

FORTY-FIFTH DAY

St. Paul, Minnesota, Thursday, May 4, 1989

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Monsignor James D. Habiger.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 3, 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. 123, 671, 701, 1270 and 1488.

Sincerely,
Rudy Perpich, Governor

CERTIFICATION

May 3, 1989

To the Governor
State of Minnesota

To the Senate
State of Minnesota

To the House of Representatives
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Wednesday, May 3, 1989, have elected as members of the Board of Regents of the University of Minnesota the following members each to hold his or her respective office for the term specified from the first Monday of February, 1989:

Jean B. Keffeler, Fifth Congressional District, Six Years

Darrin M. Rosha, At-Large Student, Six Years

Alan C. Page, At-Large, Six Years

Mary J. Page, At-Large, Six Years

Jerome M. Hughes
President of the Senate

Robert E. Vanasek
Speaker of the House
of Representatives

REPORTS OF COMMITTEES

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

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

S.F. No. 1221: A bill for an act relating to the city of Hopkins; authorizing the establishment of special service districts.

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

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

S.F. No. 530: A bill for an act relating to waste management; defining waste reduction; extending the expiration date of waste advisory councils; authorizing counties to designate waste to landfills; requiring financial reports from landfills; clarifying the limits of political subdivision liability for superfund cleanup at landfills; authorizing the pollution control agency to acquire interests in real estate necessary for superfund; authorizing superfund to reimburse political subdivisions for costs incurred in responding to emergency releases of hazardous materials; making claims for injuries due to petroleum contamination eligible for compensation by the harmful

substance compensation fund; authorizing transfer of money from the petroleum tank release cleanup fund; altering the metropolitan council's authority for solid waste planning; raising the solid waste disposal fee in the metropolitan area; clarifying the 1990 ban on disposal of unprocessed waste in the metropolitan area; extending the date until which metalcasters are not liable for payment of solid waste generator fees; requiring a study of solid waste management district legislation; amending Minnesota Statutes 1988, sections 115A.01; 115A.02; 115A.03, by adding a subdivision; 115A.12, subdivision 1; 115A.14, subdivision 2; 115A.46, subdivision 2; 115A.80; 115A.81, subdivision 2; 115A.83; 115A.84; 115A.85, subdivision 2; 115A.86, subdivisions 3 and 5; 115A.893; 115A.906, by adding a subdivision; 115A.921; 115A.94, by adding subdivisions; 115B.04, subdivision 4; 115B.17, by adding a subdivision; 115B.20, subdivision 2; 115B.25, subdivisions 1, 2, 7, and by adding subdivisions; 115B.26; 115B.27, subdivision 1; 115B.28, subdivision 2; 115B.29, subdivision 1; 115B.30, subdivision 3; 115B.34, subdivision 2; 115C.08, subdivision 4, and by adding a subdivision; 116.07, by adding a subdivision; 466.04, subdivision 1; 473.149, subdivisions 2d and 2e, and by adding a subdivision; 473.803, by adding a subdivision; 473.811, subdivision 1a; 473.823, subdivisions 3 and 6; 473.831, subdivision 2; 473.833, subdivision 2a; 473.840, subdivision 2; 473.843, subdivisions 1 and 2; 473.844, subdivision 1a; 473.8441, subdivision 5; 473.845, subdivisions 1 and 2; and 473.848; Laws 1984, chapter 644, section 85, as amended; proposing coding for new law in Minnesota Statutes, chapters 115A and 473; repealing Minnesota Statutes 1988, sections 115A.98; 115B.29, subdivision 2; 473.149, subdivision 2b; 473.803, subdivision 1a; and 473.806.

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

Page 12, after line 35, insert:

"Sec. 16. Minnesota Statutes 1988, section 115A.919, is amended to read:

115A.919 [COUNTY FEE AUTHORITY.]

A county may impose a fee, by cubic yard of waste or its equivalent, on operators of facilities for the disposal of mixed municipal solid waste located within the county. The revenue from the fees shall be credited to the county general fund and shall be used only for landfill abatement purposes, or costs of closure, postclosure care, and response actions or for purposes of mitigating and compensating for the local risks, costs, and other adverse effects of facilities.

Waste residue *from recycling facilities at which recyclable materials are separated or processed for the purpose of recycling, or from energy and resource recovery facilities at which solid waste is processed for the purpose of extracting, reducing, converting to energy, or otherwise separating and preparing solid waste for reuse shall be exempt from one-half the amount of the fee imposed by a county under this section if there is at least an 85 percent volume reduction in the solid waste processed. Before any fee is reduced, the verification procedures of section 473.843, subdivision 1, paragraph (c), must be followed and submitted to the appropriate county."*

Page 13, line 13, after "residue" insert "*from recycling facilities at which recyclable materials are separated or processed for the purpose of recycling, or*"

Page 13, line 16, strike "one-half"

Page 13, line 17, strike "the amount of"

Page 13, line 25, delete "17 to 22" and insert "18 to 23"

Page 14, line 29, after "residue" insert "*from recycling facilities at which recyclable materials are separated or processed for the purpose of recycling, or*"

Page 16, line 7, delete "18" and insert "19"

Page 17, line 6, delete "18" and insert "19"

Page 17, line 31, delete "17 to 22" and insert "18 to 23"

Page 18, line 3, delete "17 to 22" and insert "18 to 23"

Page 19, line 3, delete "20" and insert "21"

Page 23, line 21, delete "27" and insert "28"

Page 23, line 29, delete "26" and insert "27"

Page 25, line 30, delete "44" and insert "45"

Page 29, line 12, delete "37" and insert "38" and delete "44" and insert "45"

Page 29, line 18, delete "37" and insert "38"

Page 47, line 30, delete "Section 6 is" and insert "Sections 6 and 18 to 23 are"

Page 47, line 31, delete "25" and insert "26"

Page 47, line 32, delete "26 and 46" and insert "27 and 47"

Page 47, lines 35 and 36, delete "28" and insert "29"

Page 48, delete lines 2 to 4 and insert:

"Sections 48 to 65 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington and are effective August 1, 1989; except sections 52, 53, 55, and 58 are effective July 1, 1989; sections 59, 60, 61, and 62 are effective January 1, 1990; and section 57 is effective the day following final enactment.

Section 68 is effective the day following final enactment."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 30, after the second semicolon, insert "115A.919;"

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. 54: A bill for an act relating to the city of Edina; authorizing the city to operate a public transit system and to acquire necessary equipment, land, and interests in land; permitting the establishment of special service districts in the city; providing that the city and the housing and redevelopment authority need not require competitive bidding and bonds

in connection with certain redevelopment projects.

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

Page 2, line 12, delete "*adopt*"

Page 2, line 13, delete "*ordinances establishing*" and insert "*establish one*" and delete "*districts*" and insert "*district*" and after "*city*" insert "*by ordinance; a second special service district may be established by ordinance only if the second district is established and operated jointly with another city*"

Page 2, line 18, after "*charges*" insert "*, including service charges based on net tax capacity,*"

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. 278: A bill for an act relating to economic development; authorizing the establishment of area development alliances; requiring the legislative auditor to perform project evaluations of existing regional development commissions; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 462.

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

Page 1, lines 10, 13, 16, and 26, delete "*16*" and insert "*15*"

Page 3, line 7, delete "*16*" and insert "*15*"

Page 5, line 17, delete "*16*" and insert "*15*"

Page 8, line 27, delete "*16*" and insert "*15*"

Page 9, line 24, delete "*16*" and insert "*15*"

Pages 11 and 12, delete section 10

Page 12, line 11, delete "*462.409*" and insert "*462.408*"

Page 13, line 5, delete "*462.410*" and insert "*462.409*"

Page 13, line 16, delete "*462.411*" and insert "*462.410*"

Page 13, lines 18, 26, and 30, delete "*16*" and insert "*15*"

Page 13, line 23, delete "*462.412*" and insert "*462.411*"

Page 14, line 11, delete "*gross*" and insert "*net*"

Page 14, line 12, delete "*gross*" and insert "*net*" and after "*area*" insert "*; provided that no tax may be imposed under this subdivision on any property that is subject to taxation by a regional development commission*"

Page 14, line 13, delete "*16*" and insert "*15*"

Page 14, line 14, delete "*one-sixth of one mill on each dollar of gross*" and insert "*the net*"

Page 14, line 15, after "*capacity*" insert "*rate of .17 percent*" and after "*area*" insert "*that is subject to taxation under this subdivision*"

Page 14, line 22, delete everything after the period

Page 14, delete line 23

Page 15, delete lines 33 to 35 and insert "*least the net tax capacity rate of .17 percent of all taxable property in the area. If an alliance levies the net tax capacity rate of .17 percent*"

Page 15, line 36, delete "*the area*"

Page 16, line 1, delete "*the sum of*" and insert "(1)" and after "*minus*" insert "*the sum of (i)*"

Page 16, line 2, delete "*and .50*" and insert ", (ii) 50 cents" and after "*100,000*" insert a comma and after "*and*" insert "(iii)"

Page 16, line 3, delete ".30" and insert "30 cents" and after "*100,000*" insert a comma

Page 16, line 4, before "\$40,000" insert "(2)"

Page 16, line 8, delete "16" and insert "15"

Page 16, line 9, delete "462.413" and insert "462.412"

Page 17, line 13, delete "462.414" and insert "462.413"

Page 18, delete section 17

Page 18, line 21, delete "14" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "requiring"

Page 1, delete lines 4 and 5

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. 764: A bill for an act relating to local government; changing conditions for the establishment and operation of special service districts in St. Cloud; amending Laws 1985, chapter 301, sections 5, subdivision 5; 7, subdivision 1; 9; 12; and 13, subdivision 2, and by adding a subdivision; repealing Laws 1985, chapter 301, section 7, subdivision 4.

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

Page 4, delete line 12

Page 4, line 13, delete "*district*" and insert "*owners of 25 percent or more of the land area of the proposed special service district, owners of 25 percent or more of the net tax capacity of the proposed district, or 25 percent of either the business owners or business organizations located in the proposed area*"

Page 4, line 15, delete "*the*"

Page 4, delete line 16

Page 4, line 17, delete "district" and insert "owners of 25 percent or more of the land area of the proposed special service district, owners of 25 percent or more of the net tax capacity of the proposed district, or 25 percent of either the business owners or business organizations located in the proposed area"

Page 5, line 35, after "enactment" insert ", and applies to special service districts created after that date"

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. 989: A bill for an act relating to the town of Otsego; authorizing the town to establish an economic development authority and to exercise tax increment financing powers; granting the town the power of a city with respect to the authority.

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

Page 1, line 25, after the period, insert "General obligation bonds may be issued and a tax imposed to pay the principal and interest on the bonds only if the issuance and the tax are approved by a vote of the electors of the town at a regular town meeting. A tax may be levied under Minnesota Statutes, section 469.107, only if approved by a vote of the electors of the town at a regular town meeting."

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 the following appointment as reported in the Journal for January 9, 1989:

MINNESOTA RACING COMMISSION

Dan Gustafson

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred the following appointment as reported in the Journal for January 12, 1989:

BOARD OF THE ARTS

Richard Faricy

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred the following appointment as reported in the Journal for February 20, 1989:

MINNESOTA RACING COMMISSION

Ralph Strangis

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which were referred the following appointments as reported in the Journal for March 20, 1989:

BOARD OF THE ARTS

Leonard Nadasdy

James Nardone

Bunny (Isabelle) Robinson

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred the following appointment as reported in the Journal for April 3, 1989:

MINNESOTA RACING COMMISSION

Marilyn Rose

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred the following appointment as reported in the Journal for April 18, 1989:

MINNESOTA RACING COMMISSION

Thomas Metzen

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred the following appointment as reported in the Journal for March 2, 1989:

MINNESOTA RURAL FINANCE AUTHORITY

Andrew Walters

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred the following appointment as reported in the Journal for February 27, 1989:

BOARD OF ANIMAL HEALTH

Henry Banal

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred the following appointment as reported in the Journal for January 12, 1989:

BOARD OF ANIMAL HEALTH

Allan Routh

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

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

S.F. No. 84: A bill for an act relating to watercraft; providing for titling of watercraft; providing for perfection of security interests in watercraft; imposing penalties; amending Minnesota Statutes 1988, section 336.9-302; proposing coding for new law as Minnesota Statutes, chapter 361A.

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

Page 21, after line 18, insert:

“Sec. 25. [APPROPRIATION.]

\$435,000 is appropriated from the water recreation account to the commissioner of natural resources to record and issue titles to watercraft as provided in this act. \$185,000 is for fiscal year 1990 and \$250,000 is for fiscal year 1991. The approved complement of the department of natural resources is increased by five positions until June 30, 1993, when the complement is reduced to two positions.”

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "appropriating money;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1221, 54, 764, 989 and 84 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Stumpf moved that the name of Mr. Storm be added as a co-author to S.F. No. 1271. The motion prevailed.

Mr. Marty moved that the name of Mr. Laidig be added as a co-author to S.F. No. 1572. The motion prevailed.

Messrs. Knaak, Luther, Ms. Piper, Messrs. McGowan and Ramstad introduced—

Senate Resolution No. 122: A Senate resolution designating September 24, 1989, as United States Marshals Bicentennial Day.

Referred to the Committee on Rules and Administration.

Mr. Marty moved that S.F. No. 1060, No. 15 on General Orders, be stricken and re-referred to the Committee on Public Utilities and Energy. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 852 a Special Order to be heard immediately.

SPECIAL ORDER

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; appropriating money; amending Minnesota Statutes 1988, sections 161.081; 161.082, subdivision 2a; 162.06, subdivision 5; 162.081, subdivision 1; and 168.013, subdivision 1a.

Mr. Frederick moved to amend S.F. No. 852 as follows:

Pages 3 to 5, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 1988, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. [GENERAL FUND SHARE.] (a) Money collected and received under this chapter must be deposited in the state treasury and credited to the general fund. The amounts collected and received shall be credited as provided in this subdivision, and transferred from the general fund on July 15 and January 15 of each fiscal year. The commissioner of finance must make each transfer based upon the actual receipts of the preceding six calendar months and include the interest earned during that six-month period. The commissioner of finance may establish a quarterly

or other schedule providing for more frequent payments to the transit assistance fund if the commissioner determines it is necessary or desirable to provide for the cash flow needs of the recipients of money from the transit assistance fund.

(b) ~~Thirty Forty~~ percent of the money collected and received under this chapter after June 30, 1988, ~~and before July 1, 1991,~~ must be deposited ~~in~~ transferred to the highway user tax distribution fund and the transit assistance fund for apportionment as follows: 75 percent must be ~~credited~~ transferred to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund, and the remaining 25 percent of the money must be ~~credited~~ transferred to the transit assistance fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the regional transit board.

(c) ~~Thirty percent of the money collected and received under this chapter after June 30, 1991, must be deposited in the trunk highway fund and the transit assistance fund for apportionment as follows: 75 percent must be credited to the trunk highway fund and the remaining 25 percent must be credited to the transit assistance fund.~~

(d) The distributions under this subdivision to the highway user tax distribution fund ~~until June 30, 1991,~~ and to the trunk highway fund thereafter, must be reduced by the amount necessary to fund the appropriation under section 41A.09, subdivision 1. ~~For the fiscal years ending June 30, 1988, and June 30, 1989.~~ The commissioner of finance, before making the transfers required on July 15 and January 15 of each year, shall estimate the amount required to fund the appropriation under section 41A.09, subdivision 1, for the six-month period for which the transfer is being made. The commissioner shall then reduce the amount transferred to the ~~highway user tax distribution fund~~ by the amount of that estimate. The commissioner shall reduce the estimate for any six-month period by the amount by which the estimate for the previous six-month period exceeded the amount needed to fund the appropriation under section 41A.09, subdivision 1, for that previous six-month period. If at any time during a six-month period in ~~these a fiscal years~~ year, the amount of reduction in the transfer to the ~~highway user tax distribution fund~~ is insufficient to fund the appropriation under section 41A.09, subdivision 1 for that period, the commissioner shall transfer to the general fund from the highway user tax distribution fund an additional amount sufficient to fund the appropriation for that period, but the additional amount so transferred to the general fund in a six-month period may not exceed the amount transferred to the highway user tax distribution fund for that six-month period."

Page 5, line 35, delete "\$52,300,000" and insert "\$37,710,000"

Page 6, line 4, delete "\$6,400,000" and insert "\$7,570,000" and delete "\$18,000,000" and insert "\$7,810,000"

Page 6, line 7, delete "8,900,000" and insert "9,410,000" and delete "14,300,000" and insert "9,525,000"

Page 6, line 11, delete "1,500,000" and insert "1,680,000" and delete "3,200,000" and insert "1,715,000"

Page 6, delete lines 15 to 38 and insert:

"Subd. 2. [PUBLIC TRANSIT ASSISTANCE.] (a) \$2,515,000 is appropriated from the transit assistance fund to the commissioner of transportation for greater Minnesota transit assistance to be available for the fiscal year ending June 30 in the years indicated.

1990	1991
\$1,245,000	\$1,270,000

(b) \$10,055,000 is appropriated from the transit assistance fund to the regional transit board for transit assistance programs to be available for the fiscal year ending June 30 in the years indicated.

1990	1991
\$4,975,000	\$5,080,000"

Page 7, delete lines 1 and 2

Amend the title as follows:

Page 1, line 6, delete everything after the semicolon and insert "increasing percentage of motor vehicle excise tax revenues transferred to the highway user tax distribution fund;"

Page 1, line 7, delete "older vehicles;"

Page 1, line 10, delete everything after "and" and insert "297B.09, subdivision 1."

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on S.F. No. 852. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Decker	Knaak	McQuaid	Renneke
Belanger	Frank	Knutson	Mehrkens	Storm
Benson	Frederick	Laidig	Olson	Taylor
Bernhagen	Frederickson, D.R.	Larson	Pariseau	Vickerman
Bertram	Gustafson	Lessard	Purfeerst	
Brataas	Johnson, D.E.	McGowan	Ramstad	

Those who voted in the negative were:

Adkins	Dicklich	Langseth	Moe, R.D.	Samuelson
Beckman	Diessner	Lantry	Morse	Schmitz
Berglin	Frederickson, D.J.	Luther	Pehler	Solon
Brandl	Freeman	Marty	Peterson, D.C.	Spear
Cohen	Hughes	Merriam	Peterson, R.W.	Stumpf
Davis	Johnson, D.J.	Metzen	Piper	Waldorf
DeCramer	Kroening	Moe, D.M.	Pogemiller	

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

Mr. Knaak moved to amend S.F. No. 852 as follows:

Page 5, after line 33, insert:

"Sec. 6. [REPORT.]

The Minnesota department of transportation shall report to the legislature by July 1, 1989, the reasons, notwithstanding promises to the contrary, for the failure of the governor to recommend the transfer of all of the motor vehicle excise tax. The report shall be made available to the public. The department may not spend trunk highway dollars appropriated in this act until it issues the report."

Page 7, delete line 4 and insert:

"Sections 1 to 5 and 7 are effective July 1, 1989. Section 6 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 41, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S.F. No. 852 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Larson	Morse	Samuelson
Beckman	Frederickson, D.J.	Lessard	Novak	Schmitz
Berglin	Frederickson, D.R.	Luther	Pehler	Solon
Brandl	Freeman	Marty	Peterson, D.C.	Spear
Cohen	Hughes	Merriam	Peterson, R.W.	Vickerman
Davis	Kroening	Metzen	Piper	Waldorf
Decker	Langseth	Moe, D.M.	Purfeerst	
DeCramer	Lantry	Moe, R.D.	Reichgott	

Those who voted in the negative were:

Anderson	Dahl	Johnson, D.J.	Mehrkens	Storm
Belanger	Dicklich	Knaak	Olson	Stumpf
Benson	Frank	Knutson	Pariseau	Taylor
Bernhagen	Frederick	Laidig	Pogemiller	
Bertram	Gustafson	McGowan	Ramstad	
Brataas	Johnson, D.E.	McQuaid	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the 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. 477, 613, 1374, H.F. Nos. 30, 966, 811, 1454, 729 and 1581, which the committee recommends to pass.

H.F. No. 1121, which the committee recommends be re-referred to the Committee on General Legislation and Public Gaming.

H.F. No. 1387, which the committee recommends to pass, subject to the following motion:

Mr. Laidig moved that the amendment made to H.F. No. 1387 by the Committee on Rules and Administration in the report adopted May 3, 1989, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1423, which the committee recommends to pass with the following amendment offered by Mrs. Lantry:

Amend H.F. No. 1423, as amended pursuant to Rule 49, adopted by the Senate May 3, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1196.)

Page 5, line 4, delete "*may*" and insert "*will*"

Page 5, line 8, delete "*A facility need not*"

Page 5, delete lines 9 and 10

Page 5, line 13, delete everything after "*facility*" and insert "*or subsequent days.*"

Page 5, delete lines 14 and 15

Page 6, after line 19, insert:

"Sec. 3. Minnesota Statutes 1988, section 150A.06, subdivision 2a, is amended to read:

Subd. 2a. [REGISTERED DENTAL ASSISTANT.] A person of good moral character, who has submitted an application and fee as prescribed by the board and the diploma or equivalent awarded to the person by a training school for dental assistants or its equivalent approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in a manner to test the applicant's fitness to perform as a registered dental assistant. ~~The diploma or its equivalent must evidence compliance with the time limit requirement of subdivision 7.~~ In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination before applying to the board for registration. The examination shall include an examination of the applicant's

knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant is ineligible to retake the clinical examination required by the board after failing it twice until further education and training are obtained as specified by the board by rule. A separate, non-refundable fee may be charged for each time a person applies. An applicant who passes the examination in compliance with subdivision 2b and meets all the other requirements of the board shall be registered as a dental assistant. The examination fee set by the board in rule is the application fee until the board amends, repeals, or otherwise changes the rules pursuant to chapter 14."

Page 6, after line 30, insert:

"Sec. 5. [REPEALER.]

Minnesota Statutes 1988, section 150A.06, subdivision 7, is repealed."

Re-number the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 13, after the first semicolon, insert "changing licensure requirements for dental assistants;"

Page 1, line 14, delete "section" and insert "sections"

Page 1, line 15, after the semicolon, insert "and 150A.06, subdivision 2a;"

Page 1, line 16, after "256B" insert "; repealing Minnesota Statutes 1988, section 150A.06, subdivision 7"

The motion prevailed. So the amendment was adopted.

H.F. No. 245, which the committee reports progress, subject to the following motion:

Mr. Merriam moved to amend H.F. No. 245 as follows:

Page 4, line 11, delete "*A political*"

Page 4, delete lines 12 to 14

The motion prevailed. So the amendment was adopted.

H.F. No. 245 was then progressed.

H.F. No. 146, which the committee reports progress, subject to the following motion:

Mr. Peterson, R.W. moved to amend H.F. No. 146 as follows:

Page 12, line 23, after "*decided*" insert "*by the individual education planning team*"

Page 12, line 27, after "*decided*" insert "*by the individual education planning team*" and delete "*is*" and insert "*provides the most appropriate placement within*"

The motion prevailed. So the amendment was adopted.

H.F. No. 146 was then progressed.

H.F. No. 1354, which the committee recommends to pass with the following amendment offered by Mr. Luther:

Amend H.F. No. 1354, as amended pursuant to Rule 49, adopted by the

Senate April 28, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1169.)

Page 2, line 1, after "company" insert "*or any or all of its subsidiaries,*"

Page 2, line 2, delete the new language

Page 2, line 16, delete "*Section 3 is*" and insert "*Sections 1, 2, and 3 are*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1589, which the committee recommends to pass, subject to the following motion:

Ms. Peterson, D.C. moved that the amendment made to H.F. No. 1589 by the Committee on Rules and Administration in the report adopted May 3, 1989, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1160, which the committee reports progress, subject to the following motion:

Mr. Frederickson, D.J. moved to amend H.F. No. 1160, 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. 1102.)

Page 1, after line 19, insert:

"A qualified provider to whom the contract is awarded shall give a sufficient bond to the school district for its faithful performance."

The motion prevailed. So the amendment was adopted.

H.F. No. 1160 was then progressed.

H.F. No. 186, which the committee recommends to pass with the following amendment offered by Mr. Pogemiller:

Amend H.F. No. 186, as amended pursuant to Rule 49, adopted by the Senate May 3, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 55.)

Page 4, after line 7, insert:

"Sec. 6. Minnesota Statutes 1988, section 326.3384, is amended by adding a subdivision to read:

Subd. 1a. [LABOR DISPUTES.] No license holder, in the course of providing protective agent services, may provide armed protective personnel to labor disputes or strike locations. This subdivision does not apply to the use of armed security personnel services utilized in the usual course of business for the protection of persons, property, and payroll.

Sec. 7. Minnesota Statutes 1988, section 326.3384, subdivision 2, is amended to read:

Subd. 2. [PENALTY.] A license holder violating subdivision 1 or 1a is guilty of a gross misdemeanor."

Page 4, line 25, delete "7" and insert "9"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "prohibiting the use of armed protective agents in connection with labor disputes in certain circumstances;"

Page 1, line 10, after the semicolon, insert "326.3384, subdivision 2, and by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1574, which the committee recommends to pass, subject to the following motions:

Mr. Luther moved that the amendment made to H.F. No. 1574 by the Committee on Rules and Administration in the report adopted May 1, 1989, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Luther then moved to amend H.F. No. 1574 as follows:

Page 11, line 33, after "of" insert "*Minnesota Statutes*."

Page 11, line 34, after "302A.243" insert a comma

The motion prevailed. So the amendment was adopted.

H.F. No. 268, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Amend H.F. No. 268, the unofficial engrossment, as follows:

Page 1, line 21, delete ", and" and insert a period

Page 1, line 22, before the period, insert "*by a person who is required to register under section 80C.02, but who fails to do so*"

Page 2, line 6, after "person" insert "*who, at the time of acquiring a franchise is a resident of this state, or, in the case of a partnership or corporation, organized or incorporated under the laws of this state, or purporting to bind a person*"

Page 2, line 7, after "franchise" insert "*to be operated in this state*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1447, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Amend H.F. No. 1447, the unofficial engrossment, as follows:

Page 1, line 16, delete "*there is clear and convincing*" and insert "*it can be shown by a preponderance of the*"

The motion prevailed. So the amendment was 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

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

REPORTS OF COMMITTEES

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

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

S.F. No. 575: A bill for an act relating to resource development; establishing a legislative task force on minerals; appropriating money.

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

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

S.F. No. 272: A bill for an act relating to veterans; providing for the establishment of a veterans home in Luverne; authorizing the commissioner of administration to conduct a study of the need for additional veterans homes in the state; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 198.

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

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 1988, section 256B.056, is amended by adding a subdivision to read:

Subd. 3a. [ASSET LIMITATIONS FOR VETERANS.] (a) Notwithstanding subdivision 3, the income and asset limitations for a veteran who is otherwise eligible for medical assistance are the income and asset limitations established by the board of directors of the Minnesota nursing homes for veterans applying for admission to a veterans home. The provisions concerning transfers of property in section 256B.17 do not apply to a veteran. For purposes of this subdivision, "veteran" has the meaning given in section 197.447.

(b) Paragraph (a) is effective only to the extent allowed by federal medical assistance laws and regulations and only if the federal health care financing agency approves the necessary amendments to the state medical assistance plan. The commissioner shall seek waivers of federal requirements to the extent necessary to implement paragraph (a)."

Page 3, line 14, delete "2" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "changing medical assistance income and asset limitations for veterans in community nursing homes to conform with those used for the veterans nursing homes;"

Page 1, line 6, after the semicolon, insert "amending Minnesota Statutes 1988, section 256B.056, by adding a subdivision;"

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

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

H.F. No. 557: A bill for an act relating to retirement; providing additional resources for the public employees insurance plan; amending Minnesota Statutes 1988, sections 43A.316, subdivision 9; 69.031, subdivision 5; and 353.65, subdivisions 1 and 6, and by adding a subdivision.

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon.

S.F. No. 1022: A bill for an act relating to economic development; requiring a job impact statement of certain government units; providing prefeasibility study grants; requiring the employer who engages in a plant closing or mass layoff to pay community benefits, severance pay, and health benefits; establishing a community response committee; requiring repayment of certain financial assistance to businesses; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 268.

Reports the same back with the recommendation that the report from the Committee on Employment, shown in the Journal for April 21, 1989, be amended to read:

“the bill do pass and be re-referred to the Committee on Governmental Operations”. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon.

S.F. No. 1558: A bill for an act relating to transportation; creating legislative study commission to study and report on the AMTRAK Northstar rail line between Duluth and Minneapolis-St. Paul; appropriating money.

Reports the same back with the recommendation that the report from the Committee on Transportation, shown in the Journal for April 27, 1989, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon.

S.F. No. 368: A bill for an act relating to elections; providing a public subsidy for legislative candidates in special elections; amending Minnesota Statutes 1988, sections 10A.31, subdivision 5, and by adding a subdivision; and 10A.33.

Reports the same back with the recommendation that the report from the Committee on Elections and Ethics, shown in the Journal for May 2, 1989, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

H.F. No. 837: A bill for an act relating to crimes; prohibiting the concealing of criminal proceeds; prohibiting racketeering; providing civil and criminal penalties for engaging in narcotics and violent offenses as part of an enterprise; authorizing the dissolution of a corporate charter, revocation of a license, and injunctive relief to prevent criminal activity by an enterprise; authorizing fines of three times the profit gained through racketeering; authorizing criminal forfeiture; amending Minnesota Statutes 1988, section 541.07; proposing coding for new law in Minnesota Statutes, chapters 541 and 609.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for May 1, 1989, be adopted; that committee recommendation being:

“the bill be amended and when so amended the bill do pass”. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 557 and 837 were read the second time.

MOTIONS AND RESOLUTIONS

Ms. Reichgott introduced—

Senate Resolution No. 123: A Senate resolution commending the rescue efforts of Northtown Mall security personnel and Blaine police officers in saving the life of Norbert Reichgott.

Referred to the Committee on Rules and Administration.

Mr. Ramstad introduced—

Senate Resolution No. 124: A Senate resolution congratulating the Courage Rolling Gophers Women's Wheelchair Basketball Team for winning the national championship.

Referred to the Committee on Rules and Administration.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

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

S.F. No. 1618: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; providing for regulation of certain activities and practices; requiring studies and reports; fixing and limiting fees; amending Minnesota Statutes 1988, sections 12.14; 41A.09; 43A.08, subdivision 1; 237.30; 341.10; 473.384, subdivision 7; and 473.386, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 299C.

Senate File No. 1618 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1989

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S.F. No. 1618, 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 to be appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Ms. Piper introduced—

S.F. No. 1623: A bill for an act relating to appropriations; appropriating money for a developmental disabilities community outreach program.

Referred to the Committee on Finance.

Messrs. Solon, Lessard, Purfeerst, Metzen and Samuelson introduced—

S.F. No. 1624: A bill for an act relating to taxation; income; repealing the subtraction for elderly and disabled and reinstating the pension exclusion; removing age limitations; amending Minnesota Statutes 1988, sections 290.01, subdivision 19b, and by adding a subdivision; and 290.032, subdivision 2; repealing Minnesota Statutes 1988, sections 290.0802 and 424A.10.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 1625: A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of vocational technical education, state

board for community colleges, state university board, University of Minnesota, and the Mayo medical foundation, with certain conditions; amending Minnesota Statutes 1988, sections 121.93, subdivisions 2, 3, and 4; 136.31, subdivisions 3 and 5; 136A.04; 136A.05; 136A.08; 136A.095; 136A.101, subdivisions 1 and 7; 136A.121; 136A.131; 136A.132; 136A.134, subdivision 4; 136A.15, subdivision 1; 136A.16, subdivisions 1, 2, 5, 8, 9, and 10; 136A.17, subdivision 1; 136A.1701, subdivisions 1, 2, and 5; 136A.172; 136A.173, subdivision 1; 136A.174; 136A.175, subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.29, subdivision 9; 136C.04, subdivisions 1, 2, 6, 10, and 18; 136C.042, subdivision 2; 136C.05, by adding a subdivision; 136C.07, subdivision 4; 136C.075; 136C.08, subdivision 1; 136C.15; 136C.31, by adding a subdivision; 136C.36; 136C.43, subdivision 1; 169.44, subdivision 18; 275.125, subdivision 14a; 354.094, subdivisions 1a and 1b; 354A.091, subdivision 1a; 355.46, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A and 136A; repealing Minnesota Statutes 1988, sections 121.936, subdivision 1a; 136A.042; 136A.09; 136A.101, subdivision 6; 136A.111; 136A.121, subdivisions 1, 4, and 15; 136A.14; 136A.141; 136A.142; 136A.51; 136A.52; 136A.53; 136C.07, subdivisions 1, 2, 3, and 6; 136C.21; 136C.211; 136C.212; 136C.213; 136C.22; 136C.221; 136C.222; 136C.223; 136C.25; 136C.26, subdivisions 1, 3, 4, 5, 6, 7, and 9; 136C.27, subdivision 2; 136C.28, subdivisions 1 and 2; 136C.29; 136C.33, subdivisions 1 and 2; 136C.42; and 136C.43, subdivisions 1, 2, and 3.

Mr. Moe, R.D. moved that S.F. No. 1625 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that S.F. No. 1625 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Merriam moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1625 and that the rules of the Senate be so far suspended as to give S.F. No. 1625 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 1625 was read the second time.

Mr. Waldorf moved that S.F. No. 1625 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Mr. Luther moved that the report from the Committee on Elections and Ethics, reported March 20, 1989, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Luther moved that in accordance with the report from the Committee on Elections and Ethics, reported March 20, 1989, the Senate, having given

its advice, do now consent to and confirm the appointment of:

STATE ETHICAL PRACTICES BOARD

William Heaney, 414 Nicollet Mall, Minneapolis, Hennepin County, effective January 30, 1989, for a term expiring the first Monday in January, 1993.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Waldorf moved that S.F. No. 1625 be taken from the table. The motion prevailed.

S.F. No. 1625: A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of vocational technical education, state board for community colleges, state university board, University of Minnesota, and the Mayo medical foundation, with certain conditions; amending Minnesota Statutes 1988, sections 121.93, subdivisions 2, 3, and 4; 136.31, subdivisions 3 and 5; 136A.04; 136A.05; 136A.08; 136A.095; 136A.101, subdivisions 1 and 7; 136A.121; 136A.131; 136A.132; 136A.134, subdivision 4; 136A.15, subdivision 1; 136A.16, subdivisions 1, 2, 5, 8, 9, and 10; 136A.17, subdivision 1; 136A.1701, subdivisions 1, 2, and 5; 136A.172; 136A.173, subdivision 1; 136A.174; 136A.175, subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.29, subdivision 9; 136C.04, subdivisions 1, 2, 6, 10, and 18; 136C.042, subdivision 2; 136C.05, by adding a subdivision; 136C.07, subdivision 4; 136C.075; 136C.08, subdivision 1; 136C.15; 136C.31, by adding a subdivision; 136C.36; 136C.43, subdivision 1; 169.44, subdivision 18; 275.125, subdivision 14a; 354.094, subdivisions 1a and 1b; 354A.091, subdivision 1a; 355.46, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A and 136A; repealing Minnesota Statutes 1988, sections 121.936, subdivision 1a; 136A.042; 136A.09; 136A.101, subdivision 6; 136A.111; 136A.121, subdivisions 1, 4, and 15; 136A.14; 136A.141; 136A.142; 136A.51; 136A.52; 136A.53; 136C.07, subdivisions 1, 2, 3, and 6; 136C.21; 136C.211; 136C.212; 136C.213; 136C.22; 136C.221; 136C.222; 136C.223; 136C.25; 136C.26, subdivisions 1, 3, 4, 5, 6, 7, and 9; 136C.27, subdivision 2; 136C.28, subdivisions 1 and 2; 136C.29; 136C.33, subdivisions 1 and 2; 136C.42; and 136C.43, subdivisions 1, 2, and 3.

Mr. Storm moved to amend S.F. No. 1625 as follows:

Page 10, line 24, after the period, insert "No state money appropriated for Southwest State University nor student tuition fees may be used to support the operation of the science and technology resource center."

CALL OF THE SENATE

Mr. DeCramer imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

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

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

Mr. Knaak moved to amend S.F. No. 1625 as follows:

Page 21, after line 8, insert:

"Sec. 10. Minnesota Statutes 1988, section 136C.05, is amended by adding a subdivision to read:

Subd. 5. [USE OF PROPERTY.] A school board may not sell, lease, construct, or permit construction of facilities on property purchased and designated for technical institute purposes since January 1, 1980, without the approval of the state board. Any denial must be in writing and reasons given. The state board may deny the board action only if the state board finds that such a denial benefits the state technical institute system. A school board shall notify the state board when property or a facility designated for a technical institute is used for a purpose other than technical institute activities. Notification of incidental uses and uses for integrated secondary and post-secondary vocational instruction is not required."

Renumber the sections of article 2 in sequence

Amend the title as follows:

Page 1, line 19, delete "a"

Page 1, line 20, delete the first "subdivision" and insert "subdivisions"

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

Mr. Knaak then moved to amend S.F. No. 1625 as follows:

Page 5, after line 31, insert:

"The HECB shall conduct a study on the feasibility of establishing a statewide intermediate school district system and report to the legislature by January 15, 1990, on the results of the study. The study must consider: (1) the means of improved relationships between post-secondary technical education and secondary education; and (2) the benefits of a regional governing structure in responding to the need to provide greater opportunities for students."

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

S.F. No. 1625 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. DeCramer moved that S.F. No. 1175, No. 37 on General Orders, be stricken and returned to its author. The motion prevailed.

RECESS

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

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

APPOINTMENTS

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

S.F. No. 1618: Messrs. Langseth, Purfeerst, Metzen, Mehrkens and Berg.

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

MEMBERS EXCUSED

Mr. Chmielewski was excused from the Session of today. Mr. Storm was excused from the Session of today at 6:00 p.m. Mr. Novak was excused from the Session of today from 1:45 to 4:15 p.m. Mr. Hughes was excused from the Session of today at 5:00 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Friday, May 5, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate