

EIGHTY-FOURTH DAY

St. Paul, Minnesota, Monday, April 11, 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 Senator Pat Piper.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

April 7, 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
	1710	452	April 6	April 6
	1806	453	April 6	April 6
	1867	454	April 6	April 6
	1913	455	April 6	April 6
	1971	456	April 6	April 6
	2020	457	April 6	April 6
	2025	458	April 6	April 6
	2046	459	April 6	April 6
	2109	460	April 6	April 6
	2252	461	April 6	April 6
	2272	462	April 6	April 6
	2312	463	April 6	April 6
	2372	464	April 6	April 6
	2402	465	April 6	April 6
	2490	466	April 6	April 6
	2615	467	April 6	April 6
	2703	468	April 6	April 6
1644		469	April 6	April 6
1819		470	April 6	April 6
1875		471	April 6	April 6
2090		472	April 6	April 6
2355		473	April 6	April 6

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

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

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

Senate File No. 752 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1988

Mr. Moe, R.D. moved that S.F. No. 752 be laid on the table. 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. 1935:

H.F. No. 1935: A bill for an act relating to insurance; accident and health; broadening the average for adopted children; requiring coverage for routine diagnostic procedures for cancer and services provided to ventilator-dependent persons; amending Minnesota Statutes 1987 Supplement, section 62A.27; and proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Minne, Dempsey and Ogren have been appointed as such committee on the part of the House.

House File No. 1935 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 8, 1988

Mr. Moe, R.D. moved that H.F. No. 1935 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2269.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 8, 1988

FIRST READING OF HOUSE BILLS

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

H.F. No. 2269: A bill for an act relating to health; providing equal access to chiropractic services; providing for renewal of certain health insurance policies; providing for the licensure of doctors of chiropractic; amending Minnesota Statutes 1986, sections 62A.15, subdivisions 1, 2, and 4; Minnesota Statutes 1987 Supplement, sections 62A.48, subdivision 7; 148.06, subdivision 1; and 169.345, subdivisions 2a and 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2145, now on Special Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 2526 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.
2526	2489				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2526 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2526 and insert the language after the enacting clause of S.F. No. 2489, the first engrossment; further, delete the title of H.F. No. 2526 and insert the title of S.F. No. 2489, the first engrossment.

And when so amended H.F. No. 2526 will be identical to S.F. No. 2489, and further recommends that H.F. No. 2526 be given its second reading and substituted for S.F. No. 2489, 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. 2291 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.
2291	2059				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2291 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2291 and insert the language after the enacting clause of S.F. No. 2059, the second engrossment; further, delete the title of H.F. No. 2291 and insert the title of S.F. No. 2059, the second engrossment.

And when so amended H.F. No. 2291 will be identical to S.F. No. 2059, and further recommends that H.F. No. 2291 be given its second reading and substituted for S.F. No. 2059, 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. 2520 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.
2520	2382				

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.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2526, 2291 and 2520 were read the second time.

MOTIONS AND RESOLUTIONS

Messrs. Pogemiller and Kroening introduced—

Senate Resolution No. 139: A Senate resolution congratulating the Islanders Boys' Basketball Team from De La Salle High School for winning the 1988 Class A State High School Boys' Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Chmielewski moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 2428. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 2590:

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

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Reichgott moved that S.F. No. 752 be taken from the table. The motion prevailed.

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

CONCURRENCE AND REPASSAGE

Ms. Reichgott moved that the Senate concur in the amendments by the House to S.F. No. 752 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 752 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knutson	Metzen	Reichgott
Anderson	Decker	Kroening	Moe, D.M.	Renneke
Beckman	DeCramer	Laidig	Moe, R.D.	Samuelson
Belanger	Frank	Lantry	Morse	Schmitz
Benson	Frederick	Larson	Novak	Storm
Berg	Frederickson, D.J.	Lessard	Olson	Stumpf
Berglin	Frederickson, D.R.	Luther	Pehler	Vickerman
Bernhagen	Hughes	Marty	Piper	Wegscheid
Bertram	Johnson, D.E.	McQuaid	Pogemiller	
Brandl	Jude	Mehrkens	Purfeerst	
Chmielewski	Knaak	Merriam	Ramstad	

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

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Elections and Ethics, reported March 14, 1988, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from the Committee on Elections and Ethics, reported March 14, 1988, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE ETHICAL PRACTICES BOARD

Douglas R. Ewald, 15025 Highland Trl., Minnetonka, Hennepin County, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

Mary Smith, 515 N. Ferndale, Wayzata, Hennepin County, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

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

SPECIAL ORDER

H.F. No. 2022: A bill for an act relating to agriculture; adding members to the state agricultural society; amending Minnesota Statutes 1986, section 37.03, subdivision 1.

Mr. Davis moved that the amendment made to H.F. No. 2022 by the Committee on Rules and Administration in the report adopted March 17, 1988, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2022 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	Kroening	Moe, D.M.	Renneke
Anderson	DeCramer	Laidig	Moe, R.D.	Samuelson
Beckman	Frank	Langseth	Morse	Schmitz
Belanger	Frederick	Lantry	Novak	Solon
Benson	Frederickson, D.J.	Larson	Olson	Spear
Berg	Frederickson, D.R.	Lessard	Pehler	Storm
Berglin	Gustafson	Luther	Peterson, D.C.	Stumpf
Bernhagen	Hughes	Marty	Piper	Vickerman
Bertram	Johnson, D.E.	McQuaid	Pogemiller	Wegscheid
Brandl	Jude	Mehrkins	Purfierst	
Chmielewski	Knaak	Merriam	Ramstad	
Davis	Knutson	Metzen	Reichgott	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1999: A bill for an act relating to public safety; regulating boiler operation; amending Minnesota Statutes 1986, sections 183.411, subdivisions 1, 3, and by adding a subdivision; 183.466; 183.51, subdivisions 4, 7, and 10.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1681: A bill for an act relating to civil actions; modifying the statute of limitations for damages based on services or construction to improve real property; amending Minnesota Statutes 1986, section 541.051, subdivision 1.

Mr. Luther moved to amend H.F. No. 1681, as amended pursuant to Rule

49, adopted by the Senate March 17, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 1532.)

Amend the title as follows:

Page 1, lines 2 and 4, delete "modifying" and insert "clarifying"

The motion prevailed. So the amendment was adopted.

Mr. Jude moved to amend H.F. No. 1681, as amended pursuant to Rule 49, adopted by the Senate March 17, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 1532.)

Page 2, delete lines 29 to 31 and insert:

"Section 1 is effective the day following final enactment and applies to matters pending on or instituted on or after its effective date.

Section 2 is effective the day following final enactment for any action commenced on or after its effective date."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 29, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Johnson, D.E.	Lessard	Renneke
Belanger	Decker	Jude	McQuaid	Samuelson
Berg	Frederick	Laidig	Mehrkens	Taylor
Bernhagen	Frederickson, D.R.	Langseth	Olson	Waldorf
Bertram	Gustafson	Larson	Ramstad	Wegscheid

Those who voted in the negative were:

Anderson	Dahl	Lantry	Novak	Reichgott
Beckman	Davis	Luther	Pehler	Spear
Berglin	Frank	Marty	Peterson, D.C.	Storm
Brandl	Frederickson, D.J.	Merriam	Piper	Stumpf
Brataas	Knaak	Moe, D.M.	Pogemiller	Vickerman
Cohen	Kroening	Morse	Purfeerst	

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

Mr. Knaak moved to amend H.F. No. 1681, as amended pursuant to Rule 49, adopted by the Senate March 17, 1988, as follows:

(The text of the amended House File is identical to S.F. No. 1532.)

Page 2, line 30, delete "matters pending on or instituted" and insert "any cause of action filed"

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the balance of the proceedings on H.F. No. 1681. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Knaak	Mehrkens	Taylor
Belanger	Decker	Knutson	Olson	Waldorf
Benson	Frederick	Laidig	Ramstad	Wegscheid
Berg	Frederickson, D.R.	Larson	Renneke	
Bernhagen	Gustafson	Lessard	Samuelson	
Bertram	Jude	McQuaid	Stumpf	

Those who voted in the negative were:

Adkins	Frank	Marty	Pehler	Reichgott
Beckman	Frederickson, D.J.	Merriam	Peterson, D.C.	Schmitz
Berglin	Kroening	Metzen	Peterson, R.W.	Solon
Cohen	Langseth	Moe, D.M.	Piper	Spear
Davis	Lantry	Morse	Pogemiller	Vickerman
DeCramer	Luther	Novak	Purfeerst	

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

H.F. No. 1681 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 2138: A bill for an act relating to human services; revising and clarifying the duties and powers of the ombudsman for mental health and mental retardation; transferring money; amending Minnesota Statutes 1987 Supplement, sections 245.91, subdivisions 2, 3, and 4; 245.92; 245.94, subdivisions 1, 2, 3, and 4; 245.95, subdivision 1; 245.97, subdivision 1; 626.556, subdivisions 9 and 10; and 626.557, subdivision 9.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 821: A bill for an act relating to public finance; authorizing compliance with federal tax laws to secure tax exemption for certain bonds and other obligations; authorizing the issuance of taxable bonds and other obligations; appropriating money; amending Minnesota Statutes 1986, section 16A.641, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A.

Mr. Metzen moved to amend S.F. No. 821 as follows:

Page 2, after line 32, insert:

"Sec. 4. Minnesota Statutes 1987 Supplement, section 474A.04, subdivision 6, is amended to read:

Subd. 6. [ENTITLEMENT TRANSFERS.] An entitlement issuer may enter into an agreement with another entitlement issuer whereby the recipient entitlement issuer issues obligations pursuant to bonding authority allocated to the original entitlement issuer under this section. *An entitlement issuer also may enter into an agreement with an issuer which is not an entitlement issuer whereby the recipient issuer issues qualified mortgage bonds, up to \$100,000 of which are issued pursuant to bonding authority allocated to the original entitlement issuer under this section.*"

Page 2, line 34, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title accordingly

Mr. Pogemiller moved to amend the Metzen amendment to S.F. No. 821 as follows:

Page 1, line 10, after "agreement" insert "prior to August 1, 1988,"

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

The question recurred on the adoption of the Metzen amendment, as amended. The motion prevailed. So the Metzen amendment, as amended, was adopted.

S.F. No. 821 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	Knaak	Merriam	Ramstad
Anderson	Decker	Knutson	Metzen	Reichgott
Beckman	DeCramer	Kroening	Moe, R.D.	Renneke
Belanger	Frank	Laidig	Morse	Schmitz
Berg	Frederick	Langseth	Novak	Solon
Berglin	Frederickson, D.J.	Lantry	Olson	Spear
Bernhagen	Frederickson, D.R.	Larson	Pehler	Storm
Bertram	Freeman	Lessard	Peterson, D.C.	Stumpf
Brandl	Gustafson	Luther	Peterson, R.W.	Taylor
Chmielewski	Hughes	Marty	Piper	Vickerman
Cohen	Johnson, D.E.	McQuaid	Pogemiller	Waldorf
Dahl	Jude	Mehrkens	Purfeerst	Wegscheid

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

SPECIAL ORDER

S.F. No. 2106: A bill for an act relating to vocational rehabilitation; changing terminology; regulating funding allocations; providing for facility governance; appropriating money; amending Minnesota Statutes 1986, section 129A.02, subdivision 3; 129A.09; and 129A.10; Minnesota Statutes 1987 Supplement, sections 129A.01, subdivisions 5, 6, and 7; 129A.03; 129A.06, subdivision 1; 129A.07, subdivision 1; 129A.08, subdivisions 1, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1987 Supplement, sections 129A.01, subdivision 8; 129A.07, subdivision 2; and 129A.08, subdivision 3.

Mr. Storm moved to amend S.F. No. 2106 as follows:

Page 8, line 31, delete "18" and insert "15"

The motion prevailed. So the amendment was adopted.

S.F. No. 2106 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 50 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Dicklich, Samuelson and Stumpf voted in the negative.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on H.F. No. 1749 at 2:00 p.m.:

Mrs. Lantry, Messrs. Langseth, DeCramer, Stumpf and Purfeerst. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Moe, D.M. moved that the following members be excused for a Conference Committee on S.F. No. 2003 at 2:00 p.m.:

Mr. Wegscheid, Ms. Olson and Mr. Moe, D.M. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Pogemiller moved that the following members be excused for a Conference Committee on S.F. No. 1608 from 2:00 to 2:30 p.m.:

Messrs. Frank, Gustafson and Pogemiller. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED**SPECIAL ORDER**

S.F. No. 1662: A bill for an act relating to natural resources; defining forest roads; providing for the establishment, construction, administration, and maintenance of forest roads; dedicating a portion of gasoline and special fuels taxes to use on state forest roads; amending Minnesota Statutes 1986, sections 89.001, by adding a subdivision; 89.19; 296.16, by adding a subdivision; and 296.421, by adding a subdivision; Laws 1987, chapter 404, section 22, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 89.

Mr. Stumpf moved to amend S.F. No. 1662 as follows:

Page 6, after line 6, insert:

"Sec. 11. [PROPERTY ACQUISITION PROHIBITED.]

The commissioner of transportation shall not spend money to acquire highway advertising devices or property rights under Minnesota Statutes, chapter 173. No actions may be commenced under that chapter until otherwise directed by law. The commissioner of transportation shall move to dismiss all acquisition actions that are pending under that chapter on the effective date of this section."

Page 6, line 8, delete "and" and insert ", 10, and 11"

Page 6, line 9, delete "10"

Renumber the sections in sequence

Amend the title accordingly

Mr. Knaak questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 1662 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	Dahl	Knutson	Metzen	Samuelson
Anderson	Davis	Kroening	Moe, R. D.	Schmitz
Beckman	Decker	Laidig	Morse	Solon
Belanger	DeCramer	Langseth	Novak	Spear
Benson	Dicklich	Lantry	Pehler	Storm
Berg	Diessner	Larson	Peterson, D.C.	Stumpf
Berglin	Frederickson, D.J.	Lessard	Peterson, R.W.	Taylor
Bernhagen	Frederickson, D.R.	Luther	Piper	Vickerman
Bertram	Hughes	Marty	Purfeerst	Waldorf
Brandl	Johnson, D.E.	McQuaid	Ramstad	
Chmielewski	Jude	Mehrkens	Reichgott	
Cohen	Knaak	Merriam	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2195: A bill for an act relating to education; making technical corrections to the cooperative secondary facilities grant act; amending Minnesota Statutes 1987 Supplement, section 124.494, subdivisions 5 and 6.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Chmielewski	Jude	Merriam	Renneke
Anderson	Cohen	Knaak	Metzen	Schmitz
Beckman	Davis	Knutson	Morse	Solon
Belanger	Decker	Kroening	Novak	Spear
Benson	Dicklich	Laidig	Pehler	Storm
Berg	Diessner	Larson	Peterson, D.C.	Vickerman
Berglin	Frederickson, D.J.	Lessard	Peterson, R.W.	Waldorf
Bernhagen	Frederickson, D.R.	Luther	Piper	
Bertram	Hughes	Marty	Ramstad	
Brandl	Johnson, D.E.	McQuaid	Reichgott	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2194: A bill for an act relating to environment; prohibiting the sale of certain polyethylene material; creating an advisory task force and providing for its duties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2127: A bill for an act relating to health maintenance organizations; requiring insolvency insurance policies to be filed; requiring a deposit; creating a net worth requirement; allowing for a reduction of net worth in certain circumstances; defining admitted assets; imposing investment restrictions; requiring quarterly reports; providing for the inclusion of certain items in provider contracts; regulating rehabilitation and liquidations; including health maintenance organizations in the Life and Health Guaranty Association; requiring health maintenance organizations to maintain liabilities for unpaid claims; amending Minnesota Statutes 1986, sections 62D.02, by adding subdivisions; 62D.03, subdivision 4; 62D.041, subdivisions 1, 2, 3, 4, 7, and by adding subdivisions; 62D.05, subdivision 3; 62D.08, by adding a subdivision; 62D.12, subdivision 5, and by adding a subdivision; 62D.14, subdivision 1; 62D.18; 62D.19; 62E.02, subdivision 13; and 62E.14, subdivision 1; Minnesota Statutes 1987 Supplement, sections 62D.04, subdivision 1; and 62E.10, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Statutes 1986, section 62D.041, subdivisions 5, 6, and 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Brandl	Frederickson, D.R.	Larson	Peterson, D.C.
Anderson	Chmielewski	Freeman	Luther	Peterson, R.W.
Beckman	Cohen	Gustafson	Marty	Piper
Belanger	Davis	Hughes	McQuaid	Ramstad
Benson	Decker	Johnson, D.E.	Merriam	Renneke
Berg	Diessner	Jude	Moe, R.D.	Solon
Berglin	Frank	Knaak	Morse	Spear
Bernhagen	Frederick	Knutson	Novak	Storm
Bertram	Frederickson, D.J.	Laidig	Pehler	Vickerman

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1719: A bill for an act relating to occupational safety and health; regulating penalties for violations; amending Minnesota Statutes 1986, section 182.666, subdivisions 3, 5a, and 7; Minnesota Statutes 1987 Supplement, section 182.666, subdivisions 1, 2, 4, and 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Brataas	Freeman	Luther	Piper
Anderson	Chmielewski	Gustafson	Marty	Ramstad
Beckman	Cohen	Hughes	McQuaid	Renneke
Belanger	Dahl	Johnson, D.E.	Merriam	Schmitz
Benson	Davis	Jude	Metzen	Solon
Berg	Diessner	Knaak	Moe, R.D.	Spear
Berglin	Frank	Knutson	Novak	Vickerman
Bernhagen	Frederick	Kroening	Pehler	
Bertram	Frederickson, D.J.	Laidig	Peterson, D.C.	
Brandl	Frederickson, D.R.	Larson	Peterson, R.W.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2131: A bill for an act relating to the environment; prohibiting government units and vendors from purchasing and using chlorofluorocarbon-processed packaging materials; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Gustafson	Marty	Peterson, R.W.
Anderson	Cohen	Johnson, D.E.	McQuaid	Piper
Beckman	Dahl	Jude	Mehrkens	Ramstad
Belanger	Davis	Knaak	Merriam	Renneke
Berg	Decker	Knutson	Metzen	Solon
Berglin	Diessner	Kroening	Moe, R.D.	Spear
Bernhagen	Frederick	Laidig	Morse	Storm
Bertram	Frederickson, D.J.	Larson	Novak	Vickerman
Brandl	Frederickson, D.R.	Lessard	Pehler	
Brataas	Freeman	Luther	Peterson, D.C.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1656: A bill for an act relating to traffic regulations; permitting county and city attorneys to provide certain services; providing for allocation of civil fines for motor vehicle maximum weight violations; amending Minnesota Statutes 1986, section 169.871, subdivisions 3 and 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Hughes	McQuaid	Piper
Anderson	Davis	Johnson, D.E.	Mehrkens	Ramstad
Beckman	Decker	Jude	Merriam	Renneke
Belanger	Diessner	Knaak	Metzen	Schmitz
Berg	Frank	Kroening	Moe, R.D.	Spear
Berglin	Frederick	Laidig	Morse	Storm
Bernhagen	Frederickson, D.J.	Larson	Novak	Vickerman
Bertram	Frederickson, D.R.	Lessard	Pehler	
Brataas	Freeman	Luther	Peterson, D.C.	
Chmielewski	Gustafson	Marty	Peterson, R.W.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1678: A bill for an act relating to natural resources; establishing a controlled burn program; requiring permits for controlled burns; providing assistance for controlled burns; proposing coding for new law in Minnesota Statutes, chapter 84.

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	Cohen	Gustafson	Marty	Piper
Anderson	Dahl	Hughes	McQuaid	Ramstad
Beckman	Davis	Johnson, D.E.	Mehrrens	Renneke
Belanger	Decker	Jude	Merriam	Schmitz
Berg	Diessner	Knaak	Metzen	Spear
Berglin	Frank	Knutson	Moe, R.D.	Storm
Bernhagen	Frederick	Kroening	Morse	Vickerman
Bertram	Frederickson, D.J.	Larson	Pehler	
Brandl	Frederickson, D.R.	Lessard	Peterson, D.C.	
Brataas	Freeman	Luther	Peterson, R.W.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1925: A bill for an act relating to education; eliminating the cap on the state university system student health service fee; amending Minnesota Statutes 1986, section 136.11, subdivision 7.

Mr. Morse moved that the amendment made to H.F. No. 1925 by the Committee on Rules and Administration in the report adopted April 8, 1988, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1925 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Gustafson	Marty	Reichgott
Anderson	Dahl	Hughes	McQuaid	Schmitz
Beckman	Davis	Johnson, D.E.	Merriam	Solon
Belanger	Decker	Jude	Metzen	Spear
Benson	Diessner	Knaak	Moe, R.D.	Storm
Berglin	Frank	Knutson	Morse	Vickerman
Bernhagen	Frederick	Kroening	Peterson, D.C.	
Bertram	Frederickson, D.J.	Larson	Peterson, R.W.	
Brataas	Frederickson, D.R.	Lessard	Piper	
Chmielewski	Freeman	Luther	Ramstad	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1399: A bill for an act relating to economic development; authorizing certain entities involved in economic development to participate in secondary markets; authorizing the use of appropriated money for secondary market purposes; amending Minnesota Statutes 1986, sections

116M.04, by adding a subdivision; 116M.08, by adding a subdivision; 362A.03, by adding a subdivision; 458.192, by adding a subdivision; 458C.14, by adding a subdivision; and 462.445, 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 43 and nays 5, as follows:

Those who voted in the affirmative were:

Adkins	Brandl	Frederickson, D.R.	Luther	Piper
Anderson	Chmielewski	Freeman	Marty	Ramstad
Beckman	Cohen	Hughes	McQuaid	Reichgott
Belanger	Dahl	Johnson, D.E.	Mehrkens	Renneke
Benson	Davis	Jude	Metzen	Schmitz
Berg	Decker	Knaak	Moe, R.D.	Spear
Berglin	Diessner	Kroening	Morse	Vickerman
Bernhagen	Frank	Larson	Pehler	
Bertram	Frederickson, D.J.	Lessard	Peterson, D.C.	

Those who voted in the negative were:

Frederick	Knutson	Merriam	Peterson, R.W.	Storm
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So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Chmielewski moved that the vote whereby H.F. No. 1999 was passed by the Senate on April 11, 1988, be now reconsidered. The motion prevailed.

Mr. Chmielewski moved that H.F. No. 1999 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, Reports of Committees and Second Reading of Senate Bills.

MESSAGES FROM THE HOUSE

Mr. President:

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

S.F. No. 2203: A bill for an act relating to human services; authorizing a county to establish an adult protection team; requiring records to be maintained; proposing coding for new law in Minnesota Statutes, chapter 626.

Senate File No. 2203 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1988

CONCURRENCE AND REPASSAGE

Mr. Benson moved that the Senate concur in the amendments by the House to S.F. No. 2203 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2203 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 42 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Brandl	Hughes	McQuaid	Renneke
Anderson	Cohen	Johnson, D.E.	Mehrkens	Schmitz
Beckman	Davis	Jude	Merriam	Spear
Belanger	Decker	Knaak	Moe, R.D.	Storm
Benson	Frank	Knutson	Morse	Vickerman
Berg	Frederick	Kroening	Pehler	Waldorf
Berglin	Frederickson, D.I.	Larson	Peterson, D.C.	
Bernhagen	Frederickson, D.R.	Luther	Piper	
Bertram	Freeman	Marty	Ramstad	

Mr. Peterson, R.W. voted in the negative.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Waldorf moved that the following members be excused for a Conference Committee on S.F. No. 2569 at 3:00 p.m.:

Messrs. Taylor, Dicklich, Mrs. Brataas, Messrs. Dahl and Waldorf. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Langseth moved that the following members be excused for a Conference Committee on S.F. No. 2565 at 4:00 p.m.:

Messrs. Metzen, Mehrkens, Purfeerst, Wegscheid and Langseth. The motion prevailed.

REPORTS OF COMMITTEES

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

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

S.F. No. 2321: A bill for an act proposing an amendment to the Minnesota Constitution, article I, sections 4 and 6; providing for six-member juries in civil and nonfelony cases.

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

SECOND READING OF SENATE BILLS

S.F. No. 2321 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Frederickson, D.J. moved that the names of Mr. Beckman, Ms. Piper and Mr. Marty be added as co-authors to S.F. No. 2194. The motion prevailed.

Mr. Davis moved that S.F. No. 2076, No. 18 on Special Orders, be stricken and re-referred to the Committee on Agriculture. The motion prevailed.

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. 10: Messrs. Jude, Spear and Ms. Peterson, D.C.

H.F. No. 2536: Mr. Luther, Ms. Peterson, D.C. and Mr. Laidig.

H.F. No. 2031: Messrs. Merriam, Laidig, Luther, Pehler and Marty.

H.F. No. 2596: Messrs. Marty; Moe, D.M. and Taylor.

S.F. No. 1643: Ms. Reichgott, Mr. Laidig and Ms. Berglin.

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

MEMBERS EXCUSED

Mr. Freeman was excused from the Session of today from 12:00 noon to 1:15 p.m. Mr. Diessner was excused from the Session of today from 12:00 noon to 1:45 p.m. Ms. Reichgott was excused from the Session of today from 3:00 to 3:30 p.m.

ADJOURNMENT

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

Patrick E. Flahaven, Secretary of the Senate