

## EIGHTIETH DAY

St. Paul, Minnesota, Tuesday, April 5, 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. Delton Krueger.

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	Storin
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.

### REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Department of Employee Relations, Equal Opportunity Division, Affirmative Action, Annual Report, 1988; Department of Labor and Industry, Workers' Compensation in Minnesota, 1988; Department of Labor and Industry, Workers' Compensation in Minnesota, Background Research Studies, 1988; Department of Transportation, Highway Jurisdiction, 1988; Minnesota Racing Commission, Annual Report, 1987; Department of Administration, Management Study of the Minnesota Veterans Homes, 1987; Department of Human Services, Mental Health Programs, 1988; Department of Health, Maternal and Child Health Services Block Grant, 1988; Department of Agriculture, Farm Financial Data Collection Task Force, 1987; Department of Human Services, Social Services Information Reporting, 1988; Minnesota Community Colleges, Fond du Lac Higher Education Center, Progress Report, 1987; Department of Administration, Capitol

Complex Childcare Study, 1988; State Board of Investment, Annual Report, 1987; State Board of Investment, Annual Report, Part II, 1987; Minnesota Housing Finance Agency, Deferred Housing Rehabilitation Loans for Members of the Minnesota Chippewa Tribe and the Red Lake Band of Chippewa Indians, 1988; Department of Health, Non-Compliant Legislation Cost Summary, July 1 - December 1, 1987; University of Minnesota, Rank Funding Adjustment, Annual Report, 1988; Department of Administration, Minnesota Humane Society, 1988; Board of Peace Officer Standards and Training, Annual Report, 1988; Metropolitan Airports Commission, Affirmative Action Report, 1987; Public Employees Retirement Association, Comprehensive Annual Financial Report, 1987; Board of Investment, External Money Manager Report, 1988; Department of Agriculture, Annual Report, Minnesota's Commodities Promotion and Checkoff Programs, 1988; Department of Jobs and Training, Summer Youth Employment Programs, 1987; Board of Governors, Big Island Veterans Camp, Annual Report, 1987; Department of Administration, Policies and Costs of Leasing Space Versus Constructing New Buildings to House State Agencies, 1988; Minnesota Zoological Garden, Annual Report, 1987; State Auditor, Revenues, Expenditures and Debt of the Towns in Minnesota, Fiscal Year ended February 28, 1987; Department of Human Services, Experimental Project Materials, 1988; Metropolitan State University, Financial Operations Summary, Fiscal Year ended June 30, 1987; Department of Human Services, Summary of Minnesota Public Assistance Trends, Fiscal Year 1987; Department of Health, Minnesota Health Care Markets, 1987.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 29, 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
	81	419	March 29	March 29
	1732	420	March 29	March 29
	1767	421	March 29	March 29
	1926	422	March 29	March 29
	2463	423	March 29	March 29
	2558	424	March 29	March 29
187		425	March 29	March 29
678		426	March 29	March 29
1710		427	March 29	March 29
2367		428	March 29	March 29

Sincerely,  
Joan Anderson Growe

Secretary of State

March 30, 1988

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1607, 1861 and 1970.

Sincerely,  
Rudy Perpich, Governor

March 30, 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
	320	429	March 30	March 30
	2083	430	March 30	March 30
	2120	431	March 30	March 30
	2270	432	March 30	March 30
1607		433	March 30	March 30
1861		434	March 30	March 30
1970		435	March 30	March 30

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 House File, herewith transmitted: H.F. No. 2151.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1988

### FIRST READING OF HOUSE BILLS

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

H.F. No. 2151: A bill for an act relating to retirement; authorizing early unreduced retirement under the rule of 90 for the Minnesota state retirement system and the teachers retirement association; allowing municipalities and counties to use excess state aid distributions for health insurance purposes; state university and community college faculty; establishing an individual retirement account plan; amending Minnesota Statutes 1986, sections 69.031, subdivision 5; 354.05, by adding a subdivision; 354.44, subdivision 6; 354.50, subdivision 1; and 356.24; Minnesota Statutes 1987 Supplement, section 352.116, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 354B.

Referred to the Committee on Finance.

### REPORTS OF COMMITTEES

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

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

S.F. No. 1840: A bill for an act relating to telephones; combining local telephone service surcharges for emergency telephone service, telephone access for hearing impaired, and the telephone assistance plan into one surcharge; requiring the department of administration to separate the surcharges and administer the three separate accounts; adding low-income disabled persons to those eligible for the telephone assistance plan; clarifying eligibility for telephone assistance; clarifying administrative functions of and reimbursements to state agencies and telephone companies; amending Minnesota Statutes 1987 Supplement, sections 237.69, subdivision 6, and by adding subdivisions; and 237.70, subdivisions 3, 4, and 7; Laws 1987, chapter 340, section 17; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1987 Supplement, section 237.72.

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

Page 1, line 23, delete "*the*" and delete "*State*" and insert "*911/Improved Access*"

Page 1, line 24, delete "*Programs Surcharge*"

Page 1, lines 28 and 32, delete "*department*" and insert "*commissioner*"

Page 2, line 2, delete "*deposit*" and insert "*credit*" and delete "*in*" and insert "*to*"

Page 2, line 4, delete "*237.50 to 237.56,*" and delete the second comma

Page 2, delete section 4

Page 4, line 20, strike from "*and*" to page 4, line 21, "*pool*"

Page 4, lines 29 and 35, delete "*department*" and insert "*commissioner*"

Page 5, line 1, after "*the*" insert "*state treasury and credit to the general*"

Page 5, lines 2 and 20, delete "*department*" and insert "*commissioner*"

Page 5, line 3, strike "*from the surcharge revenue pool*"

Page 5, delete lines 30 and 31

Pages 5 and 6, delete section 8

Page 6, line 31, delete "9" and insert "7"

Page 6, after line 31, insert:

"Sec. 9. [APPROPRIATION.]

*\$3,689,600 is appropriated from the general fund to the agencies and for the purposes indicated in this section.*

*(a) To the public utilities commission, \$15,000 for fiscal year 1989.*

*(b) To the commissioner of human services, \$50,000 for fiscal year 1989.*

*(c) To the commissioner of administration, \$1,189,600 for fiscal year 1988 and \$2,435,000 for fiscal year 1989, of which not more than \$5,000 for fiscal year 1988 and \$10,000 for fiscal year 1989 may be used for administrative costs."*

Page 6, line 36, delete "Sections 1 to 11 are" and insert "This act is" and after "following" insert "final"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "department" and insert "commissioner"

Page 1, line 12, after the semicolon, insert "appropriating money;"

Page 1, line 14, delete "subdivisions" and insert "a subdivision"

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. 392: A bill for an act relating to public safety; providing for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders; providing for administrative review; requiring a report; amending Minnesota Statutes 1986, sections 168.041; 169.123, subdivision 5b; 169.1261; and 171.29, by adding a subdivision.

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

Page 5, line 9, delete "(1)"

Page 5, line 10, delete "(2)"

Page 5, line 11, delete "(3)"

Page 6, after line 35, insert:

"Sec. 2. Minnesota Statutes 1987 Supplement, section 169.121, subdivision 5a, is amended to read:

Subd. 5a. [CHEMICAL DEPENDENCY ASSESSMENT CHARGE.] When a court sentences a person convicted of an offense enumerated in section 169.126, subdivision 1, it shall impose a chemical dependency assessment charge of \$75. This section applies when the sentence is executed, stayed, or suspended. The court may not waive payment or authorize payment of the assessment charge in installments unless it makes written findings on the record that the convicted person is indigent or that the

assessment charge would create undue hardship for the convicted person or that person's immediate family.

The court shall collect and forward to the commissioner of finance the total amount of the chemical dependency assessment charge ~~and within 60 days after sentencing or explain to the commissioner in writing why the money was not forwarded within this time period.~~ The commissioner shall credit the money to the drinking and driving repeat offense prevention account created in section 169.126, subdivision 4a.

The chemical dependency assessment charge required under this section is in addition to the surcharge required by section 609.101."

Page 7, line 34, delete "*who is not the violator*"

Page 7, line 35, before the period, insert "*, if the owner is not the violator*"

Page 8, line 17, delete "5" and insert "6"

Page 8, after line 19, insert:

"Sec. 7. [APPROPRIATION.]

*\$91,000 is appropriated to the commissioner of public safety for the purposes of sections 1 to 7: \$68,100 is from the highway user tax distribution fund and \$22,900 is from the trunk highway fund."*

Page 8, line 21, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "*appropriating money;*"

Page 1, line 8, before the period, insert "*; and Minnesota Statutes 1987 Supplement, section 169.121, subdivision 5a*"

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. 2000: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; establishing a Minnesota environment, natural resources, and wildlife trust fund; providing implementing legislation; creating a legislative commission; proposing coding for new law in Minnesota Statutes, chapter 86; repealing Minnesota Statutes 1986, sections 86.01; 86.02; 86.03; 86.06; 86.07; and 86.08.

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

Page 1, delete lines 20 and 21

Page 1, line 27, delete "*until the year 2015*"

Page 3, line 18, after "*credit*" insert "*one-half of the net proceeds from any lottery operated by the state and any other*"

Page 4, line 17, delete "*audit commission*" and insert "*auditor*"

Page 4, line 22, delete "*(a)*"

Page 4, line 27, delete "chair" and insert "subcommittee on committees"

Page 4, line 32, delete "(b)" and insert "Subd. 2. [EXPENSES.]"

Page 4, delete lines 35 and 36

Page 5, delete line 1

Page 5, line 15, after the period, insert "*The plan is advisory only. The commission shall submit the plan, as a recommendation, to the house of representatives appropriations and senate finance committees by February 1 of each odd-numbered year.*"

Page 5, line 16, delete "PLAN" and delete "only fund" and insert "recommend funding only for"

Page 5, delete lines 20 to 23 and insert:

"(c) *The commission shall recommend to the legislature a budget for the trust fund.*"

Page 5, line 27, after "may" insert "only"

Page 7, delete line 34 and insert "*in its budget for the trust fund.*"

Page 8, line 4, delete the second comma

Page 9, line 4, delete "PLAN"

Page 9, lines 13, 16, 19, 22, and 25, delete "plan"

Page 10, after line 26, insert:

"Sec. 13. Minnesota Statutes 1987 Supplement, section 116O.12, is amended to read:

116O.12 [GREATER MINNESOTA FUND.]

(a) The Greater Minnesota fund is created in the state treasury. The board may require the commissioner of finance to create separate accounts within the fund for use in accordance with the fund's purposes. Money in the fund not needed for the immediate purposes of the corporation may be invested by the corporation in any way authorized by section 11A.24. Money in the fund is appropriated to the corporation to be used as provided in this chapter.

(b) The fund consists of:

- (1) money appropriated and transferred from other state funds;
- (2) fees and charges collected by the corporation;
- (3) income from investments and purchases;
- (4) revenue from loans, rentals, royalties, dividends, and other proceeds collected in connection with lawful corporate purposes; ~~and~~
- (5) gifts, donations, and bequests made to the corporation; *and*
- (6) *one-half the net proceeds from any lottery operated by the state, which must be credited to the fund.*"

Page 10, line 31, delete "13" and insert "12 and 14"

Page 10, line 32, after the period, insert "*Section 13 is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon insert "dedicating state lottery proceeds, one-half to the trust fund and one-half to the greater Minnesota corporation; amending Minnesota Statutes 1987 Supplement, section 116O.12;"

And when so amended the bill do pass and be re-referred to 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. 2537 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:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2537	1765				

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. 2031 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2031	1891				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2031 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2031 and insert the language after the enacting clause of S.F. No. 1891, the second engrossment; further, delete the title of H.F. No. 2031 and insert the title of S.F. No. 1891, the second engrossment.

And when so amended H.F. No. 2031 will be identical to S.F. No. 1891, and further recommends that H.F. No. 2031 be given its second reading and substituted for S.F. No. 1891, 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. 1981 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1981	1863				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1981 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1981 and insert the language after the enacting clause of S.F. No. 1863, the first engrossment; further, delete the title of H.F. No. 1981 and insert the title of S.F. No. 1863, the first engrossment.

And when so amended H.F. No. 1981 will be identical to S.F. No. 1863, and further recommends that H.F. No. 1981 be given its second reading and substituted for S.F. No. 1863, 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. 2536 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2536	2398				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2536 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2536 and insert the language after the enacting clause of S.F. No. 2398, the second engrossment; further, delete the title of H.F. No. 2536 and insert the title of S.F. No. 2398, the second engrossment.

And when so amended H.F. No. 2536 will be identical to S.F. No. 2398, and further recommends that H.F. No. 2536 be given its second reading and substituted for S.F. No. 2398, 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. 1840 and 392 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 2537, 2031, 1981 and 2536 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Storm introduced—

Senate Resolution No. 133: A Senate resolution congratulating the Edina Hornets Girls Basketball Team for winning the 1988 State High School Class AA Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

**SPECIAL ORDER**

H.F. No. 1939: A bill for an act relating to agriculture; changing the continuing effect of certain farmer-lender mediation rules; repealing certain conflicting language relating to food handler license fees; amending Laws 1987, chapter 292, section 35; repealing Laws 1987, chapter 358, section 85.

Mr. Berg moved to amend H.F. No. 1939, 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. 1743.)

Page 1, after line 9, insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 500.24, subdivision 6, is amended to read:

Subd. 6. [DISPOSAL OF LAND.] (a) A state or federal agency or a corporation, other than a family farm corporation or an authorized farm corporation, may not lease or sell agricultural land or a farm homestead that was acquired by enforcing a debt against the agricultural land or farm homestead, including foreclosure of a mortgage, accepting a deed in lieu of foreclosure, terminating a contract for deed, or accepting a deed in lieu of terminating a contract for deed, before offering or making a good faith effort to offer the land for sale or lease to the immediately preceding former owner at a price no higher than the highest price offered by a third party that is acceptable to the seller or lessor. The offer must be made on the notice to offer form under subdivision 7. Selling or leasing property to a third party at a price is prima facie evidence that the price is acceptable to the seller or lessor.

(b) For purposes of this subdivision, the term “a price no higher than the highest price offered by a third party” means the acceptable cash price offered by a third party or the acceptable time-price offer made by a third party. A cash price offer is one that involves simultaneous transfer of title for payment of the entire amount of the offer. If the acceptable offer made by a third party is a time-price offer, the seller or lessor must make the same time-price offer or an equivalent cash offer to the immediately preceding former owner. An equivalent cash offer is equal to the total of the payments made over a period of the time-price offer discounted by yield curve of the United States treasury notes and bonds on the first business day of the month in which the offer is personally delivered or mailed for time periods similar to the time period covered by the time-price offer, plus 2.0 percent. A time-price offer is an offer that defers payment of a

~~portion of the price and does not involve a transfer of fee title until payment of the entire amount of the offer is made is financed entirely or partially by the seller and includes an offer to purchase under a contract for deed or mortgage. An equivalent cash offer is not required to be made if the state participates in an offer to a third party through the rural finance authority.~~

(c) This subdivision applies to a seller when the property is sold and to a lessor each time the property is leased, for five years after the agricultural land is acquired except:

(1) an offer to lease to the immediately preceding former owner is required only until the immediately preceding owner fails to accept an offer to lease the property or the property is sold; and

(2) an offer to sell to the immediately preceding former owner is required until the property is sold.

(d) The notice of an offer under subdivision 7 that is personally delivered with a signed receipt or sent by certified mail with a receipt of mailing to the immediately preceding former owner's last known address is a good faith offer.

(e) This subdivision does not apply to a sale or lease that occurs after the seller or lessor has held the property for five years or longer.

(f) For purposes of this subdivision, if the immediately preceding former owner is a bankruptcy estate the debtor in the bankruptcy is the immediately preceding owner.

(g) The immediately preceding former owner must exercise the right to lease agricultural land or a homestead located on agricultural land in writing within 15 days after an offer to lease under this subdivision is mailed with a receipt of mailing or personally delivered. The immediately preceding former owner must exercise the right to buy the agricultural land or farm homestead located on agricultural land, in writing, within 65 days after an offer to buy under this subdivision is mailed with a receipt of mailing or is personally delivered. Within ten days after exercising the right to lease or buy by accepting the offer, the immediately preceding owner must fully perform according to the terms of the offer including paying the amounts due. A seller may sell and a lessor may lease the agricultural land or farm homestead subject to this subdivision to the third party in accordance with their lease or purchase agreement if:

(1) the immediately preceding former owner does not accept an offer to lease or buy before the offer terminates; or

(2) the immediately preceding former owner does not perform the obligations of the offer, including paying the amounts due, within ten days after accepting the offer.

(h) A certificate indicating whether or not the property contains agricultural land or a farm homestead that is signed by the county assessor where the property is located and recorded in the office of the county recorder or the registrar of titles where the property is located is prima facie evidence of whether the property is agricultural land or a farm homestead.

(i) As prima facie evidence that an offer to sell or lease agricultural land or a farm homestead has terminated, a receipt of mailing the notice under subdivision 7 and an affidavit, signed by a person authorized to act on

behalf of a state, federal agency, or corporation selling or leasing the agricultural land or a farm homestead may be filed in the office of the county recorder or registrar of titles of the county where the agricultural land or farm homestead is located. The affidavit must state that:

(1) notice of an offer to buy or lease the agricultural land or farm homestead was provided to the immediately preceding former owner at a price not higher than the highest price offered by a third party that is acceptable;

(2) the time during which the immediately preceding former owner is required to exercise the right to buy or lease the agricultural land or farm homestead has expired;

(3) the immediately preceding former owner has not exercised the right to buy or lease the agricultural land or farm homestead as provided in this subdivision or has accepted an offer and has not fully performed according to the terms of the offer; and

(4) the offer to the immediately preceding former owner has terminated.

(j) The right of an immediately preceding former owner to receive an offer to lease or purchase agricultural land under this subdivision or to lease or purchase at a price no higher than the highest price offered by a third party that is acceptable to the seller or lessor may be extinguished or limited by an express statement signed by the immediately preceding owner that complies with the plain language requirements of section 325G.31. The right may not be extinguished or limited except by the:

(1) *an express statement in a deed in lieu of foreclosure of the agricultural land;*

(2) *an express statement in a deed in lieu of a termination of a contract for deed for the agricultural land; or*

(3) *an express statement conveying the right to the state or federal agency or corporation owning the agricultural land that is required to make an offer under this subdivision or to cure a title defect, an express statement conveying the right may be made to a person to whom the agricultural land has been transferred by the state or federal agency or corporation.*

(k) The right of an immediately preceding former owner to receive an offer to lease or purchase agricultural land under this subdivision may not be assigned or transferred *except as provided in paragraph (j)*, but may be inherited.

*(l) An immediately preceding former owner may not sell agricultural land acquired by accepting an offer under this subdivision if the arrangement of the sale was negotiated or agreed to prior to the former owner accepting the offer under this subdivision. A person who sells property in violation of this paragraph is liable for damages plus court costs and attorney fees, to a person who is damaged by a sale in violation of this paragraph. There is a rebuttable presumption that a sale by an immediately preceding former owner is in violation of this paragraph if the sale takes place within 180 days of the former owner accepting the offer under this subdivision. This paragraph does not apply to a sale by an immediately preceding former owner to the owner's spouse, the owner's parents, or the owner's children.*

Sec. 2. Minnesota Statutes 1987 Supplement, section 500.24, subdivision 7, is amended to read:

Subd. 7. [NOTICE OF OFFER.] (a) The state, a federal agency, or a corporation subject to subdivision 6 must provide a notice of an offer to sell or lease agricultural land substantially as follows, after inserting the appropriate terms within the parentheses:

**"NOTICE OF OFFER TO (LEASE, BUY) AGRICULTURAL LAND**

**TO:** ( . . . . . Immediately preceding former owner . . . . . )

**FROM:** ( . . . . . The state, federal agency, or corporation  
subject to subdivision 6 . . . . . )

**DATE:** ( . . . . . date notice is mailed or personally delivered . . . . . )

( . . . . . The state, federal agency, or corporation . . . . . ) HAS ACQUIRED THE AGRICULTURAL LAND DESCRIBED BELOW AND HAS RECEIVED AN ACCEPTABLE OFFER TO (LEASE, SELL) THE AGRICULTURAL LAND FROM ANOTHER PARTY. UNDER MINNESOTA STATUTES, SECTION 500.24, SUBDIVISION 6, AN OFFER FROM ( . . . . . the state, federal agency, or corporation . . . . . ) MUST BE MADE TO YOU AT A PRICE NO HIGHER THAN THE HIGHEST OFFER MADE BY ANOTHER PARTY.

THE AGRICULTURAL LAND BEING OFFERED CONTAINS APPROXIMATELY ( . . . . . approximate number of acres . . . . . ) ACRES AND IS INFORMALLY DESCRIBED AS FOLLOWS:

(Informal description of the agricultural land being offered that reasonably describes the land. This description does not need to be a legal description.)

( . . . . . The state, federal agency, or corporation . . . . . ) OFFERS TO (SELL, LEASE) THE AGRICULTURAL LAND DESCRIBED ABOVE FOR A CASH PRICE OF \$( . . . . . cash price or equivalent cash price for lease and lease period, or cash price or equivalent cash price for sale of land . . . . . ), WHICH IS NOT HIGHER THAN THE PRICE OFFERED BY ANOTHER PARTY. THE PRICE IS OFFERED ON THE FOLLOWING TERMS:

(Terms, if any, of acceptable offer)

IF YOU WANT TO ACCEPT THIS OFFER YOU MUST NOTIFY ( . . . . . the state, federal agency, or corporation . . . . . ) IN WRITING THAT YOU ACCEPT THE OFFER OR SIGN UNDERNEATH THE FOLLOWING PARAGRAPH AND RETURN A COPY OF THIS NOTICE BY (15 for a lease, 65 for a sale) DAYS AFTER THIS NOTICE IS PERSONALLY DELIVERED OR MAILED TO YOU. THE OFFER IN THIS NOTICE TERMINATES ON ( . . . . . date of termination - 15 days for lease and 65 days for sale after date of mailing or personal delivery . . . . . ).

**ACCEPTANCE OF OFFER**

I ACCEPT THE OFFER TO (BUY, LEASE) THE AGRICULTURAL LAND DESCRIBED ABOVE AT THE PRICE OFFERED TO ME IN THIS NOTICE. AS PART OF ACCEPTING THIS OFFER I WILL PERFORM ACCORDING TO THE TERMS OF THE OFFER, INCLUDING MAKING PAYMENTS DUE UNDER THE OFFER, WITHIN TEN DAYS AFTER THE DATE I ACCEPT THIS OFFER. *I UNDERSTAND THAT NEGOTIATING OR AGREEING TO AN ARRANGEMENT TO SELL THE AGRICULTURAL LAND TO ANOTHER PERSON PRIOR TO ACCEPTING THIS OFFER IS A VIOLATION OF LAW AND I MAY BE LIABLE TO A PERSON DAMAGED BY THE SALE.*

.....  
Signature of Former Owner Accepting Offer  
.....

.....  
Date”  
.....

(b) For an offer to sell, a copy of the purchase agreement containing the price and terms of the highest offer made by a third party that is acceptable to the seller and a signed affidavit by the seller affirming that the purchase agreement is true, accurate, and made in good faith must be included with the notice under this subdivision. At the seller's discretion, reference to the third party's identity may be deleted from the copy of the purchase agreement.

(c) For an offer to lease, a copy of the lease containing the price and terms of the highest offer made by a third party that is acceptable to the lessor and a signed affidavit by the lessor affirming that the lease is true, accurate, and made in good faith must be included with the notice under this subdivision. At the lessor's discretion, reference to the third party's identity may be deleted from the copy of the lease agreement.

(d) The affidavit under paragraphs (b) and (c) is subject to section 609.48.

Sec. 3. Minnesota Statutes 1987 Supplement, section 583.24, subdivision 4, is amended to read:

Subd. 4. [DEBTS.] (a) The farmer-lender mediation act does not apply to a debt:

(1) for which a proof of claim form has been filed in bankruptcy by a creditor or that was listed as a scheduled debt, of a debtor who has filed a petition in bankruptcy after the effective date of Laws 1987, chapter 292 July 1, 1987, under United States Code, title 11, chapter 7, 11, 12, or 13;

(2) if the debt was in default when the creditor received a mediation proceeding notice under the farmer-lender mediation act and the creditor filed a claim form, the debt was mediated during the mediation period under section 583.26, subdivision 8, and (i) the mediation was unresolved; or (ii) a mediation agreement with respect to that debt was signed;

(3) for which the creditor has served a mediation notice, the debtor has failed to make a timely request for mediation, and within 30 days after the debtor failed to make a timely request the creditor began a proceeding to enforce the debt against the agricultural property of the debtor;

(4) for which a creditor has received a mediation proceeding notice and the creditor and debtor have restructured the debt and have signed a separate mediation agreement with respect to that debt; or

(5) for which there is a lien for rental value of farm machinery under section 514.661 or a lien for rental value relating to a contract for deed subject to the farmer-lender mediation act under section 559.2091.

(b) For purposes of paragraph (a), clause (3), providing a copy of a forbearance policy is considered beginning a proceeding to enforce a debt if the board of an institution has adopted a forbearance policy that provides for deferring or rescheduling payments of principal or interest, renewal or extension of loan terms, reduction in the amount or rate of principal or interest due on a loan, or other similar actions, and requires that the debtor must receive a copy of the policy at least 20 days prior to loan acceleration or debt collection proceedings.”

Page 1, line 23, delete "*This act is*" and insert "*Sections 1 to 3 are effective May 1, 1988. Sections 4 and 5 are*"

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 36 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Jude	Mehrkens	Renneke
Belanger	Decker	Knutson	Merriam	Schmitz
Benson	Frederick	Laidig	Metzen	Storm
Berg	Frederickson, D.R.	Langseth	Moe, R.D.	Waldorf
Bernhagen	Freeman	Lantry	Olson	
Bertram	Gustafson	Larson	Pehler	
Brandl	Hughes	Lessard	Purfeerst	
Brataas	Johnson, D.E.	McQuaid	Ramstad	

Those who voted in the negative were:

Beckman	DeCramer	Johnson, D.I.	Peterson, D.C.	Stumpf
Berglin	Dicklich	Kroening	Piper	Vickerman
Cohen	Diessner	Luther	Pogemiller	
Dahl	Frank	Marty	Reichgott	
Davis	Frederickson, D.J.	Morse	Samuelson	

The motion prevailed. So the amendment was adopted.

Mr. DeCramer moved to amend H.F. No. 1939, 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. 1743.)

Page 1, after line 19, insert:

"Sec. 2. [223A.02] [DEFINITIONS.]

*Subdivision 1. [BUYER.] "Buyer" means a person purchasing farm products.*

*Subd. 2. [COMMISSION MERCHANT.] "Commission merchant" has the meaning given in United States Code, title 7, section 1631(c)(3).*

*Subd. 3. [FARM PRODUCTS.] "Farm products" has the meaning given in United States Code, title 7, section 1631(c)(5).*

*Subd. 4. [FARM PRODUCTS STATUTORY LIEN.] "Farm products statutory lien" means a consensual or nonconsensual lien on farm products but does not include a security interest created in a security agreement that is subject to article 9 of the Uniform Commercial Code, sections 336.9-101 to 336.9-508.*

*Subd. 5. [LIENHOLDER.] "Lienholder" means a person entitled to a farm products statutory lien.*

*Subd. 6. [PERFECTED.] "Perfected" means that the conditions have been satisfied to enforce the farm products statutory lien against third parties as provided by the law creating or authorizing the farm products statutory lien.*

*Subd. 7. [PERSON.] "Person" has the meaning given in United States Code, title 7, section 1631(c)(10), and also includes the federal government and its agencies, the state, political subdivisions, and other governmental*

entities.

*Subd. 8. [RECEIVE.] "Receive" means actual delivery with signed receipt or mailing with signed receipt of the addressee.*

*Subd. 9. [SELLING AGENT.] "Selling agent" has the meaning given in United States Code, title 7, section 1631(c)(8).*

**Sec. 3. [223A.03] [BUYERS TAKING FREE OF AND SUBJECT TO FARM PRODUCTS STATUTORY LIEN.]**

*Subdivision 1. [TAKING FREE OF LIEN.] Except as provided in subdivision 2, and notwithstanding any other law, a buyer who buys farm products from a seller engaged in farming operations shall take free of a farm products statutory lien even though the farm products statutory lien is perfected and the buyer knows the lien exists.*

*Subd. 2. [TAKING SUBJECT TO LIEN.] A buyer of farm products takes subject to a farm products statutory lien if:*

- (1) the lienholder has perfected the farm products statutory lien;*
- (2) within one year before the sale of the farm products, the buyer has received a lien notice as provided in section 5 from the lienholder or from the seller; and*
- (3) the buyer has failed to perform the payment obligations as provided in the notice under section 5.*

**Sec. 4. [223A.04] [COMMISSION MERCHANTS AND SELLING AGENTS SUBJECT TO FARM PRODUCTS STATUTORY LIEN.]**

*Subdivision 1. [SELLING NOT SUBJECT TO LIEN.] Except as provided in subdivision 2, and notwithstanding any other law, a commission merchant or selling agent who sells a farm product for others is not subject to a farm products statutory lien even though the farm product statutory lien is perfected and the commission merchant or selling agent knows the lien exists.*

*Subd. 2. [SELLING SUBJECT TO LIEN.] A commission merchant or selling agent selling farm products for another person is subject to a farm products statutory lien in the farm products if:*

- (1) the lienholder has perfected the farm products statutory lien;*
- (2) the commission merchant or selling agent has received a lien notice as provided in section 5 from the lienholder or seller; and*
- (3) the commission merchant or selling agent has failed to perform the payment obligations.*

**Sec. 5. [223A.05] [LIEN NOTICE.]**

*Subdivision 1. [CONTENTS.] A lien notice must be an original or reproduced copy of a written notice of the farm products statutory lien organized according to farm products containing:*

- (1) the name, signature, and address of the lienholder;*
- (2) the name and address of the debtor;*
- (3) the social security number of the debtor, if available; or in the case of a debtor doing business other than as an individual, the Internal Revenue Service taxpayer identification number of the debtor, if available;*



(4) a description of the farm products subject to the farm products statutory lien, including the amount of the products and, if applicable, the crop year, county where the products are located or growing, and a reasonable description of the real property where the farm products are located or are growing; and

(5) any payment obligations imposed on the buyer, commission merchant, or selling agent as a condition for waiver or release of the security interest.

Subd. 2. [AMENDMENTS.] A lien notice must be amended in writing to reflect material changes and signed and transmitted in the same manner as the lien notice within three months after the material changes occur.

Subd. 3. [EFFECTIVE PERIOD.] (a) A lien notice is effective for a five-year period after the date the lien notice is received by the buyer, commission merchant, or selling agent and may be extended for five years if the buyer, commission merchant, or selling agent is notified within six months of the expiration of the initial five-year period.

(b) A lien notice lapses on the expiration period of the lien notice or the transmission of a notice signed by the lienholder that the lien notice has lapsed, whichever occurs first.

Sec. 6. [223A.06] [PROCEEDS FROM FARM PRODUCTS SUBJECT TO LIEN.]

A lienholder has a claim to the proceeds received from the sale, exchange, or other disposition of farm products subject to a farm products statutory lien, unless otherwise specifically provided by law.

Sec. 7. [223A.07] [FORMS.]

The secretary of state may adopt forms by rule to facilitate the procedures under sections 2 to 5. The forms must be provided to county recorders and made available to the public."

Page 1, line 23, delete "This act" and insert "Section 1" and after the period, insert "Sections 2 to 7 are effective July 1, 1988."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Stumpf moved to amend the Berg amendment to H.F. No. 1939, adopted by the Senate April 5, 1988, as follows:

Page 1, after line 23, insert:

"(b) An immediately preceding former owner may elect to purchase or lease the entire property or an agreed to portion of the property. If the immediately preceding former owner elects to purchase or lease a portion of the property, the election must be reported in writing to the seller or lessor prior to the time the property is first offered for sale or lease. If election is made to purchase or lease a portion of the property, the portion must be contiguous and compact so that it does not unreasonably reduce access to or the value of the remaining property."

Page 1, line 24, strike "(b)" and insert "(c)"

Page 2, line 9, strike "(c)" and insert "(d)"

Page 2, line 15, strike "and"

Page 2, line 17, before the period, insert “; and

*(3) if the immediately preceding former owner elects to lease or purchase a portion of the property, this subdivision does not apply to the seller with regard to the balance of the property after the election is made under paragraph (b)”*

Page 2, line 18, strike “(d)” and insert “(e)”

Page 2, line 22, strike “(e)” and insert “(f)”

Page 2, line 25, strike “(f)” and insert “(g)”

Page 2, line 28, strike “(g)” and insert “(h)”

Page 2, line 29, after “lease” insert “all or a portion of the”

Page 2, line 32, after the period, insert “If election is made to lease only the homestead or a portion of the agricultural land, the portion to be leased must be clearly identified in writing.”

Page 2, line 33, after “land” insert “, a portion of the agricultural land,” and after “or” insert “a”

Page 3, line 12, strike “(h)” and insert “(i)”

Page 3, line 18, strike “(i)” and insert “(j)”

Page 4, line 5, strike “(j)” and insert “(k)”

Page 4, line 27, delete “(j)” and insert “(k)”

Amend the title accordingly

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

H.F. No. 1939 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Davis; DeCramer; Frederickson, D.J. and Morse voted in the negative.

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

### SPECIAL ORDER

S.F. No. 2142: A bill for an act relating to workers' compensation; reassigning certain administrative duties; regulating reporting of injuries and information about injuries; regulating the payment of benefits; regulating the membership of the rehabilitation review panel; regulating rehabilitation

services; changing certain administrative procedures; regulating dependent benefits; prohibiting excessive treatment or medical services; providing for data privacy; amending Minnesota Statutes 1986, sections 129A.05, subdivision 2; 175.171; 176.021, subdivision 3; 176.081, subdivision 1; 176.101, subdivision 3e; 176.104, subdivision 1; 176.111, subdivisions 7 and 8; 176.135, by adding a subdivision; 176.136, subdivision 5; 176.191, subdivision 3; 176.221, subdivision 9; 176.225, subdivision 5; 176.231, subdivisions 8 and 9; 176.451, subdivision 4; Minnesota Statutes 1987 Supplement, sections 176.102, subdivisions 3 and 4; 176.103, subdivision 3; 176.106, subdivisions 7 and 9; 176.131, subdivision 1; 176.135, subdivisions 1 and 6; 176.155, subdivision 1; 176.238, subdivisions 1 and 9; 176.305, subdivisions 1 and 4; 176.521, subdivision 1; repealing Minnesota Statutes 1986, sections 176.021, subdivision 3a; 176.111, subdivision 8a; and 176.136, subdivision 3.

Mr. Beckman moved to amend S.F. No. 2142 as follows:

Page 8, after line 20, insert:

"Sec. 7. Minnesota Statutes 1987 Supplement, section 176.102, subdivision 3a, is amended to read:

Subd. 3a. [DISCIPLINARY ACTIONS.] The panel has authority to discipline qualified rehabilitation consultants and vendors and may impose a penalty of up to \$1,000 per violation, and may suspend or revoke certification. Complaints against registered qualified rehabilitation consultants and vendors shall be made to the commissioner who shall investigate all complaints. If the investigation indicates a violation of this chapter or rules adopted under this chapter, the commissioner may initiate a contested case proceeding under the provisions of chapter 14. In these cases, the rehabilitation review panel shall make the final decision following receipt of the report of an administrative law judge. The decision of the panel is appealable to the workers' compensation court of appeals in the manner provided by section 176.421. The panel shall continuously study rehabilitation services and delivery, develop and recommend rehabilitation rules to the commissioner, and assist the commissioner in accomplishing public education.

The commissioner may appoint alternates for one-year terms to serve as a member when a member is unavailable. The number of alternates shall not exceed one labor member, one employer or insurer member, and one member representing medicine, ~~chiropractic~~, or rehabilitation vendors, and qualified rehabilitation consultants."

Page 17, line 18, delete "upon the recommendation of" and insert "after consultation with"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Diessner moved to amend S.F. No. 2142 as follows:

Page 15, line 14, after the period, insert "Exposure to rabies is an injury and an employer shall furnish preventive treatment to employees exposed to rabies."

The motion prevailed. So the amendment was adopted.

Mr. Bertram moved to amend S.F. No. 2142 as follows:

Page 24, after line 23, insert:

"Sec. 31. Minnesota Statutes 1987 Supplement, section 176B.01, subdivision 2, is amended to read:

Subd. 2. [PEACE OFFICER.] "Peace officer" means:

(a) a police officer employed by the state of Minnesota or any governmental subdivision within the state to enforce the criminal laws;

(b) a Minnesota state patrol officer;

(c) a sheriff or full-time deputy sheriff with power of arrest by warrant;

(d) a state conservation officer as defined in section 84.028, subdivision 3;

(e) a person employed by the bureau of criminal apprehension as a police officer with power of arrest by warrant;

(f) a correction officer employed at any correctional institution and charged with maintaining the safety, security, discipline and custody of inmates at such institutions;

(g) a firefighter employed on a full-time basis by a fire department of any governmental subdivision of the state who is engaged in the hazards of firefighting or a regularly enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of fire fighting;

(h) a good samaritan who complies with the request or direction of a peace officer to assist the officer;

(i) a reserve police officer or a reserve deputy sheriff acting under the supervision and authority of a political subdivision; and

(j) a driver or attendant with a licensed basic or advanced life support transportation service, *or current member of a bona fide rescue squad, who is engaged in providing emergency care.*"

Page 24, after line 27, insert:

"Sec. 33. [EFFECTIVE DATE.]

*Section 31 is effective retroactively to October 1, 1987.*"

Renumber the sections in sequence

Amend the title accordingly

Mr. Wegscheid moved to amend the Bertram amendment to S.F. No. 2142 as follows:

Page 1, line 31, after "*current*" insert "*certified*"

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

Mr. Frederickson, D.R. moved to amend the Bertram amendment to S.F. No. 2142 as follows:

Page 1, line 35, delete "*retroactively to*"

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

The question recurred on the Bertram amendment, as amended. The

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

S.F. No. 2142 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1804: A bill for an act relating to motor vehicles; providing for registration of motor vehicles by long-term lessees; imposing a fee; amending Minnesota Statutes 1986, sections 168.011, by adding a subdivision; 168.013, subdivision 7; 168.041, subdivision 7; 168.10, subdivision 1; 168.11, subdivision 1; 168.13; 168.33, subdivision 3; and 168A.10, by adding a subdivision; repealing Minnesota Statutes 1986, section 168.30.

Mr. Frederick moved to amend S.F. No. 1804 as follows:

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1986, section 168.013, subdivision 2, is amended to read:

Subd. 2. [PRORATED FEES.] (a) When a motor vehicle first becomes subject to taxation during the registration period for which the tax is paid, the tax shall be for the remainder of the period prorated on a monthly basis, 1/12 of the annual tax for each calendar month or fraction thereof; provided, however, that for a vehicle having an annual tax of \$10 or less there shall be no reduction until on and after September 1 when the annual tax shall be reduced one-half.

(b) *The commissioner shall refund the portion of the tax paid under this section that represents the period after the registered vehicle is permanently removed from the state. The refund shall be made from the motor vehicle suspense fund when an applicant surrenders the vehicle's license plates as required by section 168.15 and makes application to the commissioner.*"

Page 6, after line 11, insert:

"Sec. 11. [EFFECTIVE DATE.]

*Section 2 is effective for registration taxes due and paid beginning with the 1988 registration.*"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1804 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

H.F. No. 2039: A bill for an act relating to corrections; making various housekeeping and technical changes; amending Minnesota Statutes 1986, sections 260.311, subdivisions 1, 2, 3, and 5; 401.01, subdivision 2; and 401.04.

Mr. Frederickson, D.J. moved to amend H.F. No. 2039, the unofficial engrossment, as follows:

Page 3, line 12, after the period, insert "*For purposes of computing seniority among those employees transferring from one county unit only, a transferred employee retains the same seniority position as the employee had within that county's probation office.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 2039 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

**SPECIAL ORDER**

H.F. No. 1836: A bill for an act relating to crimes; providing for proof of prior convictions at sentencing hearings and in certain criminal prosecutions; amending Minnesota Statutes 1986, section 244.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H.F. No. 2470: A bill for an act relating to crimes; increasing the penalties for issuing dishonored checks with aggregate value greater than \$200; amending Minnesota Statutes 1986, section 609.535, subdivision 2, and by adding a subdivision.

Mr. Diessner moved to amend H.F. No. 2470 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 487.25, subdivision 10, is amended to read:

Subd. 10. [PROSECUTING ATTORNEYS.] Except as otherwise provided by law, violations of state law that are petty misdemeanors or misdemeanors must be prosecuted by the attorney of the statutory or home rule charter city where the violation is alleged to have occurred. In cities of the first, second, and third class, gross misdemeanor violations of sections 609.52, 609.535, 609.595, 609.631, and 609.821 must be prosecuted by the attorney of the city where the violation is alleged to have occurred. The statutory or home rule charter city may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other petty misdemeanors, misdemeanors, and gross misdemeanors must be prosecuted by the county attorney of the county in which the alleged violation occurred. All violations of a municipal ordinance, charter provision, rule, or regulation must be prosecuted by the attorney for the governmental unit that promulgated the municipal ordinance, charter provision, rule, or regulation or by the county attorney with whom it has contracted to prosecute these matters.

In the counties of Anoka, Carver, Dakota, Scott, and Washington, violations of state law that are petty misdemeanors, misdemeanors, or gross misdemeanors except as provided in section 388.051, subdivision 2, must be prosecuted by the attorney of the statutory or home rule charter city where the violation is alleged to have occurred. The statutory or home rule charter city may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other petty misdemeanors, misdemeanors, or gross misdemeanors must be prosecuted by the county attorney of the county in which the alleged violation occurred. All violations of a municipal ordinance, charter provision, rule, or regulation must be prosecuted by the attorney for the governmental unit that promulgated the municipal ordinance, charter provision, rule, or regulation or by the county attorney with whom it has contracted to prosecute these matters."

Page 1, line 13, delete "2" and insert "3"

Page 2, line 10, delete "and 2" and insert "to 3"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2470 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

H.F. No. 10: A bill for an act relating to crimes; raising the minimum term of imprisonment from 17 to 20 years for persons convicted of first degree murder; clarifying that the crying of a child does not constitute provocation under first degree manslaughter; amending Minnesota Statutes 1986, section 244.05, subdivision 4; and Minnesota Statutes 1987 Supplement, section 609.20.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:



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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2246: A bill for an act relating to economic development; extending various development programs to nonprofit organizations.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Knaak and Larson voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2568: A bill for an act relating to agriculture; providing for terms and compensation for members of the Minnesota agricultural and economic development board; changing and clarifying the small business development loan portion of the agricultural resource loan guarantee program; establishing requirements for revenues that can be used in a local revolving fund; amending Minnesota Statutes 1987 Supplement, sections 41A.02, subdivisions 3 and 16; 41A.036, by adding subdivisions; and 116N.08, subdivision 8.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1754: A bill for an act relating to crime victims; authorizing the crime victims reparations board to pay the costs of returning an abducted child home; authorizing the board to determine and award reparations and damage claims from proceeds of a commercial exploitation of a crime; permitting an offender's minor dependents to receive some proceeds of a commercial exploitation of a crime; clarifying certain duties of the crime victim ombudsman; prescribing penalties; amending Minnesota Statutes 1986, sections 611A.56; 611A.67; 611A.68, subdivisions 1, 4, 6, 8, and by adding subdivisions; and 611A.74, subdivision 3; and Minnesota Statutes 1987 Supplement, section 611A.52, subdivision 8; repealing Minnesota Statutes 1986, section 611A.68, subdivisions 2 and 5.

Ms. Berglin moved to amend H.F. No. 1754, the unofficial engrossment, as follows:

Page 2, after line 6, insert:

"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. 1754 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 2098: A bill for an act relating to game and fish; eliminating crows as an unprotected bird; authorizing a season on crows; prescribing when crows and certain other birds causing damage may be taken; removing statutory restrictions on the open season on private shooting preserves; requiring at least 500 pheasants to be released on certain shooting preserves and that harvested pheasants may not exceed 95 percent of the pheasants released; authorizing persons to hunt on a shooting preserve without a pheasant stamp; authorizing the taking of mourning doves during an experimental season west of U.S. highway No. 71; amending Minnesota Statutes 1986, sections 97A.015, subdivision 52; 97A.121, subdivision 2, and by adding a subdivision; 97B.715, subdivision 1; and 97B.731, subdivision 2, and by adding subdivisions.

Mr. Spear moved to amend S.F. No. 2098 as follows:

Page 2, delete sections 5 and 6

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend S.F. No. 2098 as follows:

Page 3, after line 14, insert:

"Sec. 9. [97C.403] [RAINY RIVER WALLEYE RESTRICTIONS.]

*Subdivision 1. [LIMIT.] (a) The possession limit for walleyes taken from the Rainy River is six per day.*

*(b) Only one walleye over 19-1/2 inches in length may be included in the limit taken from the Rainy River each day.*

*Subd. 2. [OPEN SEASON.] The open season for walleye in the Rainy River is from the third Saturday in May until April 14.*

Sec. 10. [1988-1989 SPRING WALLEYE SEASON.]

*From the effective date of this section until April 14, 1988, and from March 1 until April 14, 1989, a person may take walleyes from the Rainy River but the walleyes possessed for a limit may not exceed 19-1/2 inches in length."*

Page 3, line 16, after "8" insert "to 10"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2098 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Belanger and Purfeerst voted in the negative.

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

### NOTICE OF RECONSIDERATION

Mr. Knaak gave notice of his intention to move for reconsideration of H.F. No. 2470.

### SPECIAL ORDER

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.

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 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kroening voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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.

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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.

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	Knaak	Metzen	Renneke
Anderson	Decker	Knutson	Moe, R.D.	Samuelson
Beckman	DeCramer	Kroening	Morse	Schmitz
Belanger	Diessner	Laidig	Novak	Spear
Benson	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.J.	Mehrkens	Ramstad	
Dahl	Jude	Merriam	Reichgott	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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; 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; 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1618: A bill for an act relating to armories; increasing the limit on bonded indebtedness; amending Minnesota Statutes 1986, section 193.143.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1218: A bill for an act relating to the office of the secretary of state; providing for the preservation of land surveys; establishing time for the permanent microfilming of the surveys; appropriating money; amending Minnesota Statutes 1986, section 5.03.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:



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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1851: A bill for an act relating to local government; regulating duties of town officers; setting town powers; amending Minnesota Statutes 1986, sections 18.272; 465.71; and 471.653; and Minnesota Statutes 1987 Supplement, section 115A.921; and repealing Minnesota Statutes 1986, section 365.03.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2063: A bill for an act relating to housing; providing a definition; authorizing certain refinancing; providing for reservation of low-income housing credits; amending Minnesota Statutes 1986, sections 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.07, subdivisions 14 and 15; Minnesota Statutes 1987 Supplement, section 462A.222, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1968: A bill for an act relating to economic development; providing for the use of municipal resources for establishment of a local revolving loan fund; amending Minnesota Statutes 1987 Supplement, section 116N.08, subdivision 8.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 2, as follows:

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1865: A bill for an act relating to the town of White Bear; authorizing the town of White Bear to establish an economic development authority; giving the town of White Bear the powers of a city with respect to the authority.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1224: A bill for an act relating to local government; permitting the establishment of a joint economic development authority in Cook county; authorizing a lodging tax in certain towns.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 765: A bill for an act relating to local government; granting the city of Cannon Falls the authority to establish a port authority; authorizing the port authority to exercise the power of a municipal housing and redevelopment authority; authorizing the city to impose restrictions and limitations upon the powers and procedures of the port authority; permitting the city to choose the name of the port authority; providing for removal of port authority commissioners; requiring local approval.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 2, as follows:

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1297: A bill for an act relating to local government; granting the city of Redwood Falls the authority to establish a port authority; authorizing the port authority to exercise the power of a municipal housing and redevelopment authority; authorizing the city to impose restrictions and limitations upon the powers and procedures of the port authority; permitting the city to choose the name of the port authority; providing for removal of port authority commissioners; requiring local approval.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

Ms. Reichgott moved that H.F. No. 2524, No. 86 on Special Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

### SPECIAL ORDER

S.F. No. 1963: A bill for an act relating to public finance; providing requirements for the issuance and use of public debt; amending Minnesota Statutes 1986, sections 123.35, by adding a subdivision; 375.83; 410.32; 475.54, by adding a subdivision; 475.67, subdivision 13; Minnesota Statutes 1987 Supplement, sections 469.012, subdivision 1; 469.015, subdivision 4; 469.071, by adding a subdivision; 469.155, subdivision 12; 475.60, subdivision 2; and 475.66, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 469; repealing Laws 1987, chapter 358, section 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 1302: A bill for an act relating to Itasca county; permitting the county to levy a tax for economic development.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2596: 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 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, chapters 3 and 473.

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 49 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Decker	Jude	Merriam	Purfeerst
Anderson	DeCramer	Knaak	Metzen	Reichgott
Beckman	Diessner	Kroening	Moe, R.D.	Renneke
Benson	Frederick	Lantry	Morse	Schmitz
Berg	Frederickson, D.J.	Larson	Novak	Spear
Berglin	Frederickson, D.R.	Lessard	Olson	Stumpf
Bertram	Gustafson	Luther	Peterson, D.C.	Taylor
Brandl	Hughes	Marty	Peterson, R.W.	Vickerman
Cohen	Johnson, D.E.	McQuaid	Piper	Waldorf
Dahl	Johnson, D.J.	Mehrkins	Pogemiller	

Messrs. Belanger, Knutson and Ramstad voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 2111: A bill for an act relating to public utilities; pipeline safety; authorizing the office of pipeline safety to inspect and regulate intrastate pipeline facilities carrying liquefied natural gas, liquefied petroleum gas, and hazardous liquids; adopting federal safety regulations; removing the depth limitation for the one call excavation notice system; providing for the calculation of pipeline inspection fees; appropriating money; amending Minnesota Statutes 1986, sections 299F.56, subdivisions 1, 2, 4, 6, and

by adding subdivisions; and 299F59; Minnesota Statutes 1987 Supplement, sections 116L.015, subdivision 3; 216D.01, subdivision 5; 299F57, subdivision 1, and by adding a subdivision; 299F58; 299F62; 299F63, subdivision 1; 299F64; and 299J.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299F; repealing Minnesota Statutes 1987 Supplement, section 299F63, subdivision 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1462: A bill for an act relating to housing; creating a low-income housing trust account; providing for the uses of the account; placing certain requirements on real estate trust accounts; appropriating money; amending Minnesota Statutes 1986, sections 82.24, by adding a subdivision; and 82.34, subdivisions 6 and 15; Minnesota Statutes 1987 Supplement, section 82.17, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 462A.

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 43 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Hughes	McQuaid	Solon
Anderson	DeCramer	Johnson, D.E.	Mehrkens	Spear
Beckman	Diessner	Jude	Merriam	Storm
Belanger	Frank	Kroening	Morse	Stumpf
Bernhagen	Frederick	Laidig	Pehler	Taylor
Bertram	Frederickson, D.J.	Lantry	Peterson, D.C.	Vickerman
Brandl	Frederickson, D.R.	Lessard	Piper	Waldorf
Brataas	Freeman	Luther	Ramstad	
Cohen	Gustafson	Marty	Renneke	

Those who voted in the negative were:

Benson	Knaak	Larson	Olson	Peterson, R. W.
Decker	Knutson	Metzen		

So the bill passed and its title was agreed to.

**RECONSIDERATION**

Mr. Knaak moved that the vote whereby H.F. No. 2470 was passed by the Senate on April 5, 1988, be now reconsidered. The motion prevailed.

H.F. No. 2470: A bill for an act relating to crimes; increasing the penalties for issuing dishonored checks with aggregate value greater than \$200; amending Minnesota Statutes 1986, section 609.535, subdivision 2, and by adding a subdivision.

Mr. Knaak moved to amend H.F. No. 2470 as follows:

Page 1, lines 22 and 25, delete "\$200" and insert "\$250"

Amend the title as follows:

Page 1, line 4, delete "\$200" and insert "\$250"

The motion prevailed. So the amendment was adopted.

H.F. No. 2470 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

**SPECIAL ORDER**

S.F. No. 1912: A bill for an act relating to health and human services; requiring the commissioner of health to implement an infant formula rebate system for the W.I.C. program; requiring written materials provided to clients under programs administered or supervised by the departments of human services, health, and jobs and training to be in plain language and readable at the seventh-grade level; establishing a local income assistance grant program to increase the use of food stamps by homeless individuals; amending Minnesota Statutes 1986, section 145.894; proposing coding for new law in Minnesota Statutes, chapters 144, 256, and 268.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:



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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2434: A bill for an act relating to the city of Duluth; authorizing the expenditure of previously appropriated funds for acquisition or construction of Duluth's Western Waterfront Trail.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 1771: A bill for an act relating to taxation; retaining strict levy limits for cities and counties that do not comply with pay equity requirements; reducing 1992 local government aids of cities and counties that do not implement equitable compensation plans.

Ms. Reichgott moved to amend S.F. No. 1771 as follows:

Page 1, line 18, after "1991" insert ", unless a later date has been approved by the commissioner. If a report was filed before October 1, 1987, and had an implementation date after December 31, 1991, the date in the report shall be approved by the commissioner"

Page 3, line 25, after "1991," insert "or the later date approved by the commissioner"

Page 3, line 28, after "percent" insert "; provided that the reduction in aid shall apply to the first calendar year beginning after the date for implementation of the plan of a governmental subdivision for which the commissioner of employee relations has approved an implementation date later than December 31, 1991"

The motion prevailed. So the amendment was adopted.

S.F. No. 1771 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 42 and nays 16, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Jude	Moe, R.D.	Reichgott
Benson	Frank	Knaak	Morse	Schmitz
Brandl	Frederick	Knutson	Novak	Solon
Brataas	Frederickson, D.J.	Kroening	Peterson, D.C.	Spear
Cohen	Frederickson, D.R.	Langseth	Peterson, R.W.	Taylor
Dahl	Freeman	Lantry	Piper	Waldorf
Decker	Hughes	Luther	Pogemiller	
DeCramer	Johnson, D.E.	Marty	Purfeerst	
Dicklich	Johnson, D.J.	Metzen	Ramstad	

Those who voted in the negative were:

Anderson	Bernhagen	Larson	Mehrkens	Storm
Beckman	Bertram	Lessard	Olson	Stumpf
Belanger	Gustafson	McQuaid	Renneke	Vickerman
Berg				

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

### SPECIAL ORDER

S.F. No. 2182: A bill for an act relating to taxation; providing for payment of tax increments attributable to referendum levy increases to school districts; amending Minnesota Statutes 1987 Supplement, section 469.177, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Mr. Stumpf moved that S.F. No. 517, No. 16 on Special Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Mr. Pogemiller moved that H.F. No. 2468, No. 53 on Special Orders, be stricken and re-referred to the Committee on Rules and Administration. The motion did not prevail.

**SPECIAL ORDER**

H.F. No. 1111: A bill for an act relating to crimes; providing that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed an aggravated felony against the person as a member of an organized gang; making it a crime for an alleged or adjudicated juvenile delinquent who is 18 years old to escape from lawful custody; amending Minnesota Statutes 1986, sections 260.125, subdivision 3; and 609.485, subdivisions 2 and 4.

Mr. Freeman moved to amend H.F. No. 1111, the unofficial engrossment, as follows:

Page 3, line 22, before the semicolon, insert "*, or while held in lawful custody of the commissioner of corrections on an allegation or adjudication of a delinquent act while 18 years of age*"

Page 3, delete lines 23 to 25

Page 3, line 26, reinstate the stricken language and delete the new language

Page 3, line 30, reinstate the stricken language and delete the new language

Page 3, line 33, reinstate the stricken language and delete the new language

The motion prevailed. So the amendment was adopted.

H.F. No. 1111 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

**SPECIAL ORDER**

H.F. No. 421: A bill for an act relating to health; authorizing the commissioner of health to issue subpoenas in certain instances; proposing coding for new law in Minnesota Statutes, chapter 144.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H.F. No. 2117: A bill for an act relating to public finance; providing conditions of local and state government debt financing; allocating bonding authority subject to a volume cap under federal tax law; amending Minnesota Statutes 1987 Supplement, sections 474A.04, subdivision 1a; 474A.061, subdivisions 2 and 4; and 474A.091; repealing Minnesota Statutes 1987 Supplement, section 474A.061, subdivision 5.

Ms. Reichgott moved to amend H.F. No. 2117, the unofficial engrossment, as follows:

Pages 1 to 11, delete sections 1 to 10

Page 18, delete sections 15 and 16

Page 18, line 27, delete "(a)"

Page 18, delete lines 29 to 32

Page 18, delete section 18

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 7

Page 1, line 8, delete "system" and insert "relating to public finance"

Page 1, line 11, delete "1986, sections"

Page 1, delete lines 12 to 15

Page 1, line 16, delete "1; 473F08, subdivisions 2 and 6;" and insert "1987 Supplement, sections"

Page 1, delete lines 18 to 21 and insert "repealing Minnesota Statutes 1987 Supplement, section"

The motion prevailed. So the amendment was adopted.

H.F. No. 2117 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MOTIONS AND RESOLUTIONS - CONTINUED

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

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2226: A bill for an act relating to state government; amending certain provisions governing advisory councils, committees, and task forces; amending Minnesota Statutes 1986, sections 3.922, subdivision 3; 3.9225, subdivision 1; 3.9226, subdivision 1; 6.65; 15.059, subdivision 5; 79.51, subdivision 4; 84B.11, subdivision 1; 85A.02, subdivision 4; 115.54; 116C.59, subdivisions 1, 2, and 4; 116C.839; 121.83; 124.48, subdivision 3; 126.56, subdivision 5; 128A.03, subdivision 3; 135A.05; 136A.02, subdivision 7; 138.97, subdivision 3; 162.02, subdivision 2; 162.09, subdivision 2; 174.031,

subdivision 2; 175.008; 182.653, subdivision 4e; 214.141; 248.10, subdivision 2; 254A.035, subdivision 2; 256C.28, subdivision 2; 299F.097; 611A.34, subdivision 1; 611A.71, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 15.059, subdivision 6; 16B.20, subdivision 2; 43A.316, subdivision 4; 115A.12, subdivision 1; 116J.971, by adding a subdivision; 120.17, subdivision 11a; 121.934, subdivision 1; 123.935, subdivision 7; 126.665; 129C.10, subdivision 3; 136A.02, subdivision 6; 144.672, subdivision 1; 175.007, subdivision 1; 245.697, subdivision 1; 245.97, subdivision 6; 246.56, subdivision 2; 256.482, subdivision 1; 256.73, subdivision 7; 256B.064, subdivision 1a; 256B.27, subdivision 3; 256B.433, subdivisions 1 and 4; 299A.23, subdivision 2; 299J.06, subdivision 4; repealing Minnesota Statutes 1986, sections 116J.04; 160.80, subdivision 6; 177.28, subdivision 2; 326.66; Minnesota Statutes 1987 Supplement, section 115A.12, subdivision 2.

There has been appointed as such committee on the part of the House: Knuth, Simoneau and Gutknecht.

Senate File No. 2226 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1988

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2009: A bill for an act relating to family law; modifying and clarifying provisions for the collection and enforcement of child support; providing for cost-of-living adjustments in spousal maintenance awards; providing for grandparent visitation rights in all family law proceedings; providing for reopening of judgments; providing for custody rights; clarifying and modifying provisions relating to pension plan rights in marriage dissolutions; amending Minnesota Statutes 1986, sections 69.62; 256.978; 257.022, subdivision 2; 270A.03, subdivision 4; 383B.51; 423A.16; 424A.02, subdivision 6; 490.126, by adding a subdivision; 518.145; 518.156, subdivision 1; 518.17, subdivision 3; 518.171, by adding a subdivision; 518.175, by adding a subdivision; 518.551, by adding a subdivision; 518.552, by adding a subdivision; 518.54, by adding a subdivision; 518.611, subdivision 10; 518.64, subdivision 2; and 518.641; Minnesota Statutes 1987 Supplement, sections 356.80; 518.54, subdivision 10; 518.58, subdivision 2; 518.581, subdivision 4; and 518.611, subdivision 2.

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

Senate File No. 2009 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1988

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2569: A bill for an act relating to education; appropriating money to the higher education coordinating board, regents of the University of Minnesota, state university board, state board for community colleges, and state board of vocational technical education, with certain conditions; authorizing bonding for capital improvements; amending Minnesota Statutes 1986, sections 3.971, subdivision 1; 92.05; 136.31, by adding a subdivision; and 136.41, by adding subdivisions; 248.07, subdivisions 7 and 12; Minnesota Statutes 1987 Supplement, section 248.07, subdivision 8; Laws 1983, chapter 334, section 7, as amended; and Laws 1987, chapter 401, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 135A and 137; repealing Minnesota Statutes 1986, sections 136.26; and 136C.13, subdivision 3.

There has been appointed as such committee on the part of the House: Carlson, L.; Price; Dorn; Segal and Haukoos.

Senate File No. 2569 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1988

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1622, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1622: A bill for an act relating to agriculture; clarifying which debtors are eligible for mediation; amending Minnesota Statutes 1986, section 583.24, subdivision 2; Minnesota Statutes 1987 Supplement, section 583.26, subdivision 5.

Senate File No. 1622 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1988

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1844:

H.F. No. 1844: A bill for an act relating to courts; prescribing when a referee's orders become effective; amending Minnesota Statutes 1986, section 484.70, subdivision 7.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Vellenga, Kelly and Wagenius have been appointed as such committee on the part of the House.

House File No. 1844 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1988

Mr. Cohen moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1844, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2049:

H.F. No. 2049: A bill for an act relating to commerce; motor vehicles; clarifying the intent of the legislature regarding certain motor vehicle coverages; regulating motor vehicle franchises; clarifying the intent of the legislature regarding cancellations, terminations, or nonrenewals; specifying unfair practices; prohibiting agreements designed to waive, nullify, or modify statutory regulation; requiring lessors to title and register vehicles; amending Minnesota Statutes 1986, sections 60A.08, by adding a subdivision; 80E.06; 80E.07; 80E.08; 80E.09; 80E.13; Minnesota Statutes 1987 Supplement, sections 65B.49, subdivision 5a; and 72A.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 80E.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Sparby, McKasy and Skoglund have been appointed as such committee on the part of the House.

House File No. 2049 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1988

Mr. Dahl moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2049, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2265:

H.F. No. 2265: A bill for an act relating to natural resources; correcting



certain provisions for net size for the taking of ciscoes; amending Minnesota Statutes 1986, section 97C.805, subdivision 2.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Reding; Stanius; Battaglia; Johnson, R. and Marsh have been appointed as such committee on the part of the House.

House File No. 2265 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1988

Mr. Berg moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2265, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2590:

H.F. No. 2590: A bill for an act relating to the financing of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; changing the computation, administration, and payment of aids, credits, and refunds; limiting taxing powers; transferring and imposing governmental powers and duties; making technical corrections and clarifications; providing bonding authority to Hennepin County; imposing penalties; appropriating money and reducing appropriations; amending Minnesota Statutes 1986, sections 69.031, subdivision 3; 168.011, subdivision 8; 168.012, subdivision 9; 237.075, subdivision 8; 240.01, by adding a subdivision; 240.13, subdivisions 4 and 6; 240.15, subdivisions 1, 3, and 6; 240.18; 270.075, subdivision 2; 270.41; 270.70, subdivision 1; 271.01, subdivision 5; 273.05, subdivision 1; 273.061, subdivision 2; 273.112, subdivisions 3 and 6; 273.121; 273.124, subdivisions 1 and 6; 273.13, by adding a subdivision; 273.40; 279.01, subdivision 3; 287.21, by adding a subdivision; 290.01, by adding a subdivision; 290.06, by adding subdivisions; 290.39, by adding a subdivision; 290.50, subdivision 3; 290.92, subdivisions 2a and 21; 290.931, subdivision 1; 290.934, subdivisions 1, 3, and by adding a subdivision; 290A.03, subdivision 7; 297.01, by adding a subdivision; 297.03, subdivision 12, and by adding a subdivision; 297.041, subdivision 1; 297.06, subdivisions 1, 2, 3, and by adding a subdivision; 297.08, subdivision 1; 297.12, subdivision 1; 297.35, by adding a subdivision; 297A.02, subdivision 4; 297A.15, subdivisions 1 and 5; 297A.16; 297A.17; 297A.21; 297A.25, subdivisions 5, 8, 27, and by adding subdivisions; 297A.256; 297C.02, subdivisions 3 and 4; 297C.03, by adding a subdivision; 297C.07; 297D.08; 298.223; 303.03; 329.11; 349.12, subdivision 18, and by adding subdivisions; 349.2121, subdivisions 1, 2, 5, and by adding a subdivision; 349.22, subdivision 1, and by adding subdivisions; 375.192, subdivision 1; 375.83; 473.167, subdivisions 2, 3, and by adding subdivisions; 473.249, subdivision 1, and by adding a subdivision; 473.446, subdivision 3, and by

adding a subdivision; 473.711, subdivision 2, and by adding a subdivision; 473.843, subdivision 2; 477A.011, subdivision 11, and by adding a subdivision; and 477A.015; Minnesota Statutes 1987 Supplement, sections 16A.1541; 60A.15, subdivision 1; 60E.04, subdivision 4; 69.021, subdivision 5; 69.54; 124.155, subdivision 2; 124A.02, subdivisions 3a and 11; 240.13, subdivision 5; 270.485; 272.02, subdivision 1; 272.115, subdivision 4; 272.121; 273.061, subdivision 1; 273.1195; 273.123, subdivisions 4 and 5; 273.124, subdivisions 11 and 13; 273.13, subdivisions 23, 24, and 25; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1392; 273.1393; 273.1397, subdivision 2; 273.165, subdivision 2; 273.42, subdivision 2; 274.01, subdivision 1; 274.19, subdivisions 1, 2, 3, 4, 6, 7, and 8; 275.07, subdivision 1; 275.50, subdivision 2; 275.51, subdivision 3h; 276.04; 279.01, subdivision 1; 290.01, subdivisions 3a, 4, 7, 19, 19a, 19b, 19c, 19d, 19e, and 20; 290.015, subdivisions 1, 2, 3, and 4; 290.06, subdivisions 1, 2c, and 21; 290.081; 290.092, subdivisions 3, 4, 5, and by adding a subdivision; 290.095, subdivisions 1, 3, and by adding a subdivision; 290.10; 290.17, subdivision 2; 290.191, subdivisions 6 and 11; 290.21, subdivisions 3 and 4; 290.35, subdivision 2; 290.371, subdivisions 1, 3, 4, and 5; 290.38; 290.41, subdivision 2; 290.92, subdivisions 7 and 15; 290.934, subdivision 2; 290.9725; 290A.03, subdivisions 3, 13, 14, and 15; 290A.04, subdivision 2; 290A.06; 295.32; 295.34, subdivision 1; 297.01, subdivisions 7 and 14; 297.03, subdivision 6; 297.11, subdivision 5; 297A.01, subdivision 3; 297A.212; 297A.25, subdivisions 3 and 11; 297B.03; 297C.04; 298.2213, subdivision 3; 299.01, subdivision 1; 349.212, subdivisions 1 and 4; 349.2121, subdivisions 4a and 10; 349.2122; 349.2123; 469.174, subdivision 10; 469.175, subdivisions 1, 2, 3, 4, and by adding a subdivision; 469.176, subdivisions 1, 4, and 6; 469.177, subdivisions 1, 3, 4, and by adding subdivisions; 473.446, subdivision 1; 475.53, subdivision 4; 475.61, subdivision 3; 477A.012, subdivision 1; and 508.25; Laws 1987, chapter 268, article 6, sections 19, 53, and 54; and article 8, section 9; proposing coding for new law in Minnesota Statutes, chapters 270; 273; 275; 290; 290A; 297; 297C; 298; 349; and 424A; repealing Minnesota Statutes 1986, sections 272.64; 273.13, subdivisions 7a and 30; 275.035; 275.49; 290.07, subdivisions 3 and 6; 290.11; 290.12, as amended; 290.131, as amended; 290.132, as amended; 290.133, as amended; 290.134, as amended; 290.135, as amended; 290.136, as amended; 290.138, as amended; 290.934, subdivision 4; 297A.15; subdivision 2; 297C.03, subdivision 5; 298.401; and 299.013; Minnesota Statutes 1987 Supplement, sections 273.1195; 273.13, subdivision 15a; 273.1394; 273.1395; 273.1396; 273.1397; 275.081; 275.082; 275.125, subdivision 22; 290.06, subdivision 20; 290.077, subdivision 1; 290.14; 290.371, subdivision 2; 290A.04, subdivisions 2a and 2b; 296.02, subdivisions 2a and 2b; and 296.025, subdivisions 2a and 2b; Laws 1987, chapter 268, article 3, section 11; and article 5, section 4.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Voss, Vanasek, Wynia, Ogren and Long have been appointed as such committee on the part of the House.

House File No. 2590 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1988

Mr. Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2590, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 85, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 85 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1988

#### CONFERENCE COMMITTEE REPORT ON H.F. NO. 85

A bill for an act relating to consumer protection; requiring certain disclosures in sales of used motor vehicles; regulating new and used motor vehicle licenses; providing certain standards in applications for certificates of title; requiring certain disclosures upon the transfer of a motor vehicle; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 3, 4, 8, 10, 12, and 24; 169.57, by adding a subdivision; 325E.0951, by adding a subdivision; 325G.18; and 336.2-316; proposing coding for new law in Minnesota Statutes, chapters 168 and 168A.

March 28, 1988

The Honorable Robert Vanasek  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

We, the undersigned conferees for H.F. No. 85, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 85 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 168.27, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them:

(1) "Leasing motor vehicles" means furnishing a motor vehicle for a fee under a bailor-bailee relationship where no incidences of ownership are intended to be transferred other than the right to use the vehicle for a stated period of time.

(2) "Brokering motor vehicles" means arranging sales between willing

buyers and sellers of motor vehicles and receiving a fee for said service.

(3) "Wholesaling motor vehicles" means selling new or used motor vehicles to dealers for resale to the public.

(4) "Auctioning motor vehicles" means arranging for and handling the sale of motor vehicles, not the property of the auctioneer, to the highest bidder.

(5) "Dealer" includes new motor vehicle dealers, used motor vehicle dealers, ~~brokers~~, wholesalers, auctioneers and lessors of new or used motor vehicles.

(6) "Commercial building" means a *permanent, enclosed building that is on a permanent foundation and connected to local sewer and water facilities or otherwise complying with local sanitary codes, is adapted to commercial use and located in an area zoned for commercial or other less restrictive nonresidential use by the governmental unit in which it is located, and conforms to local government zoning requirements.* "Commercial building" may include strip office malls or garages if a separate entrance and a separate address are maintained and the dealership is clearly identified as a separate business.

(7) "Commercial office space" means office space occupying all or part of a commercial building.

(8) "Horse trailer" is a trailer designed and used to carry horses and other livestock, which has not more than three axles and a maximum gross weight capacity of not more than 24,000 pounds.

(9) "Isolated or occasional sales or leases" means the sale or lease of not more than five motor vehicles in a 12-month period, exclusive of pioneer or classic motor vehicles as defined in section 168.10, subdivisions 1a and 1b or sales by a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property.

(10) "Used motor vehicle" means a motor vehicle for which title has been transferred from the person who first acquired it from the manufacturer, distributor, or dealer. A new motor vehicle will not be considered a used motor vehicle until it has been placed in actual operation and not held for resale by an owner who has been granted a certificate of title on the motor vehicle and has registered the motor vehicle in accordance with chapters 168, 168A, and 297B, or the laws of the residence of the owner.

(11) "New motor vehicle" means a motor vehicle other than described in paragraph (10).

Sec. 2. Minnesota Statutes 1986, section 168.27, subdivision 2, is amended to read:

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

be either for consumer use at retail or for resale to a dealer. Nothing herein shall be construed to require an applicant for a dealer license who proposes to deal in: (1) new and unused motor vehicle bodies; or (2) type A, B, or C motor homes as defined in section 168.011, subdivision 25, to have a bona fide contract or franchise in effect with either the first-stage manufacturer of the motor home or the manufacturer or distributor of any motor vehicle chassis upon which the new and unused motor vehicle body is mounted. The modification or conversion of a new van-type vehicle into a multipurpose passenger vehicle which is not a motor home does not constitute dealing in new or unused motor vehicle bodies, and a person engaged in the business of selling these van-type vehicles must have a bona fide contract or franchise with the appropriate manufacturer under subdivision 10. A van converter or modifier who owns these modified or converted van-type vehicles may sell them at wholesale to new motor vehicle dealers having a bona fide contract or franchise with the first-stage manufacturer of the vehicles.

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

Sec. 3. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

*Subd. 5a. [CONSIGNMENT SALES.] No person may solicit, accept, offer for sale, or sell motor vehicles for consignment sale unless licensed as a new or used motor vehicle dealer, a motor vehicle wholesaler, or a motor vehicle auctioneer. This requirement does not apply to a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property.*

Sec. 4. Minnesota Statutes 1986, section 168.27, subdivision 8, is amended to read:

Subd. 8. [EXEMPTIONS.] (1) Salespeople and other employees of licensed dealers under this section shall not be required to obtain individual licenses.

(2) Isolated or occasional sales or leases of new or used motor vehicles shall be exempt from the provisions of this section. *A person who makes only isolated or occasional sales or leases is not considered to be in the business of selling or leasing motor vehicles and does not qualify to receive dealer plates pursuant to subdivision 16.*

Sec. 5. Minnesota Statutes 1986, section 168.27, subdivision 10, is amended to read:

Subd. 10. [ESTABLISHED PLACE OF DOING BUSINESS.] All licensees under this section shall have an established place of business which shall include as a minimum:

(1) For a new motor vehicle dealer, the following:

(a) a ~~permanent enclosed~~ commercial building ~~on a permanent foundation~~, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and

maintained with personnel available during normal business hours. *Dealership business hours must be conspicuously posted on the place of doing business and readily viewable by the public;*

(b) a bona fide contract or franchise (1) in effect with a manufacturer or distributor of the new motor vehicles the dealer proposes to sell, broker, wholesale or auction, or (2) in effect with the first-stage manufacturer or distributor of new motor vehicles purchased from a van converter or modifier which the dealer proposes to sell, broker, wholesale, or auction, or (3) in effect with the final stage manufacturer of the new type A, B or C motor homes which the dealer proposes to sell, broker, wholesale, or auction;

(c) a facility for the repair and servicing of motor vehicles and the storage of parts and accessories, not to exceed ten miles distance from the principal place of business. Such service may be provided through contract with bona fide operators actually engaged in such services;

(d) an area either indoors or outdoors to display motor vehicles which is owned or under lease by the licensee; and

(e) a sign clearly identifying the dealership by name which is readily viewable by the public.

(2) For a used motor vehicle dealer, the following:

(a) a ~~permanent enclosed~~ commercial building ~~on a permanent foundation~~, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space ~~for~~ where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or automatic telephone answering service during normal ~~working~~ business hours. *Dealership business hours must be conspicuously posted on the place of doing business and readily viewable by the public;*

(b) an area either indoors or outdoors to display motor vehicles which is owned or under lease by the licensee; and

(c) a sign clearly identifying the dealership by name which is readily viewable by the public.

(3) For a motor vehicle lessor, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours. *Business hours must be conspicuously posted on the place of doing business and readily viewable by the public. The office space must be owned or under lease for a minimum term of one year by the licensee.*

(4) For a motor vehicle broker, the following: a commercial office space ~~where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.~~

(5) For a motor vehicle wholesaler, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours. *The office space must be owned or under lease for a minimum term of one year by the licensee.*

(6) (5) For a motor vehicle auctioneer, the following: a permanent enclosed

commercial building, within or without the state, on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(7) (6) If a new or used motor vehicle dealer maintains more than one place of doing business in a county, the separate places shall be listed on the application. If additional places of business are maintained outside of one county, separate licenses shall be obtained for each county.

(8) (7) If a motor vehicle lessor, ~~broker~~ wholesaler, or auctioneer maintains more than one permanent place of doing business, either in one or more counties, the separate places shall be listed in the application, but only one license shall be required. *If a lessor proposes to sell previously leased or rented vehicles at a location outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2, other than cities of the first or second class, the lessor must obtain a license for each nonmetropolitan area county in which sales are to take place.*

(8) *If a motor vehicle dealer, lessor, or wholesaler does not have direct access to a public road or street, any privately owned roadway providing access to a public road or street must be clearly identified and adequately maintained.*

Sec. 6. Minnesota Statutes 1986, section 168.27, subdivision 11, is amended to read:

Subd. 11. [LICENSES.] *Application for license or notification of a change of location of a license must include a street address, not a post office box, and is subject to the registrar's approval. Upon the filing of an application for a license and the proper fee, the registrar is authorized, unless the application on its face appears to be invalid, to grant a 90-day temporary license and during said 90-day period shall investigate the fitness of the applicant, inspect the site and make such other investigation as is necessary to insure compliance with the licensing law. The registrar may extend the temporary license 30 days. At the end of the period of investigation the license shall either be granted or denied. The license must be denied if within the previous five years the applicant was enjoined due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15, 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen vehicles, or convicted of violating United States Code, title 15, sections 1981 to 1991, as amended through December 31, 1984. If the application is approved, the registrar shall license the applicant as a motor vehicle dealer for the remainder of the calendar year, and issue a certificate of license therefor as the registrar may provide upon which shall be placed a distinguishing number of identification of such dealer. Each initial application for a license shall be accompanied by a fee of \$50 in addition to the annual fee. The annual fee shall be \$100. All initial fees and annual fees shall be paid into the state treasury and credited to the general fund. If the initial application is received by the registrar after July 1 of any year, the first annual fee shall be reduced by one-half.*

Sec. 7. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

*Subd. 12a. [GROUNDS FOR CANCELLATION WITHOUT HEARING.]*

*A license may be canceled by the registrar upon satisfactory proof that the dealer has failed to provide or maintain the required surety bond, or that the dealer has failed to provide or maintain the insurance required under chapter 65B. Surety companies and insurers providing required coverages shall promptly notify the registrar upon canceling any surety bond or required insurance. The registrar shall notify the dealer of the reason or reasons for cancellation before the cancellation occurs.*

Sec. 8. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

*Subd. 26. [ADVERTISING DISCLOSURE.] All advertising by a motor vehicle dealer must disclose that the vehicle is being offered for sale by a dealer through use of the dealership name, the term "dealer", or the abbreviation "DLR."*

Sec. 9. [168A.085] [APPLICATIONS FOR TITLE, CERTAIN CASES.]

*Subdivision 1. [LIMITATIONS.] No application for certificate of title or registration may be issued for a vehicle that was not manufactured in compliance with applicable federal emission standards in force at the time of manufacture as provided by the Clean Air Act, United States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto, and safety standards as provided by the National Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto, unless the applicant furnishes either proof satisfactory to the agent that the vehicle was not brought into the United States from outside the country or all of the following:*

*(1) a bond release letter, with all attachments, issued by the United States Department of Transportation acknowledging receipt of a statement of compliance submitted by the importer of the vehicle and that the statement meets the safety requirements as provided by Code of Federal Regulations, title 19, section 12.80(e);*

*(2) a bond release letter, with all attachments, issued by the United States Environmental Protection Agency stating that the vehicle has been tested and known to be in conformity with federal emission requirements; and*

*(3) a receipt or certificate issued by the United States Department of the Treasury showing that any gas-guzzler taxes due on the vehicle as provided by Public Law Number 95-618, title 2, section 201(a), have been fully paid.*

*Subd. 2. [ACCOMPANYING DOCUMENTS.] The application for certificate of title and the application for registration must be accompanied by a manufacturer's certificate of origin in the English language which was issued by the actual vehicle manufacturer and either:*

*(1) the original documents constituting valid proof of ownership in the country in which the vehicle was originally purchased, together with a translation of the documents into the English language verified as to accuracy of the translation by affidavit of the translator; or*

*(2) with regard to a vehicle imported from a country that cancels the vehicle registration and title for export, a bond as required by section 168A.07, subdivision 1, clause (2).*

Sec. 10. Minnesota Statutes 1987 Supplement, section 297B.031, is



amended to read:

**297B.031 [REFUND OF TAX; MANDATORY REFUND OR REPLACEMENT LAWS.]**

If a manufacturer of motor vehicles is required by a court order under section 325F665 or a decision of an informal dispute settlement mechanism as defined in section 325F665, *or a dealer or lessor of motor vehicles is required by section 12*, to pay the consumer the tax imposed by this chapter, a portion of the tax so paid ~~shall must~~ be refunded to the manufacturer, dealer, or lessor. The amount of the refund ~~shall be~~ is the tax paid by the purchaser less an amount equal to the tax paid multiplied by a fraction, the denominator of which is the purchase price of the vehicle and the numerator of which is the allowance deducted from the refund for the consumer's use of the vehicle. The refund ~~shall must~~ be paid to the manufacturer, dealer, or lessor only upon filing of a written application, in a form and providing information as prescribed by the commissioner. Payment of a refund pursuant to this section ~~shall must~~ be made out of the general and highway user funds in the same proportion provided for deposit of tax proceeds for the fiscal year pursuant to section 297B.09, subdivision 1. The amounts necessary to pay the refunds are appropriated out of the respective funds.

Sec. 11. Minnesota Statutes 1986, section 325E.0951, is amended by adding a subdivision to read:

*Subd. 3a. [DISCLOSURE.] No person may transfer a motor vehicle without certifying in writing to the transferee that to the best of the person's knowledge, the pollution control system, including the restricted gasoline pipe, has not been removed, altered, or rendered inoperative. The registrar of motor vehicles shall prescribe the manner and form in which this written disclosure must be made. No transferor may knowingly give a false statement to a transferee in making a disclosure required by this subdivision.*

**Sec. 12. [325F662] [SALE OF USED MOTOR VEHICLES.]**

*Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given to them.*

*(a) "Consumer" means the purchaser, other than for purposes of resale, of a used motor vehicle used primarily for personal, family, or household purposes.*

*(b) "Dealer" means a motor vehicle dealer or lessor, as defined in section 168.27, subdivisions 2, 3, and 4, whether licensed or unlicensed, or the dealer's or lessor's agent, who is engaged in the business of selling or arranging the sale of used motor vehicles in this state; except that, the term does not include a bank or financial institution, a business selling a used motor vehicle to an employee of that business, a lessor selling a leased used motor vehicle to that vehicle's lessee or a family member or employee of the lessee, or a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property.*

*(c) "Motor vehicle" means a passenger automobile, as defined in section 168.011, subdivision 7, including pickup trucks and vans.*

*(d) "Used motor vehicle" means any motor vehicle which has been driven more than the limited use necessary in moving or road testing a new motor vehicle prior to delivery to a consumer.*

(e) "Express warranty" means a dealer's written statement, as defined in section 325G.17, subdivision 5, provided to a consumer in connection with the sale of a used motor vehicle.

(f) "Buyer's Guide" means the window form required by the Federal Trade Commission's "Used Motor Vehicle Trade Regulation Rule," Code of Federal Regulations, title 16, section 455.2.

Subd. 2. [WRITTEN WARRANTY REQUIRED.] (a) Every used motor vehicle sold by a dealer is covered by an express warranty which the dealer shall provide to the consumer. At a minimum, the express warranty applies for the following terms:

(1) if the used motor vehicle has less than 36,000 miles, the warranty must remain in effect for at least 60 days or 2,500 miles, whichever comes first;

(2) if the used motor vehicle has 36,000 miles or more, but less than 75,000 miles, the warranty must remain in effect for at least 30 days or 1,000 miles, whichever comes first.

(b) The express warranty must require the dealer, in the event of a malfunction, defect, or failure in a covered part, to repair or replace the covered part, or at the dealer's election, to accept return of the used motor vehicle from the consumer and provide a refund to the consumer.

(c) For used motor vehicles with less than 36,000 miles, the dealer's express warranty shall cover, at minimum, the following parts:

(1) with respect to the engine, all lubricated parts, intake manifolds, engine block, cylinder head, rotary engine housings, and ring gear;

(2) with respect to the transmission, the automatic transmission case, internal parts, and the torque converter; or, the manual transmission case, and the internal parts;

(3) with respect to the drive axle, the axle housings and internal parts, axle shafts, drive shafts and output shafts, and universal joints; but excluding the secondary drive axle on vehicles, other than passenger vans, mounted on a truck chassis;

(4) with respect to the brakes, the master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brakes calipers;

(5) with respect to the steering, the steering gear housing and all internal parts, power steering pump, valve body, piston, and rack;

(6) the water pump;

(7) the externally-mounted mechanical fuel pump;

(8) the radiator;

(9) the alternator, generator, and starter.

(d) For used motor vehicles with 36,000 miles or more, but less than 75,000 miles, the dealer's express warranty shall cover, at minimum, the following parts:

(1) with respect to the engine, all lubricated parts, intake manifolds, engine block, cylinder head, rotary engine housings, and ring gear;

(2) with respect to the transmission, the automatic transmission case, internal parts, and the torque converter; or, the manual transmission case,

and internal parts;

(3) with respect to the drive axle, the axle housings and internal parts, axle shafts, drive shafts and output shafts, and universal joints; but excluding the secondary drive axle on vehicles, other than passenger vans, mounted on a truck chassis;

(4) with respect to the brakes, the master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brake calipers;

(5) with respect to the steering, the steering gear housing and all internal parts, power steering pump, valve body, and piston;

(6) the water pump;

(7) the externally-mounted mechanical fuel pump.

(e)(1) A dealer's obligations under the express warranty remain in effect notwithstanding the fact that the warranty period has expired, if the consumer promptly notified the dealer of the malfunction, defect, or failure in the covered part within the specified warranty period and, within a reasonable time after notification, brings the vehicle or arranges with the dealer to have the vehicle brought to the dealer for inspection and repair.

(2) If a dealer does not have a repair facility, the dealer shall designate where the vehicle must be taken for inspection and repair.

(3) In the event the malfunction, defect, or failure in the covered part occurs at a location which makes it impossible or unreasonable to return the vehicle to the selling dealer, the consumer may have the repairs completed elsewhere with the consent of the selling dealer, which consent may not be unreasonably withheld.

(4) Notwithstanding the provisions of this paragraph, a consumer may have non-warranty maintenance and non-warranty repairs performed other than by the selling dealer and without the selling dealer's consent.

(f) Nothing in this section diminishes the obligations of a manufacturer under an express warranty issued by the manufacturer. The express warranties created by this section do not require a dealer to repair or replace a covered part if the repair or replacement is covered by a manufacturer's new car warranty, or the manufacturer otherwise agrees to repair or replace the part.

(g) The express warranties created by this section do not cover defects or repair problems which result from collision, abuse, negligence, or lack of adequate maintenance following sale to the consumer.

(h) The terms of the express warranty, including the duration of the warranty and the parts covered, must be fully, accurately, and conspicuously disclosed by the dealer on the front of the Buyers Guide.

Subd. 3. [EXCLUSIONS.] Notwithstanding the provisions of subdivision 2, a dealer is not required to provide an express warranty for the following used motor vehicles:

(1) vehicles sold for a total cash sale price of less than \$3,000, including the trade-in value of any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and finance charges;

(2) vehicles with engines designed to use diesel fuel;

(3) vehicles with gross weight, as defined in section 168.011, subdivision

16, in excess of 9,000 pounds;

(4) vehicles that have been custom-built or modified for show or for racing;

(5) vehicles that are eight years of age or older, as calculated from the first day in January of the designated model year of the vehicle;

(6) vehicles that have been produced by a manufacturer which has never manufactured more than 10,000 motor vehicles in any one year;

(7) vehicles having 75,000 miles or more at time of sale;

(8) vehicles that are not manufactured in compliance with applicable federal emission standards in force at the time of manufacture as provided by the Clean Air Act, United States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto, and safety standards as provided by the National Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto.

Subd. 4. [WAIVER.] When purchasing a used motor vehicle, a consumer may waive the express warranty for a covered part if:

(1) the dealer discloses in a clear and conspicuous typed or printed statement on the front of the Buyers Guide that the waived part contains a malfunction, defect, or repair problem; and

(2) the consumer circles this typed or printed statement and signs the Buyers Guide next to the circled statement.

Subd. 5. [WARRANTY AUTOMATIC.] If a dealer fails to give the express warranty required by this section, the dealer nevertheless is considered to have given the express warranty as a matter of law.

Subd. 6. ["BUYERS GUIDE" REQUIREMENTS.] In selling or offering to sell any used motor vehicle, and in providing the express warranty required by this section, a dealer shall comply in all respects with the Federal Trade Commission's "Used Motor Vehicle Trade Regulation Rule," Code of Federal Regulations, title 16, part 455.

Subd. 7. [HONORING OF EXPRESS WARRANTIES.] (a) In accordance with section 325G.19, subdivision 2, every express warranty in connection with the sale of a used motor vehicle must be honored by the dealer according to the terms of the express warranty.

(b) Following repair or replacement of a covered part, the dealer remains responsible under the express warranty for that covered part for one additional warranty period.

(c) By honoring the terms of the express warranty by repairing or replacing a covered part, the dealer does not create an additional implied warranty on any portion of the used motor vehicle.

(d) A dealer may limit the duration of implied warranties to the duration of the express warranty.

Subd. 8. [REFUNDS.] (a) A refund, as provided under subdivision 2, must consist of the full purchase price of the used motor vehicle and all other charges, including but not limited to excise tax, registration tax, license fees, and reimbursement for towing expenses incurred by the consumer as a result of the vehicle being out of service for warranty repair,

*less a reasonable allowance for the consumer's use of the vehicle not exceeding ten cents per mile driven or ten percent of the purchase price, whichever is less. Refunds must include the amount stated by the dealer as the trade-in value of any vehicle traded in and applied to the purchase price of the used motor vehicle. Refunds must be made to the consumer and lienholder, if any, as their interests appear on the records of the registrar of motor vehicles.*

*(b) The amount of the excise tax to be paid by the dealer to the consumer under paragraph (a) is the tax paid by the consumer when the vehicle was purchased less an amount equal to the tax paid multiplied by a fraction, the denominator of which is the purchase price of the vehicle and the numerator of which is the allowance deducted from the refund for the consumer's use of the vehicle.*

*Subd. 9. [CIVIL REMEDIES.] Any dealer who is found to have violated this section is subject to the penalties and remedies, including a private right of action, as provided in section 8.31. In addition, a violation of subdivision 7 is also a violation of section 325F.69.*

*Subd. 10. [LIMITATION ON ACTIONS.] A private civil action brought by a consumer under this section must be commenced within one year of the expiration of the express warranty.*

*Subd. 11. [REMEDY NONEXCLUSIVE.] Nothing in this section limits the rights or remedies which are otherwise available to a consumer under any other law."*

Delete the title and insert:

*"A bill for an act relating to consumer protection; regulating sales of used motor vehicles under certain circumstances; regulating new and used motor vehicle dealer licenses; providing certain standards in applications for certificates of title; requiring certain disclosures upon the transfer of a motor vehicle; providing for refund of certain taxes; providing penalties; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 8, 10, 11, and by adding subdivisions; and 325E.0951, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 297B.031; proposing coding for new law in Minnesota Statutes, chapters 168A and 325F."*

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Joseph R. Begich, Richard "Rich" O'Connor, Chuck Brown

Senate Conferees: (Signed) Gregory L. Dahl, Allan H. Spear, Dean E. Johnson

Mr. Dahl moved that the foregoing recommendations and Conference Committee Report on H.F. No. 85 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 85 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1831, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1831 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 1988

### CONFERENCE COMMITTEE REPORT ON H.F. NO. 1831

A bill for an act relating to intoxicating liquor; authorizing issuance of one on-sale liquor license on an excursion and dinner boat on Detroit Lake, Becker county; authorizing issuance of an on-sale liquor license to Fort Snelling.

March 28, 1988

The Honorable Robert Vanasek  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

We, the undersigned conferees for H.F. No. 1831, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 1831 be further amended as follows:

Page 1, line 17, delete everything after "board"

Page 1, delete line 18

Page 1, line 19, delete "Lakes"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Dennis Poppenhagen, Bob McEachern, John Sarna

Senate Conferees: (Signed) Cal Larson, Michael O. Freeman, Allan H. Spear

Mr. Larson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1831 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1831 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### REPORTS OF COMMITTEES

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

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

S.F. No. 2546: A resolution memorializing the United States Olympic Committee of state support for the bid for the games of the XXVI Olympiad.

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

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

S.F. No. 2272: A resolution memorializing the Congress of the United States to investigate the connection between Agent Orange and health problems of Vietnam veterans.

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

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

S.F. No. 2428: A bill for an act relating to workers' compensation; regulating workers' compensation benefits and administration; regulating workers'

compensation insurance; abolishing the workers' compensation court of appeals and transferring its jurisdiction to the court of appeals; requiring certain reports relating to workers' compensation; amending Minnesota Statutes 1986, sections 79.251, subdivisions 2 and 3; 79.252, subdivision 1; 79.56, by adding a subdivision; 176.011, subdivisions 11a, 18, and by adding a subdivision; 176.021, subdivision 3; 176.061, subdivision 10; 176.081, subdivisions 1 and 3; 176.101, subdivisions 1, 2, 4, 5, and by adding a subdivision; 176.102, subdivisions 1, 7, and 11; 176.105, subdivision 1; 176.111, subdivisions 6, 7, 8, 12, 14, and 20; 176.131, subdivisions 1a, 2, 4, and by adding a subdivision; 176.132, subdivisions 1, 2, and 3; 176.136, subdivision 1; 176.645, subdivision 2; 176.66, subdivision 11; 176A.03, by adding a subdivision; 480A.06, subdivision 4; Minnesota Statutes 1987 Supplement, sections 176.041, subdivision 4; 176.081, subdivision 2; 176.102, subdivisions 2, 3, 3a, 4, and 6; 176.111, subdivisions 15 and 21; 176.131, subdivisions 1 and 8; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 1986, sections 175A.01 to 175A.06; 175A.07, subdivisions 1, 3, and 4; 175A.08 to 175A.10; 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, 3u, and 6; and Minnesota Statutes 1987 Supplement, section 175A.07, subdivision 2.

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

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

S.F. No. 2: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; allowing the legislature to authorize the state to operate a lottery.

Reports the same back without recommendation. Report adopted.

## **SECOND READING OF SENATE BILLS**

S.F. Nos. 2546, 2272, 2428 and 2 were read the second time.

## **MOTIONS AND RESOLUTIONS - CONTINUED**

S.F. No. 232 and the Conference Committee Report thereon were reported to the Senate.

## **CONFERENCE COMMITTEE REPORT ON S.F. NO. 232**

A bill for an act relating to crimes; expanding the definition of crime for victims' rights provisions to include ordinance violations resulting in bodily harm; expanding crimes that entitle victim to notice of plea agreement; granting right to victim to submit an impact statement to the court; requiring officers to give victims a notice of their rights; requiring prosecutors to present to the court a written victim impact summary prepared by the victim; ensuring privacy of victim's request for notice of prisoner release; amending Minnesota Statutes 1986, sections 611A.01; 611A.02; and 611A.06; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, section 611A.03, subdivision 3.



March 11, 1988

The Honorable Jerome M. Hughes  
President of the Senate

The Honorable Robert Vanasek  
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 232, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 232 be further amended as follows:

Page 4, delete section 6

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Richard J. Cohen, Gary W. Laidig, Lawrence J. Pogemiller

House Conferees: (Signed) Arthur W. Seaberg, Randy C. Kelly, David T. Bishop

Mr. Cohen moved that the foregoing recommendations and Conference Committee Report on S.F. No. 232 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 232 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 51 and nays 6, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.E.	Mehrkens	Renneke
Anderson	Decker	Johnson, D.J.	Metzen	Schmitz
Beckman	DeCramer	Jude	Moe, R.D.	Storm
Benson	Diessner	Knutson	Morse	Stumpf
Berg	Frank	Langseth	Novak	Taylor
Bernhagen	Frederick	Lantry	Olson	Vickerman
Bertram	Frederickson, D.J.	Larson	Pehler	Waldorf
Brandl	Frederickson, D.R.	Lessard	Piper	
Brataas	Freeman	Luther	Pogemiller	
Chmielewski	Gustafson	Marty	Purfeerst	
Cohen	Hughes	McQuaid	Ramstad	

Those who voted in the negative were:

Belanger	Peterson, D.C.	Peterson, R.W.	Reichgott	Spear
Merriam				

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

### SPECIAL ORDER

H.F. No. 577: A bill for an act relating to termination of parental rights; clarifying the purposes of the laws on termination of parental rights; altering certain grounds and procedures for termination of parental rights; amending Minnesota Statutes 1986, sections 257.071, subdivisions 3 and 4; 260.011, subdivision 2; 260.012; 260.015, subdivision 10; and 260.155,

subdivisions 4a and 7; and Minnesota Statutes 1987 Supplement, section 260.221.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

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

### APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1844: Messrs. Cohen, Knutson and Peterson, R.W.

H.F. No. 2049: Messrs. Dahl, Belanger and Luther.

H.F. No. 2590: Messrs. Johnson, D.J.; Brandl; Novak; Pogemiller and Bernhagen.

H.F. No. 2265: Messrs. Berg; Moe, R.D.; Merriam; Frederickson, D.R. and Lessard.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Chmielewski moved that S.F. No. 1713 be taken from the table. The motion prevailed.

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

### CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S.F. No. 1713 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1713 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Dahl and Merriam voted in the negative.

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

## MOTIONS AND RESOLUTIONS - CONTINUED

### SPECIAL ORDER

H.F. No. 2036: A bill for an act relating to crimes; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 624.21; 624.23; and 624.25.

Mr. Knutson moved to amend H.F. No. 2036, 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. 1934.)

Page 2, line 23, after "pyrotechnic" insert "or flash"

Page 2, line 24, before the period, insert "*constructed to produce detonation or deflagration*"

Page 3, after line 3, insert:

"Sec. 4. [624.221] [EXEMPTIONS FOR LICENSE OR PERMIT HOLDER.]

*Sections 624.20, 624.21 and 624.23 to 624.25 do not apply to:*

*(a) the holders of a federal explosives license or permit issued pursuant to 18 United States Code, Chapter 40, or their agents when the holder or agent is acting in compliance with the conditions of licensure; or*

*(b) the holders of permits issued pursuant to section 624.22 or their agents, from the date of issuance until 15 days after the date of exhibition authorized by the permit, when the holder or agent is acting in compliance with the conditions of the permit and section 624.22."*

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2036 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

S.F. No. 1708: A bill for an act relating to credit unions; permitting managers to be directors; providing conditions for the expulsion of members; amending Minnesota Statutes 1986, sections 52.08; and 52.19.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, D.E.	Mehrkens	Purfeerst
Anderson	Decker	Jude	Merriam	Ramstad
Beckman	DeCramer	Knaak	Metzen	Reichgott
Belanger	Diessner	Knutson	Novak	Renneke
Berglin	Frank	Kroening	Olson	Spear
Bernhagen	Frederick	Laidig	Pehler	Taylor
Bertram	Frederickson, D.J.	Lantry	Peterson, D.C.	Vickerman
Brataas	Frederickson, D.R.	Larson	Peterson, R.W.	
Cohen	Freeman	Lessard	Piper	
Dahl	Hughes	Luther	Pogemiller	

So the bill passed and its title was agreed to.

### MEMBERS EXCUSED

Mr. Knaak was excused from the Session of today from 12:00 to 12:45 p.m. Mr. Novak was excused from the Session of today from 12:00 to 1:05 p.m. Mr. Wegscheid was excused from the Session of today from 12:00 to 12:40 p.m. and 3:00 to 4:30 p.m. Mr. Taylor was excused from the Session of today from 12:00 to 1:30 p.m. Mr. Dicklich was excused from the Session of today from 2:00 to 3:00 p.m. Mr. Lessard was excused from the Session of today from 2:15 to 2:35 and 3:20 to 3:40 p.m. Ms. Berglin was excused from the Session of today from 3:15 to 4:45 p.m. Mr. Pehler was excused from the Session of today from 2:45 to 3:17 p.m. Mr. Davis was excused from the Session of today from 2:30 to 4:45 p.m. Ms. Reichgott was excused from the Session of today from 3:00 to 3:30 p.m. Mr. Moe, D.M. was excused from the Session of today from 3:00 to 5:00 p.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 1:00 p.m., Wednesday, April 6, 1988. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate