in a manner specified by the governing body of the pension plan."

Page 15, line 4, after the period, insert "The chief administrative officer of the plan shall prepare a summary of the review procedure."

Page 18, delete lines 22 to 27

Page 20, after line 29, insert:

"(c) A state employee indemnified under state law for certain actions in that capacity who serves a covered pension plan in the course of employment by the state is indemnified from liability for an unintentional fiduciary breach."

Page 21, line 28, before the period, insert "and may be obtained on either an individual or a group basis"

Page 22, line 16, after "persons" insert "and no others"

The motion prevailed. So the amendment was adopted.

Mrs. Adkins moved to amend S.F. No. 980 as follows:

Page 36, after line 34, insert:

"Sec. 20. Minnesota Statutes 1986, section 352.116, is amended by adding a subdivision to read:

*Subd. 2a. [NORMAL RETIREMENT UNDER THE RULE OF 90.] Any person whose attained age plus credited allowable service totals 90 years shall be entitled upon termination of active service and application to a normal retirement annuity provided in section 352.115, without any reduction in the amount of the annuity by reason of the early retirement."*

Page 50, after line 17, insert:

"Sec. 39. Minnesota Statutes 1986, section 354.44, subdivision 6, is amended to read:

**Subd. 6. [COMPUTATION OF FORMULA PROGRAM RETIREMENT ANNUITY.]** (1) The formula retirement annuity hereunder shall be computed in accordance with the applicable provisions of the formula stated in clause (2) hereof on the basis of each member's average salary for the period of the member's formula service credit. For the purposes of computing the formula benefits under the formula and variable program, if a combination of these formulas is used, the formula percentages used will be those percentages in each formula as continued for the respective years of service from one formula to the next.

For all years of formula service credit "average salary" for the purpose of determining the member's retirement annuity means the average salary upon which contributions were made and upon which payments were made to increase the salary limitation provided in Minnesota Statutes 1971, section 354.511 for the highest five successive years of formula service credit provided however that such "average salary" shall not include any more than the equivalent of 60 monthly salary payments.

(2) The average salary as defined in clause (1), multiplied by the fol-

lowing percentages per year of formula service credit shall determine the amount of the annuity to which the member qualifying therefor is entitled:

	Coordinated Member	Basic Member
Each year of service during first ten	1.0 percent per year	2.0 percent per year
Each year of service thereafter	1.5 percent per year	2.5 percent per year

(3) *Except as provided in clause (4), where any member retires prior to age 65 under a formula annuity, the member shall be paid a retirement annuity in an amount equal to the normal annuity provided in this subdivision and subdivision 7, reduced by one-half of one percent for each month that the member is under age 65 to and including age 60 and reduced by one-fourth of one percent for each month under age 60 at the time of retirement except that for any member who has 30 or more years of allowable service credit, the reduction shall be applied only for each month which the member is under age 62.*

(4) *Any coordinated member whose attained age plus credited allowable service totals 90 years shall be entitled upon termination of active service and application to a normal retirement annuity provided in clauses (1) and (2) without any reduction in the amount of the annuity by reason of early retirement."*

Page 51, after line 13, insert:

"Sec. 42. Minnesota Statutes 1986, section 354A.31, subdivision 5, is amended to read:

Subd. 5. [UNREDUCED NORMAL RETIREMENT ANNUITY.] Upon retirement at age 65 with at least ten years of service credit or, at age 62 with at least 30 years of service credit, *or at any age when the member's attained age plus credited allowable service totals 90 years*, a coordinated member shall be entitled to a normal retirement annuity calculated pursuant to subdivision 4.

Sec. 43. Minnesota Statutes 1986, section 354A.31, subdivision 6, is amended to read:

Subd. 6. [REDUCED RETIREMENT ANNUITY.] *Except as provided by the rule of 90 stated in subdivision 5*, upon retirement at an age prior to age 65 with ten years of service credit or prior to age 62 with at least 30 years of service credit, a coordinated member shall be entitled to a retirement annuity in an amount equal to the normal retirement annuity reduced by one-half of one percent for each month that the coordinated member is under the age of 65 if the coordinated member has less than 30 years of service credit or is under the age of 62 if the coordinated member has at least 30 years of service credit but is over the age of 59, and reduced by one-fourth of one percent for each month that the coordinated member is under the age of 60."

Page 56, delete lines 31 and 32 and insert:

"Sections 1 to 19, 21 to 38, 40, 41, and 44 to 57 are effective the day following final enactment. Sections 20, 39, 42, and 43 are effective July 1, 1987."

Renumber the sections of article 2 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 32 and nays 25, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knutson	Metzen	Solon
Beckman	Frederick	Kroening	Pehler	Taylor
Belanger	Frederickson, D.J.	Laidig	Purfeerst	Vickerman
Benson	Frederickson, D.R.	Larson	Ramstad	Willet
Bertram	Johnson, D.E.	Lessard	Reichgott	
Chmielewski	Jude	McQuaid	Samuelson	
Davis	Knaak	Mehrkens	Schmitz	

Those who voted in the negative were:

Anderson	Dahl	Langseth	Moe, R.D.	Piper
Berg	DeCramer	Luther	Morse	Renneke
Brandl	Diessner	Marty	Olson	Spear
Brataas	Frank	Merriam	Peterson, D.C.	Waldorf
Cohen	Hughes	Moe, D.M.	Peterson, R.W.	Wegscheid

The motion prevailed. So the amendment was adopted.

S.F. No. 980 was then progressed.

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

Remaining on the Order of Business of Motions and Resolutions, without objection, the Senate reverted to the Orders of Business of Messages From the House, Reports of Committees and Second Reading of Senate 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 File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1261: A bill for an act relating to the state building code; changing certain provisions relating to public buildings; amending Minnesota Statutes 1986, sections 16B.60, subdivisions 3 and 6; 16B.61, by adding a subdivision; and 16B.71.

Senate File No. 1261 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1987

Mr. Moe, R.D. moved that S.F. No. 1261 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. Merriam from the Committee on Finance, to which was re-referred

S.F. No. 806: A bill for an act relating to agriculture; amending the rural relief act; allowing an additional method to sell defaulted family farm security property; authorizing rural finance authority participation in a beginning farmer program; providing a homestead redemption loan program; amending duties and powers of the rural finance authority; amending and clarifying the right of farmers who have been foreclosed by corporations to receive an offer to purchase or lease the farm; clarifying procedures to be used by a corporation offering a farm to a preceding former owner; voiding a waiver of statutory rights of a debtor as a condition for an agricultural production loan; voiding a waiver of mediation, right of first refusal, and mortgage rights of a debtor; providing penalties for persons who enforce voided waivers; amending notification procedures to designate a separate homestead after foreclosure; providing notification and designation of separate tracts of agricultural land after foreclosure; reactivating the agricultural data collection task force; restricting the use of the Minnesota grown labeling; providing a penalty for unauthorized use of the Minnesota grown label; extending the deadline for pilot counties to submit agricultural land preservation plans and controls; increasing a certain portion of fees for recording and registering mortgages and deeds that are deposited into the Minnesota conservation fund; allowing reimbursement to the Minnesota conservation fund from the general fund under certain conditions; allowing certain commercial and industrial use of metropolitan agricultural preserves; establishing a program and policy for agricultural commodities utilization and diversification; appropriating money; amending Minnesota Statutes 1986, sections 17.03, by adding a subdivision; 17.102; 40A.03, subdivision 2; 40A.15, subdivision 4; 40A.152, subdivisions 1 and 2; 41.56, subdivision 4; 41B.01, subdivision 2; 41B.02, subdivisions 4, 5, 6, 9, 11, 13, 14, and 15; 41B.03; 41B.035, subdivision 5, and by adding a subdivision; 41B.04, subdivisions 7, 8, 9, 10, 11, and 12; 41B.05; 41B.08, subdivision 4; 41B.12; 41B.19, subdivisions 5 and 6; 473H.10, subdivision 3; 473H.17, subdivisions 1 and 2, and by adding a subdivision; 500.24, subdivisions 2 and 6, and by adding a subdivision; 582.041, subdivisions 1, 2, 3, and 5; Laws 1985, chapter 19, section 6, subdivision 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 17, 41B, 550, and 582; repealing Minnesota Statutes 1986, sections 41B.02, subdivision 17; 41B.035, subdivision 4; 41B.04, subdivisions 6, 13, 14, 15, and 16.

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

Pages 41 to 44, delete article 9 and insert:

#### "ARTICLE 9

#### APPROPRIATIONS

##### Section 1. [AGRICULTURAL DATA COLLECTION TASK FORCE.]

*\$55,000 is appropriated from the general fund to the legislative advisory commission to fund the activities of the agricultural data collection task force to be available until June 30, 1989.*

##### Sec. 2. [MINNESOTA GROWN MATCHING ACCOUNT.]

*\$400,000 is appropriated from the general fund to the Minnesota grown matching account to be available in the amounts for the fiscal years indicated*

1988	1989
\$200,000	\$200,000

**Sec. 3. [METROPOLITAN AGRICULTURAL PRESERVE DEFICIENCY.]**

*The amount necessary to pay the deficiency in reimbursement under Minnesota Statutes, section 473H.10, subdivision 3, in fiscal year 1987 is appropriated to the commissioner of revenue from the Minnesota conservation fund to reimburse counties. The amount of the deficiency must be certified by the county auditor on or before June 1, 1988, with the amount of tax lost in fiscal year 1988.*

**Sec. 4. [AGRICULTURAL LAND PRESERVATION PLANNING GUIDE.]**

*\$30,000 is appropriated from the general fund to the commissioner of agriculture to provide technical assistance for agricultural land preservation and conservation activities, including preparation and publication of an agricultural land preservation planning handbook for use by local units of government, and for a study and report on the costs of providing public services to agricultural and other land uses.*

**Sec. 5. [AGRICULTURAL COMMODITIES UTILIZATION.]**

*\$20,000 is appropriated from the general fund to the commissioner of agriculture to conduct the review, study, and report on agricultural commodities utilization. This appropriation is not effective until it is matched by \$20,000 in private contributions.*

**Sec. 6. [INTERSTATE COMPACT ON GRAIN MARKETING.]**

*\$50,000 is appropriated from the general fund to the commissioner of agriculture for payment of financing the operations of the state's portion of the interstate compact on grain marketing.*

**Sec. 7. [SUSTAINABLE AGRICULTURE CHAIR.]**

*Subdivision 1. [APPROPRIATION.] \$75,000 is appropriated from the general fund to the University of Minnesota to establish an endowment for a chair in sustainable agriculture subject to the conditions of subdivision 2. This appropriation is to be included in the nonstate sources of endowment under section 137.022, subdivision 3. Sustainable agriculture represents the best aspects of traditional and modern agriculture by utilizing a fundamental understanding of nature, as well as the latest scientific advances to create integrated, self-reliant, resource conserving practices that enhance the enrichment of the environment and provide short- and long-term productive agriculture.*

*Subd. 2. [PRIVATE CONTRIBUTIONS REQUIRED.] The appropriation under subdivision 1 is not effective until sufficient private contributions or pledges have been made so that the private contributions and pledges, plus the appropriation under subdivision 1, are sufficient to establish the endowment for a chair in sustainable agriculture. The appropriation cancels on June 30, 1992, if sufficient private contributions and pledges have not been made.*

**Sec. 8. [SWEET SORGHUM RESEARCH.]**

*\$290,000 is appropriated from the general fund to the state board of vocational technical education for a demonstration project at the Mankato vocational technical institute involving butanol and ethanol production from sweet sorghum, for the biennium ending June 30, 1989.*

**Sec. 9. [WILD RICE RESEARCH.]**

*\$38,000 is appropriated from the general fund to the University of Minnesota for the agricultural experimental station to conduct wild rice research to be available until June 30, 1989, as follows:*

- |  |          |
|--|----------|
| (a) for experiments on use of fertilizers  | \$ 8,000 |
| (b) for experiments on the influence of<br>rotation and residue removal on<br>diseases, weeds, and yield           | \$ 8,000 |
| (c) to evaluate cost advantages and<br>effect on yields of leveling and<br>tiling                                  | \$ 6,000 |
| (d) to conduct controlled-site experiments<br>into the advantages of existing and<br>future varieties of wild rice | \$16,000 |

**Sec. 10. [STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION.]**

*\$1,623,000 is appropriated from the general fund to the state board of vocational technical education for the biennium ending June 30, 1989, to provide the following services:*

- |  |             |
|--|-------------|
| (1) support staff for farm business<br>management instructors  | \$ 160,000  |
| (2) additional farm business and<br>small business management<br>programs  | \$1,175,500 |
| (3) workshops for farmers for<br>marketing, alternative<br>enterprises, and financial<br>management and staff<br>development workshops | \$ 200,000  |
| (4) beginning farmer programs  | \$ 87,500   |

**Sec. 11. [RURAL FINANCE AUTHORITY.]**

*Subdivision 1. [RURAL FINANCE AUTHORITY.] \$300,000 is appropriated from the general fund to the rural finance authority for administering the beginning farmer loan program.*

*The complement of the authority is increased by three positions.*

*Subd. 2. [DEBT SERVICE.] \$270,000 is appropriated from the general fund to the rural finance authority for debt service on general obligation bonds issued for the beginning farmer program."*

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

**SECOND READING OF SENATE BILLS**

S.F. No. 806 was read the second time.

**MEMBERS EXCUSED**

Mr. Bertram was excused from the Session of today from 9:00 a.m. to 2:15 p.m. Mr. Dicklich was excused from the Session of today from 11:00 a.m. to 12:00 noon. Mr. Larson was excused from the Session of today

from 11:00 to 11:30 a.m. Mr. Novak was excused from the Session of today from 12:00 noon to 1:30 p.m. Ms. Reichgott was excused from the Session of today from 12:30 to 2:30 p.m.

### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Monday, May 11, 1987. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate