

FORTY-NINTH DAY

St. Paul, Minnesota, Monday, May 11, 1987

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

Mr. Frank imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by Senator Dean E. Johnson.

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.

REPORTS OF COMMITTEES

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

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

S.F. No. 326: A bill for an act relating to public safety; authorizing executive council, under federal law, to repair state property damaged by major disaster; dedicating receipts from criminal justice datacommunications network billings; appropriating video gaming license fees to commissioner of public safety for disbursement to municipalities; amending Minnesota Statutes 1986, sections 9.061, subdivision 1; 299C.48; and 349.52, subdivisions 2 and 3.

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. 905: A bill for an act relating to appropriations; appropriating money to the commissioner of natural resources to replace income lost to state trust funds when certain timber permits were canceled; releasing timber from the trust for a five-year period; authorizing the commissioner of natural resources to sell, recycle or dispose of the timber; directing the disposition of income.

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. 587: A bill for an act relating to state government; adding certain emergency personnel to the list of people eligible for benefits from the peace officers benefit fund; amending Minnesota Statutes 1986, section 176B.01, subdivision 2.

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

H.F. No. 1127: A bill for an act relating to utilities; providing for the establishment of flexible gas utility rates for certain customers subject to effective competition; requiring the department of public service to conduct a study; providing for recovery of study costs; proposing coding for new law in Minnesota Statutes, chapter 216B.

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. 675: A bill for an act relating to the department of finance; clarifying and correcting miscellaneous provisions to improve the administration of the department and of state government; appropriating money; amending Minnesota Statutes 1986, sections 3C.12, subdivision 2; 16A.06, by adding a subdivision; 16A.126, subdivision 2; 16A.127, subdivision 3; 16A.275; 16A.36, subdivision 2; and 116J.36, subdivision 6.

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

H.F. No. 1030 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.
1030	1497				

Pursuant to Rule 49, the Committee on Rules and Administration rec-

ommends that H.F. No. 1030 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1030 and insert the language after the enacting clause of S.F. No. 1497, the second engrossment; further, delete the title of H.F. No. 1030 and insert the title of S.F. No. 1497, the second engrossment.

And when so amended H.F. No. 1030 will be identical to S.F. No. 1497, and further recommends that H.F. No. 1030 be given its second reading and substituted for S.F. No. 1497, 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. Pehler from the Committee on Education, to which were referred the following appointments as reported in the Journal for March 5, 1987:

STATE UNIVERSITY BOARD

Frank Furlan
Jerry D. Serfling
James B. Lund

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

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

Mr. Pehler from the Committee on Education, to which was referred the following appointment as reported in the Journal for February 26, 1987:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Robert E. Ferguson

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

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

Mr. Pehler from the Committee on Education, to which were referred the following appointments as reported in the Journal for February 23, 1987:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Celeste O'Donnell
Duane C. Scribner

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

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

Mr. Pehler from the Committee on Education, to which were referred the following appointments as reported in the Journal for February 16, 1987:

**BOARD OF THE MINNESOTA SCHOOL OF THE ARTS AND
RESOURCE CENTER**

Alexandra L. Jacobs
Sarah Fields Nesson
Ruth E. Roitenberg

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

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

Mr. Pehler from the Committee on Education, to which were referred the following appointments as reported in the Journal for January 29, 1987:

**BOARD OF THE MINNESOTA SCHOOL OF THE ARTS AND
RESOURCE CENTER**

Nancy Brostrom Vollertsen
Mary Ingebrand-Pohlad
Harry Sieben, Jr.
Reginald Buckner
Marilyn Berg
Florence Grieve
Roland Amundson
Owen R. Husney
Margaret Marvin
Jack Fena
George D. Appleby
William H. Richards

STATE UNIVERSITY BOARD

Richard H. Jorgensen

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 326, 905, 587 and 675 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1127 and 1030 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Pogemiller moved that Senate Concurrent Resolution No. 10 be taken from the table. The motion prevailed.

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.

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring, that the Secretary of the Senate and the Chief Clerk of the House of Representatives shall study the feasibility of broadcasting the proceedings and hearings of the Senate and House of Representatives and providing information on the legislative process. The study must be submitted by February 1, 1988, for review by the legislative coordinating commission.

Mr. Pogemiller moved that Senate Concurrent Resolution No. 10 be now adopted. The motion prevailed. So the resolution was adopted.

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

CALENDAR

H.F. No. 102: A bill for an act relating to game and fish; use of mechanical release bows during archery seasons; amending Minnesota Statutes 1986, section 97B.035, 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 39 and nays 24, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Knaak	McQuaid	Ramstad
Anderson	Cohen	Kroening	Mehrkens	Renneke
Beckman	Dicklich	Laidig	Metzen	Schmitz
Belanger	Frederick	Langseth	Moe, D.M.	Storm
Benson	Freeman	Lantry	Novak	Stumpf
Berg	Gustafson	Larson	Olson	Taylor
Bernhagen	Johnson, D.E.	Lessard	Piper	Waldorf
Bertram	Johnson, D.J.	Marty	Purförster	

Those who voted in the negative were:

Berglin	DeCramer	Hughes	Pehler	Solon
Brandl	Diessner	Jude	Peterson, D.C.	Spear
Brataas	Frank	Luther	Peterson, R.W.	Vickerman
Dahl	Frederickson, D.J.	Merriam	Pogemiller	Willet
Davis	Frederickson, D.R.	Morse	Reichgott	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Marty moved that S.F. No. 1261 be taken from the table. The motion prevailed.

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.

Mr. Marty moved that the Senate do not concur in the amendments by the House to S.F. No. 1261, 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.

Ms. Reichgott moved that S.F. No. 915 be taken from the table. The motion prevailed.

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 telephone 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.

Ms. Reichgott moved that the Senate do not concur in the amendments by the House to S.F. No. 915, 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. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 529 at 12:00 noon:

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Ms. Berglin moved that the following members be excused for a Conference Committee on H.F. No. 243 at 12:30 p.m.:

Mrs. Lantry, Ms. Berglin, Messrs. Spear, Samuelson and Knutson. 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 at 3:00 p.m.:

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Luther 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. Hughes reported that the committee had considered the following:

S.F. Nos. 1095, 575, 875, 393, 896 and H.F. Nos. 1026, 444, 388, 1267, 362, 281, 334, 308, 147, 1314, 354, 1252, 375, 404, 813, 1197, 1266, 872, 841, 687, 556, 642, 1365, 1374 and 151, which the committee recommends to pass.

H.F. No. 1073, which the committee recommends progress, subject to the following motions:

Mr. Benson moved to amend H.F. No. 1073 as follows:

Page 2, after line 29, insert:

"Sec. 2. Minnesota Statutes 1986, section 326.2421, subdivision 6, is amended to read:

Subd. 6. [EXISTING CONTRACTORS.] Persons who on July 1, 1985, are in the business of laying out, installing, maintaining, or repairing alarm and communication systems and who have filed a license application with the electrical board by ~~July 1, 1986~~ *September 1, 1987*, shall be allowed to continue in that business as if licensed under subdivision 3 until final action is taken by the board upon their applications. Contractors who are in the business on July 1, 1985, and who file a license application with the board by ~~July 1, 1986~~ *September 1, 1987*, are exempt from the requirements of subdivision 4."

Page 2, line 31, after the period, insert "*Section 2 is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved to amend H.F. No. 1073 as follows:

Page 2, after line 29, insert:

"Sec. 3. [REPEALER.]

Minnesota Statutes 1986, section 326.2421, subdivision 7, is repealed."

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. 1073 was then progressed.

H.F. No. 983, which the committee recommends to pass, subject to the following motions:

Mr. Morse moved that the amendment made to H.F. No. 983 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.

Mr. Morse then moved to amend H.F. No. 983 as follows:

Page 4, line 17, strike "consisting of" and delete "12" and strike "members"

Page 4, delete line 18 and insert "governor is ~~hereby~~ established. *Section 15.059, subdivisions 2, 4, and 5, shall govern membership terms, compensation*"

Page 4, line 19, strike the first "of members," and strike "the"

Page 4, delete line 20 and insert "vacancies ~~shall be as provided in section 15.059. The governor~~"

Page 4, strike lines 21 to 23

Page 6, line 18, delete everything after "state"

Page 6, line 19, delete everything before "any"

Page 6, line 21, after "gift," insert "devise, endowment,"

Page 6, line 22, delete everything after the period

Page 6, delete lines 23 to 26

Page 6, line 27, delete everything before "Use"

Page 6, line 29, delete "or an AVTI under its jurisdiction"

Page 6, line 34, delete "to the state"

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved to amend H.F. No. 983 as follows:

Page 1, delete section 1

Page 2, line 11, strike the comma and insert a period

Page 2, line 12, strike the old language and delete the new language

Page 3, line 2, strike the old language and delete the new language

Page 3, strike lines 3 and 4

Page 3, line 21, delete everything after "person"

Page 3, line 22, delete "technical education"

Page 7, line 24, delete "a school" and insert "an institute"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "clarifying" and insert "providing for"

Page 1, delete line 7 and insert "providing for uniform statutory terminology"

Page 1, delete line 8

Page 1, line 9, delete "education"

The motion prevailed. So the amendment was adopted.

H.F. No. 690, which the committee recommends to pass with the following amendment offered by Mr. Pogemiller:

Amend H.F. No. 690, the unofficial engrossment, as follows:

Page 3, after line 12, insert:

"Sec. 3. [STUDY OF NEED FOR ADDITIONAL TESTING FOR CONTROLLED SUBSTANCES.]

The commissioner of public safety shall study the need for requiring persons suspected of driving under the influence, and persons involved in motor vehicle accidents, to submit to blood or urine tests for controlled substances, in addition to breath tests. The commissioner must report the results of the study to the appropriate committees of the legislature by December 1, 1987. The study must evaluate whether requiring testing for controlled substances would:

(1) improve the accuracy of statistics kept by the department on the number of accidents and driving under the influence cases that involve

controlled substances; and

(2) increase the likelihood of convicting persons driving under the influence of controlled substances."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 792, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Amend H.F. No. 792, 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. 666.)

Page 2, line 20, delete ", for the purpose of" and insert a colon

Page 2, delete lines 21 to 31 and insert:

"(1) for the purpose of this subdivision, groups with a potential membership of less than 1,500 will be considered too small to be feasible as a separate credit union, unless there are compelling reasons to the contrary, relevant to the objectives of this subdivision;

(2) groups with a potential membership in excess of 1,500 will be considered in light of all circumstances relevant to the objectives of this subdivision; and

(3) all group applications, except for applications from groups made up of members of existing credit unions or groups made up of people who have a common employer which qualifies them for membership in an existing credit union, will be considered separately from any consideration of the membership provisions of existing credit unions; except that, groups made up of members of an existing credit union may be certified under this subdivision with the agreement of the credit union."

The motion prevailed. So the amendment was adopted.

H.F. No. 490, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Amend H.F. No. 490, as amended pursuant to Rule 49, adopted by the Senate April 29, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1101.)

Page 2, line 11, after "district" insert ", after holding at least two public hearings on the proposed boundaries"

Page 2, line 13, delete everything after "state"

Page 2, line 14, delete "state"

Page 2, lines 15 and 18, delete "six months" and insert "30 days"

Page 5, line 6, delete "sections 1 to 6, are" and insert "section 1 is"

Page 5, line 11, delete "sections" and insert "section"

Page 5, line 12, delete "to 6"

Page 5, delete lines 13 to 16 and insert:

"Beginning in 1989, shall the Minneapolis school board have three board members elected at-large and six board members elected from sep-

arate districts within the school district, rather than the current system of seven board members elected at-large?"

Page 5, after line 18, insert:

"Sec. 9. [EFFECTIVE DATE.]

Sections 2 to 6 are effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of special school district No. 1, Minneapolis."

The motion prevailed. So the amendment was adopted.

H.F. No. 590, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Amend H.F. No. 590, the unofficial engrossment, as follows:

Page 2, delete section 2

Page 2, line 17, delete "*Sections 1 and 2 are*" and insert "*Section 1 is*" and delete "*apply*" and insert "*applies*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "and fifth degree assault"

Page 1, line 6, delete ", and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

H.F. No. 1327, which the committee recommends to pass with the following amendment offered by Mr. Cohen:

Amend H.F. No. 1327, as amended pursuant to Rule 49, adopted by the Senate May 1, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1243.)

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 1986, section 202A.18, subdivision 2, is amended to read:

Subd. 2. Nominations for the election of permanent officers and delegates shall remain open for at least the first half quarter hour of the caucus. Election of delegates and alternates must begin within one hour of convening a caucus. Election of delegates and alternates may begin one-half hour after the convening of the caucus.

Sec. 3. [EFFECTIVE DATE.]

This act is effective January 1, 1988."

Delete the title and insert:

"A bill for an act relating to elections; changing precinct caucus dates and procedures; amending Minnesota Statutes 1986, sections 202A.14, subdivision 1; and 202A.18, subdivision 2."

The motion prevailed. So the amendment was adopted.

H.F. No. 1209, which the committee recommends to pass with the following amendment offered by Ms. Peterson, D.C.:

Amend H.F. No. 1209, as amended pursuant to Rule 49, adopted by the

Senate May 5, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1156.)

Page 1, line 12, delete "9" and insert "8"

Page 2, after line 9, insert:

"Subdivision 1. [INJUNCTION.] In order to obtain a temporary injunction under section 3 or a permanent injunction under section 4, the provisions of sections 1 to 8 must be followed."

Renumber the subdivisions in sequence and correct the internal references

Page 2, line 11, delete "9" and insert "8"

Page 3, line 13, delete "9" and insert "8"

Pages 4 and 5, delete section 7

Page 5, line 8, delete "617.87" and insert "617.86"

Page 5, line 10, delete "9" and insert "8"

Page 5, line 12, delete "617.88" and insert "617.87"

Renumber the sections in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

H.F. No. 931, which the committee recommends to pass, subject to the following motion:

Mr. Spear moved that the amendment made to H.F. No. 931 by the Committee on Rules and Administration in the report adopted May 4, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1312, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Amend H.F. No. 1312, as amended pursuant to Rule 49, adopted by the Senate May 1, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1199.)

Page 1, lines 19 and 25, delete "marked under" and insert "governed by"

The motion prevailed. So the amendment was adopted.

H.F. No. 1274, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Amend H.F. No. 1274, 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. 1117.)

Page 2, after line 20, insert:

"Sec. 4. Minnesota Statutes 1986, section 270A.10, is amended to read:
270A.10 [PRIORITY OF CLAIMS.]

If two or more debts, in a total amount exceeding the debtor's refund, are submitted for set-off, the priority of payment shall be as follows: First, any delinquent tax obligations of the debtor which are owed to the de-

partment shall be satisfied. Secondly, *the refund shall be applied to debts for child support based on the order in time in which the commissioner received the debts.* Thirdly, the refund shall be applied to the remaining debts based on the order in time in which the commissioner received the debts."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 141, which the committee reports progress, subject to the following motion:

Mr. Merriam moved to amend H.F. No. 141, the unofficial engrossment, as follows:

Page 2, delete lines 24 to 30

Renumber the clauses in sequence

Page 3, line 30, delete the colon

Page 3, delete lines 31 to 36

Page 4, line 1, delete everything before "a"

The motion prevailed. So the amendment was adopted.

H.F. No. 141 was then progressed.

S.F. No. 1260, which the committee recommends to pass with the following amendment offered by Mr. Marty:

Page 1, line 18, delete "shall" and insert "may"

Page 2, line 1, after the period, insert "*Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.*"

Page 2, line 11, delete "shall" and insert "may"

Page 2, line 25, after the period, insert "*Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.*"

Page 3, line 10, delete "shall" and insert "may"

Page 3, line 11, after the period, insert "*Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.*"

Page 3, line 24, delete "shall" and insert "may"

Page 3, line 36, after the period, insert "*Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1350, which the committee recommends to pass, subject to the

following motion:

Ms. Berglin moved that the amendment made to H.F. No. 1350 by the Committee on Rules and Administration in the report adopted May 7, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1366, which the committee recommends to pass with the following amendment offered by Mr. Pehler:

Page 1, delete lines 12 to 21

Page 2, line 1, after the first period, insert "*Members shall serve without compensation, including reimbursement for expenses.*"

Page 2, line 5, after "(a)" insert "*The task force shall study whether or not licensure of interior designers or decorators, or both, is necessary to protect the health, welfare, and safety of the public.*

(b) *The task force shall determine whether a licensing requirement gives any group an economic advantage over another rather than protects the public.*

(c)"

Reletter the paragraphs in sequence

Renumber the subdivisions in sequence

The motion prevailed. So the amendment was adopted.

H.F. No. 955, which the committee recommends to pass with the following amendment offered by Mr. Knaak:

Page 1, after line 14, insert:

"Sec. 2. Laws 1985, chapter 301, section 4, is amended to read:

Sec. 4. [WHITE BEAR LAKE; PORT AUTHORITY.]

The governing body of the city of White Bear Lake may exercise all the powers of a port authority provided by Minnesota Statutes, chapter 458, as if the city were a port authority; and the city may exercise all the powers relating to a port authority granted to a city by Minnesota Statutes, chapter 458, or other law."

Page 1, line 18, after the period, insert "*Section 2 is effective for the city of White Bear Lake the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of White Bear Lake.*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1280, which the committee recommends to pass with the following amendments offered by Mr. Vickerman:

Mr. Vickerman moved to amend S.F. No. 1280 as follows:

Page 11, delete section 14

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 21, delete everything after the semicolon

Page 1, delete line 22

Page 1, line 23, delete "uninsured vehicle;"

Page 1, line 31, delete everything before "and"

The motion prevailed. So the amendment was adopted.

Mr. Vickerman then moved to amend S.F. No. 1280 as follows:

Page 10, after line 30, insert:

"Sec. 13. Minnesota Statutes 1986, section 169.57, is amended by adding a subdivision to read:

Subd. 4. [ALTERATION OF STOPLAMP PROHIBITED.] On a vehicle that must be equipped with a single center high mounted stoplamp under federal motor vehicle safety standards, and on any other vehicle equipped with a similar stoplamp, a person may not alter the stoplamp by the addition of an overlay or other device, or install a replacement lens, if the alteration or installation alters or obscures any portion of the lamp or affects the intensity of light emitted."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 19, after the second semicolon, insert "prohibiting alteration of vehicle stoplamps;"

Page 1, line 30, after the first semicolon, insert "169.57, by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

S.F. No. 533, which the committee recommends to pass with the following amendment offered by Mr. Gustafson:

Page 1, line 11, delete "May" and insert "August"

The motion prevailed. So the amendment was adopted.

S.F. No. 1210, which the committee recommends to pass, subject to the following motions:

Mr. Knutson moved to amend S.F. No. 1210 as follows:

Page 9, line 20, delete "19" and insert "13"

Page 9, line 24, delete "38" and insert "26"

Page 9, line 31, delete "1.25" and insert "1.75"

Page 9, line 34, delete "0.75" and insert "one"

Page 10, line 30, delete "2.5" and insert "two"

Page 10, line 32, delete "five" and insert "four"

Page 11, delete lines 5 to 9

Page 11, line 10, reinstate the stricken language and delete the new language

Page 11, lines 18 and 34, delete "35" and insert "27"

Page 12, line 30, delete "1.5" and insert "1.75"

Page 13, line 6, delete "7.5" and insert "1.5"

Page 13, line 9, delete "15" and insert "three"

Page 13, line 20, delete "ten" and insert "two"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Davis	Knaak	Lessard	Ramstad
Benson	Frank	Knutson	McQuaid	Renneke
Berg	Frederick	Laidig	Mehrke	Samuelson
Bernhagen	Gustafson	Larson	Olson	Storm

Those who voted in the negative were:

Adkins	Dahl	Lantry	Moe, D.M.	Piper
Beckman	DeCramer	Luther	Morse	Spear
Berglin	Diessner	Marty	Pehler	Wegscheid
Chmielewski	Frederickson, D.J.	Merriam	Peterson, D.C.	
Cohen	Freeman	Metzen	Peterson, R.W.	

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

Mr. Benson moved to amend S.F. No. 1210 as follows:

Page 1, delete lines 17 to 23

Renumber the subdivisions in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 451, which the committee recommends to pass, subject to the following motions:

Ms. Peterson, D.C. moved to amend S.F. No. 451 as follows:

Page 8, line 14, after "of" insert "up to"

Page 8, line 17, reinstate the stricken "not less than" and after the stricken "\$25" insert "\$100" and after the stricken "nor" insert "or" and reinstate the stricken "more than" and delete "\$500" and insert "\$250"

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend the Peterson, D.C. amendment to S.F. No. 451, adopted by the Senate May 11, 1987, as follows:

Page 1, delete line 2 and insert:

"Page 8, line 14, delete "\$500" and insert "up to \$250""

Page 1, line 4, delete ""\$100" and after the stricken" and insert ""\$50" and reinstate the stricken "nor more than""

Page 1, delete line 5

Page 1, line 6, before "delete" insert "and" and delete "\$250" and insert "\$150"

Mr. Lessard requested division of the amendment to the amendment as follows:

First portion:

Page 1, delete line 2 and insert:

"Page 8, line 14, delete "\$500" and insert "up to \$250""

Second portion:

Page 1, line 4, delete ""\$100" and after the stricken" and insert ""\$50" and reinstate the stricken "nor more than""

Page 1, delete line 5

Page 1, line 6, before "delete" insert "and" and delete "\$250" and insert "\$150"

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

The roll was called, and there were yeas 8 and nays 42, as follows:

Those who voted in the affirmative were:

Chmielewski	Diessner	Lessard	Renneke	Solon
Davis	Laidig	Merriam		

Those who voted in the negative were:

Adkins	Cohen	Knaak	Mehrrens	Samuelson
Anderson	Dahl	Knutson	Metzen	Spear
Beckman	DeCramer	Kroening	Moe, D.M.	Storm
Belanger	Frank	Langseth	Morse	Vickerman
Benson	Frederick	Lantry	Olson	Wegscheid
Berg	Frederickson, D.J.	Larson	Peterson, D.C.	Willet
Bernhagen	Frederickson, D.R.	Luther	Piper	
Bertram	Freeman	Marty	Purfeerst	
Brataas	Jude	McQuaid	Ramstad	

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

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

The roll was called, and there were yeas 21 and nays 31, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Laidig	Merriam	Vickerman
Anderson	Diessner	Langseth	Renneke	
Berg	Frank	Larson	Schmitz	
Bertram	Gustafson	Lessard	Solon	
Chmielewski	Kroening	Mehrrens	Storm	

Those who voted in the negative were:

Beckman	Dahl	Knaak	Morse	Samuelson
Belanger	DeCramer	Lantry	Olson	Spear
Benson	Frederick	Luther	Peterson, D.C.	Willet
Berglin	Frederickson, D.J.	Marty	Peterson, R.W.	
Bernhagen	Frederickson, D.R.	McQuaid	Piper	
Brataas	Freeman	Metzen	Purfeerst	
Cohen	Jude	Moe, D.M.	Ramstad	

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

H.F. No. 401, which the committee recommends to pass with the following amendment offered by Mr. Dahl:

Amend H.F. No. 401, 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. 818.)

Page 4, line 21, delete "and"

Page 4, line 22, before the period, insert “, and household appliances”

The motion prevailed. So the amendment was adopted.

H.F. No. 593, which the committee recommends to pass with the following amendment offered by Mr. Jude:

Amend H.F. No. 593, 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. 613.)

Page 10, line 30, after “(3),” insert “items (a) to (c).”

The motion prevailed. So the amendment was adopted.

H.F. No. 1015, which the committee recommends to pass with the following amendments offered by Messrs. Frank and Merriam:

Mr. Frank moved to amend H.F. No. 1015, as amended pursuant to Rule 49, adopted by the Senate May 1, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 992.)

Page 1, after line 8, insert:

“Section 1. Minnesota Statutes 1986, section 84.87, subdivision 1, is amended to read:

Subdivision 1. [OPERATION ON STREETS AND HIGHWAYS.] (a) No person shall operate a snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county state aid, or county highway in this state and, in the case of a divided trunk or county highway, on the right-of-way between the opposing lanes of traffic, except as provided in sections 84.81 to 84.90. No person shall operate a snowmobile within the right-of-way of any trunk, county state aid, or county highway between the hours of one-half hour after sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate highway or freeway within this state.

(b) A snowmobile may make a direct crossing of a street or highway at any hour of the day provided:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and

(2) The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway; and

(3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and

(4) In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway; and

(5) If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on; and

(6) A snowmobile may be operated upon a bridge, other than a bridge

that is part of the main traveled lanes of an interstate highway, when required for the purpose of avoiding obstructions to travel when no other method of avoidance is possible; provided the snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made within 100 feet of the bridge and the crossing is made without undue delay.

(c) No snowmobile shall be operated upon a public street or highway unless it is equipped with at least one headlamp, one tail lamp, each of minimum candlepower as prescribed by rules of the commissioner, reflector material of a minimum area of 16 square inches mounted on each side forward of the handle bars, and with brakes each of which shall conform to standards prescribed by rule of the commissioner pursuant to the authority vested in the commissioner by section 84.86, and each of which shall be subject to approval of the commissioner of public safety.

(d) A snowmobile may be operated upon a public street or highway other than as provided by clause (b) in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

(e) All provisions of chapter 169 shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

(f) *Sections 169.121, 169.123, and 169.129 apply to the operation of snowmobiles within this state, or upon the ice of any boundary water of this state.*

(g) Any sled, trailer, or other device being towed by a snowmobile must be equipped with reflective materials as required by rule of the commissioner.

Sec. 2. Minnesota Statutes 1986, section 84.87, subdivision 2, is amended to read:

Subd. 2. [OPERATION GENERALLY.] It shall be unlawful for any person to drive or operate any snowmobile in the following unsafe or harassing ways:

(a) At a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(b) In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;

(c) ~~While under the influence of an alcoholic beverage or a controlled substance;~~

~~(d) Without a lighted head and tail light when required for safety;~~

~~(e) (d) In any tree nursery or planting in a manner which damages or destroys growing stock.~~

Sec. 3. Minnesota Statutes 1986, section 84.87, is amended by adding a subdivision to read:

Subd. 2b. [OPERATING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE.] A person in control of or operating a snowmobile under the influence of alcohol or a controlled substance is governed by the prohibitions and chemical testing requirements of sections 169.121 and 169.123 and is punishable in accordance with those sections.

Sec. 4. Minnesota Statutes 1986, section 84.928, subdivision 1, is amended to read:

Subdivision 1. [OPERATION ON STREETS AND HIGHWAYS.] (a) A person shall not operate an all-terrain vehicle upon the roadway, shoulder, or inside bank or slope of a trunk, county state-aid, or county highway in this state and, in the case of a divided trunk or county highway, on the right-of-way between the opposing lanes of traffic, except as provided in sections 84.92 to 84.929. A person shall not operate an all-terrain vehicle within the right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in the agricultural zone unless the vehicle is being used exclusively as transportation to and from work on agricultural lands. A person shall not operate an all-terrain vehicle within the right-of-way of a trunk, county state-aid, or county highway between the hours of one-half hour after sunset to one-half hour before sunrise, except on the right-hand side of the right-of-way and in the same direction as the highway traffic on the nearest lane of the adjacent roadway. A person shall not operate an all-terrain vehicle at any time within the right-of-way of an interstate highway or freeway within this state.

(b) An all-terrain vehicle may make a direct crossing of a street or highway provided:

(1) the crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(2) the vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(3) the driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard;

(4) in crossing a divided highway, the crossing is made only at an intersection of the highway with another public street or highway; and

(5) if the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(c) An all-terrain vehicle may be operated upon a bridge, other than a bridge that is part of the main traveled lanes of an interstate highway, when required for the purpose of avoiding obstructions to travel when no other method of avoidance is possible; provided the all-terrain vehicle is operated in the extreme right-hand lane, the entrance to the roadway is made within 100 feet of the bridge, and the crossing is made without undue delay.

(d) A person shall not operate an all-terrain vehicle upon a public street or highway unless the vehicle is equipped with at least one headlight and one taillight, each of minimum candlepower as prescribed by rules of the commissioner, with reflector material of a minimum area of 16 square inches mounted on each side forward of the handlebars, and with brakes conforming to standards prescribed by rule of the commissioner, and all of which are subject to the approval of the commissioner of public safety.

(e) An all-terrain vehicle may be operated upon a public street or highway other than as provided by paragraph (b) in an emergency during the period of time when and at locations where the condition of the roadway renders travel by automobile impractical.

(f) Chapter 169 applies to the operation of all-terrain vehicles upon streets and highways, except for those provisions relating to required equipment and except those provisions which by their nature have no application.

(g) A sled, trailer, or other device being towed by an all-terrain vehicle must be equipped with reflective materials as required by rule of the commissioner.

(h) Sections 169.121, 169.123, and 169.129 apply to the operation of all-terrain vehicles within the state or upon the ice of any boundary water of this state.

Sec. 5. Minnesota Statutes 1986, section 84.928, subdivision 3, is amended to read:

Subd. 3. [OPERATING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE.] A person may not operate or be in control of an all-terrain vehicle *within this state or on the ice of any boundary water of this state* while under the influence of alcohol or a controlled substance, as provided in section 169.121, ~~subdivision 1, or a controlled substance defined in section 152.01, subdivision 4. A person violating this subdivision is guilty of a crime and is punishable in accordance with the provisions of section 169.121, subdivisions 3 and 4. A person who operates or is in control of an all-terrain vehicle within this state or on the ice of any boundary water of this state consents to a chemical test to determine the presence of alcohol or a controlled substance and is subject to section 169.123.~~

Sec. 6. Minnesota Statutes 1986, section 169.02, subdivision 1, is amended to read:

Subdivision 1. The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways, and upon highways, streets, private roads, and roadways situated on property owned, leased, or occupied by the regents of the University of Minnesota, or the University of Minnesota, except:

- (1) where a different place is specifically referred to in a given section;
- (2) the provisions of sections 169.09 to 169.13 apply to any person who drives, operates, or is in physical control of a motor vehicle, *including a snowmobile as defined in section 84.81, subdivision 3*, within this state or upon the ice of any boundary water of this state.

Sec. 7. Minnesota Statutes 1986, section 169.121, subdivision 1, is amended to read:

Subdivision 1. [CRIME.] It is a misdemeanor for any person to drive, operate or be in physical control of any motor vehicle, *including a snowmobile as defined in section 84.81, subdivision 3*, within this state or upon the ice of any boundary water of this state:

- (a) when the person is under the influence of alcohol;
- (b) when the person is under the influence of a controlled substance;
- (c) when the person is under the influence of a combination of any two or more of the elements named in clauses (a) and (b);
- (d) when the person's alcohol concentration is 0.10 or more; or
- (e) when the person's alcohol concentration as measured within two hours

of the time of driving is 0.10 or more.

Sec. 8. Minnesota Statutes 1986, section 169.123, subdivision 2, is amended to read:

Subd. 2. [IMPLIED CONSENT; CONDITIONS; ELECTION AS TO TYPE OF TEST.] (a) Any person who drives, operates, or is in physical control of a motor vehicle, *including a snowmobile as defined in section 84.81, subdivision 3*, within this state or upon the ice of any boundary water of this state consents, subject to the provisions of this section and section 169.121, to a chemical test of that person's blood, breath, or urine for the purpose of determining the presence of alcohol or a controlled substance. The test shall be administered at the direction of a peace officer. The test may be required of a person when an officer has probable cause to believe the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 and one of the following conditions exist: (1) the person has been lawfully placed under arrest for violation of section 169.121, or an ordinance in conformity with it; or (2) the person has been involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death; or (3) the person has refused to take the screening test provided for by section 169.121, subdivision 6; or (4) the screening test was administered and recorded an alcohol concentration of 0.10 or more.

(b) At the time a test is requested, the person shall be informed:

(1) that Minnesota law requires the person to take a test to determine if the person is under the influence of alcohol or a controlled substance;

(2) that if testing is refused, the person's right to drive will be revoked for a minimum period of one year or, if the person is under the age of 18 years, for a period of one year or until the person reaches the age of 18 years, whichever is greater;

(3) that if a test is taken and the results indicate that the person is under the influence of alcohol or a controlled substance, the person will be subject to criminal penalties and the person's right to drive may be revoked for a minimum period of 90 days or, if the person is under the age of 18 years, for a period of six months or until the person reaches the age of 18 years, whichever is greater;

(4) that after submitting to testing, the person has the right to consult with an attorney and to have additional tests made by someone of the person's own choosing; and

(5) that if the person refuses to take a test, the refusal will be offered into evidence against the person at trial.

(c) The peace officer who requires a test pursuant to this subdivision may direct whether the test shall be of blood, breath, or urine. However, if the officer directs that the test shall be of a person's blood or urine, the person may choose whether the test shall be of blood or urine.

Sec. 9. Minnesota Statutes 1986, section 169.129, is amended to read:

169.129 [AGGRAVATED VIOLATIONS; PENALTY.]

Any person who drives, operates, or is in physical control of a motor vehicle, *including a snowmobile as defined in section 84.81, subdivision 3*, the operation of which requires a driver's license, within this state or upon the ice of any boundary water of this state in violation of section

169.121 or an ordinance in conformity with it before the person's driver's license or driver's privilege has been reinstated following its cancellation, suspension or revocation (1) because the person drove, operated, or was in physical control of a motor vehicle while under the influence of alcohol or a controlled substance or while the person had an alcohol concentration of 0.10 or more or (2) because the person refused to take a test which determines the presence of alcohol or a controlled substance when requested to do so by a proper authority, is guilty of a gross misdemeanor. Jurisdiction over prosecutions under this section is in the county court."

Page 5, line 6, before "*Sections*" insert "*Sections 1 to 9 are effective August 1, 1987.*" and delete "*1 to 5*" and insert "*10 to 14*"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to motorboat and motor vehicle safety; providing for enforcement of sanctions for operation of snowmobiles, all-terrain vehicles, and motorboats while under the influence of alcohol or a controlled substance; providing for revocation of driver's license of operator of snowmobile or all-terrain vehicle as sanction for implied consent violation; amending Minnesota Statutes 1986, sections 84.87, subdivisions 1 and 2, and by adding a subdivision; 84.928, subdivisions 1 and 3; 169.02, subdivision 1; 169.121, subdivision 1; 169.123, subdivision 2; 169.129; 361.121, subdivision 2, and by adding subdivisions."

Mr. Merriam moved to amend the Frank amendment to H.F. No. 1015, as amended pursuant to Rule 49, adopted by the Senate May 1, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 992.)

Pages 1 to 3, delete section 1

Page 3, line 31, delete "*169.121*" and insert "*3*" and delete "*169.123*" and insert "*4*"

Pages 3 to 5, delete section 4 and insert:

"Sec. 3. [84.91] [OPERATION OF SNOWMOBILES AND ALL-TERRAIN VEHICLES UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCES.]

Subdivision 1. [ACTS PROHIBITED.] (a) No person shall operate or be in physical control of any snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state while under the influence of:

(1) alcohol, as provided in section 169.121, subdivision 1, clauses (a) and (d);

(2) a controlled substance, as defined in section 152.01, subdivision 4; or

(3) a combination of any two or more of the elements named in clauses (1) and (2).

(b) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall authorize or permit any individual the person knows or has reason to believe is under the influence of alcohol or a controlled substance, as provided under paragraph (a), to operate the

snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(c) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall knowingly authorize or permit any person, who by reason of any physical or mental disability is incapable of operating the vehicle, to operate the snowmobile or all-terrain vehicle, anywhere in this state or on the ice of any boundary water of this state.

Subd. 2. [ARREST.] Conservation officers of the department of natural resources, sheriffs, sheriffs deputies, and other peace officers may arrest a person for a violation under subdivision 1 without a warrant upon probable cause, if the violation was committed in the officer's presence. If the violation did not occur in the officer's presence, the officer may arrest the person if the person was involved in a snowmobile or all-terrain vehicle accident resulting in death, personal injury, or property damage.

Subd. 3. [PRELIMINARY SCREENING TEST.] When an officer authorized under subdivision 2 to make arrests has reason to believe from the manner in which a person is operating, controlling, or acting upon departure from a snowmobile or all-terrain vehicle, or has operated or been in control of the vehicle, that the operator may be violating or has violated subdivision 1, paragraph (a), the officer may require the operator to provide a breath sample for a preliminary screening test using a device approved by the commissioner of public safety for this purpose. The results of the preliminary screening test shall be used for the purpose of deciding whether an arrest should be made under this section and whether to require the chemical tests authorized in section 4, but may not be used in any court action except to prove that a test was properly required of an operator under section 4. Following the preliminary screening test, additional tests may be required of the operator as provided under section 4. An operator who refuses a breath sample is subject to the provisions of section 4 unless, in compliance with that section, the operator submits to a blood, breath, or urine test to determine the presence of alcohol or a controlled substance.

Subd. 4. [EVIDENCE.] In a prosecution for a violation of subdivision 1, paragraph (a), the admission of evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine is governed by section 361.12, subdivision 4.

Subd. 5. [PENALTIES.] (a) A person who violates any prohibition contained in subdivision 1 is guilty of a misdemeanor. A person who violates any prohibition contained in subdivision 1 within five years of a prior conviction under that subdivision or civil liability under section 4, subdivision 2, or within ten years of two or more prior convictions under that subdivision or civil liability under section 4, subdivision 2, is guilty of a gross misdemeanor.

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

Subd. 6. [OPERATING PRIVILEGES SUSPENDED.] Upon conviction, and in addition to any penalty imposed under subdivision 5, the person is prohibited for one year from operating a snowmobile or all-terrain vehicle, whichever was involved in the violation.

Subd. 7. [DUTIES OF COMMISSIONER.] The court shall promptly

forward to the commissioner copies of all convictions and criminal and civil penalties imposed under subdivision 5 and section 4, subdivision 2. The commissioner shall notify the convicted person of the period during which the person is prohibited from operating a snowmobile or all-terrain vehicle under subdivision 6 or section 4, subdivision 2. The commissioner shall also periodically circulate to appropriate law enforcement agencies a list of all persons who are prohibited from operating a snowmobile or all-terrain vehicle under subdivision 6 or section 4, subdivision 2.

Subd. 8. [IMMUNITY FROM LIABILITY.] The state or political subdivision that employs an officer who is authorized under subdivision 2 to make an arrest for violations of subdivision 1 is immune from any liability, civil or criminal, for the care or custody of the snowmobile or all-terrain vehicle being operated by or in the physical control of the person arrested if the officer acts in good faith and exercises due care.

Sec. 4. [84.911] [CHEMICAL TESTING.]

Subdivision 1. [MANDATORY CHEMICAL TESTING.] A person who operates or is in physical control of a snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state is required, subject to the provisions of this section, to take or submit to a test of the person's blood, breath, or urine for the purpose of determining the presence and amount of alcohol or a controlled substance. The test shall be administered at the direction of an officer authorized to make arrests under section 3, subdivision 2. Taking or submitting to the test is mandatory when requested by an officer who has probable cause to believe the person was operating or in physical control of a snowmobile or all-terrain vehicle in violation of section 3, subdivision 1, paragraph (a), and one of the following conditions exists:

(1) the person has been lawfully placed under arrest for violating section 3, subdivision 1, paragraph (a);

(2) the person has been involved while operating a snowmobile or all-terrain vehicle in an accident resulting in property damage, personal injury, or death;

(3) the person has refused to take the preliminary screening test provided for in section 3, subdivision 3; or

(4) the screening test was administered and recorded an alcohol concentration of 0.10 or more.

Subd. 2. [PENALTIES; REFUSAL; REVOCATION OF SNOWMOBILE OR ALL-TERRAIN VEHICLE OPERATING PRIVILEGE.] (a) If a person refuses to take a test required under subdivision 1, none must be given, but the officer authorized to make arrests under section 3, subdivision 2, shall report the refusal to the commissioner of natural resources and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the incident occurred that gave rise to the test demand and refusal.

On certification by the officer that probable cause existed to believe the person had been operating or in physical control of a snowmobile or all-terrain vehicle while under the influence of alcohol or a controlled substance, and that the person refused to submit to testing, the commissioner shall impose a civil penalty of \$700 and shall prohibit the person from operating a snowmobile or all-terrain vehicle, whichever was involved in

the violation, for a period of one year.

On behalf of the commissioner, an officer requiring a test or directing the administration of a test shall serve on a person who refused to permit a test immediate notice of intention to prohibit the operation of a snowmobile or all-terrain vehicle, and to impose the civil penalty set forth in this subdivision. If the officer fails to serve a notice of intent to suspend operating privileges, the commissioner may notify the person by mail, and the notice is deemed received three days after mailing. The notice must advise the person of the right to obtain judicial review as provided in this section. The prohibition and civil penalty imposed by the commissioner take effect ten days after notice has been served by the officer on behalf of the commissioner or by the commissioner.

(b) A person who operates a snowmobile or all-terrain vehicle during the period the person is prohibited from operating the vehicle as provided under paragraph (a) is guilty of a misdemeanor.

Subd. 3. [RIGHTS AND OBLIGATIONS.] At the time a test is requested, the person must be informed:

(1) that Minnesota law requires a person to take a test to determine if the person is under the influence of alcohol or a controlled substance;

(2) that if the person refuses to take the test, the person is subject to a civil penalty of \$700 and is prohibited for a one-year period from operating a snowmobile or an all-terrain vehicle, as provided under subdivision 2;

(3) that if testing is refused it will not affect the person's motor vehicle driver's license;

(4) that if the test is taken and the results indicate that the person is under the influence of alcohol or a controlled substance, the person will be subject to criminal penalties and in addition to any other penalties the court may impose, the person's operating privileges will be suspended as provided under section 3, subdivision 6;

(5) that, after submitting to testing, the person has the right to have additional tests made by someone of the person's own choosing; and

(6) that a refusal to take a test will be offered into evidence against the person at trial.

Subd. 4. [REQUIREMENT OF URINE TEST.] Notwithstanding subdivision 1, if there is probable cause to believe there is impairment by a controlled substance that is not subject to testing by a breath test, a blood or urine test may be required even after a breath test has been administered.

Subd. 5. [CHEMICAL TESTS.] Chemical tests administered under this section are governed by section 361.121, subdivisions 5, 6, and 7.

Subd. 6. [JUDICIAL REVIEW; ENFORCEMENT.] Judicial review of sanctions imposed under this section is governed by sections 6 and 7. Payment and enforcement of the civil penalty imposed under this section is governed by sections 8 and 9."

Page 5, line 34, delete "within" and insert "anywhere in"

Page 6, line 1, strike "169.121"

Page 6, lines 4 to 7, delete the new language

Page 6, line 8, delete everything before "and" and insert "3"

Page 6, line 9, delete "169.123" and insert "4"

Pages 6 to 9, delete sections 6 to 9

Page 9, line 2, delete "9" and insert "5"

Page 9, line 4, delete "10 to 14" and insert "6 to 10"

Renumber the sections in sequence

Amend the title as follows:

Page 9, delete lines 8 to 20 and insert:

"relating to motorboat and motor vehicle safety; providing for enforcement of sanctions for operation of snowmobiles, all-terrain vehicles, and motorboats while under the influence of alcohol or a controlled substance; providing for revocation of privilege to operate snowmobile or all-terrain vehicle as sanction for implied consent violation; amending Minnesota Statutes 1986, sections 84.87, subdivision 2, and by adding a subdivision; 84.928, subdivision 3; 169.02, subdivision 1; 169.121, subdivision 1; 169.123, subdivision 2; 169.129; 361.121, subdivision 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 84."

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

The question recurred on the Frank amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 392, which the committee reports progress, subject to the following motions:

Mr. Spear moved to amend S.F. No. 392 as follows:

Page 1, line 14, strike "any" and insert "a"

Page 1, line 16, after the stricken "drivers" insert "*person's*"

Page 1, line 17, strike "of such person"

Page 1, line 19, strike "any" and insert "*the*" and strike "such" in both places and insert "*the*" in both places

Page 1, line 20, strike "that" and insert "*the*"

Page 1, line 21, strike "Upon surrender thereof"

Page 1, line 22, strike "therefor" and insert "*for the surrendered registration plates and registration certificate*"

Page 1, line 23, strike "such" and insert "*the*"

Page 1, line 24, strike the second "the"

Page 1, line 25, strike "any" and insert "*the*" and after "vehicle" insert "*to be surrendered to the court if the vehicle was*" and after "violation" strike the comma

Page 1, line 26, strike "who" and insert "*and the owner*"

Page 2, line 1, strike everything after "offense"

Page 2, line 2, strike everything before the period

Page 2, line 3, strike "any" and insert "a" in both places

Page 2, line 4, after "except" insert "a" and strike "laws or ordinances" and insert "*law or ordinance*"

Page 2, line 10, after "for" insert "*a period*"

Page 2, line 16, strike "any" and insert "an" and strike "which" and insert "*that*"

Page 2, line 17, after the stricken "drivers" insert "*person's*" and strike "of such person"

Page 2, line 21, strike "such" and insert "*the*"

Page 2, line 22, strike "that" and insert "*the*"

Page 3, line 13, delete the second "must" and insert "*shall*"

Page 3, lines 20 and 31, delete "must" and insert "*shall*"

Page 3, line 31, after "new" insert "*registration*"

Page 3, line 32, delete the first "*the*" and insert "*a registration*"

Page 3, line 35, strike "Any such" and insert "A"

Page 4, line 1, after "plates" insert a comma and strike "shall" and insert "*must*"

Page 4, line 11, delete "or"

Page 4, line 12, delete "*owner's*" and delete "or"

Page 4, line 14, after "171.30" insert ", or (3) the owner is not the violator and the owner has a valid or limited license or a member of the owner's household has a valid driver's license"

Page 4, line 16, delete "*shall*" and insert "*may*"

Page 4, line 21, delete "*or owner*" and delete the third "or"

Page 4, line 22, delete "*owner must*" and insert "*shall*"

Page 4, line 30, strike "which" and insert "*that*"

Page 4, line 31, strike "such" and insert "*the*"

Page 4, line 34, strike "thereby"

Page 5, line 6, strike "certificate of" and after "registration" insert "*certificate*"

Page 5, line 8, strike "said" and insert "*the*"

Page 5, line 20, strike the third "the" and insert "*motor vehicle*"

Page 5, line 21, strike "thereon"

Page 5, line 22, strike "Any" and insert "A"

Page 5, line 23, after "or" insert "a"

Page 5, line 24, strike "any" and insert "a"

Page 6, line 3, delete "*and of*" and insert "*or while an*"

Page 6, line 4, after "*impoundment*" insert "*order*" and after "168.041" insert "*is in effect,*"

Page 6, line 23, strike "shall have" and insert "*or impoundment has*"

Page 6, line 28, strike "pursuant" and insert "under"

Page 6, line 29, strike "to" and delete "in effect"

Page 6, line 35, strike "shall" and insert "must"

Page 7, line 4, strike "No" and insert "A" and strike "shall" and insert "may not"

Page 7, line 5, strike "no" and strike "shall" and insert "may not"

Page 7, lines 7, 9, 17, 21, 24, 27, and 30, strike "shall" and insert "must"

Page 7, line 12, strike "shall" and insert "does"

Page 7, line 31, strike "and in any event" and insert "but"

Page 8, lines 3 and 23, strike "shall be" and insert "is"

Page 8, line 28, strike "shall be" and insert "are"

Page 8, line 30, delete "shall include" and insert "is limited to the issues of"

Page 8, line 32, after "owned" insert ", registered, or leased"

Page 8, line 35, delete "or" and insert "and"

Page 8, line 36, after "vehicle" insert "subject to the impoundment order"

Page 9, line 7, delete "shall be" and insert "are"

Page 9, line 10, after "impoundment" insert "order"

Page 9, line 18, delete "also"

Page 9, line 24, strike "any" and insert "a"

Page 9, line 25, delete the new language

Page 9, line 32, after the period, insert "The commissioner shall notify the owner of a motor vehicle subject to an impoundment order under section 168.041 as a result of the violation who is not the violator of the procedures for obtaining new registration plates."

Page 9, line 34, strike the comma and delete "and" and insert "or"

Page 9, line 35, delete "issuance of new" and insert "without valid"

Page 10, line 4, delete "must" and insert "may"

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 392 as follows:

Page 2, line 25, delete "second" and insert "third"

Page 2, line 26, delete "third" and insert "fourth"

The motion prevailed. So the amendment was adopted.

S.F. No. 392 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, 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.

Mr. Freeman introduced—

S.F. No. 1532: A bill for an act relating to civil actions; modifying the statute of limitations for damages based on services or construction to improve real property; amending Minnesota Statutes 1986, section 541.051, subdivision 1.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dicklich moved that S.F. No. 1197, No. 1 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Ms. Peterson, D.C. moved that S.F. No. 1235, No. 13 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 8:00 p.m. The motion prevailed.

The hour of 8:00 p.m. having arrived, 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.

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.

MESSAGES FROM THE HOUSE

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. 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.

There has been appointed as such committee on the part of the House:
Segal, Kelly and Dempsey.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 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. 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.

There has been appointed as such committee on the part of the House:
Bishop, Rest and Carruthers.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 11, 1987

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 230:

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.

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

Uphus, Tunheim and Nelson, C., have been appointed as such committee on the part of the House.

House File No. 230 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1987

Mr. Stumpf moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 230, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Pehler moved that the following members be excused for a Conference Committee on H.F. No. 753 at 8:00 p.m.:

Mr. Peterson, R.W.; Ms. Peterson, D.C.; Messrs. DeCramer, Pehler and Ms. Reichgott. 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 at 8:00 p.m.:

Messrs. Waldorf, Dicklich, Hughes, Taylor and Johnson, D.E. 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. 966, 704, 686 and H.F. Nos. 1119 and 1475, which the committee recommends to pass.

H.F. No. 350, which the committee recommends to pass, subject to the following motion:

Mr. Marty moved that the amendment made to H.F. No. 350 by the Committee on Rules and Administration in the report adopted May 9, 1987, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1041, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Amend H.F. No. 1041, as amended pursuant to Rule 49, adopted by the Senate May 1, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 1478.)

Page 3, line 24, after "upon" insert "legally"

Page 3, line 34, delete "an" and insert "a legally"

Page 4, line 2, after "guardianship" insert "from the child's country of origin"

Page 4, line 15, delete "an" and insert "a legal"

The motion prevailed. So the amendment was adopted.

H.F. No. 591, which the committee recommends to pass with the following amendment offered by Mr. Brandl:

Amend H.F. No. 591, the unofficial engrossment, as follows:

Page 5, line 31, delete "1" and insert "2"

The motion prevailed. So the amendment was adopted.

H.F. No. 596, which the committee recommends to pass with the following amendment offered by Mr. Ramstad:

Amend H.F. No. 596, the unofficial engrossment, as follows:

Page 1, line 27, delete everything after "area"

Page 2, lines 1 and 2, delete the new language

The motion prevailed. So the amendment was adopted.

H.F. No. 3, which the committee recommends to pass with the following amendments offered by Mrs. Lantry:

Amend H.F. No. 3, the unofficial engrossment, as follows:

Page 1, line 22, after "employee" insert "who is 18 years of age or older"

The motion prevailed. So the amendment was adopted.

Mrs. Lantry then moved to amend H.F. No. 3, the unofficial engrossment, as follows:

Page 2, after line 7, insert:

"(c) Notwithstanding paragraph (b), the minimum hourly wage for federal or state covered employees who receive \$35 or more in gratuities per month shall be \$3.35 an hour for those employees who are 18 years of age or older and \$3.02 an hour for those employees who are under 18 years of age. This paragraph applies only until January 1, 1989."

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend H.F. No. 3, the unofficial engrossment, as follows:

Page 1, line 15, after the period, insert "'Home worker' means an employee who works following the guidelines of an employer for whom the work is done with materials furnished by and returned to the employer or to someone that the employer designates."

Page 1, line 18, after "older" insert ", except home workers,"

Page 1, line 22, after "employee" insert ", except home workers,"

Page 2, line 1, after "employee" insert ", except home workers,"

Page 2, line 4, after "employee" insert ", except home workers,"

Page 2, line 7, after the period, insert "Every federal and state covered employer must pay each home worker wages at a rate of at least \$3.35 an hour."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

Adkins	Bertram	Gustafson	Lessard	Storm
Anderson	Brataas	Johnson, D.E.	McQuaid	Vickerman
Beckman	Chmielewski	Knaak	Mehrkens	Wegscheid
Belanger	Davis	Knutson	Olson	
Benson	DeCramer	Laidig	Ramstad	
Berg	Frederick	Langseth	Renneke	
Bernhagen	Frederickson, D.R.	Larson	Schmitz	

Those who voted in the negative were:

Berglin	Freeman	Merriam	Peterson, R.W.	Stumpf
Brandl	Hughes	Metzen	Piper	Taylor
Cohen	Johnson, D.J.	Moe, D.M.	Pogemiller	Waldorf
Dahl	Jude	Moe, R.D.	Purfeerst	Willet
Dicklich	Kroening	Morse	Reichgott	
Diessner	Lantry	Novak	Samuelson	
Frank	Luther	Pehler	Solon	
Frederickson, D.J.	Marty	Peterson, D.C.	Spear	

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

The question was taken on the recommendation to pass H.F. No. 3.

The roll was called, and there were yeas 38 and nays 29, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Luther	Peterson, D.C.	Solon
Berglin	Freeman	Marty	Peterson, R.W.	Spear
Brataas	Hughes	Merriam	Piper	Taylor
Chmielewski	Johnson, D.J.	Metzen	Pogemiller	Vickerman
Cohen	Jude	Moe, D.M.	Purfeerst	Waldorf
Dahl	Knaak	Moe, R.D.	Reichgott	Willet
Dicklich	Kroening	Novak	Samuelson	
Diessner	Lantry	Pehler	Schmitz	

Those who voted in the negative were:

Anderson	Bertram	Frederickson, D.R.	Larson	Ramstad
Beckman	Brandl	Gustafson	Lessard	Renneke
Belanger	Davis	Johnson, D.E.	McQuaid	Storm
Benson	DeCramer	Knutson	Mehrkens	Stumpf
Berg	Frederick	Laidig	Morse	Wegscheid
Bernhagen	Frederickson, D.J.	Langseth	Olson	

The motion prevailed. So H.F. No. 3 was recommended to pass.

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

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

H.F. No. 889: A bill for an act relating to local government; providing notice conditions for town road contracts; amending Minnesota Statutes 1986, section 160.17, subdivision 2.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 948: A bill for an act relating to state government; providing for affirmative action improvements; regulating job eligibility lists; providing for the title of state agency heads; giving the commissioner of health access to private or confidential data on individual state employees for purposes of epidemiologic studies; setting a mandatory age for certain employees and abolishing it for others; regulating hiring and personnel practices; amending Minnesota Statutes 1986, sections 15.06, subdivision 1; 15.46; 43A.08, subdivision 1; 43A.13, subdivisions 1 and 7; 43A.18, subdivision 4; 43A.191, subdivision 3; 43A.24, subdivision 2; 43A.30, subdivision 4; 43A.33, subdivision 3; 43A.34, subdivisions 1, 3, and 4; repealing Minnesota Statutes 1986, sections 15.45, subdivision 3; 15.47; and 43A.34, subdivision 2.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 638: A bill for an act relating to elections; requiring election judges to inform voters of certain laws; providing for selection of a party in certain primary elections; amending Minnesota Statutes 1986, sections 204C.13, subdivision 2; and 206.80.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 564: A resolution memorializing the Federal Energy Regulatory Commission; expressing the Legislature's opposition to the installation of additional hydropower generating facilities at the Falls of St. Anthony in Minneapolis, 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 45 and nays 22, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.E.	Moe, D.M.	Reichgott
Beckman	Davis	Johnson, D.J.	Moe, R.D.	Samuelson
Belanger	DeCramer	Jude	Morse	Schmitz
Berg	Dicklich	Kroening	Novak	Solon
Berglin	Frederick	Langseth	Pehler	Spear
Bertram	Frederickson, D.J.	Lantry	Peterson, D.C.	Taylor
Brandl	Frederickson, D.R.	Lessard	Peterson, R.W.	Vickerman
Chmielewski	Freeman	Luther	Piper	Waldorf
Cohen	Hughes	Metzen	Pogemiller	Willet

Those who voted in the negative were:

Anderson	Frank	Larson	Olson	Stumpf
Benson	Gustafson	Marty	Purfeerst	Wegscheid
Bernhagen	Knaak	McQuaid	Ramstad	
Brataas	Knutson	Mehrkens	Renneke	
Diessner	Laidig	Merriam	Storm	

So the resolution passed and its title was agreed to.

H.F. No. 624: A bill for an act relating to conciliation courts; providing for entry of judgment; providing for vacation of default judgment in certain circumstances; providing for time limitation and service by mail on removal to county court; allowing a party to proceed without payment of a filing fee; amending Minnesota Statutes 1986, section 487.30, by adding subdivisions.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

S.F. No. 1018: A bill for an act relating to crimes; criminal sexual conduct; creating a crime of fifth degree criminal sexual conduct; amending Minnesota Statutes 1986, section 388.051, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1071: A bill for an act relating to crimes; criminal sexual conduct; clarifying the definition of "mentally incapacitated"; providing that criminal sexual contact requires sexual or aggressive intent; expanding the definition of coercion; amending Minnesota Statutes 1986, section 609.341, subdivisions 7, 11, and 14.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 361: A bill for an act relating to state employees; permitting certain employees to donate vacation time to a union representative; amending Minnesota Statutes 1986, section 43A.04, subdivision 8.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 1304: A bill for an act relating to insurance; regulating cancellations of insurance agency contracts; proposing coding for new law in Minnesota Statutes, chapter 60A.

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 57 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson	Knaak	Larson	Ramstad	Storm
Frederick	Knutson	Olson	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 1335: A bill for an act relating to unemployment compensation; limiting recovery of overpayments due to agency error; limiting amount of setoff from current benefit amount; amending Minnesota Statutes 1986, section 268.18, 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 65 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 384: A bill for an act relating to crimes; providing for prosecution of certain gross misdemeanor violations; increasing the maximum fine for petty misdemeanor violations; creating a gross misdemeanor crime of damage to property; creating the crimes of check forgery and offering a forged check; increasing the maximum bail for certain misdemeanors and gross misdemeanors; prescribing penalties; amending Minnesota Statutes 1986, sections 171.07, subdivision 1a; 487.25, subdivision 10; 609.02, subdivision 4a; 609.224, subdivision 2; 609.52, subdivisions 1, 2, and 3; 609.595; 609.625; 609.821, subdivisions 1, 2, and 3; 626A.05, subdivision 2; and 629.47; proposing coding for new law in Minnesota Statutes, chapters 609 and 629.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 1563: A bill for an act relating to public safety; providing that local governing body may appoint local board of appeal for order issued under the state fire code; providing for notice; providing for smoke detector maintenance; providing penalties; amending Minnesota Statutes 1986, sections 299F011, subdivision 6, and by adding subdivisions; and 299F362, subdivisions 5, 6, and 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 66 and nays 1, as follows:

Those who voted in the affirmative were:

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

Ms. Reichgott voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 822: A bill for an act relating to commerce; requiring that credit card applications contain specific disclosures respecting conditions and costs; prescribing penalties; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325G.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 1515: A bill for an act relating to public offices; fixing resignation effective dates; prohibiting contingent resignations; permitting the submission and withdrawal of prospective resignations in certain circumstances; providing for appeals in statewide election contests; amending Minnesota Statutes 1986, sections 209.09; 351.01; and 480A.06, 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

So the bill passed and its title was agreed to.

H.F. No. 1622: A bill for an act relating to courts; providing court of appeals and crime victim representation on the sentencing guidelines commission; providing that terms of commission members appointed by the governor are coterminous with the governor; changing the date on which the commission's report to the legislature is due; clarifying the membership on judicial appeal panels; permitting retired judges to solemnize marriages; clarifying judicial representation on the judicial standards board; authorizing the supreme court to adopt court rules; restricting mileage reimbursement for law clerks; amending Minnesota Statutes 1986, sections 244.09, subdivisions 2, 3, and 11; 253B.19, subdivision 1; 480.051; 481.02, subdivision 3; 484.545, subdivision 3; 484.62; 490.15, subdivision 1; 517.04; and 525.06.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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, Reports of Committees and Second Reading of Senate Bills. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1159:

H.F. No. 1159: A bill for an act relating to retirement; public pension plan or fund assets; prohibiting certain transfers or uses of assets; proposing coding for new law in Minnesota Statutes, chapter 356.

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

Simoneau, Reding and Knickerbocker have been appointed as such committee on the part of the House.

House File No. 1159 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1987

Mr. Wegscheid moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1159, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 706:

H.F. No. 706: A bill for an act relating to juveniles; clarifying certain

recent changes to the juvenile court act; clarifying the hearing and records procedures of the juvenile court; providing for the enforcement of juvenile court restitution orders; permitting administrative docketing of certain unpaid county reimbursements; clarifying certain crime victim notification and protection laws; amending Minnesota Statutes 1986, sections 260.155, subdivisions 1 and 1a; 260.156; 260.161; 260.185, by adding a subdivision; 548.091, subdivision 1; 595.02, subdivision 4; 609.115, subdivision 1; 609.3471; 611A.031; and 611A.035; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, sections 609.115, subdivisions 1b and 1c; and 636.08.

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

Kelly, Seaberg and Pappas have been appointed as such committee on the part of the House.

House File No. 706 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 11, 1987

Mr. Cohen moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 706, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

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. 1503: A bill for an act relating to transportation; providing increases in taxes on motor vehicles; imposing a tax on the receipt of gasoline and diesel fuel; increasing driver license fees; providing for the deposit of receipts from the motor vehicle excise tax; repealing provision requiring reduction in property tax levy by amount of wheelage taxes received by a county; appropriating money; amending Minnesota Statutes 1986, sections 171.02, subdivision 3; 171.06, subdivision 2; 171.26; 296.025, subdivision 1; 296.026, subdivision 2; and 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 296; repealing Minnesota Statutes 1986, section 297B.09, subdivision 2.

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

Page 3, line 12, after "296.14," insert "*except for the shrinkage allowance provided in subdivision 1,*"

Page 3, line 13, delete "*distributor*" and insert "*person*"

Page 4, after line 33, insert:

"Sec. 8. [APPROPRIATIONS.]

Subdivision 1. The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this section, to be available for the fiscal years indicated for each purpose. The figures "1988" and "1989," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1988, or June 30, 1989, respectively.

APPROPRIATIONS		
Available for the Year		
Ending June 30		
	1988	1989
Subd. 2. Transportation	\$87,130,000	\$93,530,000
Summary by Fund		
General	\$ 4,410,000	\$ 4,270,000
MSAS	\$ 7,000,000	\$ 7,500,000
CSAH	\$22,500,000	\$24,400,000
Trunk Highway	\$51,500,000	\$55,500,000
Transit Assistance	\$ 1,720,000	\$ 1,860,000

The amounts that may be spent from this appropriation for each program are specified in the following paragraphs.

(a) Highway Development

1988	1989
\$72,500,000	\$78,900,000

Summary by Fund		
MSAS	\$ 7,000,000	\$ 7,500,000
CSAH	\$22,500,000	\$24,400,000
TRUNK HIGHWAY	\$43,000,000	\$47,000,000

These appropriations are added to the appropriations in section 2, subdivision 2, of S.F. No. 1516.

(b) Highway Programs \$80,000

This appropriation is from the general fund and is added to the appropriation in section 2, subdivision 5, of S.F. No. 1516, for transit administration. The authorized complement for the department is increased by two positions in the second year of the biennium.

(c) Non-Metropolitan Transit

Assistance	\$6,130,000	\$6,050,000
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Summary by Fund		
General	\$ 4,410,000	\$ 4,190,000
Transit Assistance	\$ 1,720,000	\$ 1,860,000

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

(d) Department Operations	\$ 8,500,000	\$ 8,500,000
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These appropriations are from the trunk highway fund and are added to the appropriations in section 2, subdivisions 3, 4, 5, and 6, of S.F. No. 1516. The authorized complement for the department is increased by 15 positions for the biennium.

Subd. 3. Regional Transit Board	\$22,770,000	\$22,770,000
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Summary by Fund

General	\$15,890,000	\$15,330,000
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Transit Assistance		
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	\$ 6,880,000	\$ 7,440,000
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Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

At least \$12,500,000 must be spent for metro mobility service during the biennium ending June 30, 1989."

Page 4, line 35, delete "section" and insert "sections 163.051, subdivision 5; and" and delete "is" and insert "are"

Page 5, line 2, delete "sections" and insert "section"

Page 5, line 3, delete "and 5 apply" and insert "applies" and delete "and special fuel"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "providing increases in"

Page 1, line 3, delete "taxes on motor vehicles;"

Page 1, line 4, delete "and diesel fuel" and after the semicolon, insert "increasing the rate of tax on special fuels; increasing the fees for compressed natural gas user permits;"

Page 1, line 14, delete "section" and insert "sections 163.051, subdivision 5; and"

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

SECOND READING OF SENATE BILLS

S.F. No. 1503 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Frank moved that S.F. No. 243, No. 15 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

MEMBERS EXCUSED

Mr. Moe, R.D. was excused from the Session of today from 12:00 noon to 5:45 p.m. Mr. DeCramer was excused from the Session of today from 1:30 to 3:50 p.m. Ms. Berglin was excused from the Session of today from 4:45 to 5:45 p.m.

ADJOURNMENT

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

Patrick E. Flahaven, Secretary of the Senate