

## SEVENTY-FIFTH DAY

St. Paul, Minnesota, Thursday, March 24, 1988

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

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Paul H. Knutson.

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

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

The President declared a quorum present.

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

March 23, 1988

The Honorable Robert E. Vanasek  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1988 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1988	Date Filed 1988
1594		411	March 22	March 22
	1884	412	March 22	March 22

Sincerely,

Joan Anderson Growe

Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2358 and 2367.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 23, 1988

Mr. President:

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

S.F. No. 1713: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited lands in Carlton county.

Senate File No. 1713 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 23, 1988

Mr. Chmielewski moved that S.F. No. 1713 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2489, 2551 and 2245.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 23, 1988

### FIRST READING OF HOUSE BILLS

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

H.F. No. 2489: A bill for an act relating to land exchange; authorizing the exchange of certain state lands free from reservations of public travel under certain conditions; authorizing sale of certain land in Cook county; amending Minnesota Statutes 1986, section 94.342, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2216, now on General Orders.

H.F. No. 2551: A bill for an act relating to state lands; authorizing private conveyance of tax-forfeited land in St. Louis county.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2215, now on General Orders.

H.F. No. 2245: A bill for an act relating to education; providing aids for education and the distribution of tax revenues; increasing the basic formula allowance; setting the general education levy; modifying the transportation aid and levy formulas; creating an American Indian education council; requiring a study of Indian education; requiring the development of a new model for secondary vocational instruction; modifying the community education formulas; offering free admission to secondary school to eligible persons at least 21 years of age; creating education district revenue; encouraging integrated learning environments; making technical corrections to the cooperative secondary facilities grant act; providing for the sale of permanent school fund lands; requiring the signing of an education statement; requiring certain changes in the state high school league; creating a task force on school district reorganization; changing the capital expenditure formulas; appropriating money; amending Minnesota Statutes 1986, sections 92.06, subdivision 4; 92.14, by adding a subdivision; 92.67, subdivision 5; 120.06, by adding a subdivision; 120.075, subdivisions 1a, 3, and by adding a subdivision; 120.0751, subdivision 1, and by adding a subdivision; 120.0752, subdivision 1, and by adding a subdivision; 120.74, subdivision 1; 121.11, subdivision 12; 121.15, subdivisions 6, 7, and by adding a subdivision; 121.612, by adding a subdivision; 121.88, by adding subdivisions; 123.35, subdivision 8; 123.3514, by adding a subdivision; 124.17, by adding a subdivision; 124.18, subdivision 2; 124.214, subdivision 2; 124.225, by adding a subdivision; 124.245, by adding a subdivision; 124.271, by adding subdivisions; 124.2711, by adding a subdivision; 124A.036, subdivision 2; 126.14, subdivision 1; 126.151; 126.56, subdivision 2; 129.121, subdivision 2, and by adding subdivisions; 260.015, subdivision 19; 275.125, by adding subdivisions; Minnesota Statutes 1987 Supplement, sections 92.46, subdivision 1; 92.67, subdivisions 1, 3, and 4; 120.0752, subdivision 3; 120.101, subdivisions 5 and 9; 120.17, subdivision 1; 121.612, subdivision 3; 121.87, subdivision 1a; 123.3515, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; 124.214, subdivision 3; 124.223; 124.225, subdivision 4b; 124.26, subdivision 1b; 124.271, subdivision 2b; 124.2711, subdivision 1; 124.494, subdivisions 5 and 6; 124.573, subdivision 2b, and by adding subdivisions; 124A.036, subdivision 5; 124A.22, subdivisions 2, 3, and 6; 124A.23, subdivisions 1, 2, 3, and by adding subdivisions; 124A.24; 124A.25, subdivisions 2, 4, and by adding a subdivision; 125.185, subdivision 4; 126.22, subdivisions 2, 3, 4, and by adding a subdivision; 126.666, by adding a subdivision; 126.70, subdivision 2a; 129.121, subdivision 1; 129B.11, subdivisions 1 and 2, and by adding a subdivision; 275.125, subdivisions 5 and 8; Laws 1987, chapter 398, article 1, section 27, subdivision 3; article 2, section 13, subdivision 2; article 3, section 39, subdivision 8; article 5, section 2, subdivision 12; article 6, section 19, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 122; 124; 124A; 126; 129B; 145; repealing Minnesota Statutes 1986, section 124.245, subdivision 4; Minnesota Statutes 1987 Supplement, sections 121.11, subdivision 16; 124.244; 124.245, subdivisions 3, 3a, and 3b;

124A.27, subdivision 10; and 275.125, subdivisions 6e and 11c.

Mr. Merriam, for Mr. Moe, R.D., moved that H.F. No. 2245 be laid on the table. The motion prevailed.

### REPORTS OF COMMITTEES

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

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

S.F. No. 2513: A bill for an act relating to metropolitan government; creating a legislative task force to monitor performance of metropolitan agencies in complying with certain laws; prescribing the contents of affirmative action plans for metropolitan agencies and a process for approval and reporting of those plans; requiring purchases from small businesses and businesses owned by socially or economically disadvantaged persons; amending Minnesota Statutes 1986, sections 473.141, subdivision 9, and by adding a subdivision; and 473.406, subdivisions 2, 5, 6, and 7; proposing coding for new law in Minnesota Statutes, chapters 3 and 473; repealing Minnesota Statutes 1986, section 473.556, subdivision 14.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 473.141, subdivision 9, is amended to read:

Subd. 9. [PERSONNEL CODE; MERIT SYSTEM.] (a) The council shall by resolution adopt guidelines for a personnel code relating to the employees of the commissions, except that nothing in Laws 1974, Chapter 422 shall impair the rights of any commission or employee under sections 473.405 and 473.415. After adoption of the guidelines, each commission shall by resolution adopt a personnel code in general conformance therewith. The code shall include a job classification plan, procedures for employment and promotion of personnel based on merit, procedures for the demotion, suspension or discharge of employees, procedures for hearing grievances, procedures for salary administration, and such other provisions as the council deems appropriate. In addition, the code shall provide for the development by each commission of affirmative action plans, ~~which shall be submitted for approval to the appropriate agency or office of the state. The plans shall include a yearly progress report to the agency or office as provided in section 3.~~ The chief administrator of each commission shall administer the code, and no commission shall take any action inconsistent with the personnel code.

(b) All employees of the commission except those expressly designated for the unclassified service, shall serve in the classified service. The unclassified service shall include: members of the commission, the chief administrator of the commission, all officers of the commission, any employee of the commission who is determined by the commission to have a confidential relationship to the commission or the council; and any employee of the commission expressly exempted from the classified service by law. Each code shall also include procedures for open competitive examinations

to test the relative skill or ability of all applicants for positions in the classified service. Such examinations may consist of written or oral tests of the subjective or objective type, physical tests, and practical or demonstration tests for the evaluation of past training and experience. Oral tests may be used to test the applicant's knowledge of the position applied for or personal fitness for the position. Where there is more than one applicant for a position, each code shall provide for the employment of one of the three applicants best qualified for it.

(c) When a commission employee has been demoted, suspended or dismissed by the chief administrator, the employee may, within 30 days after such action becomes effective, file with the commission a written request for a hearing showing the position from which the employee was dismissed, the date of dismissal, and the reason for requesting the hearing, full name and present mailing address. Upon receipt of a request for a hearing the commission shall appoint three of its members to act as an appeal committee and preside at a hearing on the action of the administrator. The hearing shall be held within 30 days after the request is received by the commission, upon written notice mailed or delivered to the employee at the employee's present mailing address, not less than seven days before the hearing. The appeal committee shall approve or disapprove the action of the administrator, and in the case of approval the action of the administrator shall be final. In the case of disapproval the appeal committee may reinstate the employee under such conditions as it deems proper, and may order the payment to the employee of compensation lost as a result of the demotion, suspension or dismissal.

**Sec. 2. [473.142] [SOCIALY AND ECONOMICALLY DISADVANTAGED BUSINESSES.]**

*(a) The metropolitan council and agencies specified in section 3, subdivision 1, shall attempt to award at least nine percent of the value of all procurement, other than contracts under clause (c), to businesses owned and operated by socially or economically disadvantaged persons. For purposes of this section, "socially or economically disadvantaged person" means a person who has been deprived of the opportunity to develop and maintain a competitive position in the economy because of social or economic conditions. This disadvantage may arise from cultural, social or economic circumstances, background, or other similar cause. It includes racial minorities, women, persons with a disability as defined in section 363.01, subdivision 25, sheltered workshops, and work activity programs. To the extent practicable, the council and agencies shall attempt to meet this goal through procurement from businesses with their principal place of business in Minnesota. In furtherance of this goal, the council or an agency shall set aside a percentage of all procurements for bidding only by these businesses. The council or an agency may also award a five percent preference to these businesses in the amount bid on selected procurements.*

*(b) The council and each agency specified in section 3, subdivision 1, as a condition of awarding procurements for construction, consultant, professional, or technical service contracts in excess of \$200,000, shall attempt to assure that at least ten percent of the contract award to a prime contractor be subcontracted to a business owned and operated by a socially or economically disadvantaged person, or that at least ten percent of the contract award be expended in purchasing materials or supplies from this type of business. This paragraph does not apply if the council or agency determines that there is no business owned and operated by a socially or*

economically disadvantaged person able to perform the subcontract or provide the supplies. Subcontracting or purchasing of supplies under this subdivision is not included in determining achievement of goals under paragraph (a) or (c).

(c) The council and each agency specified in section 4, subdivision 1, shall attempt to award at least six percent of the value of all procurements for consultant services or professional or technical services to businesses owned and operated by socially or economically disadvantaged persons.

(d) The council and each agency may adopt rules to implement this section.

(e) This section does not apply to procurement financed in whole or in part with federal funds if the procurement is subject to federal disadvantaged business enterprise regulations. The council and each agency shall report annually to the legislature on compliance with this subdivision. The reports must include the information specified in section 16B.21.

### Sec. 3. [473.143] [AFFIRMATIVE ACTION PLANS.]

**Subdivision 1. [APPLICATION.]** For purposes of this section, "agency" means a metropolitan agency as defined in section 473.121, except the metropolitan parks and open space commission. Agency also means the metropolitan mosquito control commission. For purposes of this section, "commissioner" means the commissioner of the state department of employee relations.

**Subd. 2. [DEVELOPMENT AND CONTENTS.]** The council and each agency shall develop an affirmative action plan and submit its plan to the commissioner for approval. The commissioner may not approve a plan unless the commissioner determines that it will be effective in assuring that employment positions are equally accessible to all qualified persons, in eliminating the underutilization of qualified members of protected groups, in providing a supportive work environment to all employees, regardless of race, religion, sex, national origin, or disability, and in dealing with discrimination complaints. For purposes of this section, "protected group" has the meaning given it in section 43A.02, subdivision 33. A plan must contain at least the elements required in this subdivision.

(a) It must identify protected groups that are underrepresented in the council's or agency's work force.

(b) It must designate a person responsible for directing and implementing the affirmative action program and assign the specific responsibilities and duties of that person. The person responsible for implementing the program shall report directly to the council's or agency's chief executive officer regarding the person's affirmative action duties. The person responsible for the affirmative action program shall review examination and other selection criteria to assure compliance with law. This person shall be involved in the filling of all vacancies in the council or agency work force, to the extent necessary to facilitate attainment of affirmative action goals.

(c) It must describe the methods by which the plan will be communicated to employees and to other persons.

(d) It must describe methods for recruiting members of protected groups. These methods may include internship programs, cooperation with union apprenticeship programs, and other steps necessary to expand the number of protected group members in applicant pools.

(e) It must describe internal procedures in accordance with this paragraph for processing complaints of alleged discrimination from job applicants and employees. The procedures must provide for an initial determination of whether the complaint is properly a discrimination complaint subject to the procedure under the affirmative action plan. Complaints filed under the discrimination procedures that allege reprisals against an employee for opposing a forbidden practice or for filing a charge, testifying, or participating in an investigation, proceeding, or hearing relating to a forbidden practice are appealable to the chief executive officer of the council or agency. Procedures under this paragraph must be distinct from any procedures available under a union contract or personnel policy for nondiscrimination complaints. Use of procedures developed under this paragraph is not a prerequisite to filing charges with a governmental enforcement agency, nor does it limit a person's right to file these charges.

(f) It must set goals and timetables to eliminate underutilization of members of each protected group in the council or agency work force.

(g) It must provide a plan for retaining and promoting protected group members in the council or agency work force. This plan should encourage training opportunities for protected group members, to the extent necessary to eliminate underutilization in specific parts of the work force.

(h) It must describe methods of auditing, evaluating, and reporting program success, including a procedure that requires a preemployment review of all hiring decisions for occupational groups with unmet affirmative action goals.

(i) It must provide for training of management and supervisory personnel in implementation of the plan and in dealing with alleged acts of discrimination in the workplace.

(j) It must provide for periodic surveying of the council or agency work force to determine employee attitudes toward implementation of the plan.

(k) It must provide for creation of an employee committee to advise on implementation of the plan and on any changes needed in the plan.

Subd. 3. [HARASSMENT.] The council and each agency shall adopt written policies forbidding harassment based on sex, disability, or race in their workplaces and establishing implementation plans and grievance procedures to deal with complaints of harassment based on sex, disability, or race.

Subd. 4. [PERFORMANCE EVALUATION.] The evaluation of the performance of each supervisory and managerial employee of the council and the agencies must include evaluation of the person's performance in implementing the council's or agency's affirmative action plan and in preventing forbidden discrimination in the workplace.

Subd. 5. [REPORT.] By March 1 each year, the commissioner shall report to the legislature on affirmative action progress of the council and of each agency. The report must include:

(1) an audit of the record of the council and each agency to determine compliance with affirmative action goals and to evaluate overall progress in attainment of overall affirmative actions objectives;

(2) if the council or any agency has failed to make satisfactory progress toward its affirmative action goals, a list of unmet goals and an analysis

of why the failure occurred;

(3) a summary of all personnel actions taken by the council and each agency during the past calendar year, categorized by occupational group, protected group status, and full-time, part-time, temporary, and seasonal status; and

(4) a summary of discrimination complaints and lawsuits against the council and each agency filed or resolved during the past calendar year, including the basis for the complaints and lawsuits.

The council and each agency shall report to the commissioner all information that the commissioner requests to make the report required by this subdivision. In providing this information, the council and agencies are not required to reveal information that is not public data under chapter 13.

The council and each agency shall submit these reports at the time and in the manner requested by the commissioner. The commissioner shall report to the legislature and the task force created in section 1 on the failure of the council or an agency to file the required report in a timely manner.

Subd. 6. [COORDINATION.] The commissioner or a designee shall meet with affirmative action officers of the council and all of the agencies to share successful techniques and foster innovative means to implement affirmative action plans and eliminate discrimination in the workplace.

#### Sec. 4. [473.144] [CERTIFICATES OF COMPLIANCE FOR CONTRACTS.]

Neither the council nor an agency listed in section 3, subdivision 1, may accept any bid or proposal for a contract or execute a contract for goods or services in excess of \$50,000 with any business having more than 20 full-time employees in Minnesota at any time during the previous 12 months, unless the business has an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights. Receipt of a certificate of compliance from the commissioner of human rights signifies that a business has an approved affirmative action plan. A certificate is valid for two years. Section 363.073 governs revocation of certificates. The rules adopted by the commissioner of human rights under section 363.074 apply to this section.

Sec. 5. Minnesota Statutes 1986, section 473.406, subdivision 2, is amended to read:

Subd. 2. [SET-ASIDES.] The metropolitan transit commission ~~may, on a fiscal year basis, designate and set aside for awarding to~~ shall comply with the requirements of section 2 relating to procurement from business entities controlled by socially or economically disadvantaged persons or handicapped persons, or for awarding to business entities which guarantee the use of subcontractors controlled by socially or economically disadvantaged persons or handicapped persons, approximately five percent of the value of its anticipated total procurement of goods and services, including construction. The failure of the commission to set aside particular procurements shall not be deemed to prohibit or discourage business entities controlled by socially or economically disadvantaged persons or handicapped persons from seeking the procurement award through the normal solicitation and bidding processes.



Sec. 6. Minnesota Statutes 1986, section 473.406, subdivision 5, is amended to read:

Subd. 5. [RECOURSE TO OTHER BUSINESSES.] If this section ~~does~~ and section 2 do not operate to extend a contract award to a business entity controlled by socially or economically disadvantaged persons ~~or handicapped persons~~, the award shall be placed pursuant to the normal solicitation and award procedures set forth in section 471.345.

Sec. 7. Minnesota Statutes 1986, section 473.406, subdivision 6, is amended to read:

Subd. 6. [RULES.] The commission shall promulgate by rule standards and procedures for certifying that business entities eligible to participate in the ~~set-aside~~ program ~~authorized in~~ required by this section and section 2 are controlled by socially or economically disadvantaged persons ~~or handicapped persons~~. The commission shall promulgate other rules as may be necessary or advisable to carry out the provisions of this section and section 2.

Sec. 8. Minnesota Statutes 1986, section 473.406, subdivision 7, is amended to read:

Subd. 7. [OTHER LAWS SUPERSEDED.] In the event of conflict with other laws or rules, the provisions of this section and section 2 and rules promulgated pursuant to ~~it~~ them shall govern.

Sec. 9. [EFFECTIVE DATE.]

*Sections 1 to 8 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. Sections 2, 5, and 6 apply only to contracts for which notice of invitation to bid or requests for proposals are issued after the effective date of the section."*

Delete the title and insert:

"A bill for an act relating to metropolitan government; prescribing the contents of affirmative action plans for metropolitan agencies and a process for approval and reporting of those plans; requiring purchases from businesses owned by socially or economically disadvantaged persons; amending Minnesota Statutes 1986, sections 473.141, subdivision 9; and 473.406, subdivisions 2, 5, 6, and 7; proposing coding for new law in Minnesota Statutes, chapter 473."

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

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

H.F. No. 2272 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.
				2272	1687

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2272 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2272 and insert the language after the enacting clause of S.F. No. 1687, the first engrossment; further, delete the title of H.F. No. 2272 and insert the title of S.F. No. 1687, the first engrossment.

And when so amended H.F. No. 2272 will be identical to S.F. No. 1687, and further recommends that H.F. No. 2272 be given its second reading and substituted for S.F. No. 1687, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2419 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				2419	2156

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2568 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.
2568	2345				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2568 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2568 and insert the language after the enacting clause of S.F. No. 2345, the first engrossment; further, delete the title of H.F. No. 2568 and insert the title of S.F. No. 2345, the first engrossment.

And when so amended H.F. No. 2568 will be identical to S.F. No. 2345, and further recommends that H.F. No. 2568 be given its second reading and substituted for S.F. No. 2345, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2185 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.
2185	2199				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2185 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2185 and insert the language after the enacting clause of S.F. No. 2199, the first engrossment; further, delete the title of H.F. No. 2185 and insert the title of S.F. No. 2199, the first engrossment.

And when so amended H.F. No. 2185 will be identical to S.F. No. 2199, and further recommends that H.F. No. 2185 be given its second reading and substituted for S.F. No. 2199, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2470 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2470	2472				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1971 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1971	2068				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2422 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.
2422	2278				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2422 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2422 and insert the language after the enacting clause of S.F. No. 2278; further, delete the title of H.F. No. 2422 and insert the title of S.F. No. 2278.

And when so amended H.F. No. 2422 will be identical to S.F. No. 2278, and further recommends that H.F. No. 2422 be given its second reading and substituted for S.F. No. 2278, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 453 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.
453	722				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 453 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 453 and insert the language after the enacting clause of S.F. No. 722, the first engrossment; further, delete the title of H.F. No. 453 and insert the title of S.F. No. 722, the first engrossment.

And when so amended H.F. No. 453 will be identical to S.F. No. 722, and further recommends that H.F. No. 453 be given its second reading and substituted for S.F. No. 722, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2224 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.
2224	2170				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2224 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2224 and insert the language after the enacting clause of S.F. No. 2170, the first engrossment; further, delete the title of H.F. No. 2224 and insert the title of S.F. No. 2170, the first engrossment.

And when so amended H.F. No. 2224 will be identical to S.F. No. 2170, and further recommends that H.F. No. 2224 be given its second reading and substituted for S.F. No. 2170, and that the Senate File be indefinitely postponed.

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

## SECOND READING OF SENATE BILLS

S.F. No. 2513 was read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 2272, 2419, 2568, 2185, 2470, 1971, 2422, 453 and 2224 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Vickerman introduced—

Senate Resolution No. 125: A Senate resolution congratulating the Tracy/Milroy Panthers Girls Basketball Team for winning the 1988 State High School Class A Girls Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Vickerman introduced—

Senate Resolution No. 126: A Senate resolution congratulating the Storden-Jeffers High School Chiefs for winning Second Place in the 1988 State High School Class A Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

Mr. Johnson, D.E. introduced—

Senate Resolution No. 127: A Senate resolution congratulating the New London-Spicer Wildcats for winning Third Place in the 1988 State High School Class A Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

Mr. Moe, R.D. introduced—

Senate Concurrent Resolution No. 25: A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon its adjournment on Wednesday, March 30, 1988, the Senate may set its next day of meeting for Tuesday, April 5, 1988.

2. Upon its adjournment on Wednesday, March 30, 1988, the House of Representatives may set its next day of meeting for Tuesday, April 5, 1988.

3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consents to the adjournment of the other for more than three days.

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

### 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. 2190: A bill for an act relating to local government; permitting certain cities and towns to contribute to a hospital.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2155: A bill for an act relating to natural resources; revising provisions relating to the Heartland Trail; establishing the Paul Bunyan Trail; amending Minnesota Statutes 1986, section 85.015, subdivision 12, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1573: A bill for an act relating to game and fish; removing an age minimum from the law governing issuance of turkey licenses; allowing physically disabled persons to use a crossbow to take small game; regulating hunting by residents with a firearms safety certificate; amending Minnesota Statutes 1986, sections 97A.435, subdivision 2; 97A.451, subdivision 3; and 97B.015, subdivision 5; Minnesota Statutes 1987 Supplement, sections 97B.035, subdivision 1; 97B.315; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1582: A bill for an act relating to marriage dissolution; providing for child support and maintenance enforcement; specifying conditions for judgment by operation of law; amending Minnesota Statutes 1986, sections 256.87, subdivisions 1, 1a, and 6; 257.66, subdivision 5; 518.55, subdivision 2, and by adding a subdivision; 518.551, subdivision 9; 518C.17,

subdivision 1; 548.091, subdivisions 2, 3, and by adding subdivisions; and Minnesota Statutes 1987 Supplement, section 548.091, 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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Lessard voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2491: A bill for an act relating to metropolitan government; establishing various requirements on agency organization, work programs, budgets, and reports; amending Minnesota Statutes 1986, sections 473.13, subdivision 1, and by adding a subdivision; 473.146, subdivision 3; 473.173, subdivision 6; 473.38, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 473.1623, subdivisions 4 and 6.

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 64 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Belanger, Merriam and Storm voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1610: A bill for an act relating to advertising devices; providing for specific service signs relating to rural agricultural businesses and places of worship to be displayed along highways; amending Minnesota Statutes 1986, sections 160.292, subdivisions 2 and 10; 160.293, subdivisions 1 and 3; and 160.295, 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2525: A resolution memorializing the President and Congress of the United States to enact a program of national health insurance.

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 43 and nays 22, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kroening	Morse	Samuelson
Beckman	Diessner	Lantry	Novak	Schmitz
Berglin	Frank	Lessard	Pehler	Solon
Brandl	Frederickson, D.J.	Luther	Peterson, D.C.	Spear
Chmielewski	Freeman	Marty	Peterson, R.W.	Stumpf
Cohen	Gustafson	Merriam	Piper	Vickerman
Dahl	Hughes	Metzen	Pogemiller	Waldorf
Davis	Johnson, D.J.	Moe, D.M.	Purfeerst	
DeCramer	Jude	Moe, R.D.	Reichgott	

Those who voted in the negative were:

Anderson	Bertram	Johnson, D.E.	Larson	Renneke
Belanger	Brataas	Knaak	McQuaid	Storm
Benson	Decker	Knutson	Mehrkens	
Berg	Frederick	Laidig	Olson	
Bernhagen	Frederickson, D.R.	Langseth	Ramstad	

So the resolution passed and its title was agreed to.

S.F. No. 1788: A bill for an act relating to the office of the secretary of state; providing for the simplification of various filings with that office; eliminating certain filings; eliminating the requirement that documents be notarized, verified, or acknowledged; reducing the number of signatures required; setting fees for copies of documents filed with the office of the secretary of state; permitting the correction of documents; setting fees for various filings; allowing the annual registration to fulfill the requirement that an active status report be filed; conforming the business corporation act to the uniform fraudulent conveyances act; increasing the penalties for failure to file an assumed business name; changing the time period during which audits of legal newspapers may occur; amending Minnesota Statutes 1986, sections 5.12; 300.025; 300.49; 302A.115, subdivisions 1 and 7;

302A.551, subdivision 3; 302A.821, subdivision 1; 303.06; 303.10, subdivision 2; 303.11; 303.14, subdivisions 1 and 3; 303.16, subdivision 3; and by adding a subdivision; 306.70; 306.74; 308.06; 308.14, subdivisions 2 and 4; 308.15, subdivisions 1 and 4; 308.59; 317.04, subdivision 3; 317.08, subdivision 1; 317.27, subdivisions 1 and 5; 317.33; 317.35; 317.45, subdivision 4; 318.02, subdivision 1; 322A.12; 322A.14; 322A.73; 322A.74; 333.01; 333.055, subdivisions 1 and 4; 333.06; 333.20, subdivision 2; 333.22, subdivision 2; 333.23; Minnesota Statutes 1987 Supplement, sections 302A.011, subdivision 11; 302A.139; 302A.615, subdivision 1; 308.58, subdivision 2; 322A.70; and 331A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1540: A bill for an act relating to the sentencing guidelines commission; changing the membership of the commission; amending Minnesota Statutes 1987 Supplement, section 244.09, 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	Jude	Metzen	Renneke
Anderson	Decker	Knaak	Moe, D.M.	Samuelson
Beckman	DeCramer	Knutson	Moe, R.D.	Schmitz
Belanger	Dicklich	Kroening	Morse	Solon
Benson	Diessner	Laidig	Novak	Spear
Berg	Frank	Langseth	Olson	Storm
Berglin	Frederick	Lantry	Pehler	Stumpf
Bernhagen	Frederickson, D.J.	Larson	Peterson, D.C.	Taylor
Bertram	Frederickson, D.R.	Lessard	Peterson, R.W.	Vickerman
Brandl	Freeman	Luther	Piper	Waldorf
Brataas	Gustafson	Marty	Pogemiller	Wegscheid
Chmielewski	Hughes	McQuaid	Purfeerst	
Cohen	Johnson, D.E.	Mehrkins	Ramstad	
Dahl	Johnson, D.J.	Merriam	Reichgott	

So the bill passed and its title was agreed to.

S.F. No. 2071: A bill for an act relating to crimes; requiring a neighborhood impact statement to be submitted as part of the presentence investigation report for controlled substance offenses; amending Minnesota Statutes 1987 Supplement, section 609.115, 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 63 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Knutson; Moe, D.M. and Peterson, R.W. voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 752: A bill for an act relating to occupations and professions; amending the laws regulating the practice of pharmacy; providing definitions; providing for registration of pharmacies, drug manufacturers, and others; providing for licensing of pharmacists; providing remedies for violations; amending Minnesota Statutes 1986, sections 151.01, subdivision 2, and by adding subdivisions; 151.04; 151.06, subdivision 1; 151.101; 151.15; 151.19; 151.211; 151.212, subdivision 1, and by adding a subdivision; 151.25; 151.26, subdivision 1; 151.32; 151.34; and 151.37; proposing coding for new law in Minnesota Statutes, chapter 151; repealing Minnesota Statutes 1986, sections 151.01, subdivision 4; 151.06, subdivision 2a; 151.11; 151.28; and 151.31.

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

So the bill passed and its title was agreed to.

S.F. No. 2185: A bill for an act relating to the organization of state government; restoring certain duties of the state treasurer; amending Minnesota Statutes 1986, sections 11A.20, subdivision 1; 16A.055, subdivision 1; 16A.42, subdivision 2, and by adding a subdivision; 16A.45, subdivision 2; 16A.47; 16A.58; 16A.672, subdivisions 1, 2, and 3; 69.031, by adding a subdivision; 268.05, subdivision 2; 361.03, subdivision 5; and 361.27, subdivision 2; Minnesota Statutes 1987 Supplement, sections 16A.275, subdivision 1; and 609.101; proposing coding for new law in Minnesota Statutes, chapter 7.

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Belanger, Benson, Knaak and Storm voted in the negative.

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 take up the Consent Calendar. The motion prevailed.

## CONSENT CALENDAR

H.F. No. 1961: A bill for an act relating to property interests; setting the effective date of the uniform statutory rule against perpetuities; amending Minnesota Statutes 1987 Supplement, section 501A.05; and Laws 1987, chapter 60, section 10.

Mr. Luther moved that the amendment made to H.F. No. 1961 by the Committee on Rules and Administration in the report adopted March 17, 1988, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1961 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

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

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Metzen introduced—

S.F. No. 2564: A bill for an act relating to taxation; income; restoring the pension exclusion and repealing the credit for elderly and disabled persons; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1987 Supplement, section 290.06, subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

### 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. 1819, 1885, 2402, 1827, 1060, 1727 and H.F. No. 1904, which the committee recommends to pass.

S.F. No. 1834, which the committee recommends to pass with the following amendment offered by Mr. Bertram:

Page 1, line 15, delete "*protective*" and insert "*protection*"

Page 1, line 24, delete "PROHIBITED" and insert "LIMITED"

Page 1, line 25, after "*standby*" insert "*fee or*"

Page 1, line 26, before the period, insert "*that is in addition to the fee or charge for water actually used and beyond the actual cost to the utility of providing installation, inspection, and maintenance for the system*".

Page 2, after line 3, insert:

"Subd. 3. [APPEAL.] *An owner of a structure containing a fire protection system may appeal to the water utility any amount charged that is in violation of this section.*"

The motion prevailed. So the amendment was adopted.

S.F. No. 2021, which the committee recommends to pass with the following amendments offered by Messrs. Morse and Berg:

Mr. Morse moved to amend S.F. No. 2021 as follows:

Page 2, line 9, after "*subsidy*" insert "*and the total amount from the general account designated for that office in the district must be distributed to the other candidates for the same office in the district who have signed an agreement to be bound by the limits and are eligible to receive money from the general account*".

Page 2, after line 9, insert:

"Sec. 3. Minnesota Statutes 1986, section 10A.31, subdivision 5, is amended to read:

Subd. 5. In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:

- (1) 21 percent for the offices of governor and lieutenant governor together;
- (2) 3.6 percent for the office of attorney general;
- (3) 1.8 percent each for the offices of secretary of state, state auditor and state treasurer;
- (4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator and 46-2/3 percent for the office of state representative;

(5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative;

(6) To assure that moneys will be returned to the counties from which they were collected, and to assure that the distribution of those moneys rationally relates to the support for particular parties or for particular candidates within legislative districts, moneys from the party accounts for legislative candidates shall be distributed as follows:

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election shall receive money from the candidate's party account set aside for candidates of the state senate or state house of representatives, whichever applies, according to the following formula;

For each county within the candidate's district the candidate's share of the dollars allocated in that county to the candidate's party account and set aside for that office shall be:

(a) The sum of the votes cast in the last general election in that part of the county in the candidate's district for all candidates of that candidate's

party (i) whose names appeared on the ballot in each voting precinct of the state and (ii) for the state senate and state house of representatives, divided by

(b) The sum of the votes cast in that county in the last general election for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct in the state and (ii) for the state senate and state house of representatives, multiplied by

(c) The amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.

The sum of all the county shares calculated in the formula above is the candidate's share of the candidate's party account.

In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.

For any party under whose name no candidate's name appeared on the ballot in each voting precinct in the state in the last general election, amounts in the party's account shall be allocated based on (a) the number of people voting in the last general election in that part of the county in the candidate's district, divided by (b) the number of the people voting in that county in the last general election, multiplied by (c) the amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.

In a year in which the first election after a legislative reapportionment is held, "the candidate's district" means the newly drawn district, and voting data from the last general election will be applied to the area encompassing the newly drawn district notwithstanding that the area was in a different district in the last general election.

If in a district there was no candidate of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives was unopposed, the vote for that office for that party shall be the average vote of all the remaining candidates of that party in each county of that district whose votes are included in the sums in clauses (a) and (b). The average vote shall be added to the sums in clauses (a) and (b) before the calculation is made for all districts in the county.

Money from a party account not distributed to candidates for state senator and representative in any election year shall be returned to the general fund of the state. Money from a party account not distributed to candidates for other offices in an election year shall be returned to the party account for reallocation to candidates as provided in clauses (1) to (6) of this subdivision in the following year. Moneys from the general account refused by ~~any a~~ candidate ~~shall must~~ be distributed to ~~all other qualifying candidates in proportion to their shares as provided in this subdivision the other candidates for the same office in the district who have signed an agreement to be bound by the limits and are eligible to receive money from the general account.~~

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing for the distribution

of money from the general account of the state elections campaign fund;"

Page 1, line 6, delete "and" and after "10" insert "; and 10A.31, subdivision 5"

Mr. Frederick moved to amend the Morse amendment to S.F. No. 2021 as follows:

Page 1, line 5, after "district" insert "*other than an incumbent of that office*"

Page 3, line 24, after "district" insert "*other than an incumbent for the same office*"

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

The roll was called, and there were yeas 23 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Frederickson, D.R.	Larson	Samuelson
Belanger	Dahl	Gustafson	McQuaid	Storm
Benson	Decker	Knaak	Olson	Taylor
Berg	Frank	Knutson	Ramstad	
Bernhagen	Frederick	Laidig	Renneke	

Those who voted in the negative were:

Adkins	Dicklich	Lantry	Peterson, D.C.	Stumpf
Beckman	Diessner	Luther	Peterson, R.W.	Vickerman
Berglin	Frederickson, D.J.	Marty	Piper	Waldorf
Bertram	Freeman	Merriam	Pogemiller	Wegscheid
Brandl	Johnson, D.J.	Moe, R.D.	Purfeerst	
Chmielewski	Jude	Morse	Reichgott	
Cohen	Kroening	Novak	Schmitz	
Davis	Langseth	Pehler	Spear	

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

The question recurred on the adoption of the Morse amendment.

The roll was called, and there were yeas 32 and nays 26, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Lantry	Morse	Schmitz
Beckman	Frederickson, D.J.	Lessard	Pehler	Spear
Berglin	Freeman	Luther	Peterson, D.C.	Stumpf
Brandl	Johnson, D.J.	Marty	Peterson, R.W.	Vickerman
Cohen	Jude	Merriam	Piper	
Davis	Kroening	Metzen	Pogemiller	
Dicklich	Langseth	Moe, R.D.	Purfeerst	

Those who voted in the negative were:

Anderson	Brataas	Frederickson, D.R.	McQuaid	Taylor
Belanger	Chmielewski	Gustafson	Olson	Waldorf
Benson	Dahl	Knaak	Ramstad	
Berg	Decker	Knutson	Renneke	
Bernhagen	Frank	Laidig	Samuelson	
Bertram	Frederick	Larson	Storm	

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend S.F. No. 2021 as follows:

Page 2, line 9, after the period, insert "*If a candidate who receives a public subsidy is no longer bound by the limits as provided in this subdivision, the candidate may not accept contributions from a political fund*"



or a political committee after the candidate has exceeded the campaign expenditure limit specified under section 10A.25."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "limiting certain campaign contributions;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Frederickson, D.R.	Lessard	Renneke
Belanger	Dahl	Gustafson	McQuaid	Samuelson
Benson	Decker	Knutson	Mehrkens	Storm
Berg	Frank	Laidig	Olson	
Bernhagen	Frederick	Larson	Ramstad	

Those who voted in the negative were:

Adkins	Davis	Lantry	Pehler	Spear
Beckman	Dicklich	Luther	Peterson, D.C.	Stumpf
Berglin	Diessner	Marty	Peterson, R.W.	Vickerman
Bertram	Frederickson, D.J.	Merriam	Piper	Waldorf
Brandl	Freeman	Metzen	Pogemiller	
Chmielewski	Jude	Moe, D.M.	Reichgott	
Cohen	Langseth	Morse	Schmitz	

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

Mr. Berg moved to amend S.F. No. 2021 as follows:

Page 1, after line 8, insert:

"Section 1. [10A.065] [CONTRIBUTIONS AND SOLICITATIONS DURING LEGISLATIVE SESSION.]

*Subdivision 1. [REGISTERED LOBBYIST CONTRIBUTIONS; REGULATION.] A registered lobbyist, political committee, or political fund may not make a contribution to a candidate for the state legislature or to the candidate's principal campaign committee or other political committee with a candidate's name or title other than the principal campaign committee of that candidate during a regular session of the legislature.*

*Subd. 2. [SOLICITATION PROHIBITED.] A candidate for the state legislature or the candidate's principal campaign committee or other political committee with a candidate's name or title other than the principal campaign committee of that candidate may not knowingly solicit a registered lobbyist, political committee, or political fund for a contribution during a regular session of the legislature.*

*Subd. 3. [PENALTY.] A candidate, registered lobbyist, political committee, or political fund that violates this section is subject to a civil fine of up to \$500. If the state ethical practices board makes a public finding that there is probable cause to believe a violation of this section has occurred, the board shall bring an action, or transmit the finding to a county attorney who shall bring an action, in the district court of Ramsey county, to impose a civil fine as prescribed by the board. Fines paid under this section must be deposited in the general fund in the state treasury.*

*Subd. 4. [SPECIAL ELECTION.] This section does not apply to candidates in a legislative special election.*

*Subd. 5. [POLITICAL COMMITTEE.] This section does not apply to a political committee established by a political party as defined in 10A.27, subdivision 4."*

Renumber the sections in sequence

Amend the title accordingly

Mr. Luther questioned whether the amendment was germane.

The Chair ruled the amendment was germane.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 43 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Dahl	Hughes	Mehrkens	Ramstad
Beckman	Davis	Jude	Merriam	Renneke
Belanger	Decker	Knaak	Moe, D.M.	Spear
Benson	Dicklich	Knutson	Morse	Storm
Berg	Frederick	Laidig	Olson	Taylor
Bernhagen	Frederickson, D.I.	Lantry	Pehler	Vickerman
Bertram	Frederickson, D.R.	Larson	Peterson, R.W.	Waldorf
Brataas	Freeman	Marty	Pogemiller	
Cohen	Gustafson	McQuaid	Purfeerst	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Metzen	Schmitz
Berglin	Frank	Lessard	Peterson, D.C.	Wegscheid
Chmielewski	Kroening	Luther	Samuelson	

The motion prevailed. So the amendment was adopted.

Mr. Benson moved to amend S.F. No. 2021 as follows:

Page 2, after line 9, insert:

"Sec. 3. [CONSTITUTIONAL AMENDMENT.]

*An amendment to the Minnesota Constitution, adding a section to article VIII, is proposed to the people. If the amendment is adopted, the new section will read:*

*Sec. 6. [RECALL.] An elective officer may be recalled by the eligible voters of the state, in the case of statewide offices, or of the electoral district from which the person was elected. Recall shall be initiated by a petition signed by eligible voters equal in number to at least 25 percent of the vote cast in the last election for the office from which the person is to be recalled. No person shall be recalled before he has completed one year of service in the office from which he is to be recalled. A special election shall be held for the office of a person against whom a petition has been filed, and that person shall be a candidate in the special election unless he chooses to resign.*

*After one petition for recall and special election, no further recall petition shall be filed against the same person during the term for which he was elected.*

Sec. 4. [QUESTION.]

*The proposed amendment shall be submitted at the 1988 general election. The question submitted shall be:*

*"Shall the Minnesota Constitution be amended to allow for the recall*

of elective officers by petition and special election?

Yes . . . . .  
No . . . . . ""

Amend the title accordingly

Mr. Marty questioned whether the amendment was germane.

The Chair ruled that the amendment was not germane.

Mr. Benson appealed the decision of the Chair.

The question was taken on "Shall the decision of the Chair be the judgment of the Senate?"

The roll was called, and there were yeas 37 and nays 19, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Kroening	Moe, R.D.	Spear
Beckman	Dicklich	Langseth	Morse	Stumpf
Berglin	Diessner	Lantry	Pehler	Taylor
Bertram	Frank	Lessard	Peterson, D.C.	Vickerman
Brandl	Frederickson, D.J.	Luther	Peterson, R.W.	Wegscheid
Chmielewski	Freeman	Marty	Pogemiller	
Cohen	Hughes	Metzen	Purfeerst	
Dahl	Jude	Moe, D.M.	Samuelson	

Those who voted in the negative were:

Anderson	Brataas	Gustafson	McQuaid	Ramstad
Belanger	Decker	Knaak	Mehrkins	Renneke
Benson	Frederick	Knutson	Merriam	Storm
Bernhagen	Frederickson, D.R.	Laidig	Olson	

The decision of the Chair was sustained.

Mr. Laidig moved to amend S.F. No. 2021 as follows:

Page 2, after line 9, insert:

"Sec. 3. Minnesota Statutes 1986, section 10A.32, is amended by adding a subdivision to read:

*Subd. 5. [MATCHING FUNDS.] As a condition of receiving money from the state elections campaign fund, a candidate must certify to the board that the candidate has received matching contributions from nonpublic sources other than political committees or political funds, equal to the amount of money that the candidate is eligible to receive from the state elections campaign fund. If a candidate has received matching contributions from nonpublic sources in an amount less than the amount that the candidate is eligible to receive from the state elections campaign fund, the candidate may receive an amount of money from the fund equal to the amount of contributions that the candidate has received from nonpublic sources other than political committees or political funds, after certifying receipt of the contributions from nonpublic sources to the board."*

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring matching funds from nonpublic sources as a condition of receiving money from the state elections campaign fund;"

Page 1, line 6, delete "and" and after "10" insert "; and 10A.32, by adding a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 44, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Gustafson	McQuaid	Storm
Belanger	Decker	Knutson	Mehrkens	Taylor
Benson	Frederick	Laidig	Renneke	

Those who voted in the negative were:

Adkins	Dicklich	Kroening	Moe, D.M.	Ramstad
Berg	Diessner	Langseth	Morse	Reichgott
Berglin	Frank	Lantry	Olson	Samuelson
Bertram	Frederickson, D.J.	Larson	Pehler	Schmitz
Brandl	Frederickson, D.R.	Lessard	Peterson, D.C.	Spear
Chmielewski	Freeman	Luther	Peterson, R.W.	Stumpf
Cohen	Hughes	Marty	Piper	Vickerman
Dahl	Jude	Merriam	Pogemiller	Waldorf
Davis	Knaak	Metzen	Purfeerst	

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

Mr. Storm moved to amend S.F. No. 2021 as follows:

Page 1, delete section 1

Renumber the sections in sequence

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Dahl	Gustafson	Larson	Ramstad
Belanger	Decker	Knaak	McQuaid	Renneke
Bernhagen	Frederick	Knutson	Mehrkens	Storm
Brataas	Frederickson, D.R.	Laidig	Olson	Taylor

Those who voted in the negative were:

Adkins	Diessner	Langseth	Moe, R.D.	Reichgott
Berglin	Frank	Lantry	Morse	Schmitz
Bertram	Frederickson, D.J.	Lessard	Pehler	Spear
Brandl	Freeman	Luther	Peterson, D.C.	Stumpf
Chmielewski	Hughes	Marty	Peterson, R.W.	Vickerman
Cohen	Jude	Metzen	Pogemiller	Waldorf
Dicklich	Kroening	Moe, D.M.	Purfeerst	Wegscheid

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

Mr. Benson moved to amend S.F. No. 2021 as follows:

Page 2, after line 9, insert:

"Sec. 3. Minnesota Statutes 1986, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivisions 2 and 6, no candidate shall permit the candidate's principal campaign committee to accept contributions from any individual, political committee, or political fund *located outside of the district for the office sought and* in excess of the following:

(a) To candidates for governor and lieutenant governor running together, \$60,000 in an election year for the office sought and \$12,000 in other years;

(b) To a candidate for attorney general, \$10,000 in an election year for the office sought and \$2,000 in other years;

(c) To a candidate for the office of secretary of state, state treasurer or state auditor, \$5,000 in an election year for the office sought and \$1,000 in other years;

(d) To a candidate for state senator, \$1,500 in an election year for the office sought and \$300 in other years; and

(e) To a candidate for state representative, \$750 in an election year for the office sought and \$150 in the other year."

Amend the title accordingly

Mr. Cohen moved to amend the Benson amendment to S.F. No. 2021 as follows:

Page 1, line 9, after "sought" insert "including Minnesota candidates for federal office"

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

The question recurred on the Benson amendment, as amended.

The roll was called, and there were yeas 19 and nays 39, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Frederickson, D.R.	Laidig	Olson
Belanger	Davis	Gustafson	Larson	Renneke
Benson	Decker	Knaak	McQuaid	Storm
Berg	Frederick	Knutson	Mehrkins	

Those who voted in the negative were:

Adkins	DeCramer	Langseth	Morse	Reichgott
Beckman	Dicklich	Lantry	Pehler	Samuelson
Berglin	Diessner	Luther	Peterson, D.C.	Schmitz
Bertram	Frank	Marty	Peterson, R.W.	Spear
Brandl	Frederickson, D.J.	Merriam	Piper	Stumpf
Brataas	Hughes	Metzen	Pogemiller	Vickerman
Cohen	Jude	Moe, D.M.	Purfeerst	Wegscheid
Dahl	Kroening	Moe, R.D.	Ramstad	

The motion did not prevail. So the Benson amendment, as amended, was not adopted.

The question was taken on the recommendation to pass S.F. No. 2021.

The roll was called, and there were yeas 37 and nays 23, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Kroening	Moe, R.D.	Reichgott
Beckman	Dicklich	Langseth	Morse	Schmitz
Berg	Diessner	Lantry	Pehler	Spear
Berglin	Frank	Luther	Peterson, D.C.	Stumpf
Bertram	Frederickson, D.J.	Marty	Peterson, R.W.	Vickerman
Brandl	Freeman	Merriam	Piper	
Cohen	Hughes	Metzen	Pogemiller	
Davis	Jude	Moe, D.M.	Purfeerst	

Those who voted in the negative were:

Anderson	Dahl	Knaak	Mehrkins	Storm
Belanger	Decker	Knutson	Olson	Taylor
Benson	Frederick	Laidig	Ramstad	Waldorf
Bernhagen	Frederickson, D.R.	Larson	Renneke	
Brataas	Gustafson	McQuaid	Samuelson	

The motion prevailed. So S.F. No. 2021 was recommended to pass.

S.F. No. 2165, which the committee recommends to pass with the following amendment offered by Mr. Dahl:

Page 1, line 12, after "of" insert "*excessive or abnormal unpermitted*"

Page 1, line 13, after "(1)" insert "may"

Page 1, line 14, after "(2)" insert "may"

Page 1, line 21, after "must" insert "*take immediate and reasonable steps to*"

Page 1, line 22, delete the first "and" and insert "or"

Page 1, after line 23, insert:

*"Subd. 3. [EXEMPTION.] The following are exempt from the requirements of subdivisions 1 and 2:*

*(1) emissions resulting from the activities of public fire services or law enforcement services;*

*(2) emissions from motor vehicles, as defined in section 169.01, subdivision 3;*

*(3) emissions from an agricultural operation deemed not a nuisance under section 561.19, subdivision 2; or*

*(4) emissions from agency regulated sources that are routine or authorized by the agency.*

*Subd. 4. [PENALTY EXCEPTION.] A person who notifies the agency of emissions under subdivision 1 and who complies with subdivision 2 shall not be subject to criminal prosecution under section 115.071, subdivision 2."*

The motion prevailed. So the amendment was adopted.

S.F. No. 2286, which the committee recommends to pass with the following amendment offered by Mr. Peterson, R.W.:

Page 2, line 19, delete everything after "the"

Page 2, line 20, delete "is" and insert "*has been determined*"

The motion prevailed. So the amendment was adopted.

S.F. No. 2275, which the committee recommends to pass with the following amendment offered by Mr. Cohen:

Page 18, line 10, after "board" insert "*, after consultation with the court,*"

Page 18, line 33, delete everything after "licensed" and insert "*to operate a residential program under sections 245A.01 to 245A.16*"

Page 18, line 34, delete "*to 245.812*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1937, which the committee reports progress, subject to the following motion:

Mr. Freeman moved to amend S.F. No. 1937 as follows:

Page 2, line 21, after "609.531" insert "*or sections 9*"

Page 2, line 22, delete "section"

Page 2, line 29, reinstate the stricken "this"

Page 2, line 30, reinstate the stricken "section" and before "sections" insert "and" and delete "5" and insert "9"

Page 3, line 18, after "city" insert "or airport"

Page 3, line 21, after the colon, insert "a felony" and strike "an" and insert "a felony-level"

Page 3, lines 30 and 31, reinstate the stricken language

Page 4, line 9, before "Sections" insert "This section and" and delete "3" and insert "9"

Page 4, line 23, after "under" insert "this section or" and delete "3" and insert "9"

Page 5, line 12, before "sections" insert "this section or" and delete "3" and insert "9"

Page 5, line 16, reinstate the stricken "this section" and after the stricken "shall" insert "or" and delete "3" and insert "9"

Page 6, line 4, after "under" insert "this section or" and delete "3" and insert "9"

Page 6, line 24, after "evidence" insert a comma

Page 6, line 25, delete "9" and insert "10"

Page 6, line 35, delete "or" and insert "and related"

Page 7, line 2, before the first "owner" insert "alleged"

Page 7, line 3, before "owner" insert "alleged"

Page 8, line 35, delete "such" and insert "the"

Page 9, line 5, delete "such" and insert "the"

Page 9, line 36, delete "by clear and convincing evidence"

Page 11, line 12, delete "7" and insert "8"

Page 13, line 13, after "under" insert "section 609.531 or" and delete "3" and insert "9"

The motion prevailed. So the amendment was adopted.

S.F. No. 1937 was then progressed.

S.F. No. 2023, which the committee recommends to pass with the following amendment offered by Mr. Bernhagen:

Page 3, line 30, after "recordable" insert ", or that section 272.121 prohibits the recording of the contract for deed or assignment,"

The motion prevailed. So the amendment was adopted.

S.F. No. 2122, which the committee recommends to pass with the following amendments offered by Messrs. Peterson, R.W. and Jude:

Mr. Peterson, R.W. moved to amend S.F. No. 2122 as follows:

Page 5, line 10, delete everything after "rescinded" and insert "and all rights of appeal have been exhausted or have expired, the commissioner

*shall remove the record of that revocation or suspension from any records that are accessible by anyone other than an employee of the driver and vehicle services division, department of public safety."*

Page 5, delete line 11

The motion prevailed. So the amendment was adopted.

Mr. Jude moved to amend S.F. No. 2122 as follows:

Page 5, after line 4, insert:

"Sec. 6. Minnesota Statutes 1986, section 145.32, subdivision 2, is amended to read:

Subd. 2. **[RESPONSIBILITIES OF THE COMMISSIONER OF HEALTH INDIVIDUAL PERMANENT MEDICAL RECORD.]** (a) The commissioner of health shall define by rule the term "individual permanent medical record" by enumerating the specific types of records or other information ~~which~~ *that*, at a minimum, must be maintained on a permanent basis by the hospital.

(b) *"Individual permanent medical record" includes outpatient diagnostic and laboratory test results."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring outpatient diagnostic and test results to be retained as part of an individual permanent medical record;"

Page 1, line 7, after the semicolon, insert "145.32, subdivision 2;"

The motion prevailed. So the amendment was adopted.

### RECESS

Mr. Luther moved that the Senate do now recess until 7:00 p.m. The motion prevailed.

The hour of 7:00 p.m. having arrived, the President called the Senate to order.

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 revert to the Orders of Business of Messages From the House, First Reading of House Bills, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills. The motion prevailed.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1469, 2306, 2446, 2134, 2228, 2450, 2481, 2172, 2252 and 2629.



Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 24, 1988

### FIRST READING OF HOUSE BILLS

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

H.F. No. 1469: A bill for an act relating to traffic regulations; providing for restrictions on vehicles transporting firewood on highways; amending Minnesota Statutes 1986, sections 169.80, subdivision 1; and 169.81, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1336, now on General Orders.

H.F. No. 2306: A bill for an act relating to bonds; authorizing the Minnesota public facilities authority to issue revenue bonds and make loans to or purchase the bonds of municipalities for wastewater treatment and water supply systems; amending Minnesota Statutes 1987 Supplement, sections 446A.04, by adding subdivisions; 446A.05, subdivision 1; and proposing coding for new law in Minnesota Statutes, chapter 446A.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 2446: A bill for an act relating to St. Louis county; providing duties of the county board and the county administrator; regulating finances; providing for property assessments; repealing obsolete laws; amending Minnesota Statutes 1986, sections 383C.031; 383C.034; 383C.091; 383C.094, subdivision 1; 383C.131; 383C.133, subdivision 1; 383C.135; 383C.16; 383C.161; 383C.162; 383C.17; 383C.231, subdivision 1; 383C.232; 383C.26; 383C.261; 383C.36; 383C.422; 383C.482, subdivision 1; 383C.74, subdivision 1; 383C.75; and 383C.78, subdivision 2; Minnesota Statutes 1987 Supplement, section 383C.035; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 1986, section 383C.075; 383C.076; 383C.095; 383C.132; 383C.13; 383C.133; 383C.171; 383C.174; 383C.175; 383C.20; 383C.202; 383C.203; 383C.291; 383C.292; 383C.339; 383C.361; 383C.362; 383C.363; 383C.392, subdivision 2; 383C.423; 383C.424; 383C.45; 383C.481; 383C.52; 383C.521; 383C.523; 383C.55; 383C.551; 383C.552; 383C.553; 383C.554; 383C.555, subdivision 2; 383C.556; 383C.557; 383C.61; 383C.611; 383C.612; 383C.613; 383C.64; 383C.641; 383C.642; 383C.643; 383C.644; 383C.645; 383C.646; 383C.647; 383C.648; 383C.649; 383C.65; 383C.651; 383C.66; 383C.67; 383C.671; 383C.672; 383C.673; 383C.674; 383C.675; 383C.676; 383C.677; 383C.77; 383C.80; 383C.801; 383C.802; 383C.803; 383C.804; and 383C.805; Minnesota Statutes 1987 Supplement, section 383C.76.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2299, now on General Orders.

H.F. No. 2134: A bill for an act relating to real property; requiring recordation of transfers of contracts for deed; providing penalties; amending Minnesota Statutes 1986, section 507.235.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2023, now on Calendar.

H.F. No. 2228: A bill for an act relating to education; establishing a

records destruction schedule for chemical abuse preassessment teams; requiring law enforcement reports of certain violations to preassessment teams; amending Minnesota Statutes 1987 Supplement, sections 126.034; 126.035; 126.037; and 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, section 126.033, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2277.

H.F. No. 2450: A bill for an act relating to agriculture; requiring certain entities with interests in agricultural lands or operations to file reports; providing a penalty; amending Minnesota Statutes 1986, section 500.24, subdivision 4.

Referred to the Committee on Agriculture.

H.F. No. 2481: A bill for an act relating to local government; the city of Cook, the city of Orr, and Koochiching and St. Louis counties; providing for the establishment of a hospital district in portions of those counties.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2259.

H.F. No. 2172: A bill for an act relating to retirement; state university and community college supplemental plan; permitting the boards to act through designees in authorizing accelerated withdrawals; amending Minnesota Statutes 1986, section 43A.27, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 136.82, subdivision 1.

Referred to the Committee on Governmental Operations.

H.F. No. 2252: A bill for an act relating to state lands; conveying certain lands to the city of Brooklyn Center in Hennepin county.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2160, now on General Orders.

H.F. No. 2629: A bill for an act relating to minerals; authorizing the commissioner of natural resources to lease certain severed mineral interests; amending Minnesota Statutes 1986, section 93.55, subdivisions 1, 3, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2340, now on General Orders.

### REPORTS OF COMMITTEES

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 2145: A bill for an act relating to health; providing equal access to chiropractic services; providing for the licensure of doctors of chiropractic; amending Minnesota Statutes 1986, sections 62A.15, subdivisions 1, 2, and 4; 148.08, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 148.06, subdivision 1.

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

as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 62A.15, subdivision 1, is amended to read:

Subdivision 1. [APPLICABILITY.] The provisions of this section apply to all group policies or subscriber contracts providing payment for care in this state, which are issued ~~or renewed after August 1, 1973 for chiropractic services, after August 1, 1976, for optometric services, and which are issued or renewed after the effective date of this section for services of a registered nurse meeting the requirements of subdivision 3a,~~ by accident and health insurance companies regulated under this chapter and nonprofit health service plan corporations regulated under chapter 62C.

Sec. 2. Minnesota Statutes 1986, section 62A.15, subdivision 2, is amended to read:

Subd. 2. [CHIROPRACTIC SERVICES.] All benefits provided by any policy or contract referred to in subdivision 1, relating to expenses incurred for medical treatment or services of a physician must also include chiropractic treatment and services of a chiropractor to the extent that the chiropractic services and treatment are within the scope of chiropractic licensure.

*This subdivision is intended to provide equal access to benefits for insureds and subscribers who choose to obtain treatment for illness or injury from a doctor of chiropractic, as long as the treatment falls within the chiropractor's scope of practice. This subdivision is not intended to change or add to the benefits provided for in these policies or contracts.*

Sec. 3. Minnesota Statutes 1986, section 62A.15, subdivision 4, is amended to read:

Subd. 4. [DENIAL OF BENEFITS.] (a) No carrier referred to in subdivision 1 may, in the payment of claims to employees in this state, deny benefits payable for services covered by the policy or contract if the services are lawfully performed by a licensed chiropractor, licensed optometrist, or a registered nurse meeting the requirements of subdivision 3a.

*(b) When carriers referred to in subdivision 1 make claim determinations concerning the appropriateness, quality, or utilization of chiropractic health care, any of these determinations that are made by health care professionals must be made by, or under the direction of, or subject to the review of doctors of chiropractic licensed under the provisions of sections 148.01 to 148.104.*

Sec. 4. Minnesota Statutes 1987 Supplement, section 148.06, subdivision 1, is amended to read:

Subdivision 1. [LICENSE REQUIRED; QUALIFICATIONS.] No person shall practice chiropractic in this state without first being licensed by the state board of chiropractic examiners. The applicant shall have earned at least one-half of all academic credits required for awarding of a baccalaureate degree from the University of Minnesota, or other university, college or community college of equal standing, in subject matter determined by the board, and taken a four-year resident course of at least eight months each in a school or college of chiropractic that is fully accredited by the council on chiropractic education or fully accredited by an agency approved by the United States office of education or their successors *as of January*

1, 1988. The board may issue licenses to practice chiropractic without compliance with prechiropractic or academic requirements listed above if in the opinion of the board the applicant has the qualifications equivalent to those required of other applicants, the applicant satisfactorily passes written and practical examinations as required by the board of chiropractic examiners, and the applicant is a graduate of a college of chiropractic with a reciprocal recognition agreement with the council on chiropractic education as of January 1, 1988. The board may recommend a two-year prechiropractic course of instruction to any university, college or community college which in its judgment would satisfy the academic prerequisite for licensure as established by this section.

An examination for a license shall be in writing and shall include testing in:

(a) The basic sciences including but not limited to anatomy, physiology, bacteriology, pathology, hygiene, and chemistry as related to the human body or mind;

(b) The clinical sciences including but not limited to the science and art of chiropractic, chiropractic physiotherapy, diagnosis, roentgenology and nutrition; and

(c) Professional ethics and any other subjects that the board may deem advisable.

The board may consider a valid certificate of examination from the National Board of Chiropractic Examiners as evidence of compliance with the written examination requirements of this subdivision. The applicant shall be required to give practical demonstration in vertebral palpation, neurology, adjusting and any other subject that the board may deem advisable. A license, countersigned by the members of the board and authenticated by the seal thereof, shall be granted to each applicant who correctly answers 75 percent of the questions propounded in each of the subjects required by this subdivision and meets the standards of practical demonstration established by the board. Each application shall be accompanied by a fee set by the board. The fee shall not be returned but the applicant may, within one year, apply for examination without the payment of an additional fee. The board may grant a license to an applicant who holds a valid license to practice chiropractic issued by the appropriate licensing board of another state or country, provided the applicant meets the other requirements of this section and satisfactorily passes the practical examination before the board. The burden of proof is on the applicant to demonstrate these qualifications or satisfaction of these requirements.

Sec. 5. Minnesota Statutes 1987 Supplement, section 169.345, subdivision 2a, is amended to read:

Subd. 2a. [PHYSICIAN'S OR CHIROPRACTOR'S STATEMENT.] The commissioner shall develop a form for the physician's or chiropractor's statement. The statement must be signed by a licensed physician or chiropractor who certifies that the applicant is a physically handicapped person as defined in subdivision 2. The commissioner may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility. The ~~physician's~~ statement that the applicant is a physically handicapped person must specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician or chiropractor as to the duration of the disability. A physician or chiropractor

who fraudulently certifies to the commissioner that a person is a physically handicapped person as defined in subdivision 2, and that the person is entitled to the license plates authorized by section 168.021 or to the certificate authorized by this section, is guilty of a misdemeanor and is subject to a fine of \$500.

Sec. 6. Minnesota Statutes 1987 Supplement, section 169.345, subdivision 3, is amended to read:

Subd. 3. [IDENTIFYING CERTIFICATE.] (a) The division of driver and vehicle services in the department of public safety shall issue a special identifying certificate for a motor vehicle when a physically handicapped applicant submits a ~~physician's~~ *statement of a physician or chiropractor*. The commissioner shall design separate certificates for persons with permanent and temporary disabilities that can be readily distinguished from each other from outside a vehicle at a distance of 25 feet. The certificate is valid for the duration of the person's disability, as specified in the *physician's or chiropractor's* statement, up to a maximum of six years. A person with a disability of longer duration will be required to renew the certificate for additional periods of time, up to six years each, as specified in the *physician's or chiropractor's* statement.

(b) When the commissioner is satisfied that a motor vehicle is used primarily for the purpose of transporting physically handicapped persons, the division may issue without charge a special identifying certificate for the vehicle. The operator of a vehicle displaying the certificate has the parking privileges provided in subdivision 1 while the vehicle is in use for transporting physically handicapped persons. The certificate issued to a person transporting physically handicapped persons must be renewed every third year. On application and renewal, the person must present evidence that the vehicle continues to be used for transporting physically handicapped persons.

(c) A certificate must be made of plastic or similar durable material, must be distinct from certificates issued before January 1, 1988, and must bear its expiration date prominently on its face. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under paragraph (a). Each certificate must have printed on the back a summary of the parking privileges and restrictions that apply to each vehicle in which it is used. The commissioner may charge a fee of \$5 for issuance or renewal of a certificate, and a fee of \$5 for a duplicate to replace a lost, stolen, or damaged certificate."

Delete the title and insert:

"A bill for an act relating to health; providing equal access to chiropractic services; providing for the licensure of doctors of chiropractic; amending Minnesota Statutes 1986, section 62A.15, subdivisions 1, 2, and 4; Minnesota Statutes 1987 Supplement, sections 148.06, subdivision 1; and 169.345, subdivisions 2a and 3."

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

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

S.F. No. 892: A bill for an act relating to employment; providing for severance pay and insurance coverage to certain terminated employees;

requiring employers to provide notice of certain actions related to work force reductions; appropriating money; amending Minnesota Statutes 1986, section 267.05, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 268; proposing coding for new law as Minnesota Statutes, chapter 268A.

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

Delete everything after the enacting clause and insert:

"Section 1. [268.981] [DEFINITIONS.]

*Subdivision 1. [SCOPE.] For the purpose of sections 1 to 7, the terms defined in this section have the meanings given them.*

*Subd. 2. [AFFECTED EMPLOYEE.] "Affected employee" means an employee whose employment is terminated or will be terminated as a result of a plant closing.*

*Subd. 3. [AFFECTED EMPLOYEE ORGANIZATION.] "Affected employee organization" means a labor union, association, or other employee organization that represents affected employees.*

*Subd. 4. [AFFECTED MUNICIPALITY.] "Affected municipality" means each home rule or statutory city or town in which a plant engaged in a plant closing is located.*

*Subd. 5. [COMMISSIONER.] "Commissioner" means the commissioner of jobs and training.*

*Subd. 6. [EMPLOYER.] "Employer" means a person, partnership, corporation, or other for-profit or nonprofit legal entity that owns or is operating one or more plants within this state, either directly or indirectly. If a change in ownership of a plant results in a plant closing, the "employer" means the new owner, and also includes the old owner if the old owner had a reasonable basis to believe that the new owner would decide to close the plant.*

*Subd. 7. [PLANT.] "Plant" means any facility other than a construction site.*

*Subd. 8. [PLANT CLOSING.] "Plant closing" means a situation where, as a result of a closing, relocation, or reduction in operations, an employer terminates or will terminate, during a 90-day period, 20 percent or more of the employees employed at a plant employing 100 or more individuals for at least two calendar quarters during the four completed calendar quarters preceding the beginning of the 90-day period. "Plant closing" does not include the termination of employees engaged in temporary or seasonal work.*

Sec. 2. [268.982] [NOTICES.]

*An employer must notify in writing the commissioner, each affected employee, each affected employee organization, and each affected municipality of a plant closing at least 90 days before the beginning of a plant closing or before a change in ownership that the employer has a reasonable basis to believe will result in a plant closing. If an employer can establish that the employer could not reasonably have anticipated the plant closing 90 days before the beginning of the plant closing, notice is required as soon as the employer has a reasonable basis to believe that a plant closing*

will occur.

Sec. 3. [268.983] [COLLECTIVE BARGAINING RIGHTS.]

*A collective bargaining agreement that requires greater protection for an affected employee or places greater obligations upon an employer than section 2 takes precedence over that section.*

Sec. 4. [268.984] [PLANT CLOSING RELATED BENEFITS.]

*Subdivision 1. [RIGHT TO BENEFITS.] If the commissioner determines that an employer has failed to provide required notification of a plant closing, an affected employee is entitled to additional unemployment compensation benefits as provided under this section, after all other unemployment compensation benefits are exhausted.*

*Subd. 2. [AMOUNT.] An affected employee is entitled to additional weekly benefits for each week or part of a week that the employer is not in compliance with section 2, up to a maximum of 13 weeks of additional benefits. A claimant's weekly benefit amount under this section is the same as the individual's weekly benefit amount payable during the individual's current benefit year under section 268.08.*

*Subd. 3. [PAYMENT OF BENEFITS.] All benefits payable under this section are payable from the unemployment compensation fund.*

Sec. 5. [268.985] [EMPLOYER LIABILITY.]

*Subdivision 1. [AMOUNT.] An employer who fails to comply with section 2 is liable to the plant closing special fund in an amount equal to the number of weeks of additional unemployment compensation benefits available to its affected employees under section 4, times the number of affected employees laid off as a result of the plant closing, times 110 percent of the average weekly benefit amount for the employer's industry.*

*Subd. 2. [PAYMENT.] Payment due under this section must be made within 30 days of the commissioner's determination of liability and is subject to the collection provisions of sections 268.16, 268.161 to 268.164, and 268.166.*

*Subd. 3. [APPEALS.] An employer may appeal the commissioner's determination of liability in the same manner as provided under section 268.06, subdivision 20.*

Sec. 6. [268.986] [SPECIAL FUND CREATED.]

*Subdivision 1. [ESTABLISHED.] A special fund to be known as the plant closing special fund is created in the state treasury. The special fund is separate and distinct from any fund or account created for any other purposes of sections 268.03 to 268.231. All collections from the payments of employer liability under section 5 must be credited to the special fund. Ninety-seven percent of the money in the special fund is appropriated on a quarterly basis to the unemployment compensation fund. The remaining three percent is appropriated to the commissioner to administer the special fund. Money in the special fund must be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for other special funds in the state treasury.*

Sec. 7. [268.987] [RULES.]

*The commissioner shall adopt rules to implement sections 1 to 7.*

## Sec. 8. [APPROPRIATION.]

*\$25,000 is appropriated to the commissioner of jobs and training to carry out sections 1 to 7."*

Delete the title and insert:

"A bill for an act relating to employment; requiring employers to provide notice of certain actions related to plant closings; providing for additional unemployment compensation benefits under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 268."

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

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

S.F. No. 1756: A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

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

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

H.F. No. 1459: A bill for an act relating to the town of Irondale; removing a town levy limitation; repealing Laws 1971, chapter 336.

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

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

S.F. No. 632: A bill for an act relating to the city of Little Falls; authorizing the issuance of general obligation bonds to refund certain tax increment bonds of the city; authorizing the city to use the unexpended proceeds of the refunded bonds for other municipal purposes.

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

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

S.F. No. 1672: A bill for an act relating to housing; repealing the expiration date of housing and redevelopment authorities' power to provide interest reduction assistance; repealing Minnesota Statutes 1987 Supplement, section 469.012, subdivision 10.

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



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

S.F. No. 2136: A bill for an act relating to taxation; allowing the city of Biwabik to exceed certain property tax levy limits; allowing for a referendum on the issue of exceeding the levy limits.

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

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

S.F. No. 2411: A bill for an act relating to local government; authorizing issuance of bonds for repair, restoration, expansion, and modernization of the Saint Paul City Hall and Ramsey County Courthouse building; authorizing Ramsey county to assume certain bonded indebtedness.

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

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

S.F. No. 1154: A bill for an act relating to motor vehicles; taxation; imposing a \$90 sales tax on certain collector motor vehicles; amending Minnesota Statutes 1986, sections 297B.02, subdivision 2, and by adding a subdivision; and 297B.025.

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

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

S.F. No. 479: A bill for an act relating to the city of Duluth; authorizing the issuance of bonds to purchase capital equipment; limiting the amount of the bonds; amending Laws 1982, chapter 523, article XI, sections 1 and 3.

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

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

H.F. No. 1864: A bill for an act relating to the city of Jordan; enabling the city to issue tax anticipation certificates.

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

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

S.F. No. 2259: A bill for an act relating to local government; the city of Cook, the city of Orr, and Koochiching and St. Louis counties; providing for the establishment of a hospital district in portions of those counties.

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

Report adopted.

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

H.F. No. 289: A bill for an act relating to the city of St. Paul; setting the maximum amounts and other conditions for the issuance of capital improvement bonds; amending Laws 1971, chapter 773, section 1, subdivision 2, as amended; and section 2, as amended; repealing Laws 1963, chapter 881, as amended.

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

Page 2, line 12, delete "462.421" and insert "469.002"

Page 2, line 13, delete "13" and insert "14,"

Page 2, line 14, delete "462.581" and insert "469.041"

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

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

S.F. No. 22: A bill for an act relating to local government; permitting certain counties to levy a tax for the county historical society; imposing a reverse referendum requirement.

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

Page 1, lines 8 and 15, after "*Chisago*" insert "*, Carlton, Pine,*"

Page 1, line 14, delete "1989" and insert "1990,"

Page 1, line 19, delete "1988" and insert "1989"

Page 2, lines 10 and 18, delete "1989" and insert "1990"

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

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

S.F. No. 1706: A bill for an act relating to taxation; property; allowing transfers of land to cities without payment of tax on the entire parcel; amending Minnesota Statutes 1987 Supplement, section 272.121.

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

Page 1, line 24, after "*city*" insert "*, town, county, or other governmental subdivision or the state or federal government,*"

Amend the title as follows:

Page 1, line 3, delete "cities" and insert "governmental subdivisions or the state or federal government"

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

adopted.

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

S.F. No. 1590: A bill for an act relating to transportation; providing that uniform relocation assistance standards comply with recent amendments to federal law; authorizing commissioner of transportation to accept gifts to department; requiring metropolitan counties to levy wheelage taxes; repealing certain mandatory levy requirements; appropriating gift funds to commissioner; exempting lessees of highway easement property from tax on its use and possession; providing that governmental body may file deed conveying partial parcel of land without current taxes having been paid on whole parcel; repealing conflicting provision related to charges for users of air transportation services provided by the commissioner of transportation; amending Minnesota Statutes 1986, section 161.20, by adding a subdivision; 163.051; Minnesota Statutes 1987 Supplement, sections 117.52, subdivision 1; 272.01, subdivision 3; and 272.121; repealing Minnesota Statutes 1986, section 360.015, subdivision 20.

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

Pages 2 to 5, delete section 3

Page 7, line 34, delete "*Section 3 is*"

Page 7, delete line 35

Page 7, line 36, delete "*4 to 6*" and insert "*3 to 5*"

Amend the title as follows:

Page 1, delete lines 6 and 7

Page 1, line 17, delete "163.051;"

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

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

S.F. No. 1974: A bill for an act relating to the Ramsey-Washington metro watershed district; authorizing a tax for the district's administrative fund.

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

Page 1, after line 17, insert:

"Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective for taxes levied in 1988, payable in 1989, and thereafter."*

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

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

S.F. No. 2095: A bill for an act relating to education; establishing general education revenue for fiscal year 1990; modifying aspects of educational programs for American Indian people; providing for certain levying authority and limitations; modifying certain levies, aid, and grant programs; establishing learning year program sites; providing for revenue for school facilities; appropriating money; amending Minnesota Statutes 1986, sections 120.08, subdivision 2; 121.15; 124.214, subdivision 2; 124.48, subdivision 2; 126.151; 126.45; 126.46; 126.47; 126.49, subdivision 1; 126.51, subdivisions 1, 2, 4, and by adding a subdivision; 126.52; 126.531; 126.56, subdivision 2; 129B.20, subdivision 1; 136D.74, by adding subdivisions; 136D.81; 275.125, by adding subdivisions; 354.52, subdivision 4; 354A.12, subdivision 2; Minnesota Statutes 1987 Supplement, sections 120.17, subdivision 3b; 121.912, subdivision 1; 124.17, subdivision 1; 124.214, subdivision 3; 124.225, subdivision 8a; 124.244; 124A.22, subdivision 2, and by adding a subdivision; 124A.23, subdivisions 1 and 5; 124A.28, subdivision 1; 126.22, subdivisions 2 and 3; 126.23; 129B.11, subdivision 2, and by adding a subdivision; 129B.53, by adding a subdivision; 129B.55, by adding a subdivision; 136D.27; 136D.87; 275.125, subdivision 5; Laws 1959, chapter 462, section 3, subdivision 4, as amended; Laws 1987, chapter 398, articles 3, section 39, subdivisions 2 and 7; and 10, section 2, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 120, 121, 124, 124A, 125, 126, 129B, and 135A; repealing Minnesota Statutes 1986, sections 120.0752, as amended; 126.51, subdivision 3; Minnesota Statutes 1987 Supplement, sections 123.3515; 124A.27, subdivision 10; and Laws 1984, chapter 463, article 7, section 45.

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

Page 17, line 25, before the period, insert "*from the time it is reasonably expected that a position will become available until the position is filled or September 1, whichever is earlier*"

Page 21, delete section 15

Page 22, after line 27, insert:

*"The state board of education, with the advice of the Minnesota Indian scholarship committee, shall develop a scholarship program for American Indian people to become teachers. The program may involve incentives for students, such as loans that are forgiven, in part, upon completing three years of teaching. If requested, the higher education coordinating board shall assist the state board or the committee in developing the program. The program plan shall be reported to the education committees of the legislature by January 1, 1989."*

Page 25, delete section 20 and insert:

**"Sec. 19. [APPROPRIATION FOR GRANTS FOR INDIAN TEACHERS.]**

*There is appropriated \$71,000 from the general fund to the state board of education for fiscal year 1989 for a grant to assist American Indian people to become teachers and to provide additional education for American Indian teachers. The state board may award a joint grant to the University of Minnesota, Duluth, and independent school district No. 709, Duluth, for a cooperative program. To obtain the joint grant, a joint application must be submitted to the state board of education. The application*

*must be developed with the participation of the district parent advisory committee, established according to Minnesota Statutes, section 126.51, and the Indian advisory committee at the University of Minnesota, Duluth.*

*The application must set forth the in-kind services to be provided by the University of Minnesota, Duluth. The coordination and mentorship services to be provided by grants to the University of Minnesota, Duluth, and independent school district No. 709 must also be set forth in the application. It must contain recommended criteria for selecting individual scholarship recipients and criteria for scholarship amounts, that may include tuition, fees, books, and living expenses for ten months. The portion of the scholarship attributable to living expenses may be in the form of a loan to be forgiven if the recipient teaches in a Minnesota school for five years. The loan forgiveness program must be developed in consultation with the higher education coordinating board.*

*Only the following American Indian people may receive scholarships:*

*(1) students entering the University of Minnesota, Duluth, who intend to become teachers in Minnesota;*

*(2) teacher aides who are employees of independent school district No. 709, Duluth, and who intend to obtain a teaching license; and*

*(3) licensed employees of independent school district No. 709 who begin a master of education program.*

*The joint application shall be submitted to the Minnesota Indian scholarship committee for review and comment.*

*The state board may award a joint grant in the amount it determines appropriate. Scholarship money shall be included in the amount of the joint grant."*

Renumber the sections of article 3 in sequence

Page 30, line 47, after "1988," insert "in consultation" and delete "the approval of"

Page 31, after line 13, insert:

"Sec. 2. [124.477] [BOND ISSUE; MAXIMUM EFFORT SCHOOL LOANS; 1988.]

*To provide money to be loaned to school districts as agencies and political subdivisions of the state to acquire and to better public land and buildings and other public improvements of a capital nature, in the manner provided by the maximum effort school aid law, the commissioner of finance shall issue and sell school loan bonds of the state of Minnesota in the maximum amount of \$20,000,000, in addition to the bonds already authorized for this purpose. The same amount is appropriated to the maximum effort school loan fund and must be spent under the direction of the commissioner of education to make debt service loans and capital loans to school districts as provided in sections 124.36 to 124.47. The bonds must be issued and sold and provision for their payment must be made according to section 124.46. Enough money to pay interest on the bonds to and including July 1 in the second year after the date of issue must be credited from the bond proceeds to the school loan bond account in the state bond fund. Expenses incidental to the sale, printing, execution, and delivery of the bonds, including, but without limitation, actual and necessary travel*

*and subsistence expenses of state officers and employees for those purposes, must be paid from the maximum effort school loan fund, and the money necessary for the expenses is appropriated from that fund."*

Page 34, after line 25, insert:

**"Sec. 8. [LOAN TO REDWOOD FALLS SCHOOL DISTRICT.]**

*The legislature approves a capital loan in the amount of not more than \$6,285,000 to independent school district No. 637, Redwood Falls, subject to a contingency. If the contingency is met, the commissioner of finance shall issue bonds in the amount necessary to make the loan subject to the limits, conditions, and procedures of Minnesota Statutes, section 124.43, including approval of the state board of education. The loan is to be used to partially pay for a new middle school and senior high school building, and to remodel the Reede Gray Elementary School.*

*Legislative approval is contingent on the approval by voters of the district as required by Minnesota Statutes, section 124.43, subdivision 2, of borrowing of a total of not more than \$14,605,000 for the project. The contingency is met when the clerk of the district certifies the election results showing the voters' approval to the commissioner of finance.*

**Sec. 9. [LOAN TO MILACA SCHOOL DISTRICT.]**

*The legislature approves a capital loan in the amount of not more than \$4,790,865 to independent school district No. 912, Milaca, subject to a contingency. If the contingency is met, the commissioner of finance shall issue bonds in the amount necessary to make the loan subject to the limits, conditions, and procedures of Minnesota Statutes, section 124.43, including approval of the state board of education. The loan is to be used to partially pay for one new middle school and for an addition to, and remodeling of, the existing elementary school.*

*Legislative approval is contingent on the approval by voters of the district as required by Minnesota Statutes, section 124.43, subdivision 2, of borrowing a total of not more than \$13,000,000 for the project. The contingency is met when the clerk of the district certifies the election results showing the voters' approval to the commissioner of finance.*

**Sec. 10. [LOAN TO HOLDINGFORD SCHOOL DISTRICT.]**

*The legislature approves a capital loan in the amount of not more than \$1,300,000 to independent school district No. 738, Holdingford, subject to a contingency. If the contingency is met, the commissioner of finance shall issue bonds in the amount necessary to make the loan subject to the limits, conditions, and procedures of Minnesota Statutes, section 124.43, including approval of the state board of education. The loan is to be used to partially pay for an addition to, and remodeling of, the secondary school, and remodeling of one classroom in the elementary school.*

*Legislative approval is contingent on the approval by voters of the district as required by Minnesota Statutes, section 124.43, subdivision 2, of borrowing of a total of not more than \$4,700,000 for the project. The contingency is met when the clerk of the district certifies the election results showing the voters' approval to the commissioner of finance."*

Page 34, line 28, delete "23" and insert "24"

Page 34, line 31, delete "17" and insert "18"

Page 35, line 17, delete "and"

Page 35, line 18, before the period, insert "; and  
(18) associations representing nonpublic education"

Page 37, after line 27, insert:

"Subd. 5. [NORTHEAST MINNESOTA TECHNOLOGY CONSORTIUM.] For a grant to the northeast Minnesota technology and education consortium to develop a pilot computer technology program, there is appropriated:

\$50,000 . . . . . 1989."

Renumber the sections of article 5 in sequence

Page 39, after line 30, insert:

"Sec. 2. Minnesota Statutes 1987 Supplement, section 120.0752, subdivision 3, is amended to read:

Subd. 3. [11TH AND 12TH GRADE STUDENTS.] Notwithstanding subdivision 2, an 11th or 12th grade pupil who has been enrolled in a district ~~for at least three consecutive years~~ and whose parent or guardian moves to another district, may continue to enroll in the nonresident district upon the approval of the school board of the nonresident district. The approval of the school board of the pupil's resident district is not required. The pupil shall be considered a resident of the district in which that ~~student~~ pupil is enrolled."

Page 44, line 30, strike "where" and insert a period and strike "are" and insert "must be"

Page 44, line 32, before the period, insert "and either of the following:

(i) there is a significant distance between buildings in the district so that other forms of cooperation are not practical, or

(ii) the districts have a combined area of at least 500 square miles"

Page 45, after line 35, insert:

"Sec. 17. Minnesota Statutes 1986, section 134.351, subdivision 7, is amended to read:

Subd. 7. [REPORTS.] Each multicounty, multitype system receiving a grant pursuant to section 134.353 or section 134.354 shall provide an annual progress report to the department of education. The department shall report before November 15 of each *even-numbered* year to the legislature on all projects funded under section 134.353 and section 134.354."

Page 55, delete lines 28 and 29

Page 55, line 31, before the period, insert "effective July 1, 1989" and after the period, insert "Minnesota Statutes 1986, sections 121.9121, subdivision 7; 123.703, subdivision 3; 129B.75; and" and delete "is" and insert "are"

Page 55, line 32, before the period, insert "effective July 1, 1988"

Page 55, line 34, delete "10" and insert "11"

Page 55, line 35, delete "9, 17, and 18" and insert "10, 19, and 20"

Page 56, lines 1 and 2, delete "16" and insert "18"

Page 56, delete line 8

Renumber the sections of article 6 in sequence

Page 56, delete lines 12 to 14

Page 56, line 15, delete "Subd. 2." and insert "Subdivision 1."

Page 56, line 20, delete "3" and insert "2"

Page 61, line 6, delete "biannually" and insert "biennially"

Page 63, after line 7, insert:

*"Subd. 9. [FUND ALLOCATION.] School facilities revenue may be allocated to the capital expenditure fund or the debt service fund. Each year a district shall notify the department about the amount of the school facilities revenue to be allocated to each fund. The department shall calculate the aid and levy for each fund and reduce the debt service levy of the district by the amount of the levy allocated to the debt service fund."*

Page 63, line 8, delete "9" and insert "10"

Amend the title as follows:

Page 1, line 15, after the first semicolon, insert "134.351, subdivision 7;"

Page 1, line 18, after "sections" insert "120.0752, subdivision 3;"

Page 1, line 32, delete ", and 135A"

Page 1, line 33, delete "120.0752, as amended;" and insert "121.9121, subdivision 7; 123.703, subdivision 3;"

Page 1, line 34, after the first semicolon, insert "129B.75;"

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

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

H.F. No. 2468 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.
2468	2196				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2468 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2468 and insert the language after the enacting clause of S.F. No. 2196, the first engrossment; further, delete the title of H.F. No. 2468 and insert the title of S.F. No. 2196, the first engrossment.

And when so amended H.F. No. 2468 will be identical to S.F. No. 2196, and further recommends that H.F. No. 2468 be given its second reading and substituted for S.F. No. 2196, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the



Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 2145, 1756, 632, 1672, 2136, 2411, 1154, 479, 2259, 22, 1706, 1590, 1974 and 2095 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. Nos. 1459, 1864, 289 and 2468 were read the second time.

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

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

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

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

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

S.F. No. 2565: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; amending Minnesota Statutes 1986, section 84B.11, subdivision 2.

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

Mr. Pogemiller introduced—

S.F. No. 2566: A bill for an act relating to state employees; authorizing the purchase of certain insurance coverage by retired legislative employees; amending Minnesota Statutes 1986, section 43A.27, subdivision 4.

Referred to the Committee on Governmental Operations.

Messrs. Frederickson, D.R.; Purfeerst; Lessard; Morse and Davis introduced—

S.F. No. 2567: A bill for an act relating to taxation; changing the rate of gross premiums tax imposed on certain mutual insurance companies; amending Minnesota Statutes 1987 Supplement, section 60A.15, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

### **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. 2390, 1817, 203, H.F. Nos. 1980, 2490, 2469, 1950, 2615, 2372, 2554, 2025, 2109, 2046, 1966, 1877, 2132, 2637, 2529 and 2735, which the committee recommends to pass.

H.F. No. 2000, which the committee recommends to pass with the following amendments offered by Messrs. Jude and Ramstad:

Mr. Jude moved to amend H.F. No. 2000 as follows:

Page 2, line 19, after "satisfaction" insert "*or within 30 days of payment by check or other noncertified funds*":

Page 2, after line 19, insert:

"Sec. 2. Minnesota Statutes 1986, section 549.02, is amended to read: 549.02 [COSTS IN DISTRICT COURTS.]

In actions commenced in the district court, costs shall be allowed as follows:

To plaintiff: (1) Upon a judgment in the plaintiff's favor of \$100 or more in an action for the recovery of money only, when no issue of fact or law is joined, \$5; when issue is joined, \$10. (2) In all other actions, including an action by a public employee for wrongfully denied or withheld employment benefits or rights, except as otherwise specially provided, \$10.

To defendant: (1) Upon discontinuance or dismissal, \$5. (2) When judgment is rendered in the defendant's favor on the merits, \$10.

*To the prevailing party: (1) \$5.50 for the cost of filing a satisfaction of the judgment."*

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring the prevailing party in a civil action to pay the cost of filing a satisfaction of judgment;"

Page 1, line 4, delete "section" and insert "sections" and after "548.15" insert "and 549.02"

The motion prevailed. So the amendment was adopted.

Mr. Ramstad moved to amend H.F. No. 2000 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1986, section 480.061, subdivision 1, is amended to read:

Subdivision 1. [POWER TO ANSWER.] The supreme court may answer questions of law certified to it by the supreme court of the United States, a court of appeals of the United States, a United States district court, a United States bankruptcy court, or the highest appellate court or the intermediate appellate court of any other state, when requested by the certifying court if there are involved in any proceeding before it questions of law of this state which may be determinative of the cause then pending in the

certifying court and as to which it appears to the certifying court there is no controlling precedent in the decisions of the supreme court of this state."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 1534, which the committee recommends to pass with the following amendment offered by Mr. Pogemiller:

Page 3, line 9, strike "Barber" and strike "schools shall open at 8:00 a.m."

Page 3, strike line 10

The motion prevailed. So the amendment was adopted.

H.F. No. 1748, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Amend H.F. No. 1748, as amended pursuant to Rule 49, adopted by the Senate March 21, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 1972.)

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 1986, section 256C.03, is amended to read:  
256C.03 [BLIND OR DEAF PEDESTRIANS; CIVIL LIABILITY.]

The driver of a vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white or metallic in color, with or without a red tip, or using a ~~guide~~ service dog, or totally or partially deaf person with a ~~guide~~ service dog identified with a burnt orange collar or leash, shall bring such vehicle to a stop and give the right of way at any intersection of any street, avenue, alley or other public highway to such blind or deaf pedestrian."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "clarifying terms;" and delete "section" and insert "sections"

Page 1, line 5, before the period, insert "; and 256C.03"

The motion prevailed. So the amendment was adopted.

H.F. No. 1795, which the committee recommends to pass with the following amendment offered by Ms. Peterson, D.C.:

Amend H.F. No. 1795, as amended pursuant to Rule 49, adopted by the Senate March 22, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 1617.)

Page 3, after line 4, insert:

*"(h) No provision of the code or appendix chapter of the code may prohibit double cylinder dead bolt locks in existing single-family homes, townhouses, and first floor duplexes used exclusively as a residential dwelling. Any recommendation or promotion of double cylinder dead bolt locks must include a warning about their potential fire danger and procedures to minimize the danger."*

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "allowing use of double cylinder dead bolt locks in certain instances;"

The motion prevailed. So the amendment was adopted.

S.F. No. 2003, which the committee recommends to pass with the following amendments offered by Messrs. Moe, D.M. and Wegscheid:

Mr. Moe, D.M. moved to amend S.F. No. 2003 as follows:

Page 2, strike lines 15 and 16

Page 2, after line 20, insert:

*"Commissioner of trade and economic development;"*

Page 4, after line 1, insert:

"Sec. 4. Minnesota Statutes 1987 Supplement, section 43A.08, subdivision 1a, is amended to read:

Subd. 1a. [ADDITIONAL UNCLASSIFIED POSITIONS.] Appointing authorities for the following agencies may designate additional unclassified positions according to this subdivision: the departments of administration; agriculture; commerce; corrections; jobs and training; education; employee relations; ~~energy~~ trade and economic development; finance; health; human rights; labor and industry; natural resources; office of administrative hearings; public safety; public service; ~~public welfare~~ human services; revenue; transportation; and veterans affairs; the housing finance, state planning, and pollution control agencies; the state board of investment; ~~the waste management board~~; the offices of the secretary of state, state auditor, and state treasurer; the state board of vocational technical education; and the school and resource center for the arts.

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

(a) (1) the designation of the position would not be contrary to other law relating specifically to that agency;

(b) (2) the person occupying the position would report directly to the agency head or deputy agency head and would be designated as part of the agency head's management team;

(c) (3) the duties of the position would involve significant discretion and substantial involvement in the development, interpretation, and implementation of agency policy;

(d) (4) the duties of the position would not require primarily personnel, accounting, or other technical expertise where continuity in the position would be important;

(e) (5) there would be a need for the person occupying the position to be accountable to, loyal to, and compatible with the governor and the agency head, or the employing constitutional officer;

(f) (6) the position would be at the level of division or bureau director or assistant to the agency head; and

(g) (7) the commissioner has approved the designation as being consistent with the standards and criteria in this subdivision."

Page 20, line 18, delete "1990" and insert "1989"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 19, after the semicolon, insert "43A.08, subdivision 1a"

The motion prevailed. So the amendment was adopted.

Mr. Wegscheid moved to amend S.F. No. 2003 as follows:

Page 11, line 13, delete everything after "operation"

Page 11, delete line 14

Page 11, line 15, delete "university," and insert "at a member institution of the state university system, if the food service was operated by the institution itself before it was turned over to a contractor and"

Page 20, after line 28, insert:

"Sec. 27. [CERTAIN FOOD SERVICE EMPLOYEES.]

*Food service employees covered by section 14 who participate in the state group insurance plan are transferred to the public employees insurance plan under Minnesota Statutes, section 43A.316, effective January 1, 1990. Food service employees covered by section 14 who do not participate in the state group insurance plan are eligible to participate in the public employees insurance plan under Minnesota Statutes, section 43A.316, effective September 1, 1989."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Moe, D.M. moved to amend S.F. No. 2003 as follows:

Page 3, after line 25, insert:

"Sec. 3. Minnesota Statutes 1986, section 15A.083, subdivision 7, is amended to read:

**Subd. 7. [WORKERS' COMPENSATION COURT OF APPEALS AND COMPENSATION JUDGES.]** Salaries of judges of the workers' compensation court of appeals shall be 90 percent of the salary for district judges as provided in subdivision 1. Salaries of compensation judges shall be 75 percent of the salary of district court judges as provided in subdivision 1. *The chief workers' compensation settlement judge at the department of labor and industry may be paid an annual salary that is up to five percent greater than the salary of workers' compensation settlement judges at the department of labor and industry."*

Page 16, after line 33, insert:

"Sec. 23. Minnesota Statutes 1986, section 175.101, is amended by adding a subdivision to read:

*Subd. 4. A chief workers' compensation settlement judge at the department of labor and industry may be appointed by and serve at the pleasure of the commissioner."*

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 1589, which the committee recommends to pass with the following amendment offered by Mr. Jude:

Amend H.F. No. 1589, as amended pursuant to Rule 49, adopted by the Senate March 17, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 1615.)

Page 3, line 6, delete "is"

Page 3, delete lines 7 to 11 and insert "*delays application of this subdivision to the covenants, conditions, or restrictions for a period ending on the later of seven years after the date of filing of the notice, or until final judgment is entered in an action to determine the validity of the covenants, conditions, or restrictions, provided in the case of an action the summons and complaint must be served and a notice of lis pendens must be recorded in the office of the county recorder or filed in the office of the registrar of titles in each county in which the real estate affected is located within seven years after the date of recording or filing of the notice under clause (2) or (7).*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1940, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 1, line 14, delete everything after the first "bus" and insert a period

Page 1, after line 14, insert:

"Sec. 2. [REPEALER.]

*Section 1 is repealed August 1, 1991.*

Sec. 3. [EFFECTIVE DATE.]

*Section 1 is effective the day following final enactment."*

Delete the title and insert:

"A bill for an act relating to the Duluth transit authority; authorizing it to transport students."

The motion prevailed. So the amendment was adopted.

H.F. No. 1957, which the committee reports progress, subject to the following motion:

Ms. Berglin moved to amend H.F. No. 1957, as amended pursuant to Rule 49, adopted by the Senate March 23, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 2207.)

Page 2, delete line 8

Page 3, line 5, delete "SEALING RECORDS" and insert "CONFIDENTIAL INFORMATION"

Page 3, delete lines 6 to 9 and insert:

*"Information disclosed under this section shall be confidential and may not be made available to any person for any purpose other than the adjudication, appeal, modification or enforcement of judgment of an action affecting the family of the disclosing parties.*

Sec. 3. Minnesota Statutes 1986, section 518B.01, is amended by adding a subdivision to read:

*Subd. 19. [RECORDING REQUIRED.] Proceedings under this section must be recorded."*

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 1957 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

Mr. Frederickson, D.R. moved that S.F. No. 1762, No. 96 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Frederickson, D.J. moved that his name be stricken as chief author, shown as a co-author and the name of Mr. Pogemiller be added as chief author to S.F. No. 2196. The motion prevailed.

Mr. Solon moved that S.F. No. 1984, No. 74 on General Orders, be stricken and re-referred to the Committee on Agriculture. The motion prevailed.

Mr. Chmielewski moved that S.F. No. 2010, No. 72 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Mr. Luther moved that S.F. No. 2425, No. 128 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Lessard moved that S.F. No. 1682, No. 29 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

### MEMBERS EXCUSED

Mr. Freeman was excused from the Session of today from 12:00 noon to 12:45 p.m. Mr. DeCramer was excused from the Session of today from 1:00 to 3:00 p.m. Mr. Johnson, D.E. was excused from the Session of today from 1:15 to 4:00 p.m. Mr. Hughes was excused from the Session of today from 2:00 to 2:30 p.m. Mr. Lessard was excused from the Session of today from 2:00 to 3:00 p.m. Mr. Pehler was excused from the Session of today from 3:45 to 4:45 p.m. Mr. Novak was excused from the Session of today from 2:15 to 5:00 p.m. Mr. Knaak was excused from this evening's Session. Mr. Peterson, R.W. was excused from the Session of today at 8:45 p.m. Mrs. McQuaid was excused from the Session of today at 9:30 p.m.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Friday, March 25, 1988. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate