

SEVENTEENTH DAY

St. Paul, Minnesota, Thursday, March 2, 1989

The Senate met at 2:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Kenneth Ludescher.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Larson; Moe, D.M. and Stumpf were excused from the Session of today. Mr. Beckman was excused from the Session of today from 2:55 to 3:05 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

February 1, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Minnesota Rural Finance Authority is hereby respectfully submitted to the Senate for confirmation as required by law:

Andrew Walters, Rt. 2, Balaton, Lyon County, has been appointed by me, effective February 1, 1989, for a term expiring the first Monday in January, 1993.

(Referred to the Committee on Agriculture and Rural Development.)

February 21, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Peter X. Fugina, 5 Merritt Dr., Virginia, St. Louis County, has been appointed by me, effective February 5, 1989, for a term expiring the first Monday in January, 1995.

(Referred to the Committee on Education.)

Sincerely,
Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 171.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 27, 1989

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 106, 214, 267, 371 and 410.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 27, 1989

FIRST READING OF HOUSE BILLS

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

H.F. No. 106: A bill for an act relating to game and fish; selection process for wild turkey license holders; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 96.

H.F. No. 214: A bill for an act relating to taxation; making technical

corrections and clarifications to individual income and corporate franchise taxes; updating references to the Internal Revenue Code; imposing a tax and providing for withholding of certain payments to nonresidents; requiring surety payment by out-of-state contractors; amending Minnesota Statutes 1988, sections 290.01, subdivisions 4, 7, 19, 19a, 19b, 19c, 19d, 19e, and 19f; 290.06, subdivision 22; 290.067, subdivision 1; 290.0802, subdivisions 1 and 2; 290.095, subdivision 9; 290.17, subdivisions 1 and 2; 290.311, subdivision 1; 290.92, by adding subdivisions; and 291.005, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1988, section 290.01, subdivision 6a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 62, now on General Orders.

H.F. No. 267: A bill for an act relating to the military; reducing from two years to one year the number of years the adjutant general of the Minnesota national guard is required to serve as a brigadier general before promotion to major general; amending Minnesota Statutes 1988, section 190.07.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 191, now on General Orders.

H.F. No. 371: A bill for an act relating to corrections; authorizing the commissioner of corrections to take photographs of juveniles committed to the commissioner for management and law enforcement purposes; amending Minnesota Statutes 1988, section 260.161, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 605.

H.F. No. 410: A bill for an act relating to public safety; defining high pressure piping; regulating the practice of pipefitting; amending Minnesota Statutes 1988, section 326.461, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 438, now on General Orders.

REPORTS OF COMMITTEES

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 628: A bill for an act relating to eminent domain; providing for relocation benefits for displaced persons; amending Minnesota Statutes 1988, section 117.52, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 618: A bill for an act relating to education; exempting employment by a school district from certain requirements relating to employment of rehabilitated criminal offenders; amending Minnesota Statutes 1988, section 364.09.

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 560: A bill for an act relating to criminal procedure; providing for the Ramsey county attorney to prosecute certain gross misdemeanors; amending Minnesota Statutes 1988, section 388.051, subdivision 2.

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

Page 1, after line 22, insert:

“Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective upon approval of the Ramsey county board as provided in section 645.021.”

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 675: A bill for an act relating to crime; expanding the crime of failure to appear for a criminal court appearance; providing that the county attorney has jurisdiction to prosecute the crime; prescribing penalties; amending Minnesota Statutes 1988, sections 388.051, subdivision 2; and 609.49.

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

Page 1, delete section 1

Page 2, line 8, after “*crime*” insert “*for failure to appear*”

Page 2, line 19, delete everything after “*control*” and insert a period

Page 2, delete line 20 and insert:

“Subd. 4. [PROSECUTION.] A violation of this section is prosecuted by the prosecuting authority who was responsible for prosecuting the offense in connection with which the person failed to appear in court.”

Page 2, line 22, delete “*Sections 1 and 2 are*” and insert “*Section 1 is*” and delete “*apply*” and insert “*applies*”

Page 2, line 23, after “*crimes*” insert “*for failure to appear*”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete “*providing that*”

Page 1, line 4, delete “*the county*” and insert “*specifying the*” and delete “*has*” and insert “*with*”

Page 1, line 6, delete “*sections 388.051, subdivision 2; and*” and insert “*section*”

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 223: A bill for an act relating to traffic regulations; creating an affirmative defense to a charge of being in physical control of a vehicle while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1988, section 169.121, by adding a subdivision.

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

Page 1, line 14, delete "*a preponderance of the*" and insert "*clear and convincing*"

Page 1, line 15, after "*where the*" insert "*vehicle was when the*"

Page 1, after line 19, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1989, and applies to violations committed on or after that date."

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 717: A bill for an act relating to financial institutions; permitting banks to perform clerical services at off-premises data processing and storage centers; proposing coding for new law in Minnesota Statutes, chapter 48.

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 454: A bill for an act relating to consumer protection; regulating the sale of used motor vehicles; modifying certain definitions; amending Minnesota Statutes 1988, section 325F662, subdivisions 1 and 3.

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

Page 2, line 12, after "*warranty*" insert "*which provides coverage at least as broad with respect to covered components and duration as that required by this section*"

Page 3, line 12, after "*which*" insert a comma and after "*sold*" insert "*, is unrepaired and*"

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 495: A bill for an act relating to commerce; regulating motor vehicle sales and distribution; determining reasonable compensation for warranty services performed by dealers; amending Minnesota Statutes 1988, section 80E.04, subdivision 2.

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

as follows:

Page 1, line 24, delete "*the dealer's cost plus 30 percent*"

Page 1, line 25, delete "*or*"

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 114: A bill for an act relating to the town of St. Augusta; authorizing the establishment of a detached banking facility under certain conditions.

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

Page 1, line 9, delete "25" and insert "100"

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 465: A bill for an act relating to consumer protection; regulating new motor vehicle sales; limiting a dealer's liability due to the manufacturer's failure to repair, refund, or replace nonconforming vehicles; amending Minnesota Statutes 1988, section 325F.665, by adding a subdivision.

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

Page 1, line 12, delete the second "*a*" and insert "*an additional*"

Page 1, line 14, delete "*A*"

Page 1, delete lines 15 and 16

Page 1, line 17, delete "*subdivision.*"

Page 1, line 20, delete "*in the absence of*" and insert "*unless there is*"

Page 1, line 21, after "*had*" insert "*not*"

Page 1, line 22, after "*a*" insert "*timely manner or in a*" and delete "*inconsistent*" and insert "*consistent*"

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 372: A bill for an act relating to employees; providing for a wage protection program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Page 1, line 12, delete "DEFINITION" and insert "WAGES DEFINED"

Page 1, line 21, delete "*department*" and insert "*commissioner*"

Page 2, lines 1 and 2, delete "*of the department of labor and industry*"

Page 2, line 2, delete "*department*" and insert "*commissioner*"

Page 2, line 6, delete the second "*the*" and insert "*an*"

Page 2, line 7, delete "*amounts*" and insert "*wages*"

Page 2, line 8, after "*employer*" insert "*to an employee*"

Page 2, line 9, delete "*the*" and insert "*a*"

Page 2, line 14, delete "*shall*" and insert "*must*"

Page 2, line 17, delete "\$200,000" and insert "\$400,000"

Page 2, line 18, delete "*the department of*"

Amend the title as follows:

Page 1, line 2, delete "providing for" and insert "establishing"

Page 1, line 3, after "program" insert "and fund"

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 680: A bill for an act relating to workers' compensation; increasing maximum burial expense benefits; providing for certain death benefits; amending Minnesota Statutes 1988, sections 176.111, subdivision 18; and 176.129, subdivision 2.

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

Pages 1 and 2, delete section 2

Amend the title as follows:

Page 1, line 3, delete "providing for certain death"

Page 1, line 4, delete "benefits;" and delete "sections" and insert "section"

Page 1, line 5, delete "; and 176.129, subdivision 2"

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

Mr. Bertram from the Committee on Veterans and Military Affairs, to which was referred

S.F. No. 590: A bill for an act relating to veterans; requiring a presentence investigation report on a convicted veteran to include information on whether the veteran is suffering from a posttraumatic stress disorder; requiring the chief executive officers of correctional facilities to provide veteran inmates suffering from posttraumatic stress disorders with appropriate medical care; amending Minnesota Statutes 1988, sections 241.06; and 609.115, by adding a subdivision.

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

Page 1, line 24, delete "*find out*" and insert "*determine*"

Page 2, line 9, before the period, insert “*or to the appropriate staff, including the veterans service officer in the county of the defendant’s residence and the United States Veterans Administration, when not ordered to serve a term of imprisonment*”

Page 3, line 16, delete “*find out*” and insert “*determine*”

Page 3, line 22, after “*medical*” insert “*and mental health*” and delete “*, including transfer to*” and insert a period

Page 3, delete lines 23 and 24

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 64: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land in Carlton county.

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 96: A bill for an act relating to game and fish; selection process for wild turkey license holders; amending Minnesota Statutes 1988, section 97A.435, subdivision 1.

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

Delete everything after the enacting clause and insert:

“Section 1. [97B.723] [COMMISSIONER MAY LIMIT NUMBER OF TURKEY HUNTERS.]

The commissioner may establish a method, including a drawing, to impartially select persons eligible to take turkeys in an area. Preference must be given to persons that have previously applied in the general selection but have not been selected.”

Delete the title and insert:

“A bill for an act relating to game and fish; selection process for wild turkey license holders; proposing coding for new law in Minnesota Statutes, chapter 97B.”

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 108: A bill for an act relating to natural resources; authorizing fees for special hunts; amending Minnesota Statutes 1988, section 97A.401, subdivision 4.

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

Page 1, line 15, delete "*and must not exceed*"

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 297: A bill for an act relating to game and fish; authorizing party hunting for small game; authorizing party fishing by spearing and angling; proposing coding for new law in Minnesota Statutes, chapters 97B and 97C.

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

Pages 1 and 2, delete section 2 and insert:

"Sec. 2. [97C.317] [FISHING AS A PARTY.]

While two or more persons are taking fish by angling as a party, the total number of fish taken and the total number of fish possessed by the party may not exceed the limit of the number of persons in the party that may take and possess fish by angling. For the purpose of this section a party means, for persons who are not on the water the persons are maintaining unaided visual and vocal contact, and for persons who are on the water the persons are angling from a single watercraft."

Amend the title as follows:

Page 1, lines 3 and 4, delete "spearing and"

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 390: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited land that borders public water in Todd county.

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

Delete everything after the enacting clause and insert:

"Section 1. [SALE OF TAX-FORFEITED LAND; TODD COUNTY.]

Notwithstanding Minnesota Statutes, section 282.018, Todd county may sell certain tax-forfeited land bordering public water, located in Todd county and described in this section, in the manner provided in this section and the appropriate appraisal, sale, and conveyance provisions for tax-forfeited land under Minnesota Statutes, chapter 282.

The land described in this section may be sold to the state for the use of the commissioner of natural resources or to the public for a consideration not less than its appraised value. The commissioner of natural resources may exercise the option to purchase the land for the state until October 1, 1989. After October 1, 1989, the land may be offered for public sale under Minnesota Statutes, chapter 282. The conveyance must be in a form approved by the attorney general.

The land that may be sold consists of 34,000 square feet, more or less, borders Big Sauk Lake in Todd county, and is located in Section 23, Township 127 North, Range 33 West, and is described as: Lot 4, Block 1, of Scenic Valley, Big Sauk Lake Addition.

Since the land, which has about 100 feet of lake frontage, forfeited to the state in 1985, the buildings on the property have deteriorated, been vandalized, and decreased in value. The county has no use for the property and finds that it would be put to better use following sale.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.”

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 88: A bill for an act relating to tax-forfeited lands; authorizing St. Louis county to sell certain tax-forfeited lands adjacent to public waters by private sale.

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

Delete everything after the enacting clause and insert:

“Section 1. [PUBLIC SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.]

(a) Notwithstanding Minnesota Statutes, section 282.018, St. Louis county may sell the tax-forfeited land bordering public waters and described in paragraph (c) in the manner provided for appraisal, sale, and conveyance of tax-forfeited land by Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be conveyed is located in St. Louis county and is described as:

(1) Lots 4 and 5, Block 1, and Lots 2, 4, 5, and 6, Block 2, of Rearrangement of Part of Stoney Brook Park, Mt. Iron; and

(2) Lot 6, Block 1, of Stoney Brook Park, Mt. Iron.

(d) The lands in this section border on a relocated drainage ditch, which is public waters in the city of Mt. Iron, are not needed for state purposes and would better serve the public's interest if the lands were privately owned.

Sec. 2. [PRIVATE SALES OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.]

Subdivision 1. (a) Notwithstanding Minnesota Statutes, section 282.018, or the public sale provisions of Minnesota Statutes, chapter 282, St. Louis county may sell the tax-forfeited lands bordering public waters and described in subdivision 2, to the persons indicated, by private sale for not less than appraised value.

(b) The conveyances must be in a form approved by the attorney general.

Subd. 2. (a) The following lands located in St. Louis county may be sold to the persons indicated.

(b) St. Louis county may sell to Charlotte Ekroot, Windigo Lodge, Grand Marais: that part of the Southeast Quarter of the Northwest Quarter of Section 9, Township 55 North, Range 12 West, lying west of the township road. A cabin and a tool shed were built on what they thought was their property. Later surveys indicated that they had built on tax-forfeited property.

(c) St. Louis county may sell to Manson Berg, 2930 Miller Trunk Highway, Duluth: the easterly 164.1 feet of the South Half of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter, Section 12, Township 50 North, Range 15 West. The adjacent property has belonged to Mr. Berg since 1978. Due to incorrect survey lines, part of Mr. Berg's trailer park along with water and sewage system was located on 1.24 acres of tax-forfeited land. This land is surrounded by private property and has no road access.

(d) St. Louis county may sell to Mablo Enrico, 202 First Street N.W., Chisholm: part of Outlot B, beginning at a point 83.96 feet South and 212.77 feet West of the Northwest corner, go South 47 degrees 9 minutes East 393 feet to a point on the West line of a platted road, thence South 42 degrees 51 minutes West along the west side of said road 100 feet, thence North 47 degrees 9 minutes West 396 feet to a point on the shore of Long Lake, thence in a northerly and easterly direction 100 feet to the point of beginning. Plat of Long Lake Beach, Lot 1, Sec. 17, Lot 7, Section 18, all in Township 59 North, Range 20 West. Mr. Enrico, who has been diagnosed as having Alzheimer's Disease, forgot to pay taxes on his lake-shore lot and it was forfeited. The family would like to redeem the property.

(e) St. Louis county may sell to William Moffat, P. O. Box 434, Tower: an undivided three-eighths interest in the easterly 175 feet of Government Lot 8, Section 19, Township 62 North, Range 14 West. Mr. Moffat requested use of tax-forfeited lands adjoining his property. New surveys indicated that his garage and part of his house are already on that property.

(f) St. Louis county may sell to Rodney and Mary Lou Halunen, 1009 1st Street South, Virginia: the North Half of Lot 8 of Ruth Ann's Acres, Little Fourteen Lake, Government Lot 1, Section 13, Township 60 North, Range 19 West. Lot 8 is a small undevelopable lake lot between two private landowners. The department of natural resources has stated that there is no need for a public access. The county recommends that it be split and sold to the two landowners in paragraphs (f) and (g).

(g) St. Louis county may sell to Steve Prelesnik, Route 1, Box 790, Britt: the South Half of Lot 8 of Ruth Ann's Acres, Little Fourteen Lake, Government Lot 1, Section 13, Township 60 North, Range 19 West. Lot 8 is a small undevelopable lake lot between two private landowners. The department of natural resources has stated that there is no need for a public access. The county recommends that it be split and sold to the two landowners in paragraphs (f) and (g).

(h) Lands in this section are not needed for state purposes and the public's interest would be better served if the lands were publicly owned.

Sec. 3. [PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.]

Notwithstanding Minnesota Statutes, section 282.018, or the public sale

provisions of Minnesota Statutes, chapter 282, St. Louis county may sell the property described in this section by private sale to Lawrence and Marjo Mencel, 1715 Maryland Avenue, Superior, Wisconsin.

The conveyance must be in a form approved by the attorney general.

The property that may be sold is located in St. Louis county and described as: an undivided one-half interest in Lot 23, Bass Lake Shores, that is platted as part of Government Lot 8, Section 34, Township 55, North of Range 15, West of the fourth principal meridian.

An undivided one-half interest of Lot 23 was forfeited for nonpayment of delinquent taxes for the years 1950 and 1953. The Mencels own the other undivided one-half interest in Lot 23 and an adjacent parcel that includes a building partially located on Lot 23. The state's interest is not manageable as an undivided interest and it would be in the public's interest to place the entire property with the Mencels.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to state lands; authorizing St. Louis county to sell certain tax-forfeited lands bordering public waters."

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

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred

S.F. No. 352: A bill for an act relating to charitable gambling; allowing licensed organizations to conduct casino nights under specified conditions; allowing organizations to use profits derived from a casino night to maintain and repair real property that they own or lease; amending Minnesota Statutes 1988, sections 349.12, subdivisions 2, 15, and by adding a subdivision; and 349.214, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349.

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

Page 2, line 10, after "or" insert "exclusively"

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

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred

S.F. No. 600: A bill for an act relating to animals; granting certain powers to animal control officers; amending Minnesota Statutes 1988, section 343.29, subdivision 1.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1988, section 343.20, is amended by

adding a subdivision to read:

Subd. 5. [ANIMAL CONTROL OFFICER.] "Animal control officer" means an officer employed by or under contract with an agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction."

Page 1, line 14, after "officer" insert "*, animal control officer,*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 343.20, by adding a subdivision; and"

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

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred

S.F. No. 588: A bill for an act relating to horse racing; allowing a licensed racetrack to conduct pari-mutuel betting on televised races on days when races are not conducted at the licensed racetrack; allowing the licensed racetrack to commingle pari-mutuel pools with the sending racetrack; amending Minnesota Statutes 1988, sections 240.01, subdivision 10, and by adding a subdivision; 240.10; 240.13, subdivisions 1, 3, and by adding a subdivision; 240.14, by adding a subdivision; 240.16, by adding a subdivision; and 240.29.

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

Page 2, line 33, delete "*that was in existence on January 1, 1987,*"

Page 3, line 5, after the period, insert "*A class B licensee within the seven-county metropolitan area may conduct pari-mutuel betting on a televised racing day only on televised races run by a breed which ran at the licensed racetrack within the 12 months preceding the televised racing day.*"

Page 3, line 15, after the period, insert "*Notwithstanding subdivision 4, breakage for pari-mutuel pools on a televised racing day must be calculated in accordance with the law or rules governing the sending racetrack, and must be distributed in a manner agreed to between the licensee and the sending racetrack.*"

Page 3, line 22, delete "*four*" and insert "*22*"

Page 3, line 31, delete "*additional*"

Page 3, line 32, after "*involved*" insert "*in addition to the amounts required to be set aside during the next racing meeting under subdivision 5*"

Page 3, delete lines 33 to 36

Page 4, delete lines 1 to 6 and insert:

"(d) The disbursement of all remaining amounts withheld from pari-mutuel pools on a televised racing day, except amounts payable as a tax under section 240.15, subdivision 1, must be as agreed to between the

sending racetrack and the licensee. However, a portion of the disbursement before division between the sending racetrack and the licensee may be used by the licensee to pay purses in excess of the amounts required under subdivision 5 during the licensee's next racing meeting. If the licensee so uses a portion of the remaining amounts for purse payments the allocation must be as agreed to between the licensee and the horseperson's organization which represented, at the licensee's racetrack during the previous 12 months, the breed running the racing on the televised racing day."

Page 4, line 15, delete the first "the" and insert "each" and after "race-track" insert "in this state"

Page 4, line 20, delete everything after the first "by"

Page 4, line 21, delete "steward or the"

Page 4, line 23, delete "shall have" and insert "has" and delete "specified for a"

Page 4, delete line 24 and insert "provided by rule."

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

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 69: A bill for an act relating to education; giving students the right to be absent from school because of religious beliefs; proposing coding for new law in Minnesota Statutes, chapters 120 and 135A.

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

Delete everything after the enacting clause and insert:

"Section 1. [120.106] [ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.]

Subdivision 1. [CURRICULAR ACTIVITY.] A public school pupil who wishes to be excused from a curricular activity, including a class or an exam, for a religious observance must be excused. If the school has requirements for excused absences that do not conflict with this section, the pupil must meet them.

Subd. 2. [OPPORTUNITY TO MAKE UP.] The school board must give the pupil a reasonable opportunity to make up the activity.

Subd. 3. [NO PENALTY.] The school board must not penalize the pupil if the pupil exercises a right under this section.

Subd. 4. [ADMINISTRATIVE CONFERENCE.] A pupil or a parent or guardian of a pupil who claims to be penalized under this section may ask for an administrative conference with the principal. The request must be made in writing. The school board may have an official in place of the principal at the conference."

Delete the title and insert:

"A bill for an act relating to education; clarifying the right to be absent from school for religious observances; proposing coding for new law in Minnesota Statutes, chapter 120."

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

adopted.

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 149: A bill for an act relating to education; authorizing the Minneapolis school district to pay health insurance premium subsidies more often than annually; amending Minnesota Statutes 1988, section 275.125, subdivision 6h.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

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

H.F. No. 210 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
210	229				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 210 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 210 and insert the language after the enacting clause of S.F. No. 229, the first engrossment; further, delete the title of H.F. No. 210 and insert the title of S.F. No. 229, the first engrossment.

And when so amended H.F. No. 210 will be identical to S.F. No. 229, and further recommends that H.F. No. 210 be given its second reading and substituted for S.F. No. 229, 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. Chmielewski from the Committee on Employment, to which was referred the following appointment as reported in the Journal for January 9, 1989:

WORKERS' COMPENSATION COURT OF APPEALS

Richard C. Pranke

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

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

Mr. Chmielewski from the Committee on Employment, to which was referred the following appointment as reported in the Journal for January 12, 1989:

WORKERS' COMPENSATION COURT OF APPEALS

Edward Toussaint, Jr.

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 628, 618, 560, 675, 223, 717, 454, 495, 114, 465, 680, 64, 96, 108, 297, 390, 88, 600, 69 and 149 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 210 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the name of Mr. Marty be added as a co-author to S.F. No. 287. The motion prevailed.

Mr. Samuelson moved that the name of Mr. Merriam be added as a co-author to S.F. No. 325. The motion prevailed.

Ms. Berglin moved that the name of Mr. Marty be added as a co-author to S.F. No. 379. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Diessner be added as a co-author to S.F. No. 400. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Marty be added as a co-author to S.F. No. 409. The motion prevailed.

Mr. Spear moved that the names of Messrs. Samuelson, Freeman, Mrs. McQuaid and Ms. Peterson, D.C. be added as co-authors to S.F. No. 413. The motion prevailed.

Mr. Frank moved that the names of Messrs. Merriam, Bernhagen and Mrs. McQuaid be added as co-authors to S.F. No. 448. The motion prevailed.

Mr. Peterson, R.W. moved that the name of Mr. DeCramer be added as a co-author to S.F. No. 557. The motion prevailed.

Mr. Pogemiller moved that the name of Mrs. McQuaid be added as a co-author to S.F. No. 647. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Kroening be added as a co-author to S.F. No. 714. The motion prevailed.

Mr. Spear moved that the name of Mr. Cohen be added as a co-author to S.F. No. 748. The motion prevailed.

Mr. Knaak moved that the name of Mr. Spear be added as a co-author to S.F. No. 750. The motion prevailed.

Mr. Frank moved that the name of Ms. Piper be added as a co-author to

S.F. No. 775. The motion prevailed.

Mr. Laidig moved that the name of Mr. Spear be added as a co-author to S.F. No. 796. The motion prevailed.

Mrs. Lantry moved that S.F. No. 352 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Governmental Operations. The motion prevailed.

GENERAL ORDERS

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

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

S.F. Nos. 169, 115, 286, 363, 117, 123, 121 and H.F. Nos. 29 and 113, which the committee recommends to pass.

S.F. No. 168, which the committee recommends to pass with the following amendments offered by Messrs. Diessner and Dahl:

Mr. Diessner moved to amend S.F. No. 168 as follows:

Page 1, line 10, delete "*This section*"

Page 1, delete line 11

The motion prevailed. So the amendment was adopted.

Mr. Dahl moved to amend S.F. No. 168 as follows:

Page 1, line 10, delete "*This section*"

Page 1, delete line 11 and insert:

"Sec. 2. [ANOKA COUNTY; PAYMENTS.]

The Anoka county board may provide procedures for the payment of all or any class of county obligations by the county auditor without presentation to the board. The procedures shall include regular and frequent review of the auditor's action by the board."

Page 1, line 13, delete "*This act*" and insert "*Section 1*"

Page 1, line 15, after the period, insert "*Section 2 is in effect the day after the Anoka county board complies with Minnesota Statutes, section 645.021, subdivision 3.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 2 and insert "relating to local government; permitting the counties of Washington and Anoka"

Page 1, line 3, delete "board"

The motion prevailed. So the amendment was adopted.

S.F. No. 206, which the committee recommends to pass with the following amendments offered by Messrs. Belanger and Peterson, R.W.:

Mr. Belanger moved to amend S.F. No. 206 as follows:

Page 4, line 3, delete "*section*" and insert "*sections*"

Page 4, delete line 4 and insert "14.39; 14.40; 14.41; 14.42; and 14.43, as Minnesota Statutes, sections 3.841; 3.842; 3.843; 3.844; and 3.845."

The motion prevailed. So the amendment was adopted.

Mr. Peterson, R.W. moved to amend S.F. No. 206 as follows:

Page 1, line 29, after the second "in" insert "each of"

The motion prevailed. So the amendment was adopted.

H.F. No. 363, which the committee reports progress, after the following motions:

Mr. Knaak moved to amend H.F. No. 363, as amended pursuant to Rule 49, adopted by the Senate February 23, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 173.)

Page 2, after line 15, insert:

"BE IT FURTHER RESOLVED by the Legislature of the State of Minnesota that it opposes the imposition of any additional federal taxes, fees or revenue enhancements and urges the President and Congress to reject any and all such proposals."

Amend the title as follows:

Page 1, line 5, before the period, insert "and to prevent the addition or increase of any federal taxes, fees or revenue enhancements"

The question was taken on the adoption of the amendment. The roll was called, and there were yeas 19 and nays 39, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Johnson, D.E.	McQuaid	Ramstad
Belanger	Decker	Knaak	Mehrkens	Renneke
Benson	Frederick	Laidig	Olson	Taylor
Bernhagen	Frederickson, D.R.	McGowan	Pariseau	

Those who voted in the negative were:

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

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

Mr. Knaak then moved to amend H.F. No. 363, as amended pursuant to Rule 49, adopted by the Senate February 23, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 173.)

Page 1, after line 25, insert:

"WHEREAS, the state of Minnesota can offer ample evidence to the federal government by citing the experience with our own motor vehicle excise tax of what happens when a tax that is supposed to be used for transportation is instead stolen for use in paying for new spending; and"

Page 2, line 4, delete "such a" and insert "unlike the motor vehicle excise tax on motor fuel"

Page 2, after line 15, insert:

“BE IT FURTHER RESOLVED by the Legislature of the State of Minnesota that it opposes the imposition of any additional state excise tax on motor fuel, particularly the Governor’s proposal to index the tax to allow it to rise without the Legislature having to vote on the increase, unless and until the entire amount raised by the motor vehicle excise tax is used for transportation purposes; and that the Legislature thus urges the President and Congress to assure adequate federal funding of highways by releasing all of the trust fund dollars to the states.”

Amend the title as follows:

Page 1, line 5, before the period, insert “and to assure adequate federal funding of highways”

Mr. Frederick moved to amend the second Knaak amendment to H.F. No. 363 as follows:

Page 1, line 21, before the semicolon, insert “and distributed fairly to the towns, cities, and counties, as well as to the state”

Mr. Dahl questioned whether the amendment was germane.

The President ruled that the amendment was germane.

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

The roll was called, and there were yeas 20 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Gustafson	McGowan	Pariseau
Belanger	Decker	Johnson, D.E.	McQuaid	Ramstad
Benson	Frederick	Knaak	Mehrkens	Storm
Bernhagen	Frederickson, D.R.	Laidig	Olson	Taylor

Those who voted in the negative were:

Adkins	Davis	Kroening	Moe, R.D.	Reichgott
Berg	DeCramer	Langseth	Morse	Samuelson
Berglin	Dicklich	Lantry	Novak	Schmitz
Bertram	Diessner	Lessard	Peterson, D.C.	Spear
Brandl	Frank	Luther	Peterson, R.W.	Vickerman
Chmielewski	Frederickson, D.J.	Marty	Piper	Waldorf
Cohen	Freeman	Merriam	Pogemiller	
Dahl	Johnson, D.J.	Metzen	Purfeerst	

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

Mr. Johnson, D.J. moved to amend the second Knaak amendment to H.F. No. 363 as follows:

Page 1, line 9, after the second “tax” insert “which was imposed by a Republican controlled Legislature and Republican Governor,”

The question was taken on the adoption of the Johnson, D.J. amendment to the second Knaak amendment.

The roll was called, and there were yeas 37 and nays 5, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Gustafson	Moe, R.D.	Ramstad
Anderson	Davis	Johnson, D.E.	Morse	Reichgott
Beckman	DeCramer	Johnson, D.J.	Novak	Samuelson
Benson	Dicklich	Kroening	Olson	Schmitz
Berglin	Diessner	Langseth	Peterson, D.C.	Waldorf
Bertram	Frank	McGowan	Piper	
Chmielewski	Frederickson, D.J.	McQuaid	Pogemiller	
Cohen	Freeman	Metzen	Purfeerst	

Those who voted in the negative were:

Belanger	Decker	Merriam	Peterson, R.W.	Storm
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The motion prevailed. So the amendment to the second Knaak amendment was adopted.

H.F. No. 363 was then progressed.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Ms. Piper, Messrs. Brandl; Johnson, D.J.; Knutson and Benson introduced—

S.F. No. 802: A bill for an act relating to health; establishing a state board of physical therapy; providing licensing requirements for physical therapists; amending Minnesota Statutes 1988, sections 148.66; 148.67; 148.70; 148.705; 148.71; 148.72, subdivisions 1, 2, and 4; 148.73; 148.74; 148.75; 148.76; and 148.78; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Human Services.

Mr. Freeman introduced—

S.F. No. 803: A bill for an act relating to retirement; authorizing certain members of the public employees retirement association to change beneficiaries.

Referred to the Committee on Governmental Operations.

Messrs. Marty, Spear and Luther introduced—

S.F. No. 804: A bill for an act relating to landlord and tenant; authorizing emergency proceeding for loss of essential services; proposing coding for new law in Minnesota Statutes, chapter 566.

Referred to the Committee on Economic Development and Housing.

Messrs. Luther; Pogemiller; Merriam; Peterson, R.W. and Laidig introduced—

S.F. No. 805: A bill for an act relating to public defender system; updating law governing public defenders; repealing obsolete law governing public defenders; requiring a person requesting appointment of a public defender to submit a financial statement to the court; raising the limits for payment for expert services; amending Minnesota Statutes 1988, sections 611.17;

611.21; and 611.215, subdivision 2; repealing Minnesota Statutes 1988, sections 611.07; 611.071; and 611.25, subdivision 2.

Referred to the Committee on Judiciary.

Ms. Reichgott introduced—

S.F. No. 806: A bill for an act relating to retirement; volunteer firefighters; reducing the service requirement for eligibility for a service pension from ten years to five years; amending Minnesota Statutes 1988, section 424A.02, subdivisions 1, 2, 7, and 13.

Referred to the Committee on Governmental Operations.

Mr. Frank and Mrs. Lantry introduced—

S.F. No. 807: A bill for an act relating to traffic regulations; repealing provisions on nonrecording of certain speeding violations on driving records; repealing Minnesota Statutes 1988, sections 169.99, subdivision 1b; and 171.12, subdivision 6.

Referred to the Committee on Transportation.

Mr. Cohen introduced—

S.F. No. 808: A bill for an act relating to credit unions; authorizing the elimination or limitation of a director's liability in certain circumstances; amending Minnesota Statutes 1988, section 52.09, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Spear, Cohen, Ramstad, Stumpf and Ms. Reichgott introduced—

S.F. No. 809: A bill for an act relating to juveniles; including emotionally abused children among children in need of protection or services; amending Minnesota Statutes 1988, section 260.015, subdivision 2a, and by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Knutson, Ms. Berglin, Mr. McGowan and Mrs. Pariseau introduced—

S.F. No. 810: A bill for an act relating to human services; allowing culturally specific vendors to assess the chemical dependency treatment needs of persons who do not fit the culturally specific population; amending Minnesota Statutes 1988, section 254B.03, subdivision 1.

Referred to the Committee on Health and Human Services.

Mr. Laidig introduced—

S.F. No. 811: A bill for an act relating to local government; expanding the purpose for the use of certain dedicated cash payments under the municipal planning law; amending Minnesota Statutes 1988, section 462.358, subdivision 2b.

Referred to the Committee on Local and Urban Government.

Messrs. Mehrkens, Frederick, Knutson, Mrs. Pariseau and Mr. Morse introduced—

S.F. No. 812: A bill for an act relating to the environment; providing for compensation to local government units affected by unlawful wastewater discharge; amending Minnesota Statutes 1988, section 115.071, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Mr. Morse introduced—

S.F. No. 813: A bill for an act relating to retirement; police state aid; allowing counties and municipalities to use excess police state aid amounts for employee and retiree health insurance purposes; amending Minnesota Statutes 1988, section 69.031, subdivision 5.

Referred to the Committee on Governmental Operations.

Messrs. Morse, Stumpf and Novak introduced—

S.F. No. 814: A bill for an act relating to taxation; exempting certain planting services from the sales tax; providing that sales of shrubbery, plants, sod, and trees through contracts for their installation are treated as contracts for improvement of real property; amending Minnesota Statutes 1988, section 297A.01, subdivisions 3 and 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Morse, Samuelson and Vickerman introduced—

S.F. No. 815: A bill for an act relating to human services; extending the date for phasing out community work experience program; amending Minnesota Statutes 1988, section 256.737, subdivision 1.

Referred to the Committee on Health and Human Services.

Messrs. Merriam, Frank and Dahl introduced—

S.F. No. 816: A bill for an act relating to economic development; designating a medical enterprise park opportunity zone in the city of Coon Rapids; providing tax benefits for the zone; appropriating money.

Referred to the Committee on Economic Development and Housing.

Messrs. Merriam; Frederickson, D.R.; Berg and Novak introduced—

S.F. No. 817: A bill for an act relating to game and fish; authorizing designation of trophy northern pike waters; repealing certain restrictions on winter fishing; amending Minnesota Statutes 1988, section 97C.011; repealing Minnesota Statutes 1988, section 97C.385.

Referred to the Committee on Environment and Natural Resources.

Mr. Morse, Ms. Reichgott, Messrs. Frank, Merriam and Renneke introduced—

S.F. No. 818: A bill for an act relating to retirement; public employees retirement association; excluding volunteer firefighters from membership; amending Minnesota Statutes 1988, section 353.01, subdivision 2b.

Referred to the Committee on Governmental Operations.

Messrs. Cohen and Metzen introduced—

S.F. No. 819: A bill for an act relating to food; changing the liability of donors of distressed food; amending Minnesota Statutes 1988, section 31.50, subdivisions 2 and 3.

Referred to the Committee on Commerce.

Mr. Anderson introduced—

S.F. No. 820: A bill for an act relating to sentencing; directing the sentencing guidelines commission to study sanctions imposed upon violent sexual offenders.

Referred to the Committee on Judiciary.

Mr. Cohen introduced—

S.F. No. 821: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws; amending Minnesota Statutes 1988, chapters 226; 230; 233; 234; 235; 236; and 366, as amended.

Referred to the Committee on Judiciary.

Messrs. Benson, Storm, Larson, Decker and Mrs. Pariseau introduced—

S.F. No. 822: A bill for an act relating to taxation; income; providing a credit for long-term care policy premiums; appropriating money; amending Minnesota Statutes 1988, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson, Decker, Larson and Mehrkens introduced—

S.F. No. 823: A bill for an act relating to retirement; allowing an optional annuity based upon statewide average salaries for members of the teachers retirement association; amending Minnesota Statutes 1988, section 354.44, subdivision 6.

Referred to the Committee on Governmental Operations.

Messrs. Dahl; Beckman; Moe, R.D. and Merriam introduced—

S.F. No. 824: A bill for an act relating to the environment; requiring labeling of CFC-processed materials and materials containing CFC's; restricting use of CFC's unless approved; requiring recovery of CFC's from refrigeration units; imposing a tax on raw CFC; providing penalties; amending Minnesota Statutes 1988, sections 116.70, subdivision 2; and 116.74; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Mr. Chmielewski introduced—

S.F. No. 825: A bill for an act relating to retirement; public employees retirement association; adding employees of the Minnesota association of townships as members; amending Minnesota Statutes 1988, section 353.01, subdivision 2a.

Referred to the Committee on Governmental Operations.

Mrs. Lantry, Messrs. Novak, Mehrkens and Purfeerst introduced—

S.F. No. 826: A bill for an act relating to motor vehicles; requiring owner to retain certificate of title, rather than secured party; requiring buyer to deliver certificate of title to department of public safety; allowing commissioner of public safety to suspend or revoke certificate of title if owner does not surrender it and vehicle is involuntarily transferred; amending Minnesota Statutes 1988, sections 168A.02, subdivision 1; 168A.04, subdivision 2; 168A.05, subdivision 5; 168A.06; 168A.09; 168A.10; 168A.11, subdivision 1; 168A.12, subdivision 2; 168A.14; 168A.18; 168A.20, subdivision 1, and by adding subdivisions; 168A.23, subdivision 1; repealing Minnesota Statutes 1988, sections 168A.26; 168A.27; and 168A.28.

Referred to the Committee on Transportation.

Messrs. Cohen, Hughes, Ramstad, McGowan and Laidig introduced—

S.F. No. 827: A bill for an act relating to public safety; increasing membership on advisory council for the children's trust fund; amending Minnesota Statutes 1988, section 299A.23, subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Freeman; Frederickson, D.J.; Frederickson, D.R.; Pehler and Dicklich introduced—

S.F. No. 828: A bill for an act relating to retirement; changing benefit provisions in the public employees retirement association police and fire plan; amending Minnesota Statutes 1988, sections 353.30, by adding a subdivision; 353.651, subdivision 3, and by adding a subdivision; 353.656, subdivisions 1 and 3; and 353.657, subdivisions 2 and 3.

Referred to the Committee on Governmental Operations.

Mr. Freeman introduced—

S.F. No. 829: A bill for an act relating to insurance; prohibiting insurers from maintaining subrogation actions against insureds; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce.

Messrs. Luther; Peterson, R.W.; Freeman; Ms. Reichgott and Mr. Solon introduced—

S.F. No. 830: A bill for an act relating to courts; raising the jurisdictional limit on claims heard in conciliation court; amending Minnesota Statutes 1988, sections 487.30, subdivision 1; 488A.12, subdivision 3; 488A.14, subdivision 6; 488A.29, subdivision 3; and 488A.31, subdivision 6.

Referred to the Committee on Judiciary.

Messrs. DeCramer, Bernhagen and Ms. Peterson, D.C. introduced—

S.F. No. 831: A bill for an act relating to counties; permitting county appropriations for the arts; amending Minnesota Statutes 1988, section 375.18, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

Mr. Dicklich introduced—

S.F. No. 832: A bill for an act relating to employment; providing training and employment for low-income seniors; creating a hospitality host older worker tourism promotion program; prescribing duties for the commissioner of the department of jobs and training; proposing coding for new law in Minnesota Statutes, chapter 268.

Referred to the Committee on Employment.

Mr. Dicklich introduced—

S.F. No. 833: A bill for an act relating to independent school district No. 701; authorizing a permanent transfer from the pupil transportation fund reserved for bus purchases.

Referred to the Committee on Education.

Mrs. Lantry, Messrs. Solon, Purfeerst, Mrs. McQuaid and Mr. Cohen introduced—

S.F. No. 834: A bill for an act relating to consumer protection; requiring new motor vehicle damage disclosures; amending Minnesota Statutes 1988, sections 168A.04, subdivisions 1 and 4; and 168A.05, subdivisions 3 and 5; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Mr. Davis introduced—

S.F. No. 835: A bill for an act relating to mechanics' liens; allowing owner to request statement of actual charges; requiring subcontractor to make good faith estimate of charges; amending Minnesota Statutes 1988, section 514.011, subdivision 2.

Referred to the Committee on Judiciary.

Mses. Piper, Berglin, Messrs. Brandl, Benson and Mrs. Lantry introduced—

S.F. No. 836: A bill for an act relating to human services; providing requirements for licensing under the human services licensing act; amending Minnesota Statutes 1988, sections 144A.01, subdivision 5; 245.73, subdivisions 1 and 2; 245A.02, subdivisions 3, 9, 10, 14, and by adding a subdivision; 245A.03, subdivisions 1, 2, and 3; 245A.04, subdivisions 1, 3, 5, 6, 7, and by adding subdivisions; 245A.06, subdivisions 1, 5, and by adding a subdivision; 245A.07, subdivision 2; 245A.08, subdivision 5; 245A.12; 245A.13; 245A.14, subdivision 3; and 245A.16, subdivision 1.

Referred to the Committee on Health and Human Services.

Mr. Chmielewski introduced—

S.F. No. 837: A bill for an act relating to health; prohibiting abortions when states are given authority to regulate abortions by the United States Supreme Court, United States Congress, or by constitutional amendment; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 1988, sections 145.411; 145.412; 145.413; 145.414; 145.415; and 145.416.

Referred to the Committee on Health and Human Services.

Mr. Chmielewski introduced—

S.F. No. 838: A bill for an act relating to motor vehicles; providing for special license plates for disabled persons; setting fee for duplicate personalized license plates; amending Minnesota Statutes 1988, sections 168.011, subdivision 4; 168.012, subdivisions 1 and 3a; 168.021; 168.12, subdivision 2a; 168.125, subdivision 2; 168.27, subdivision 2; 168.29; 169.01, subdivision 24a; 169.215; 169.345; and 169.346; repealing Minnesota Statutes 1988, section 168.12, subdivisions 3 and 4.

Referred to the Committee on Transportation.

Mr. Chmielewski introduced—

S.F. No. 839: A bill for an act relating to workers' compensation; providing coverage for preventive rabies treatment; amending Minnesota Statutes 1988, section 176.135, subdivision 1.

Referred to the Committee on Employment.

Ms. Piper, Mrs. Adkins, Ms. Berglin, Mrs. Brataas and Mr. Vickerman introduced—

S.F. No. 840: A bill for an act relating to human services; defining persons with related conditions to include persons with prader-willi syndrome; amending Minnesota Statutes 1988, section 252.27, subdivision 1.

Referred to the Committee on Health and Human Services.

Messrs. Solon, Samuelson, Decker, Mmes. Lantry and Brataas introduced—

S.F. No. 841: A bill for an act relating to human services; providing for direct payment of per diems to battered women's shelters; amending Minnesota Statutes 1988, section 256.01, subdivision 2, and by adding subdivisions; repealing Minnesota Statutes 1988, section 256D.05, subdivisions 3 and 3a.

Referred to the Committee on Health and Human Services.

Messrs. Frank and Diessner introduced—

S.F. No. 842: A bill for an act relating to unemployment compensation; adjusting the minimum tax; amending Minnesota Statutes 1988, section 268.06, subdivision 8.

Referred to the Committee on Employment.

Messrs. Kroening; Metzen; Frederickson, D.J.; Pehler and Renneke introduced—

S.F. No. 843: A bill for an act relating to retirement; local police and salaried firefighters' relief associations; authorizing annual postretirement payments based on investment performance; adjusting certain requirements governing the preparation of actuarial valuations and the calculation of municipal funding requirements; amending Minnesota Statutes 1988, sections 69.031, subdivision 5; 69.77, subdivision 2b; 356.216; and 423A.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 423A.

Referred to the Committee on Governmental Operations.

Messrs. Freeman, Chmielewski, Solon, Mrs. Lantry and Mr. Renneke introduced—

S.F. No. 844: A bill for an act relating to youth employment; directing the commissioner of jobs and training to provide transitional services linking basic skills and remedial education to job training; appropriating money; amending Minnesota Statutes 1988, section 268.31.

Referred to the Committee on Employment.

Mr. Luther introduced—

S.F. No. 845: A bill for an act relating to metropolitan government; providing a salary range and specifying responsibilities for the chair of the waste control commission; amending Minnesota Statutes 1988, sections 15A.081, subdivisions 1 and 7; and 473.141, subdivision 3.

Referred to the Committee on Local and Urban Government.

Mr. Frederickson, D.R. introduced—

S.F. No. 846: A bill for an act relating to state lands; authorizing conveyance of surplus state real property to Leo A. Hoffmann Center, Inc.

Referred to the Committee on Environment and Natural Resources.

Mr. Samuelson introduced—

S.F. No. 847: A bill for an act relating to transportation; deregulating persons who provide transportation service under contract to and with assistance from the department of transportation; amending Minnesota Statutes 1988, sections 221.022; 221.025; and 221.031, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. DeCramer and Frederickson, D.J. introduced—

S.F. No. 848: A bill for an act relating to cooperatives; recodifying and clarifying certain provisions on cooperative businesses; amending certain provisions of cooperative business law; requiring a registered officer or agent for cooperatives; authorizing cooperatives to provide greater approval proportions than provided in statute for certain cooperative actions; providing corporate existence of cooperative begins with filing of articles; authorizing loans to and fiduciary powers with members; specifying how

vacancies in unexpired directors' terms may be filled; authorizing the board to rescind membership for member violations; eliminating certain filings with county recorders; eliminating attorney general approval of articles of merger or consolidation; prescribing a fee for filing articles of consolidation; prescribing a procedure for dissolution of cooperatives; deeming certain organized cooperatives to be organized under and subject to this act; amending Minnesota Statutes 1988, sections 47.20, subdivision 2; 117.232, subdivision 1; 216B.027, subdivision 5; 237.075, subdivision 9; 273.124, subdivisions 3 and 6; 273.132, subdivision 5; 363.01, subdivision 32; and 500.20, subdivision 2a; proposing coding for new law as Minnesota Statutes, chapter 308A; repealing Minnesota Statutes 1988, sections 308.01 to 308.92.

Referred to the Committee on Judiciary.

Ms. Reichgott, Messrs. Beckman; Frederickson, D.J.; Vickerman and Marty introduced—

S.F. No. 849: A bill for an act relating to crimes; controlled substances; imposing a mandatory minimum sentence for certain felonies committed with an illegal weapon; increasing the penalties for selling controlled substances to children and for selling or possessing controlled substances in a drug-free school zone; expanding the drug-free school zone to the area within 1,000 feet of a school; providing that public safety be considered by the sentencing guidelines commission in modifying the sentencing guidelines; lowering the threshold amounts of controlled substances required for forfeiture of vehicles and real property; requiring courts to order the forfeiture of property used in controlled substance offenses; amending Minnesota Statutes 1988, sections 244.09, subdivision 5; 609.11, by adding a subdivision; 609.5311, subdivision 3; 609.5314, subdivision 1; and 609.5315, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1988, section 152.15, subdivision 4a.

Referred to the Committee on Judiciary.

Ms. Peterson, D.C. introduced—

S.F. No. 850: A bill for an act relating to education; appropriating money for school bus safety programs.

Referred to the Committee on Education.

Messrs. Spear, Marty, Merriam, Pogemiller and Belanger introduced—

S.F. No. 851: A bill for an act relating to driving while intoxicated; making it a crime for certain repeat offenders to refuse to submit to chemical testing under the implied consent law; imposing penalties; amending Minnesota Statutes 1988, sections 169.121, subdivisions 1, 1a, 3, and 3b; and 169.123, subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Langseth; Moe, R.D and Purfeerst introduced—

S.F. No. 852: A bill for an act relating to transportation; changing distribution of highway user taxes; authorizing use of state park road account

to improve and maintain town roads that provide immediate access to state parks and campgrounds; increasing motor vehicle license tax on older vehicles; increasing dealer's motor vehicle tax; eliminating use of dealer plates by other family members; providing for annual adjustment of gasoline tax rate; reducing shrinkage allowance; transferring an additional ten percent of motor vehicle excise tax receipts for highways and transit; authorizing sale of state transportation bonds; appropriating money; amending Minnesota Statutes 1988, sections 161.081; 161.082, subdivision 2a; 162.06, subdivision 5; 168.013, subdivision 1a; 168.27, subdivision 16; 296.02, subdivision 1b, and by adding a subdivision; 296.14, subdivision 1; and 297B.09, subdivision 1; Laws 1979, chapter 280, sections 1 and 2, as amended.

Referred to the Committee on Transportation.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Monday, March 6, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate