

FORTY-FIRST DAY

St. Paul, Minnesota, Friday, April 28, 1989

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. William H. Kelvington.

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

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

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 communications were received.

April 14, 1989

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 1989 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.	Time and Date Approved 1989	Date Filed 1989
	1586	41	1635 hours April 21	April 21

Sincerely,
Joan Anderson Growe
Secretary of State

April 19, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 916 and 156.

Sincerely,
Rudy Perpich, Governor

April 20, 1989

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 1989 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.	Time and Date Approved 1989	Date Filed 1989
916		42	2055 hours April 19	April 19
	321	43	2058 hours April 19	April 19
156		44	2057 hours April 19	April 19

Sincerely,
Joan Anderson Growe
Secretary of State

April 24, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 115, 192, 358, 560 and 681.

Sincerely,
Rudy Perpich, Governor

April 25, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received and deposited in the Office of the Secretary of State, S.F. No. 1051.

Sincerely,
Rudy Perpich, Governor

April 25, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 271, 332, 478 and 1080.

Sincerely,
Rudy Perpich, Governor

April 25, 1989

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 1989 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.	Time and	Date Filed 1989
			Date Approved 1989	
681		47	2131 hours April 24	April 25
358		49	2143 hours April 24	April 25
192		50	2145 hours April 24	April 25
560		52	2147 hours April 24	April 25
115		53	2149 hours April 24	April 25

Sincerely,
Joan Anderson Growe
Secretary of State

April 26, 1989

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 1989 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.	Time and Date Approved 1989	Date Filed 1989
1051		Res. No. 3		April 25
271		45	1656 hours April 25	April 25
332		46	1654 hours April 25	April 25
1080		48	1658 hours April 25	April 25
478		51	1659 hours April 25	April 25

Sincerely,
Joan Anderson Growe
Secretary of State

April 26, 1989

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 294 and 361.

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 Files, herewith returned: S.F. Nos. 123 and 671.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1989

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. 206: A bill for an act relating to state government; administrative procedures; regulating exempt rules; making certain technical changes; amending Minnesota Statutes 1988, sections 14.40; and 97A.051, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1988, sections 97A.051, subdivision 3; 144A.10, subdivision 6a; 174.031, subdivision 2; 254B.03, subdivision 6; 254B.04, subdivision 2; 257.357; and 574.262, subdivision 3; Laws 1985, chapter 4, section 8; and Laws 1987, chapter 337, section 128.

Senate File No. 206 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1989

Mr. Belanger moved that S.F. No. 206 be laid on the table. The motion prevailed.

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. 695: A bill for an act relating to education; requiring school boards to report certain teacher discharges and resignations to the board of teaching; providing for immunity from liability; amending Minnesota Statutes 1988, section 125.09, by adding subdivisions.

Senate File No. 695 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1989

Mr. Moe, R.D. moved that S.F. No. 695 be laid on the table. The motion prevailed.

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. 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.

Senate File No. 827 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1989

Mr. Cohen moved that S.F. No. 827 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 7: A Senate concurrent resolution commending retiring University of Minnesota Regents: the Honorable Wally Hilke, the Honorable David M. Lebedoff, the Honorable Charles F. McGuigan, and the Honorable Wenda W. Moore.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1989

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, AS AMENDED by the House:

Senate Concurrent Resolution No. 8: A Senate concurrent resolution adopting permanent joint rules of the Senate and House of Representatives.

Senate Concurrent Resolution No. 8 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 27, 1989

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 8 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 2: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 27, 1989

House Concurrent Resolution No. 2: A House concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

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

The House of Representatives and the Senate shall meet in joint convention on Wednesday, May 3, 1989, at 12 o'clock, noon in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

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

Mr. President:

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

S.F. No. 104: A bill for an act relating to agriculture; making changes in the rural finance authority loan program; amending Minnesota Statutes 1988, sections 41B.02, subdivisions 12, 15, and 18; 41B.03, subdivision

3, and by adding a subdivision; 41B.039, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 41B; repealing Minnesota Statutes 1988, sections 41B.03, subdivision 4; and 41B.039, subdivisions 3, 4, and 5.

There has been appointed as such committee on the part of the House: Winter, Steensma and Dille.

Senate File No. 104 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 27, 1989

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 46:

H.F. No. 46: A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; providing for deficiencies in and supplementing appropriations for the expenses of state government; authorizing issuance of state bonds; providing for the maximum effort school loan program and the cooperative secondary facilities grant program; clarifying the definition of mental health service provider and providing for a fee for the providers; clarifying requirements of manufactured home parks in certain cases; reducing certain bond sales authorizations; distributing the proceeds of certain litigation; increasing authorizations for certain state transportation bonds; increasing the allocation for bridges to political subdivisions; providing for certain adjustment grants; approving a capital loan; appropriating money; amending Minnesota Statutes 1988, sections 116.18, subdivision 3d; 124.477; 124.493, subdivision 1; 124.494, subdivisions 1, 2, and 4; 124.495; 129B.72, subdivision 2, and by adding a subdivision; 129B.73, subdivision 4, and by adding a subdivision; 148B.40, subdivision 3; 148B.42, by adding a subdivision; 327.20, subdivision 1; and Laws 1979, chapter 280, sections 1 and 2, as amended; proposing coding for new law in Minnesota Statutes, chapter 129B; repealing Laws 1987, chapter 400, section 59, as amended; and Laws 1988, chapter 686, article 1, section 37, subdivision 10.

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

Anderson, G.; Anderson, R.; Carlson, L.; Dorn and Krueger have been appointed as such committee on the part of the House.

House File No. 46 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 27, 1989

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 46, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees

on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 647, 949, 909, 1581, 1574, 729, 1131, 1506, 333, 700 and 1150.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 27, 1989

FIRST READING OF HOUSE BILLS

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

H.F. No. 647: A bill for an act relating to crimes; prohibiting the intentional distribution of destructive computer programs; imposing penalties; amending Minnesota Statutes 1988, sections 609.87, by adding a subdivision; and 609.88, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 155, now on General Orders.

H.F. No. 949: A bill for an act relating to traffic safety; increasing penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation or for another impaired driving crime; amending Minnesota Statutes 1988, section 169.121, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 735, now on the Calendar.

H.F. No. 909: 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 Rules and Administration for comparison with S.F. No. 839, now on General Orders.

H.F. No. 1581: A bill for an act relating to commerce; securities regulation; exempting certain over-the-counter securities from registration requirements; amending Minnesota Statutes 1988, section 80A.15, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1376, now on General Orders.

H.F. No. 1574: A bill for an act relating to corporations; providing that the control share acquisition and business combination statutes apply to certain corporations unless they elect not to be covered; clarifying application of the statutes; reducing the period of time that business combinations may be regulated from five years to four years; eliminating procedures for the use of committees to determine whether a corporation should pursue certain legal remedies; providing that meeting notices do not have to be sent to shareholders when mail has been returned undeliverable; amending Minnesota Statutes 1988, sections 302A.011, subdivisions 41 and 49;

302A.111, subdivision 3; 302A.161, subdivision 17; 302A.241, subdivision 1; 302A.251, subdivision 2; 302A.435, subdivision 1; 302A.671, subdivision 1; and 302A.673, subdivisions 1 and 3; repealing Minnesota Statutes 1988, section 302A.243.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 190, now on General Orders.

H.F. No. 729: A bill for an act relating to marriage dissolution; requiring courts to consider the existence of domestic abuse in determining whether to award joint custody; providing for the appointment of visitation expeditors to resolve ongoing visitation disputes; providing for visitation by persons who have resided with a child; providing that either parent may request visitation rights on behalf of the child; requiring the court to restrict or modify visitation under certain circumstances; permitting agreements about modification of maintenance; amending Minnesota Statutes 1988, sections 257.022, by adding a subdivision; 518.17, subdivision 2; 518.175, subdivisions 1 and 5; 518.552, by adding a subdivision; and 518.58, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 573, now on General Orders.

H.F. No. 1131: A bill for an act relating to Olmsted county; authorizing certain appropriations for economic and agricultural development.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 941, now on General Orders.

H.F. No. 1506: A bill for an act relating to commerce; regulating certain rentals of real property, membership camping practices, and subdivided land sales; amending Minnesota Statutes 1988, sections 82A.02, by adding a subdivision; 82A.04, subdivision 2; 82A.13, subdivision 2; 83.20, by adding a subdivision; and 83.30, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1359, now on General Orders.

H.F. No. 333: A bill for an act relating to recreational vehicles; regulating all-terrain vehicles; setting fees; revising liability provisions regarding county administered lands, recreational areas and the Minnesota zoological garden; imposing a penalty; amending Minnesota Statutes 1988, sections 3.736, subdivision 3; 84.92, subdivision 1, and by adding subdivisions; 84.922, subdivisions 1 and 5, and by adding subdivisions; 84.924, subdivision 3; 84.9256, subdivisions 1, 2, and 3; 84.928, subdivisions 1, 2, and 6; 84.929; 169.02, subdivision 1; and 171.03; repealing Minnesota Statutes 1988, sections 84.922, subdivision 8; 84.925, subdivision 2; 84.928, subdivision 7; and 466.03, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 124.

H.F. No. 700: A bill for an act relating to crimes; increasing penalties for certain crimes when committed because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability, age, political affiliation, membership or lack of membership in a labor union, or national origin; increasing penalties for using the mail or making telephone calls and falsely impersonating another for the purpose of harassing, abusing, or threatening another person; amending Minnesota Statutes 1988, sections 609.2231, by adding a subdivision; 609.595, subdivisions

2, 3, and by adding a subdivision; 609.605, by adding a subdivision; 609.746, by adding a subdivision; 609.79, by adding a subdivision; and 609.795.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 412, now on General Orders.

H.F. No. 1150: A bill for an act relating to the collection, access to, and dissemination of data; proposing classifications of data as private, confidential, nonpublic, and protected nonpublic; regulating classification of and access to certain data and meetings; clarifying classification of data; establishing an internal audit function with access to state agency data; clarifying what data on juveniles may be made available to the public; amending Minnesota Statutes 1988, sections 13.02, subdivision 9; 13.10, subdivision 1; 13.32, subdivisions 3 and 5; 13.41, by adding a subdivision; 13.46, subdivision 8; 13.64; 13.82, subdivisions 8 and 10; 16A.055, subdivision 1; 144.581, by adding a subdivision; 245.94, subdivision 1; 260.161, subdivision 3; and 340A.503, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 974.

REPORTS OF COMMITTEES

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

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

S.F. No. 963: A bill for an act relating to health; providing identification cards to persons requiring special diets; exempting persons requiring special diets from public facility prohibitions on outside food and drink; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

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

S.F. No. 1548: A bill for an act relating to public safety; changing the definition of "dwelling"; authorizing more stringent local smoke detector requirements; creating the position of public fire safety educator; appropriating money; amending Minnesota Statutes 1988, section 299F362, subdivisions 1, 9, and by adding a subdivision.

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

Page 2, after line 12, insert:

"Sec. 2. Minnesota Statutes 1988, section 299F362, is amended by adding a subdivision to read:

Subd. 3a. [NEW CONSTRUCTION; DWELLINGS.] In new construction of a dwelling, each smoke detector must be attached to a centralized

power source.

Sec. 3. Minnesota Statutes 1988, section 299F362, subdivision 6, is amended to read:

Subd. 6. [PENALTIES.] (a) Any person who violates any provision of this section shall be subject to the same penalty ~~incurred and the enforcement mechanism that is provided~~ for violation of the uniform fire code, as specified in section 299F011, subdivision 6.

(b) An occupant who willfully disables a smoke detector or causes it to be nonfunctioning, resulting in damage or injury to persons or property, is guilty of a misdemeanor.

Sec. 4. Minnesota Statutes 1988, section 299F362, subdivision 7, is amended to read:

Subd. 7. [LOCAL UNITS OF GOVERNMENT; VARIANCES.] This section prohibits a local unit of government from adopting standards different from those provided in this section; ~~except that, as to new construction, a local unit of government may require that smoke detectors be attached to a centralized electrical power source.~~

Page 2, line 35, delete "3" and insert "6"

Page 2, after line 35, insert:

"Sec. 8. [REPEALER.]

Section 6 is repealed June 30, 1991.

Sec. 9. [EFFECTIVE DATE.]

Sections 6 and 7 are effective July 1, 1989. Section 2 is effective August 1, 1989, for construction of dwellings begun on or after that date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring certain types of smoke detectors in new construction;"

Page 1, line 7, after "1," insert "6, 7," and delete "a subdivision" and insert "subdivisions"

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

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 1307: A bill for an act relating to agriculture; establishing an agricultural liming material law; appropriating money; prescribing penalties; amending Minnesota Statutes 1988, section 17.7242, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1988, sections 17.7241; 17.7244; and 17.7246.

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

Delete everything after the enacting clause and insert:

"Section 1. [APPROPRIATION.]

\$140,000 is appropriated from the general fund to the commissioner of agriculture for purposes of the demonstration project and study of industry by-product soil buffering materials, to be available until June 30, 1991. The complement of the department of agriculture is increased by one position."

Delete the title and insert:

"A bill for an act relating to agriculture; appropriating money for a demonstration project and study of soil buffering materials."

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

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

S.F. No. 1202: A bill for an act relating to metropolitan government; restructuring the regional transit board and the metropolitan transit commission; directing the board to plan and coordinate light rail transit systems in the metropolitan area; directing the commission to operate any light rail transit systems; transferring responsibility for distribution of the transit assistance fund and for receipt of federal grants to the board; requiring a transit delivery study; amending Minnesota Statutes 1988, sections 174.32, subdivision 2; 473.169, subdivisions 3, 4, 5, and by adding subdivisions; 473.373, by adding a subdivision; 473.375, subdivision 8, and by adding a subdivision; 473.404, subdivisions 2 and 3; and 473.4051; repealing Minnesota Statutes 1988, sections 473.1691; 473.17; 473.373, subdivision 4; and 473.398.

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

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 1988, section 275.50, subdivision 2, is amended to read:

Subd. 2. [GOVERNMENTAL SUBDIVISION.] (a) "Governmental subdivision" means a county, a home rule charter city, or a statutory city, except a home rule charter or statutory city that has a population of less than 2,500 according to the most recent federal census.

(b) "Governmental subdivision" also includes any home rule charter or statutory city or town that receives a distribution from the taconite municipal aid account in the levy year.

(c) "Governmental subdivision" also includes a regional rail authority.

Sec. 3. Minnesota Statutes 1988, section 275.51, subdivision 3f, is amended to read:

Subd. 3f. [LEVY LIMIT BASE.] (a) The property tax levy limit base for governmental subdivisions for taxes levied in 1988 shall be equal to the total actual levy for taxes payable in 1988 plus the amount of any payments the governmental subdivision was certified to receive in 1988 under sections 477A.011 to 477A.014 and minus any special levies claimed for taxes payable in 1988 pursuant to Laws 1987, chapter 268, article 5, section 12, subdivision 4, clauses (1), (2), (3), and (4). A county's levy limit base will be increased by the amount of any increase in its levy under

section 134.07 over that levied under section 134.07 for taxes payable in 1988 which is required under section 134.341. For governmental subdivisions located in the seven-county metropolitan area, the total actual levy for taxes payable in 1988 shall include the fiscal disparities distribution levy pursuant to Minnesota Statutes 1986, section 473F08, subdivision 7a.

(b) *Except as provided in paragraph (c), for taxes levied in 1989 and subsequent years, a governmental subdivision's levy limit base is equal to its adjusted levy limit base for the preceding year not including the adjustment made under subdivision 3h, paragraph (c), plus for taxes levied in 1989 the administrative reimbursement aid received in 1988.*

(c) *For taxes levied in 1989, the levy limit base of a governmental subdivision defined in section 275.50, subdivision 2, paragraph (c), is its levy for taxes levied in 1988, payable in 1989.*"

Page 4, line 15, delete "A"

Page 4, delete lines 16 to 20

Page 9, lines 3, 4, and 15, delete "8" and insert "10"

Page 9, line 17, delete "12" and insert "14"

Page 9, lines 18 and 19, delete "11" and insert "13"

Page 10, delete section 16

Page 11, line 4, delete "to 17" and insert "and 4 to 18"

Page 11, line 6, after the period, insert "*Sections 2 and 3 are effective for taxes levied in 1989, payable in 1990, and thereafter.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after the semicolon, insert "imposing levy limitations on regional rail authorities;"

Page 1, line 11, after the semicolon, insert "275.50, subdivision 2; 275.51, subdivision 3f;"

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

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

H.F. No. 1498: A bill for an act relating to telecommunications devices for communication-impaired people; requiring the metropolitan airports commission and certain bus stations to provide telecommunications devices for communication-impaired people; amending Minnesota Statutes 1988, section 473.608, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256C.

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

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

H.F. No. 1108: A bill for an act relating to agriculture; changing a provision that allows averaging of certain multiple loads of grain; amending Minnesota Statutes 1988, section 17B.048.

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

Page 1, line 14, before "with" insert "grain"

Page 1, line 19, delete everything after the headnote

Page 1, delete lines 20 and 21

Page 1, line 22, delete everything before "The" and insert "A business licensed to buy or receive grain must post the following notice in a conspicuous place. The notice must be at least 8-1/2 by 11 inches in size with letters at least one-half inch in size stating: "UNDER MINNESOTA STATUTES, SECTION 17B.048, A PURCHASER AND A SELLER OF GRAIN MAY, BY MUTUAL AGREEMENT, AVERAGE THE MEASUREMENTS FROM MULTIPLE LOADS OF ACCEPTABLE QUALITY GRAIN WITH RESPECT TO THOSE FACTORS USED TO DETERMINE PRICE.""

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

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

H.F. No. 1540 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1540	1396				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1389 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1389	1341				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1354 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.
1354	1169				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1354 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1354 and insert the language after the enacting clause of S.F. No. 1169, the first engrossment; further, delete the title of H.F. No. 1354 and insert the title of S.F. No. 1169, the first engrossment.

And when so amended H.F. No. 1354 will be identical to S.F. No. 1169, and further recommends that H.F. No. 1354 be given its second reading and substituted for S.F. No. 1169, 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. 1454 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.
1454	1331				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1454 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1454 and insert the language after the enacting clause of S.F. No. 1331; further, delete the title of H.F. No. 1454 and insert the title of S.F. No. 1331.

And when so amended H.F. No. 1454 will be identical to S.F. No. 1331, and further recommends that H.F. No. 1454 be given its second reading and substituted for S.F. No. 1331, 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. 1339 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.
1339	1235				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1339 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1339 and insert the language after the enacting clause of S.F. No. 1235, the first engrossment; further, delete the title of H.F. No. 1339 and insert the title of S.F. No. 1235, the first engrossment.

And when so amended H.F. No. 1339 will be identical to S.F. No. 1235, and further recommends that H.F. No. 1339 be given its second reading and substituted for S.F. No. 1235, 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. 930 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
930	970				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1027 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1027	855				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1107 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.
1107	804				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1107 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1107 and insert the language after the enacting clause of S.F. No. 804; further, delete the title of H.F. No. 1107 and insert the title of S.F. No. 804.

And when so amended H.F. No. 1107 will be identical to S.F. No. 804, and further recommends that H.F. No. 1107 be given its second reading and substituted for S.F. No. 804, 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. 1323 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.
1323	1133				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1323 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1323 and insert the language after the enacting clause of S.F. No. 1133, the first engrossment; further, delete the title of H.F. No. 1323 and insert the title of S.F. No. 1133, the first engrossment.

And when so amended H.F. No. 1323 will be identical to S.F. No. 1133, and further recommends that H.F. No. 1323 be given its second reading and substituted for S.F. No. 1133, and that the Senate File be indefinitely

postponed.

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

SECOND READING OF SENATE BILLS

S.F. No. 1202 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1498, 1108, 1540, 1389, 1354, 1454, 1339, 930, 1027, 1107 and 1323 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Frederick moved that S.F. No. 169 be taken from the table. The motion prevailed.

S.F. No. 169: A bill for an act relating to motor vehicles; allowing custodial parent of handicapped minor to obtain special license plates for the handicapped; amending Minnesota Statutes 1988, section 168.021, subdivisions 1 and 3.

Mr. Frederick moved that the Senate do not concur in the amendments by the House to S.F. No. 169, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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

GENERAL ORDERS

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

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

S.F. Nos. 1191, 1009, 1258, 598, 583, 486, 49, 572, 476, 847, 180, 1070, 1083, 459, 1401, 922, 1031, 783, 590, 1027, 243, H.F. Nos. 1077, 804, 65, 1517, 100, 1351, 826, 502, 527 and 76 which the committee recommends to pass.

H.F. No. 390, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Amend H.F. No. 390, as amended pursuant to Rule 49, adopted by the Senate April 27, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 105.)

Page 3, line 3, strike "three" and insert "two"

Page 3, line 6, after "item" insert a comma

The motion prevailed. So the amendment was adopted.

H.F. No. 1104, which the committee reports progress, subject to the following motions:

Mr. Marty moved to amend H.F. No. 1104, as amended pursuant to Rule 49, adopted by the Senate April 20, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1079.)

Page 2, line 4, before the period, insert "*in a board hearing or a hearing by the personnel director. The director shall issue a subpoena when requested by the employer or by the employee's collective bargaining exclusive representative*"

Mr. Freeman requested division of the amendment as follows:

First portion:

Page 2, line 4, before the period, insert "*in a board hearing or a hearing by the personnel director*"

Second portion:

Page 2, line 4, after the period insert "*The director shall issue a subpoena when requested by the employer or by the employee's collective bargaining exclusive representative.*"

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

The motion prevailed. So the first portion of the Marty amendment was adopted.

Mr. Merriam moved to amend the second portion of the Marty amendment as follows:

Page 1, line 8, delete "*by the employer or*"

The motion prevailed. So the amendment to the second portion of the Marty amendment was adopted.

The question was taken on the adoption of the second portion of the Marty amendment, as amended.

The motion did not prevail. So the second portion of the Marty amendment, as amended, was not adopted.

H.F. No. 1104 was then progressed.

S.F. No. 834, which the committee recommends to pass with the following amendment offered by Mrs. Lantry:

Page 2, lines 5 and 30, delete "*was submerged or flooded above the floor*"

Page 2, lines 6 and 31, delete "*level or*"

Page 4, line 20, delete "*been*"

Page 4, delete lines 21 and 22

Page 4, line 26, delete "*flood*"

Page 5, line 7, delete everything after the first "."

Page 5, line 8, delete "*not*"

Page 5, line 14, delete everything after "*damage*"

Page 5, line 15, delete everything before the comma

Page 6, line 5, after the period, insert "*The photographs and other documents submitted as proof under this subdivision must be filed and retained by the registrar so as to permit verification of the proof offered.*"

Page 6, line 22, after "vehicle" insert ", damaged by collision or other occurrence,"

Page 6, line 24, after "damage" insert "based on a written retail repair estimate or invoice"

Page 6, line 26, after "written" insert "retail repair"

Page 6, after line 34, insert:

"Subd. 8. [FLOOD DAMAGE; DEALER LOTS.] If a motor vehicle, which is part of a licensed motor vehicle dealer's inventory, has been submerged or flooded above the floor level while parked on the dealer's lot, the dealer must disclose that fact in writing to any buyer and must orally disclose that fact in the course of a sales presentation to any prospective buyer. The buyer must also disclose the existence of the flood damage in writing to any subsequent buyer."

The motion prevailed. So the amendment was adopted.

S.F. No. 1042, which the committee recommends to pass with the following amendment offered by Mr. Taylor:

Delete everything after the enacting clause and insert:

"Section 1. [16B. 125] [PRINTING INKS; STATE PRINTING.]

Subdivision 1. [DEFINITION; SOY-BASED INK.] For the purposes of this section "soy-based ink" means printing ink made from soy oil.

Subd. 2. [STATE PRINTER.] Whenever practical and economically feasible, the state printer shall consider the use of soy-based ink for printing orders or projects. The printer shall also advise state agencies on and encourage them to use materials and printing processes that allow for the use of soy-based ink.

Subd. 3. [STATE AGENCIES; PRINTING CONTRACTS.] When a state agency seeks to enter a contract for printing with, or otherwise purchases printing from, the state or another printer, the agency shall consider, when practical and economically feasible, specifying the use of soy-based ink when it can specify use of a newsprint product that is printed on a non-heat-set web press or a sheet-fed press. Whenever practical, a state agency shall consider specifying materials and printing processes that enable use of soy-based ink.

Subd. 4. [DETERMINATION OF USE.] When the state printer or a state agency is making a determination whether to use soy-based ink or not, the state printer or agency shall consider the practicality of soy-based ink with regard to the type of paper to be used in the project, the production schedule required, the type of printing equipment likely to be used, the availability of ink, and any other relevant considerations."

Delete the title and insert:

"A bill for an act relating to agriculture; requiring the use of soy-based ink for some printing operations; proposing coding for new law in Minnesota Statutes, chapter 16B."

The motion prevailed. So the amendment was adopted.

H.F. No. 1061, which the committee recommends to pass with the following amendment offered by Mr. Frederickson, D.R.:

Amend H.F. No. 1061, as amended pursuant to Rule 49, adopted by the Senate April 13, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 846.)

Page 2, after line 27, insert:

"All construction plans and specifications for the residential treatment facility to be built on the site must be submitted to the commissioner of administration for review and approval."

The motion prevailed. So the amendment was adopted.

H.F. No. 956, which the committee recommends to pass with the following amendment offered by Mr. Knaak:

Amend H.F. No. 956, as amended pursuant to Rule 49, adopted by the Senate April 20, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 960.)

Page 3, after line 18, insert:

"Sec. 3. Minnesota Statutes 1988, section 65B.67, subdivision 4, is amended to read:

Subd. 4. [PENALTY.] Any operator of a motor vehicle or motorcycle who is convicted under the terms of this section, is guilty of a *gross* misdemeanor, and shall be sentenced as provided in section 609.03, clause (3). Also, the operator's driver's license shall be revoked for not more than 12 months. If the operator is also an owner of the motor vehicle or motorcycle, the registration of the motor vehicle or motorcycle shall also be revoked for not more than 12 months. Before reinstatement of a driver's license or registration, the operator shall file with the commissioner of public safety the written certificate of an insurance carrier authorized to do business in this state stating that security has been provided by the operator as required by section 65B.48. The commissioner shall include a notice of the penalties contained in this section on all forms for registration of motor vehicles or motorcycles required to maintain a plan of reparation security."

Page 3, line 23, after the period, insert "*Section 3 is effective August 1, 1989, and applies to crimes committed on or after that date.*"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "increasing the penalty for operating a vehicle without insurance;"

Page 1, line 4, delete "section" and insert "sections" and before the period, insert "; and 65B.67, subdivision 4"

The motion prevailed. So the amendment was adopted.

S.F. No. 187, which the committee recommends to pass, after the following motion:

Ms. Reichgott moved to amend S.F. No. 187 as follows:

Page 2, line 16, delete "60 days"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Brandl	Johnson, D.E.	Olson	Schmitz
Belanger	Brataas	Lessard	Peterson, R. W.	Stumpf
Benson	Decker	McGowan	Purfeerst	
Berg	Frederick	Mehrkens	Ramstad	
Bernhagen	Gustafson	Moe, D.M.	Reichgott	

Those who voted in the negative were:

Adkins	DeCramer	Laidig	Moe, R.D.	Spear
Beckman	Dicklich	Langseth	Morse	Storm
Berglin	Diessner	Lantry	Novak	Vickerman
Bertram	Frederickson, D.J.	Marty	Pariseau	Waldorf
Chmielewski	Frederickson, D.R.	McQuaid	Peterson, D.C.	
Cohen	Freeman	Merriam	Piper	
Davis	Johnson, D.J.	Metzen	Solon	

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Freeman moved that S.F. No. 701 be taken from the table. The motion prevailed.

S.F. No. 701: A bill for an act relating to insurance; requiring coverage for child health supervision and prenatal services; clarifying certain definitions; amending Minnesota Statutes 1988, section 62A.047.

CONCURRENCE AND REPASSAGE

Mr. Freeman moved that the Senate concur in the amendments by the House to S.F. No. 701 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 701 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Hughes	Mehrkens	Reichgott
Anderson	Davis	Johnson, D.E.	Merriam	Renneke
Beckman	Decker	Kroening	Metzen	Schmitz
Belanger	DeCramer	Laidig	Moe, D.M.	Spear
Benson	Dicklich	Langseth	Moe, R.D.	Storm
Berglin	Frederick	Lantry	Morse	Vickerman
Bernhagen	Frederickson, D.J.	Luther	Pariseau	Waldorf
Bertram	Frederickson, D.R.	Marty	Peterson, D.C.	
Brataas	Freeman	McGowan	Peterson, R. W.	
Chmielewski	Gustafson	McQuaid	Piper	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Belanger moved that S.F. No. 206 be taken from the table. The motion prevailed.

S.F. No. 206: A bill for an act relating to state government; administrative procedures; regulating exempt rules; making certain technical changes; amending Minnesota Statutes 1988, sections 14.40; and 97A.051, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1988, sections 97A.051, subdivision 3; 144A.10, subdivision 6a; 174.031, subdivision 2; 254B.03, subdivision 6; 254B.04, subdivision 2; 257.357; and 574.262, subdivision 3; Laws 1985, chapter 4, section 8; and Laws 1987, chapter 337, section 128.

Mr. Belanger moved that the Senate do not concur in the amendments by the House to S.F. No. 206, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 8 be taken from the table. The motion prevailed.

Senate Concurrent Resolution No. 8: A Senate concurrent resolution adopting permanent joint rules of the Senate and House of Representatives.

Mr. Moe, R.D. moved that the Senate concur in the amendments by the House to Senate Concurrent Resolution No. 8. The motion prevailed.

Mr. Moe, R.D. then moved that Senate Concurrent Resolution No. 8, as amended, be now adopted. The motion prevailed. So the resolution, as amended, was adopted.

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. 46: Messrs. Freeman, Samuelson, Waldorf, Morse and Johnson, D.E.

S.F. No. 169: Mr. Frederick, Mrs. Lantry and Mr. Diessner.

Mr. Moe, R.D. moved that the foregoing appointments be approved. 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 Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

REPORTS OF COMMITTEES

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

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 1000: A bill for an act relating to agriculture; providing drought emergency relief; establishing a program to reimburse farmers for reseeded hay land and certain purchased hay, a damaged water well grant program, and a federal crop insurance grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Page 3, lines 13 and 14, delete “, *including emergency rules,*”

Page 4, lines 28 and 29, delete “, *including emergency rules,*”

Page 4, after line 35, insert:

“Sec. 5. [APPROPRIATION.]

\$300,000 is appropriated from the general fund to the commissioner of agriculture to be used for a hay lift program in calendar year 1990 in the counties where the commissioner has declared a drought continues to persist.”

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

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 1404: A bill for an act relating to rural development; providing for a rural community needs assessment model; appropriating money.

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

Delete everything after the enacting clause and insert:

“ARTICLE I

COMMUNITY NEEDS ASSESSMENT

Section 1. [COMMUNITY NEEDS ASSESSMENT MODEL.]

Subdivision 1. [MODEL DEVELOPMENT.] The rural development board, as part of its rural investment strategy, shall select an organization to develop, test, and implement a rural community needs assessment model. The commissioner of trade and economic development shall publish in the State Register a request for proposals for the community needs assessment model project. The organization must select five rural communities in 1990 and ten rural communities in 1991 within which to perform community needs assessments using the model developed.

Subd. 2. [ORGANIZATION.] The organization selected must meet the following criteria:

(1) knowledge of the concerns and needs of rural Minnesota residents

and their communities;

(2) demonstrated expertise in performing needs assessments;

(3) ability to develop, test, refine, demonstrate, and implement a community needs assessment process; and

(4) experience in gathering, classifying, analyzing, reporting, and interpreting data.

Subd. 3. [MODEL REQUIREMENTS.] The community needs assessment model must identify community needs in the areas of social services, transportation, housing, education, health care, recreation, employment, public infrastructure, and economic development. In order to identify those needs, information must be collected from the most recent existing statistical data bases, experts, and community residents. After needs are identified, the community needs assessment model must establish priorities, assist the community in analyzing existing resources, develop strategies to meet community needs, and assist the community in considering available options and in deciding what alternatives to act upon.

Subd. 4. [COMMUNITY PARTICIPATION.] The community needs assessment model must be designed to maximize community involvement and participation in the community needs assessment process. The model must be capable of guiding the community through a strategy of information collection, discussion, refinement, and consensus. To encourage community involvement in this process, the organization may provide incentive grants to assist rural community leaders and residents to implement the model.

Subd. 5. [REPORT.] The organization selected to develop the community needs assessment model shall report to the legislature by January 1, 1991, regarding the development and implementation of the model. A second report must be submitted to the legislature by January 1, 1992.

ARTICLE 2

NATIVE GRASS AND WILDFLOWER SEED PROGRAM

Section 1. [17.231] [NATIVE GRASSES AND WILDFLOWER SEED PRODUCTION INCENTIVE LOAN PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] (a) The commissioner shall establish a seed production incentive loan program to provide loans that enable farmers to begin or expand efforts to develop and produce new, local-origin, native grass and wildflower seed varieties.

(b) The commissioner shall designate southwest, southeast, east central, northwest, and northeast regions covering the entire state. The commissioner shall design the loan program to produce ten local variety grass species and 40 local variety wildflower species for each region. The commissioner shall develop the program to produce 100 acres of grass seed production and ten acres of wildflower seed production in each region.

Subd. 2. [LOAN CRITERIA.] (a) The loan program must provide loans for operating and capital costs related to the development and production of native grass and wildflower seeds during the research and development phase.

(b) Loans may not exceed \$225 per acre per year of native grass and wildflower seed for each person or entity applying for a loan over an expected average development period of five years. Subject to subdivision

1, the loan repayment period may not exceed eight years. Repayment of the loan is to be made at six percent per annum above the original loan amount.

(c) Loans may only be made to residents of this state.

Subd. 3. [AWARDING OF LOANS.] (a) Applications for loans must be made to the commissioner on forms prescribed by the commissioner.

(b) The applications must be reviewed, ranked, and recommended by a loan review panel appointed by the commissioner. The panel shall be chaired by the commissioner or the commissioner's designee. The loan review panel must consist of two lenders with agricultural experience, a representative from the department of transportation and a representative from the department of natural resources who possess expert knowledge in native plants and grasses, and a farm management specialist.

(c) The loan review panel shall rank applications according to the following criteria:

(1) evidence of a viable business plan;

(2) demonstrated knowledge of the ecology of native grasses and wildflowers and the development, production, and management of them;

(3) evidence that the land intended for seed production is capable of the production; and

(4) the appropriateness to the locality of the seeds to be produced and their appropriateness to regional and state production needs.

(d) The commissioner shall consider the recommendations of the loan review panel and may make loans for eligible projects. Priority must be given based on local origin appropriateness and appropriateness to regional and state production needs.

Subd. 4. [ADMINISTRATION; INFORMATION DISSEMINATION.] (a) A seed loan account is established in the state treasury. The amount in the seed loan account is appropriated to the commissioner to make loans under this section and administer the loan program. Loans are to be made on forms prescribed by the commissioner. The interest on the money in the seed loan account may be used by the commissioner for administrative expenses.

(b) The seed produced is intended to be used to fulfill state agency needs for seeds and the purchase shall be arranged on a contract basis with state agencies in each biennium that program seed is available. The commissioner shall collect and disseminate information relating to projects for which loans are given under this section and report to the standing legislative committees on agriculture by February 1 of each year.

ARTICLE 3

AGRICULTURAL DATA COLLECTION TASK FORCE

Section 1. [REACTIVATION OF THE AGRICULTURAL DATA COLLECTION TASK FORCE.]

The agricultural data collection task force created by Laws 1985, chapter 19, as reactivated and amended by Laws 1986, chapter 398, article 11, and Laws 1987, chapter 396, article 5, is reactivated.

Sec. 2. Laws 1985, chapter 19, section 2, subdivision 2, as amended by

Laws 1986, chapter 398, article 11, section 2, and Laws 1987, chapter 396, article 5, section 2, is amended to read:

Subd. 2. [DUTIES.] The duties of the *agricultural* data collection task force are to:

(1) continue the uniform procedure for collecting data on the financial status of agriculture in Minnesota;

(2) report the results of the program to the legislature no later than December 31 of each fiscal year the *agricultural* data collection task force is funded.

Sec. 3. Laws 1985, chapter 19, section 6, subdivision 6, as amended by Laws 1986, chapter 398, article 11, section 4, and Laws 1987, chapter 396, article 5, section 3, is amended to read:

Subd. 6. [EXPIRATION.] The *agricultural* data collection task force expires April 15, ~~1989~~ 1991, or 15 days after reporting to the legislature whichever date comes later, but in no circumstance later than June 1, ~~1989~~ 1991.

ARTICLE 4 AQUICULTURE

Section 1. Minnesota Statutes 1988, section 17.49, is amended to read:

17.49 [AQUICULTURE PROGRAM ESTABLISHMENT AND PROMOTION.]

Subdivision 1. [PROGRAM ESTABLISHED.] The commissioner shall establish and promote a program for the commercial raising of fish in fish farms in consultation with an advisory committee consisting of the University of Minnesota, the commissioner of natural resources, the commissioner of agriculture, the commissioner of trade and economic development, the commissioner of the state planning agency, representatives of private fish raising industry, and the chairs of the environment and natural resources committees of the house of representatives and senate.

Subd. 2. [COORDINATION.] Aquiculture programs in the state must be coordinated through the commissioner of agriculture. The commissioner of agriculture shall direct the development of aquiculture in the state. Aquiculture research, projects, and demonstrations must be reported to the commissioner before state appropriations for the research, projects, and demonstrations are encumbered. The commissioner shall maintain a data base of aquiculture research, demonstrations, and other related information pertaining to aquiculture in the state.

Sec. 2. [17.491] [AQUICULTURE IS AGRICULTURAL PURSUIT.]

Aquiculture is an agricultural pursuit.

Sec. 3. [17.492] [AQUICULTURE DEFINITION.]

"Aquiculture" means to cultivate plants and animals in water for harvest, including hydroponics and raising fish in fish farms.

ARTICLE 5 DAIRY INDUSTRY CHECKOFF RATE

Section 1. Minnesota Statutes 1988, section 17.59, is amended by adding a subdivision to read:

Subdivision 1a. [DAIRY INDUSTRY CHECKOFF RATE.] (a) Notwithstanding subdivision 1, the Minnesota dairy research and promotion order, or any provision to the contrary in this chapter or rules adopted under this chapter, the checkoff rate applicable to the dairy research and promotion council must be equal to the maximum credit allowed under the Dairy Promotion and Research Order, adopted under the Dairy Production Stabilization Act of 1983, United States Code, title 7, sections 4501 to 4538, for producers participating in a qualified state or regional dairy product promotion or nutrition education program. The checkoff rate provided in this subdivision is effective and must be automatically adjusted without amendment to the Minnesota dairy research and promotion order.

(b) Subdivision 1 applies for the establishment of the checkoff rate applicable to the dairy research and promotion council if:

(1) the Dairy Production Stabilization Act of 1983 is repealed;

(2) the Dairy Promotion and Research Order is suspended or terminated, in which case subdivision 1 applies only during the period of suspension or termination; or

(3) the federal credit for participation in a qualified state or regional dairy product or nutrition education program is eliminated.

Sec. 2. Laws 1988, chapter 688, article 3, section 1, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] The Minnesota dairy task force shall by June 1, ~~1989~~ 1990:

(1) gather existing information on increasing milk production efficiency of dairy cow herds, reducing input costs, and increasing profitability of dairy farms;

(2) establish a mechanism to disseminate gathered information to dairy farmers in a practical form;

(3) examine computerized analysis of dairy records and the available software, and recommend practical alternatives for dairy farmers to use computerized analysis;

(4) develop a preliminary draft of long-range goals, objectives, and time line achievement strategies for the dairy industry;

(5) study alternatives for component pricing of milk;

(6) recommend legislation needed to accomplish the objectives and goals in subdivision 2; and

(7) examine available data on patterns and relationships between changes in the purchase price of raw milk from dairy farmers and changes in the retail price of dairy products purchased by the consumer.

Sec. 3. Laws 1988, chapter 688, article 3, section 2, is amended to read:

Sec. 2. [REPORT.]

The Minnesota dairy task force shall prepare and submit an interim report on its activities, accomplishments, and recommendations to the committees on agriculture of the senate and house of representatives by February 1, ~~1989~~ 1990.

Sec. 4. Laws 1988, chapter 688, article 3, section 3, is amended to read:

Sec. 3. [REPEALER.]

Section 1 is repealed effective June 30, ~~1990~~ 1991.

ARTICLE 6

LAND TRANSFERS FROM FEDERAL AGENCIES

Section 1. [84.0276] [LAND TRANSFERS BY A FEDERAL AGENCY.]

Before the commissioner of natural resources accepts agricultural land or a farm homestead transferred in fee by a federal agency, the commissioner must consult with the board of water and soil resources for a determination of marginal land, tillable farmland, and farm homestead. The commissioner must comply with the acquisition procedure under section 97A.145, subdivision 2, if the agricultural land or farm homestead was in an agricultural preserve as provided in section 40A.10.

ARTICLE 7

AGRICULTURAL UTILIZATION AND RESEARCH INSTITUTE

Section 1. Minnesota Statutes 1988, section 116O.09, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] *The agricultural utilization research institute is established as a nonprofit corporation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended. The ~~corporation shall establish an~~ agricultural utilization research institute ~~to~~ shall promote the establishment of new products and product uses and the expansion of existing markets for the state's agricultural commodities and products. The institute must be located near an existing agricultural research facility in the agricultural region of the state.*

Sec. 2. Minnesota Statutes 1988, section 116O.09, is amended by adding a subdivision to read:

Subd. 1a. [BOARD OF DIRECTORS.] The board of directors of the agricultural utilization research institute is comprised of:

- (1) the chairs of the senate agriculture and rural development committee and the house of representatives agriculture committee;*
- (2) two representatives of statewide farm organizations;*
- (3) two representatives of agribusiness, one of whom is a member of the greater Minnesota corporation board representing agribusiness; and*
- (4) three representatives of the commodity promotion councils.*

Sec. 3. Minnesota Statutes 1988, section 116O.09, subdivision 2, is amended to read:

Subd. 2. [DUTIES.] *(a) In addition to the duties and powers assigned to the institutes in section 116O.08, the agricultural utilization research institute shall:*

- (1) identify the various market segments characterized by Minnesota's agricultural industry, address each segment's individual needs, and identify development opportunities in each segment;*
- (2) develop and implement a utilization program for each segment that addresses its development needs and identifies techniques to meet those needs;*

(3) coordinate research among the public and private organizations and individuals specifically addressing procedures to transfer new technology to businesses, farmers, and individuals; and

(4) provide research grants to public and private educational institutions and other organizations that are undertaking basic and applied research that would promote the development of the various agricultural industries.

(b) The agricultural utilization research institute board of directors, with the concurrence of the advisory board, shall have the sole approval authority for establishing agricultural utilization research priorities, requests for proposals to meet those priorities, awarding of grants, hiring and direction of personnel, and other expenditures of funds consistent with the adopted and approved mission and goals of the agricultural utilization research institute. The actions and expenditures of the agricultural utilization research institute are subject to audit and regular annual report to the legislature in general and specifically the house of representatives agriculture committee, the senate agriculture and rural development committee, the house of representatives appropriations committee, and the senate finance committee.

Sec. 4. [ADVISORY BOARD AND AURI BOARD.]

The advisory board is the permanent advisory board, and the present steering committee as constituted with elective positions from the advisory board is the governing board of the agricultural utilization research institute.

Sec. 5. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

ARTICLE 8

COMMUNITY AND URBAN REFORESTATION

Section 1. [COMMUNITY AND URBAN REFORESTATION STUDY.]

Subdivision 1. [LEGISLATIVE FINDINGS.] The legislature recognizes that the perils of disease and, increasingly in recent times, commercial and residential development present a serious threat to the prosperity and even survival of our community and urban forests. Prompt action must be taken to reverse this trend.

Subd. 2. [STUDY.] A main step in assuring preservation and prosperity of our community and urban forests is the prompt identification of the exact nature of the threat and a logical order of measures to be taken to relieve the threat. To this end, the Minnesota shade tree advisory committee, in conjunction with the University of Minnesota and the state department of agriculture shall conduct a study of problems presently facing our community and urban forests. The study shall focus upon such aspects of the problem as preserving the cooling effect of forestation with resulting energy savings, filtration of harmful particulate matter and absorption of harmful emissions, noise reduction, strategic planting and preservation of existing trees to maximize the benefits trees contribute to our environment, and such other aspects of the problem as the committee considers advisable.

Subd. 3. [RECOMMENDATIONS.] The committee shall make its recommendations to the appropriate committees of the legislature in January of 1990. Recommendations shall take the form of specific steps to halt the decline in community and urban forestation and to promote planting and preservation. The recommendations shall be prioritized to stress the more

critical needs and shall be accompanied by cost estimates wherever possible.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

ARTICLE 9

AGRICULTURAL INTERPRETIVE CENTER

Section 1. [POLICY OF PRESERVING HISTORY OF BASIC INDUSTRIES.]

Minnesota's historic basic industries are agriculture, mining, and forestry. The history of these great human enterprises reaches back to and beyond the settlement of Minnesota by Minnesotans from other continents. Throughout their long history each has evolved in ways that no single generation could foresee and no individual alone can remember. Their history holds intense fascination for contemporary Minnesotans. It is the policy of the state to preserve and present that history in ways that do justice to its dramatic past and dynamic future. For these reasons the maintenance of a living history agricultural interpretive center is a desirable public purpose.

ARTICLE 10

APPROPRIATIONS

Section 1. [17B.33] [INSPECTION COSTS; DULUTH.]

\$50,000 is appropriated annually from the general fund to the commissioner of agriculture to be applied to the mandated cost of state grain inspection of bagged grain at the Seaway Port Authority of Duluth.

Sec. 2. [APPROPRIATIONS.]

Subdivision 1. [COMMUNITY NEEDS ASSESSMENT.] \$225,000 is appropriated from the general fund to the commissioner of trade and economic development for the community needs assessment model project as provided in article 1, section 1.

Subd. 2. [MARKET OPPORTUNITY RESEARCH.] \$100,000 is appropriated from the general fund to the commissioner of agriculture to be available until June 30, 1991, to expand the amount of information on the availability of foreign and domestic markets to producers and processors in the state including feasibility of markets for existing products, research for markets for new potential crops in the state, and analysis of existing market structure for state products.

The complement of the department of agriculture is increased by one position.

Subd. 3. [MARKETING INFORMATION AND DIRECT MARKETING ASSISTANCE FOR AGRICULTURAL PRODUCTS.] \$200,000 is appropriated from the general fund to the commissioner of agriculture to be available until June 30, 1991. The commissioner must use the appropriation to assist producers in overcoming obstacles to direct marketing to both domestic and foreign markets, and to assist producers in organizing and marketing through producer organizations, such as producer and marketing cooperatives.

The complement of the department of agriculture is increased by two positions.

Subd. 4. [NATIVE GRASSES AND WILDFLOWER SEED PRODUCTION INCENTIVE LOAN PROGRAM.] \$100,000 is appropriated from the general fund to the seed loan account to be available until June 30, 1991, to be administered by the commissioner of agriculture for the seed production incentive loan program.

Subd. 5. [TECHNICAL INFORMATION ON NATIVE SEED PRODUCTION.] \$70,000 is appropriated from the general fund to the commissioner of agriculture to be available until June 30, 1991, for development of technical information on native seed development.

Subd. 6. [BLUEGRASS RESEARCH AND EVALUATION.] \$70,000 is appropriated from the general fund to the University of Minnesota to be available until June 30, 1991, for bluegrass seed production research and seed and turf evaluation.

Subd. 7. [AGRICULTURAL CONTRACT TASK FORCE.] \$50,000 is appropriated from the general fund to the commissioner of agriculture to be available until June 30, 1990, to provide support services for the agricultural contract task force under Laws 1988, chapter 688, article 13, section 1, to compile and analyze the laws of other states relating to agricultural contracting issues, coordinate production of a brochure for producers with information about agricultural contracting, and to prepare and submit a final report and recommendations to the legislature by January 1, 1991.

Subd. 8. [AGRICULTURAL DATA COLLECTION TASK FORCE.] \$30,000 is appropriated from the general fund to the legislative advisory commission to be available until June 30, 1991, to fund the activities of the agricultural data collection task force.

Subd. 9. [ORGANIC CERTIFICATION.] \$200,000 is appropriated from the general fund to the commissioner of agriculture to be available until June 30, 1991, for a grant to an organic certification organization to continue the certification program for organically grown seeds, products, and food as authorized in Minnesota Statutes, section 31.95.

Subd. 10. [AQUICULTURE.] \$ is appropriated from the general fund to the commissioner of agriculture to be available until June 30, 1991, for aquiculture research, demonstration, and promotion.

Subd. 11. [MINNESOTA DAIRY TASK FORCE.] \$30,000 is appropriated from the dairy unfair trade practices account to the commissioner of agriculture to be available until June 30, 1991, to be matched on a one-to-one basis by money from private sources to pay for the expenses of the Minnesota dairy task force and pilot projects under Laws 1988, chapter 688, article 3, section 1.

Subd. 12. [SHADE TREE ADVISORY COMMITTEE.] \$25,000 is appropriated from the general fund to the commissioner of agriculture for disbursement to the shade tree advisory committee for the costs of the committee and consulting services in connection with the study directed by article 8, section 1.

Subd. 13. [FARMAMERICA.] \$ is appropriated from the general fund to the commissioner of agriculture to be disbursed to the Minnesota Agricultural Interpretive Center for operation of Farmamerica in Waseca county. One-half of the sum appropriated shall be disbursed in each of the fiscal years ending June 30, 1990, and June 30, 1991.

Subd. 14. [AGRICULTURE INFORMATION CENTERS.] \$500,000 in fiscal year 1990 is appropriated from the general fund to the commissioner of agriculture for agriculture information centers. The appropriation is available until June 30, 1991.

Subd. 15. [BARLEY REFERENDUM.] \$20,000 is appropriated from the general fund to the commissioner of agriculture for the biennium ending June 30, 1991, to conduct a referendum for barley under Minnesota Statutes, section 17.54.

Subd. 16. [BY-PRODUCT SOIL BUFFERING.] \$140,000 is appropriated from the general fund to the commissioner of agriculture for purposes of the demonstration project and study of industry by-product soil buffering materials, to be available until June 30, 1991. The complement of the department of agriculture is increased by one position.

Subd. 17. [ON-FARM COMPUTERIZED FERTILIZER RATE APPLICATION.] \$75,000 is appropriated from the general fund to the University of Minnesota to be available until June 30, 1991, for a project by the department of soil science to design, develop, and demonstrate a portable computerized system automatically adapting fertilization rates to soil characteristics using existing on-farm applicators.

Subd. 18. [AGRICULTURE LAND PRESERVATION AND CONSERVATION.] \$290,000 is appropriated from the general fund to the commissioner of agriculture to administer the agricultural land preservation and conservation responsibilities contained in Minnesota Statutes, chapter 40A. The approved complement of the department of agriculture is increased by one position.

Subd. 19. [VOCATIONAL PROGRAMS.] \$1,225,000 in fiscal year 1990 and \$1,425,000 in fiscal year 1991 are appropriated from the general fund to the state board of vocational technical education for:

- (1) reduced tuition costs for existing farm business management and small business management programs;*
- (2) support staff and workshops to assist farm business management instructors in providing farmers' assistance with processing FmHA emergency drought loans and farm mediation;*
- (3) new staff for farm, small business management, beginning farmer programs, and enterprise classes specific to community needs; and*
- (4) evaluation of computerized farm business analysis system options.*

Subd. 20. [CENTER FOR FARM FINANCIAL MANAGEMENT.] \$23,000 in fiscal year 1990 and \$50,000 in fiscal year 1991 are appropriated from the general fund to the University of Minnesota for the center for farm financial management.

Subd. 21. [COUNTY AND DISTRICT AGRICULTURAL SOCIETIES.] \$722,000 is appropriated from the general fund to the commissioner of agriculture to provide full statutory levels of state aid to county and district agricultural societies under Minnesota Statutes, section 38.02, during the biennium ending June 30, 1991.

Subd. 22. [PSEUDORABIES RESEARCH.] \$400,000 is appropriated from the general fund to the commissioner of agriculture for further research on pseudorabies and the control or eradication of pseudorabies in Minnesota. Of this appropriation \$200,000 is available for the first year and \$200,000

is available for the second year of the biennium ending June 30, 1991.

Subd. 23. [PSEUDORABIES CONTROL.] \$400,000 is appropriated from the general fund to the board of animal health for the biennium ending June 30, 1991, to be used for continuing and expanding a control program for pseudorabies in swine. The program must be coordinated by board of animal health personnel. This appropriation is in addition to other appropriations to the board of animal health for pseudorabies control."

Delete the title and insert:

"A bill for an act relating to rural development; providing for a rural community needs assessment model; providing for research and development; providing mechanisms for agriculture diversification; providing a native grass and wildflower seed loan program; reactivating the agricultural data collection task force; providing coordination of aquiculture programs; requiring reporting to the commissioner of agriculture on aquiculture projects with state funding; defining aquiculture; declaring aquiculture an agricultural pursuit; changing the dairy industry checkoff rate; extending the Minnesota dairy task force; providing conditions to accept certain land transfers from the federal government; establishing the board of directors of the agricultural utilization research institute and an advisory board; directing a study and report on community and urban reforestation; providing a policy of preserving basic resource industries; appropriating money; amending Minnesota Statutes 1988, sections 17.49; 17.59, by adding a subdivision; 1160.09, subdivisions 1, 2, and by adding a subdivision; Laws 1985, chapter 19, section 2, subdivision 2, as amended, and section 6, subdivision 6, as amended; and Laws 1988, chapter 688, article 3, sections 1, subdivision 3; 2; and 3; proposing coding for new law in Minnesota Statutes, chapters 17 and 84."

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

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

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.

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

Page 3, line 3, delete "*specifically*"

Page 3, line 6, delete "*immediately*"

Page 3, line 7, delete everything after the first "*appeals*" and insert "*and may request*"

Page 3, line 8, delete "*appeal*"

Page 4, line 13, delete "*shall*" and insert "*may*" and after "*conduct*" insert "*appropriate*"

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

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

S.F. No. 1239: A bill for an act relating to Roseau county; providing increased bonding authority for hospital districts in the county; amending Laws 1961, chapter 115, section 4, as amended.

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

H.F. No. 731: A bill for an act relating to data practices; providing for classification of law enforcement data on child abuse; amending Minnesota Statutes 1988, sections 13.82, by adding a subdivision; and 626.556, subdivisions 11 and 11c.

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

Page 1, line 10, delete "UNFOUNDED" and insert "INACTIVE" and delete "*If there is a*"

Page 1, delete lines 11 and 12

Page 1, line 13, delete "*inactive*" and delete "*relating*" and insert "*that become inactive under subdivision 5, clause (a) or (b), and that relate*"

Page 1, line 24, strike "Report records" and insert "Reports"

Page 2, line 3, delete "*records relating to*" and insert "*data other than the*"

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

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

H.F. No. 193: A bill for an act relating to crimes; providing that an offender may not demand execution of sentence except under certain circumstances; requiring the board of pardons to meet at least twice each year; amending Minnesota Statutes 1988, sections 609.135, by adding a subdivision; and 638.04.

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

Page 1, line 11, delete "EXECUTION" and insert "IMPOSITION"

Page 1, line 12, delete "*execution*" and insert "*imposition*"

Page 1, line 13, before the period, insert "*if the offender will serve less than nine months at the state institution*"

Page 1, line 14, delete "*individual*" and insert "*offender*"

Page 1, line 15, delete "*another*" and insert "*a previously imposed*"

Page 1, line 22, strike everything after "year"

Page 1, strike lines 23 and 24

Page 1, line 25, strike "board"

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

adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 805 and 1239 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 731 and 193 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Luther moved that S.F. No. 1067, No. 200 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Purfeerst moved that H.F. No. 363, No. 1 on General Orders, be stricken and re-referred to the Committee on Transportation. The motion prevailed.

Mr. Pogemiller moved that S.F. No. 600, No. 6 on General Orders, be stricken and re-referred to the Committee on General Legislation and Public Gaming. The motion prevailed.

Mr. Peterson, R. W. moved that S.F. No. 1032, No. 123 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Spear moved that S.F. No. 912, No. 142 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Marty, Merriam and Peterson, R. W. introduced—

S.F. No. 1609: A bill for an act relating to the legislature; requiring the legislature to conform to the open meeting law; amending Minnesota Statutes 1988, section 471.705, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Mr. Waldorf introduced—

S.F. No. 1610: A bill for an act relating to economic development; establishing the Minnesota Project Outreach Corporation; appropriating money.

Referred to the Committee on Economic Development and Housing.

Mr. Chmielewski introduced—

S.F. No. 1611: A bill for an act relating to natural resources; regulating the growing, harvesting, processing, and sale of certain wild rice; providing for a wild rice marketing program; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 30; repealing Minnesota Statutes 1988, section 30.49.

Referred to the Committee on Environment and Natural Resources.

Mr. Johnson, D.J. introduced—

S.F. No. 1612: A bill for an act relating to natural resources; authorizing the commissioner to appoint Indians as special enforcement officers under certain conditions; amending Minnesota Statutes 1988, section 97A.241.

Referred to the Committee on Environment and Natural Resources.

MEMBERS EXCUSED

Messrs. Frank, Larson and Pehler were excused from the Session of today. Mr. Dahl was excused from the Session of today at 11:15 a.m. Mr. Kroening was excused from the Session of today from 8:00 to 11:45 a.m. Mr. Novak was excused from the Session of today from 9:00 to 10:30 a.m. Mr. Knaak was excused from the Session of today at 11:45 a.m. Messrs. Dicklich and Stumpf were excused from the Session of today at 12:45 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 1:00 p.m., Monday, May 1, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate