

NINETY-THIRD DAY

St. Paul, Minnesota, Friday, April 20, 1990

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Belanger 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. Stephen Adrian.

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

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

The President declared a quorum present.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 2478 at 9:00 a.m.:

Messrs. Pogemiller, Novak, Stumpf, Belanger and Johnson, D.J. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Vickerman moved that the following members be excused for a Conference Committee on S.F. No. 1896 at 9:00 a.m.:

Messrs. DeCramer, Langseth, Samuelson, Piepho and Vickerman. The motion prevailed.

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. 1750: A bill for an act relating to agriculture; making legislative findings; extending the farmer-lender mediation act; appropriating money; amending Minnesota Statutes 1988, section 583.21; Laws 1986, chapter 398, article 1, section 18, as amended.

Senate File No. 1750 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Stumpf moved that the Senate concur in the amendments by the House to S.F. No. 1750 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1750: A bill for an act relating to agriculture; extending the farmer-lender mediation act; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

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 7, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|--------------------|----------|-----------|-----------|
| Adkins | Dicklich | Laidig | Metzen | Ramstad |
| Anderson | Diessner | Langseth | Moe, D.M. | Reichgott |
| Beckman | Frank | Lantry | Moe, R.D. | Renneke |
| Belanger | Frederick | Larson | Morse | Schmitz |
| Benson | Frederickson, D.J. | Lessard | Novak | Solon |
| Berg | Frederickson, D.R. | Luther | Olson | Storm |
| Brandl | Freeman | Marty | Pariseau | Stumpf |
| Brataas | Hughes | McGowan | Pehler | |
| Cohen | Johnson, D.E. | McQuaid | Piper | |
| Decker | Knaak | Mehrkens | Purfeerst | |

Those who voted in the negative were:

| | | | | |
|---------|----------|---------|-----------------|---------|
| Berglin | Knutson | Merriam | Peterson, R. W. | Waldorf |
| Flynn | Kroening | | | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 1674: A bill for an act relating to agriculture; providing grasshopper control; authorizing the commissioner to exempt certain lands from grasshopper control; exempting certain persons from losses relating to grasshopper control; clarifying when public utilities are subject to grasshopper control; providing for notices for control and approval of grasshopper control costs; authorizing levies; appropriating money; amending Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 1989 Supplement, section 18.0226.

Senate File No. 1674 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. Berg moved that the Senate do not concur in the amendments by the House to S.F. No. 1674, 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.

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. 1894: A bill for an act relating to environment and natural resources; amending provisions relating to water management organizations; providing legislative commission oversight of the metropolitan water management act; authorizing management and financing of drainage systems under certain laws; clarifying water management purposes; authorizing counties to remove watershed district managers for just cause; authorizing a technical advisory committee; requiring watershed management organizations to prepare newsletters, annual reports, and audits; providing for preparation of watershed plans and implementation of plans; providing penalties for not implementing plans; authorizing and directing the board of water and soil resources to adopt rules; providing for appeal of plan failures; providing for requests for proposals for certain services; authorizing accumulation of levy proceeds; requiring a draining system report; appropriating money; amending Minnesota Statutes 1988, sections 110B.28; 110B.30; 112.42, by adding a subdivision; 473.875; 473.876, by adding a subdivision; 473.877, subdivision 1; 473.878, subdivisions 1, 1a, 2, 3, 4, 8, and by adding subdivisions; 473.879, subdivision 2; 473.881; 473.882, subdivision 1; and 473.883, subdivisions 3 and 7; Minnesota Statutes 1989 Supplement, section 473.883, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 112 and 473.

Senate File No. 1894 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. Luther moved that S.F. No. 1894 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2299, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 2299: A bill for an act relating to agriculture; establishing the Minnesota natural wild rice promotion advisory council; proposing coding for new law in Minnesota Statutes, chapter 30.

Senate File No. 2299 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2130, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 2130: A bill for an act relating to insurance; regulating the practices and record keeping of, and disclosures by, public adjusters; amending Minnesota Statutes 1988, section 72B.135, by adding subdivisions.

Senate File No. 2130 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1743, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1743: A bill for an act relating to telephone service; regulating the installation of extended area service in exchanges; requiring the expansion of the metropolitan extended area telephone service, under some circumstances; proposing coding for new law in Minnesota Statutes, chapter 237.

Senate File No. 1743 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 488, and repassed said bill in accordance with the report of the Committee,

so adopted.

S.F. No. 488: A bill for an act relating to public employment; defining equitable compensation relationships; requiring an implementation report; providing for review of plans; providing for appeals from decisions of the commissioner of employee relations; requiring the commissioner to report to the legislature; amending Minnesota Statutes 1988, sections 471.991, subdivision 5; 471.992, subdivisions 1, 2, and by adding a subdivision; 471.994; 471.998, by adding a subdivision; 471.9981, subdivision 6, and by adding subdivisions; and 471.999; Minnesota Statutes 1989 Supplement, section 485.018, subdivision 7; repealing Minnesota Statutes 1988, sections 471.992, subdivision 3; 471.995; 471.996; 471.9975; and 471.9981, subdivisions 2 to 5.

Senate File No. 488 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2652.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 1990

FIRST READING OF HOUSE BILLS

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

H.F. No. 2652: A resolution memorializing the President and the Congress of the United States to design the 1990 federal farm bill so that it protects the family farm system.

Referred to the Committee on Agriculture and Rural Development.

REPORTS OF COMMITTEES

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

S.F. No. 2638: A resolution memorializing the Congress of the United States to enact H.R. 3603 which relates to the disclosure of information concerning POW/MIAs.

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

Pursuant to Joint Rule 2.03, the resolution was re-referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Messrs. Morse; Benson; Moe, R.D.; Lessard and Dahl introduced—

Senate Resolution No. 186: A Senate resolution designating and proclaiming April 22, 1990, as Earth Day 1990.

WHEREAS, almost 20 years ago, more than 20 million Americans joined together on Earth Day in a demonstration of concern for the environment, and their collective action resulted in the passage of sweeping new laws to protect our air, water, and land; and

WHEREAS, in the 19 years since the first Earth Day, despite environmental improvements, the environmental health of the planet is increasingly endangered, threatened by global climate change, ozone depletion, growing world population, tropical deforestation, ocean pollution, toxic wastes, desertification, and nuclear waste requiring action by all sectors of society; and

WHEREAS, Earth Day 1990 is a national and international call to action for all citizens to join in a global effort to save the planet; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of acting in an environmentally sensitive fashion by recycling, conserving energy and water, using efficient transportation, and adopting more ecologically sound lifestyles; and

WHEREAS, Earth Day 1990 will also educate all citizens on the importance of buying and using those products least harmful to the environment, the importance of doing business with companies that are environmentally sensitive and responsible, the importance of voting for those candidates who demonstrate an abiding concern for the environment, and the importance of supporting the passage of legislation that will help protect the environment; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it designate and proclaim April 22, 1990, as Earth Day 1990, and that that day shall be set aside for public activities promoting preservation of the global environment and launching the "Decade of the Environment."

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Chairman of the Senate Rules and Administration Committee, and present it to the appropriate Minnesota organizations planning public activities for Earth Day 1990.

Mr. Morse moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mrs. Lantry moved that the following members be excused for a Conference Committee on S.F. No. 2018 at 10:00 a.m.:

Messrs. Diessner, Purfeerst, Ms. Reichgott, Mmes. McQuaid and Lantry. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 2230, and repassed said bill in accordance with the report of the Committee, so adopted.

H.F. No. 2230: A bill for an act relating to public purchasing; establishing programs for purchasing from certain small targeted group businesses and businesses located in economically disadvantaged areas; requiring prompt payment to subcontractors; providing penalties; amending Minnesota Statutes 1988, sections 16B.07, by adding a subdivision; 16B.20, subdivisions 1 and 3; 161.321, subdivisions 1, 4, 5, and by adding a subdivision; Minnesota Statutes 1989 Supplement, sections 16B.19; 16B.20, subdivision 2; 16B.21; 16B.22; 16B.226; 116J.68; 136.27; 136.72; 137.31, subdivision 6; 161.321, subdivisions 2, 3, and 6; 161.3211; 241.27, subdivision 2; 471.345, subdivision 8; and 473.142; Laws 1989, chapter 352, section 25; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; and 137; repealing Minnesota Statutes 1989 Supplement, sections 16B.189; 137.31, subdivision 3a; and 645.445, subdivision 5.

House File No. 2230 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 1990

Mrs. Adkins moved that H.F. No. 2230 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2343, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2343 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 1990

CONFERENCE COMMITTEE REPORT ON H.F. NO. 2343

A bill for an act relating to insurance; accident and health; providing for the classification and disclosure of certain comprehensive health insurance data; regulating the Minnesota comprehensive health insurance plan; requiring insurers to provide written materials on the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1988, sections 13.71,

by adding a subdivision; 62E.10, subdivision 9; 62E.14, by adding subdivisions; and 62E.15, subdivision 4.

April 12, 1990

The Honorable Robert Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

We, the undersigned conferees for H.F. No. 2343, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 2343 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1988, section 13.71, is amended by adding a subdivision to read:

Subd. 6. [COMPREHENSIVE HEALTH INSURANCE DATA.] The following data on eligible persons and enrollees of the state comprehensive health insurance plan are classified as private: all data collected or maintained by the Minnesota comprehensive health association, the writing carrier, and the department of commerce.

The Minnesota comprehensive health association is considered a state agency for purposes of chapter 13.

The Minnesota comprehensive health association may disclose data on eligible persons and enrollees of the state comprehensive health insurance plan to conduct actuarial and research studies, notwithstanding the classification of this data, if:

- (1) the board authorizes the disclosure;*
- (2) no individual may be identified in the actuarial or research report;*
- (3) materials allowing an individual to be identified are returned or destroyed as soon as they are no longer needed; and*
- (4) the actuarial or research organization agrees not to disclose the information unless the disclosure would be permitted under this chapter if made by the association.*

Sec. 2. Minnesota Statutes 1988, section 62E.10, subdivision 9, is amended to read:

Subd. 9. [EXPERIMENTAL DELIVERY METHOD.] The association may petition the commissioner of commerce for a waiver to allow the experimental use of alternative means of health care delivery. The commissioner may approve the use of the alternative means the commissioner considers appropriate. The commissioner may waive any of the requirements of this chapter and chapters 60A, 62A, and 62D in granting the waiver. The commissioner may also grant to the association any additional powers as are necessary to facilitate the specific waiver, including the power to implement a provider payment schedule.

This subdivision is effective until August 1, ~~1990~~ 1991.

~~The commissioner of commerce in consultation with the governor's commission on health plan regulatory reform shall study and report to the~~

legislature by January 15, 1989, on the current means utilized to finance the annual operating deficits incurred under the association. In conducting the study, the commissioner shall analyze any negative financial impacts which the current deficits are having on the contributing members of the association and recommend alternative sources of funding or other approaches which could be utilized to finance the operating deficit. The study shall also address the current association funding inequities between employers which self-insure for employee health benefit coverage and those employers which have health coverage subject to state regulation.

Sec. 3. Minnesota Statutes 1988, section 62E.14, is amended by adding a subdivision to read:

Subd. 4a. [WAIVER OF PREEXISTING CONDITIONS FOR MINNESOTA RESIDENTS.] A person may enroll in the comprehensive health plan with a waiver of the preexisting condition limitation described in subdivision 3, provided that the following requirements are met:

(1) the person is a Minnesota resident eligible to enroll in the comprehensive health plan;

(2) the person:

(a) would be eligible for continuation under federal or state law if continuation coverage were available or were required to be available;

(b) would be eligible for continuation under clause (a) except that the person was exercising continuation rights and the continuation period required under federal or state law has expired; or

(c) is eligible for continuation of health coverage under federal or state law;

(3) continuation coverage is not available; and

(4) the person applies for coverage within 90 days of termination of prior coverage from a policy or plan.

Coverage in the comprehensive health plan is effective on the date of termination of prior coverage. The availability of conversion rights does not affect a person's rights under this subdivision.

Sec. 4. Minnesota Statutes 1988, section 62E.14, is amended by adding a subdivision to read:

Subd. 4b. [WAIVER OF PREEXISTING CONDITIONS FOR PERSONS COVERED BY RETIREE PLANS.] A person who was covered by a retiree health care plan may enroll in the comprehensive health plan with a waiver of the preexisting condition limitation described in subdivision 3, provided that the following requirements are met:

(1) the person is a Minnesota resident eligible to enroll in the comprehensive health plan;

(2) the person was covered by a retiree health care plan from an employer and the coverage is no longer available to the person; and

(3) the person applies for coverage within 90 days of termination of prior coverage.

Coverage in the comprehensive health plan is effective on the date of termination of prior coverage. The availability of conversion rights does not affect a person's rights under this section.

Sec. 5. [WAIVER OF PREEXISTING CONDITION.]

A person may enroll in the comprehensive health plan with a waiver of the preexisting condition limitation described in Minnesota Statutes, section 62E.14, subdivision 3, provided that the person meets the following requirements:

(1) group coverage was provided through a rehabilitation facility defined in Minnesota Statutes, section 129A.01, subdivision 6, and coverage was terminated;

(2) all other eligibility requirements for enrollment in the comprehensive health plan are met; and

(3) coverage is applied for within 90 days of termination of previous coverage.

Sec. 6. Minnesota Statutes 1988, section 62E.15, subdivision 4, is amended to read:

Subd. 4. Every insurer which rejects or applies underwriting restrictions to an applicant for accident and health insurance shall: *(1) provide the applicant with a written notice of rejection or the underwriting restrictions applied to the applicant in a manner consistent with the requirements in section 72A.499; (2) notify the applicant of the existence of the state plan, the requirements for being accepted in it, and the procedure for applying to it; and (3) provide the applicant with written materials explaining the state plan in greater detail. This written material shall be provided by the association to every insurer at no charge.*

Sec. 7. [62E.19] [PAYMENTS FOR PREEXISTING CONDITIONS.]

Subdivision 1. [EMPLOYER LIABILITY.] An employer is liable to the association for the costs of any preexisting conditions of the employer's former employees or their dependents during the first six months of coverage under the state comprehensive health insurance plan under the following conditions:

(1) the employer has terminated or laid off employees and is required to meet the notice requirements under section 268.976, subdivision 3;

(2) the employer has failed to provide, arrange for, or make available continuation health insurance coverage required to be provided under federal or state law to employees or their dependents; and

(3) the employer's former employees or their dependents enroll in the state comprehensive health insurance plan with a waiver of the preexisting condition limitation under section 62E.14, subdivision 4a or 5; or

(4) the employer has terminated or allowed the employer's plan of health insurance coverage to lapse within 90 days prior to the date of termination or layoff of an employee; and

(5) the employer's former employees or their dependents enroll in the state comprehensive health insurance plan with a waiver of the preexisting condition limitation under section 62E.14, subdivision 4a or 5.

The employer shall pay a special assessment to the association for the costs of the preexisting conditions. The special assessment may be assessed before the association makes the annual determination of each contributing member's liability as required under this chapter. The association may enforce the obligation to pay the special assessment by action, as a claim

in an insolvency proceeding, or by any other method not prohibited by law.

If the association makes the special assessment permitted by this subdivision, the association may also make any assessment of contributing members otherwise permitted by law, without regard to the special assessment permitted by this subdivision. Contributing members must pay the assessment, subject to refund or adjustment, in the event of receipt by the association of any portion of the special assessment.

Subd. 2. [EXEMPTION.] Subdivision 1 does not apply to a termination of or failure to implement an employee health benefit plan which results from or occurs during a strike or lockout, nor does it apply to employee health benefit plans separately provided by an employee organization or bargaining agent, regardless of any financial contribution to the plan by the employer.

Sec. 8. [EFFECTIVE DATE.]

Sections 3, 4, and 7 are effective retroactively to March 1, 1990. Sections 1, 2, and 5 are effective the day following final enactment. The 90-day requirement in sections 3 and 4 does not apply to terminations of coverage occurring after March 1, if application to or enrollment in the comprehensive health plan occurs within 90 days after final enactment."

Delete the title and insert:

"A bill for an act relating to insurance; accident and health; providing for the classification and disclosure of certain comprehensive health insurance data; regulating the Minnesota comprehensive health insurance plan; requiring insurers to provide written materials on the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1988, sections 13.71, by adding a subdivision; 62E.10, subdivision 9; 62E.14, by adding subdivisions; and 62E.15, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62E."

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

House Conferees: (Signed) Wesley J. Skoglund, Bob Haukoos, Ted Winter

Senate Conferees: (Signed) John E. Brandl, Sam G. Solon, Mel Frederick

Mr. Brandl moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2343 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2343 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|--------------------|----------|-----------------|-----------|
| Adkins | Flynn | Knutson | McQuaid | Ramstad |
| Anderson | Frank | Kroening | Mehrkens | Reichgott |
| Beckman | Frederick | Laidig | Merriam | Renneke |
| Belanger | Frederickson, D.J. | Langseth | Metzen | Schmitz |
| Benson | Frederickson, D.R. | Lantry | Moe, R.D. | Solon |
| Berg | Freeman | Larson | Morse | Storm |
| Berglin | Hughes | Lessard | Pariseau | Stumpf |
| Brandl | Johnson, D.E. | Luther | Pehler | Waldorf |
| Brataas | Johnson, D.J. | Marty | Peterson, R. W. | |
| Decker | Knaak | McGowan | Piper | |

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Freeman moved that the following members be excused for a Conference Committee on H.F. No. 2651 at 10:15 a.m.:

Messrs. Benson; Merriam; Waldorf; Moe, R.D. and Freeman. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Davis moved that the following members be excused for a Conference Committee on S.F. No. 2527 from 9:00 to 10:20 a.m.:

Messrs. Bertram, Bernhagen and Davis. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Decker moved that S.F. No. 2639 be taken from the table. The motion prevailed.

S.F. No. 2639: A resolution memorializing the Congress of the United States to appropriate money for the restoration and preservation of the Civilian Conservation Corps buildings.

SUSPENSION OF RULES

Mr. Decker 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. 2639 and that the rules of the Senate be so far suspended as to give S.F. No. 2639 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 2639 was read the second time.

S.F. No. 2639 was read the third time and placed on its final passage.

The question was taken on the passage of the resolution.

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

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|----------|------------|-----------|
| Adkins | Dicklich | Knutson | Mehrkens | Ramstad |
| Anderson | Diessner | Kroening | Metzen | Renneke |
| Beckman | Flynn | Laidig | Morse | Samuelson |
| Berg | Frank | Langseth | Olson | Schmitz |
| Berglin | Frederick | Larson | Pariseau | Solon |
| Bernhagen | Frederickson, D.J. | Lessard | Pehler | Storm |
| Bertram | Frederickson, D.R. | Luther | Piepho | Stumpf |
| Davis | Hughes | Marty | Piper | |
| Decker | Johnson, D.E. | McGowan | Pogemiller | |
| DeCramer | Knaak | McQuaid | Purfeerst | |

So the resolution passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 2213 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 2213

A bill for an act relating to traffic regulations; regulating wheel flaps and covered loads; imposing a penalty; amending Minnesota Statutes 1988, sections 169.733; and 169.81, subdivision 5, and by adding a subdivision.

April 17, 1990

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 2213, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: (Signed) Gary M. DeCramer, Clarence M. Purfeerst, Phyllis W. McQuaid

House Conferees: (Signed) Katy Olson, Doug Carlson, Loren G. Jennings

Mr. DeCramer moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2213 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2213 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 40 and nays 7, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|---------------|----------|----------------|
| Adkins | Decker | Hughes | Marty | Peterson, R.W. |
| Beckman | DeCramer | Johnson, D.E. | McGowan | Piper |
| Belanger | Dicklich | Knaak | Mehrkens | Pogemiller |
| Berglin | Flynn | Knutson | Metzen | Ramstad |
| Bernhagen | Frank | Kroening | Morse | Samuelson |
| Brataas | Frederick | Laidig | Olson | Storm |
| Cohen | Frederickson, D.J. | Langseth | Pariseau | Stumpf |
| Davis | Frederickson, D.R. | Luther | Pehler | Vickerman |

Those who voted in the negative were:

| | | | | |
|----------|---------|--------|---------|---------|
| Anderson | Bertram | Piepho | Renneke | Schmitz |
| Berg | Larson | | | |

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

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

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. 1950, 2055, 2248, 2375, 2490, 2395 and 1779.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 1798: A bill for an act relating to health; providing limited prescription privileges for physician assistants; requiring permanent registration for certain physician assistants; amending Minnesota Statutes 1988, section 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

Senate File No. 1798 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Ms. Piper moved that the Senate concur in the amendments by the House to S.F. No. 1798 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1798: A bill for an act relating to health; providing limited prescription privileges for physician assistants; requiring permanent registration for certain physician assistants; appropriating money; amending

Minnesota Statutes 1988, section 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|----------|----------------|-----------|
| Adkins | Dahl | Knaak | Morse | Renneke |
| Anderson | Davis | Kroening | Olson | Samuelson |
| Beckman | DeCramer | Laidig | Pariseau | Schmitz |
| Belanger | Dicklich | Langseth | Pehler | Solon |
| Berg | Frank | Larson | Peterson, R.W. | Storm |
| Berglin | Frederick | Luther | Piepho | Stumpf |
| Bernhagen | Frederickson, D.R. | McGowan | Piper | |
| Bertram | Hughes | Mehrken | Pogemiller | |
| Cohen | Johnson, D.E. | Metzen | Ramstad | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 1758: A bill for an act relating to health; requiring the licensing of wholesale drug distributors; regulating the use of biosynthetic bovine somatotropin; providing penalties; amending Minnesota Statutes 1988, sections 151.01, subdivision 28; 151.06, subdivision 1; 151.15, subdivision 3; and 151.25; proposing coding for new law in Minnesota Statutes, chapter 151.

Senate File No. 1758 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Samuelson moved that the Senate concur in the amendments by the House to S.F. No. 1758 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Mr. Morse imposed a call of the Senate for the balance of the proceedings on S.F. No. 1758. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Brandl moved that the Senate do not concur in the amendments by the House to S.F. No. 1758, 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 did not prevail.

The question recurred on the adoption of the motion of Mr. Samuelson. The motion prevailed.

S.F. No. 1758 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.

Mr. Luther moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 34 and nays 23, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|--------------------|---------------|------------|-----------|
| Adkins | Davis | Johnson, D.J. | Moe, D.M. | Samuelson |
| Anderson | DeCramer | Kroening | Moe, R. D. | Schmitz |
| Beckman | Dicklich | Langseth | Morse | Solon |
| Berglin | Flynn | Luther | Novak | Stumpf |
| Bertram | Frederickson, D.J. | Marty | Pehler | Vickerman |
| Cohen | Freeman | Merriam | Piper | Waldorf |
| Dahl | Hughes | Metzen | Pogemiller | |

Those who voted in the negative were:

| | | | | |
|-----------|--------------------|---------|-----------------|---------|
| Belanger | Brataas | Knaak | Mehrkens | Ramstad |
| Benson | Decker | Knutson | Olson | Renneke |
| Berg | Frederick | Laidig | Pariseau | Storm |
| Bernhagen | Frederickson, D.R. | Lessard | Peterson, R. W. | |
| Brandl | Johnson, D.E. | McGowan | Piepho | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 2177: A bill for an act relating to traffic safety; providing for administrative impoundment of license plates of vehicles owned by repeat violators of laws relating to driving while intoxicated; providing for issuance of special plates; requiring peace officers to serve a notice of intent to impound when serving a notice of intent to revoke the violator's driver's license; providing for administrative and judicial review of impoundment orders; eliminating the alcohol problem screening for persons convicted of offenses associated with driving under the influence of alcohol or a controlled substance; modifying procedures for chemical use assessments, programs, and funding; changing the maximum rate for reimbursement of counties from the general fund for the assessments; expanding the crime of refusing to submit to an implied consent test; requiring notice of certain enhanced penalties; expanding the crime of aggravated driving while intoxicated; removing requirement that negligence be proven for conviction of criminal vehicular operation if driver's alcohol concentration was 0.10 or more; imposing penalties for criminal vehicular operation resulting in substantial bodily harm; prohibiting constructive possession of alcohol in a private motor vehicle; expanding the definition of possession; changing provisions about aircraft operation while under the influence of alcohol or controlled substances; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 168.041, subdivisions 3, 8, and 10;

169.121, by adding a subdivision; 169.122, subdivision 2; 169.124, subdivision 1; 169.126, subdivisions 1, 2, 6, and by adding a subdivision; 169.129; and 360.015, subdivisions 1 and 6; Minnesota Statutes 1989 Supplement, sections 169.041, subdivision 4; 169.121, subdivisions 1a, 3, and 3b; 169.126, subdivision 4; 260.193, subdivision 8; and 609.21; proposing coding for new law in Minnesota Statutes, chapters 168 and 360; repealing Minnesota Statutes 1988, sections 168.041, subdivision 3a; 169.124, subdivisions 2 and 3; 169.126, subdivisions 2, 3, and 4b; 360.075, subdivision 7; and 360.0751; Minnesota Statutes 1989 Supplement, sections 168.041, subdivision 4a; and 169.126, subdivision 4a.

Senate File No. 2177 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. Luther, for Mr. Spear, moved that the Senate do not concur in the amendments by the House to S.F. No. 2177, 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. 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. 1499: A bill for an act relating to consumer protection; regulating certain rental-purchase agreements; prescribing the rights and duties of all parties; requiring disclosures; regulating advertising; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F

Senate File No. 1499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Dahl moved that the Senate concur in the amendments by the House to S.F. No. 1499 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1499 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|---------------|----------------|------------|
| Adkins | Dahl | Johnson, D.E. | McGowan | Piepho |
| Anderson | Davis | Johnson, D.J. | Mehrrens | Piper |
| Beckman | Decker | Knaak | Metzen | Pogemiller |
| Belanger | DeCramer | Kroening | Moe, D.M. | Ramstad |
| Berglin | Dicklich | Laidig | Morse | Samuelson |
| Bernhagen | Flynn | Langseth | Novak | Schmitz |
| Bertram | Frederickson, D.J. | Larson | Olson | Storm |
| Brandl | Frederickson, D.R. | Lessard | Pariseau | Stumpf |
| Brataas | Freeman | Luther | Pehler | Vickerman |
| Cohen | Hughes | Marty | Peterson, R.W. | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 2195: A bill for an act relating to waste; prohibiting certain types of low-level radioactive waste from being disposed of at other than licensed facilities; providing for a task force on radioactive waste deregulation; proposing coding for new law in Minnesota Statutes, chapter 116C.

Senate File No. 2195 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. Morse moved that the Senate do not concur in the amendments by the House to S.F. No. 2195, 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. 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. 2396: A bill for an act relating to the environment; regulating the disposition of property acquired for response action; appropriating money; amending Minnesota Statutes 1988, section 115B.17, by adding a subdivision.

Senate File No. 2396 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Morse moved that the Senate concur in the amendments by the House to S.F. No. 2396 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2396: A bill for an act relating to the environment; exempting the state and political subdivisions from liability as responsible persons; regulating the disposition of property acquired for response action; appropriating money; amending Minnesota Statutes 1988, sections 115B.03, by adding a subdivision; and 115B.17, by adding a subdivision.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|----------|------------|-----------|
| Adkins | Dahl | Knaak | Morse | Renneke |
| Anderson | Davis | Knutson | Novak | Samuelson |
| Beckman | Decker | Kroening | Olson | Schmitz |
| Berglin | DeCramer | Laidig | Pariseau | Storm |
| Bernhagen | Dicklich | Lessard | Pehler | Stumpf |
| Bertram | Flynn | Luther | Piepho | Vickerman |
| Brandl | Frederickson, D.J. | Marty | Piper | |
| Brataas | Frederickson, D.R. | McGowan | Pogemiller | |
| Cohen | Hughes | Metzen | Ramstad | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 2060: A bill for an act relating to drivers' licenses; defining gross vehicle weight and commercial motor vehicle; allowing holder of class CC driver's license with school bus endorsement to operate a small school bus; changing effective dates of requirements for commercial driver's license; setting fees; appropriating money; amending Minnesota Statutes 1988, sections 169.01, subdivision 46; 171.01, subdivision 16; and 171.321, subdivision 1; Minnesota Statutes 1989 Supplement, sections 169.01, subdivision 75; 171.01, subdivision 22; 171.02, subdivision 2; and 171.06, subdivision 2; Laws 1989, chapter 307, sections 43 and 44.

Senate File No. 2060 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. DeCramer moved that the Senate concur in the amendments by the House to S.F. No. 2060 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2060 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|--------------------|----------------|-----------|
| Adkins | Cohen | Frederickson, D.R. | Luther | Piepho |
| Anderson | Dahl | Hughes | Marty | Piper |
| Beckman | Davis | Johnson, D.E. | McGowan | Ramstad |
| Belanger | DeCramer | Knaak | Mehrkens | Renneke |
| Berglin | Dicklich | Knutson | Metzen | Schmitz |
| Bernhagen | Flynn | Kroening | Morse | Solon |
| Bertram | Frank | Langseth | Olson | Storm |
| Brandl | Frederick | Larson | Pehler | Stumpf |
| Brataas | Frederickson, D.J. | Lessard | Peterson, R.W. | Vickerman |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 2037: A bill for an act relating to agriculture; amending the definition of farm products; changing provisions related to wholesale produce dealers; imposing fees; providing for a wholesale dealers' trust; requiring mediation and arbitration in certain produce contracts; providing parent company liability; authorizing seizure of vehicles; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 17.14, subdivision 3; 27.01, subdivisions 2, 5, 8, and by adding a subdivision; 27.03, subdivision 1, and by adding subdivisions; 27.04; 27.041; 27.06; and 27.19; proposing coding for new law in Minnesota Statutes, chapter 27; repealing Minnesota Statutes 1988, section 27.05.

Senate File No. 2037 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Morse moved that the Senate concur in the amendments by the House to S.F. No. 2037 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2037 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|---------------|----------------|-----------|
| Anderson | Dahl | Hughes | Marty | Piepho |
| Beckman | Decker | Johnson, D.E. | McGowan | Piper |
| Belanger | DeCramer | Knaak | Mehrkens | Ramstad |
| Berglin | Dicklich | Knutson | Metzen | Renneke |
| Bernhagen | Flynn | Kroening | Morse | Schmitz |
| Bertram | Frank | Laidig | Olson | Solon |
| Brandl | Frederick | Larson | Pariseau | Storm |
| Brataas | Frederickson, D.J. | Lessard | Pehler | Vickerman |
| Cohen | Frederickson, D.R. | Luther | Peterson, R.W. | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 2346: A bill for an act relating to the state building code; accessibility for the physically disabled; establishing an access review board; providing for review of applications for permission to provide accessibility by means of stairway chair lifts; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 471.

Senate File No. 2346 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Beckman moved that the Senate concur in the amendments by the House to S.F. No. 2346 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2346 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------------|---------------|-----------|----------------|
| Adkins | Davis | Johnson, D.E. | Marty | Peterson, R.W. |
| Anderson | Decker | Knaak | McGowan | Piepho |
| Beckman | DeCramer | Knutson | Mehrrens | Piper |
| Berglin | Dicklich | Kroening | Moe, D.M. | Ramstad |
| Bernhagen | Flynn | Laidig | Morse | Renneke |
| Bertram | Frank | Langseth | Novak | Schmitz |
| Brandl | Frederickson, D.J. | Larson | Olson | Solon |
| Brataas | Frederickson, D.R. | Lessard | Pariseau | Storm |
| Cohen | Hughes | Luther | Pehler | Vickerman |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 1822: A bill for an act relating to housing; providing for the administration of section 8 existing housing and low-rent public housing programs; clarifying and limiting local approval requirements; removing the exemption for special assessments for housing and redevelopment authorities; providing for the transfer of housing and housing development

projects to an economic development authority; authorizing the metropolitan council to plan and administer a section 8 program in the metropolitan area without approval of local units of government; amending Minnesota Statutes 1988, sections 469.002, subdivision 10, and by adding a subdivision; 469.004, subdivision 5; 469.005, subdivision 1; 469.012, subdivision 3; 469.016; 469.040, subdivisions 1 and 3; 469.094, subdivisions 1 and 2; and 473.195, subdivision 1; and Minnesota Statutes 1989 Supplement, section 469.012, subdivision 1.

Senate File No. 1822 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Frank moved that the Senate concur in the amendments by the House to S.F. No. 1822 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1822 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|----------|--------------------|-----------|----------------|
| Adkins | Cohen | Frederick | Marty | Peterson, R.W. |
| Anderson | Dahl | Frederickson, D.J. | McGowan | Piper |
| Beckman | Davis | Hughes | Mehrken | Ramstad |
| Berglin | Decker | Johnson, D.E. | Metzen | Renneke |
| Bernhagen | DeCramer | Knaak | Moe, D.M. | Schmitz |
| Bertram | Dicklich | Kroening | Morse | Solon |
| Brandl | Flynn | Laidig | Olson | Storm |
| Brataas | Frank | Luther | Pariseau | Vickerman |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 1937: A bill for an act relating to health; establishing standards for safe levels of lead; requiring education about lead exposure; requiring lead assessments of certain residences; establishing standards for lead abatement; requiring rules; amending Minnesota Statutes 1988, section 116.52, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1989 Supplement, sections 144.851 to 144.862.

Senate File No. 1937 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Ms. Berglin moved that the Senate concur in the amendments by the House to S.F. No. 1937 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1937 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 37 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|--------------------|---------------|----------------|-----------|
| Adkins | Decker | Johnson, D.E. | McQuaid | Piper |
| Anderson | Dicklich | Knaak | Mehrkens | Ramstad |
| Berglin | Diessner | Laidig | Metzen | Solon |
| Bertram | Flynn | Langseth | Moe, D.M. | Storm |
| Brandl | Frank | Lantry | Olson | Vickerman |
| Brataas | Frederick | Luther | Pariseau | |
| Cohen | Frederickson, D.J. | Marty | Pehler | |
| Dahl | Hughes | McGowan | Peterson, R.W. | |

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Morse moved that the following members be excused for a Conference Committee on S.F. No. 2126 at 11:45 a.m.:

Messrs. Davis, Bernhagen, Beckman, DeCramer and Morse. The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

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. 1790: A bill for an act relating to health; establishing a legislative task force to study the regulation of health insurance premium rates and health care costs.

Senate File No. 1790 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S.F. No. 1790 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1790: A bill for an act relating to health; creating a technology assistance review panel; establishing a legislative task force to study the

regulation of health insurance premium rates and health care costs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

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 37 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|---------------|----------|----------------|-----------|
| Adkins | Decker | Knutson | McQuaid | Ramstad |
| Anderson | Dicklich | Laidig | Mehrkens | Reichgott |
| Beckman | Flynn | Langseth | Metzen | Samuelson |
| Bertram | Frank | Lantry | Olson | Solon |
| Brandl | Frederick | Lessard | Pariseau | Storm |
| Brataas | Hughes | Luther | Peterson, R.W. | |
| Cohen | Johnson, D.E. | Marty | Piepho | |
| Dahl | Knaak | McGowan | Piper | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 1866: A bill for an act relating to Lake Superior; establishing an information and education authority; proposing coding for new law as Minnesota Statutes, chapter 85B.

Senate File No. 1866 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S.F. No. 1866 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1866: A bill for an act relating to Lake Superior; establishing an information and education authority.

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 36 and nays 6, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|---------------|----------|-----------|---------|
| Adkins | Decker | Kroening | McQuaid | Schmitz |
| Anderson | Dicklich | Laidig | Mehrken | Solon |
| Berglin | Flynn | Langseth | Metzen | Storm |
| Bertram | Frank | Lantry | Olson | Stumpf |
| Brandl | Frederick | Lessard | Pehler | |
| Brataas | Hughes | Luther | Piper | |
| Cohen | Johnson, D.E. | Marty | Ramstad | |
| Dahl | Knutson | McGowan | Samuelson | |

Those who voted in the negative were:

| | | | | |
|---------|----------|----------------|--------|---------|
| Knaak | Pariseau | Peterson, R.W. | Piepho | Renneke |
| Merriam | | | | |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 1001: A bill for an act relating to the community dispute resolution program; giving the state planning agency joint responsibility with the state court administrator's office for administration of the program; establishing eligibility criteria for grant recipients; appropriating money; amending Minnesota Statutes 1988, sections 494.01, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 494; repealing Minnesota Statutes 1988, sections 494.01, subdivisions 3, 4, and 5; and 494.04.

Senate File No. 1001 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. Merriam moved that S.F. No. 1001 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. 2160: A bill for an act relating to education; providing for the environmental education act; creating the office of environmental education; proposing coding for new law as Minnesota Statutes, chapter 126A; repealing Minnesota Statutes 1988, sections 116E.01; 116E.02; 116E.03, subdivisions 2, 3, 4, 5, 6, 7, 7a, 8, and 9; and 116E.04; Minnesota Statutes 1989 Supplement, sections 116E.03, subdivision 1; and 116E.035.

Senate File No. 2160 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S.F. No. 2160, 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. 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. 1903: A bill for an act relating to health; providing programs and incentives for persons to volunteer as bone marrow donors; requiring the commissioner of health to educate residents about the need for volunteer bone marrow donors; requiring paid leave for employees to donate bone marrow; requiring a bone marrow donor drive to encourage state employees to volunteer as bone marrow donors; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 145 and 181.

Senate File No. 1903 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S.F. No. 1903 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1903 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 38 and nays 1, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|---------------|----------|-----------------|-----------|
| Adkins | Frank | Langseth | Merriam | Ramstad |
| Anderson | Frederick | Lantry | Metzen | Renneke |
| Berglin | Hughes | Lessard | Olson | Schmitz |
| Bertram | Johnson, D.E. | Luther | Pariseau | Solon |
| Cohen | Knaak | Marty | Pehler | Storm |
| Dahl | Knutson | McGowan | Peterson, R. W. | Vickerman |
| Decker | Kroening | McQuaid | Piepho | |
| Flynn | Laidig | Mehrkens | Piper | |

Mr. Brandl voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has 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. 1847: A bill for an act relating to human rights; amending the definition of age; clarifying medical information obtainable from prospective employees; clarifying protection for pregnant employees; prohibiting threats against home owners and renters; prohibiting discriminatory business practices; clarifying the meaning of business necessity and continuing violations; renumbering definitions; amending Minnesota Statutes 1988, sections 363.01, subdivision 28; 363.03, subdivisions 2, 8a, and by adding subdivisions; 363.06, subdivision 1, and by adding a subdivision; 363.071, by adding subdivisions; 363.116; Minnesota Statutes 1989 Supplement, sections 363.02, subdivision 1; and 363.03, subdivision 1.

There has been appointed as such committee on the part of the House: Orenstein, Carruthers and Bishop.

Senate File No. 1847 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 1827: A bill for an act relating to civil actions; providing for immunity from liability for unpaid members of county agricultural society boards; addressing reduction of damages in an action under no-fault automobile insurance; preserving common law tort law claims against adults who knowingly provide alcoholic beverages to minors; increasing the amount of claims that may be settled without court approval under the municipal compromise of claims statute; changing the standard for awarding punitive damages; addressing when a principal may be held liable for punitive damages for an act of the principal's agent; requiring a separate trial to address punitive damages; requiring the court to review a punitive damages award; making the contributory negligence rule apply to damages resulting from economic loss; redefining fault; abolishing the doctrine of last clear chance; providing immunity from liability for volunteer ski patrollers; allowing recovery of attorney fees by good faith reporters under the child abuse reporting act; repealing the limit on intangible loss damages and the requirement that a jury specify amounts for past, future, and intangible loss damages; amending Minnesota Statutes 1988, sections 38.013; 65B.51, subdivision 1; 340A.801, by adding a subdivision; 466.08; 541.051, subdivision 1; 548.36, subdivision 3; 549.20, subdivisions 1, 2, and by adding subdivisions; 604.01, subdivisions 1, 1a, and 3; 604.05, subdivision 2; 626.556, subdivision 4; repealing Minnesota Statutes 1988, sections 549.23 and 549.24.

There has been appointed as such committee on the part of the House: Orenstein, Carruthers and Bishop.

Senate File No. 1827 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 1081: A bill for an act relating to courts; providing for a study by the supreme court of racial bias in the judicial system; appropriating money.

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

Senate File No. 1081 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 394: A bill for an act relating to education; requiring a report on preparation of post-secondary education administrators and faculty.

There has been appointed as such committee on the part of the House: Jaros, McGuire and Pellow.

Senate File No. 394 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 1946: A bill for an act relating to agriculture; providing for deficiency judgments relating to foreclosure and sale of mortgages on property used in agricultural production; requiring fair market value to be determined by the court; extending period for execution on judgment; amending Minnesota Statutes 1988, sections 500.24, subdivision 4; 582.30, subdivisions 3, 4, 5, and 6.

There has been appointed as such committee on the part of the House: Bertram, Sparby and Redalen.

Senate File No. 1946 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

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

S.F. No. 1896: A bill for an act relating to health; providing exemptions from the infectious waste control act; requiring hospitals to accept certain infectious waste; modifying standards for ambulance drivers; requiring adoption of rules setting new standards for recertification of and upgrading to emergency care course certificates; increasing reimbursement for volunteers; authorizing an emergency medical services advisory committee; regulating the provision of special transportation services; requiring studies; encouraging rural medical school applicants; requiring a study of medical assistance reimbursement for physicians; creating a rural hospital planning and transition grant program; creating a rural hospital subsidy fund; allowing counties authority to exceed levy limits; appropriating money; amending Minnesota Statutes 1989 Supplement, sections 116.76, subdivision 9; 116.78, by adding subdivisions; 144.804, subdivisions 1 and 7; 144.809; 144.8091; Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 136A; 144; and 174.

There has been appointed as such committee on the part of the House: Cooper, Sparby, Brown, Kalis and Boo.

Senate File No. 1896 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 2158: A bill for an act relating to utilities; regulating flexible gas utility rates; repealing sunset provisions relating to flexible gas utility rates; appropriating money; amending Minnesota Statutes 1988, section 216B.163; and Laws 1987, chapter 371, section 4.

There has been appointed as such committee on the part of the House: Jacobs, Osthoff and Bennett.

Senate File No. 2158 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

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

S.F. No. 2126: A bill for an act relating to health; providing regulations for bulk pesticide storage; amending provisions relating to pesticide registration fees and application fees; requiring permits for sources of irrigation water; requiring a permit for construction of a fertilizer distribution facility; requiring a responsible party to immediately take reasonable action necessary to abate an agricultural chemical incident; requiring certain administrative hearings on contested orders within 14 days; crediting certain agricultural penalties to the pesticide or fertilizer regulatory accounts; amending provisions relating to the registration surcharge and the agricultural chemical response and reimbursement fee; appropriating money from the general fund to be reimbursed with response and reimbursement fees; amending provisions relating to response and reimbursement eligibility; providing commissioner of agriculture authority under chapter 115B for agricultural chemical incidents; clarifying requirements for water well construction and ownership; clarifying provisions for at-grade monitoring wells; establishing reduced isolation distances for facilities with safeguards; clarifying conditions to issue a limited well contractor's license; amending effective dates; amending appropriations; amending Minnesota Statutes 1988, sections 18B.14, subdivision 2; 18B.27, subdivision 3; 18B.28, subdivision 4; 105.37, by adding a subdivision; 105.41, subdivision 4, and by adding a subdivision; 115B.02, subdivisions 3, 4, and by adding a subdivision; Minnesota Statutes 1989 Supplement, sections 18B.26, subdivision 3; 18C.205, subdivision 2; 18C.305, subdivision 1; 18D.103, subdivision 1; 18D.321, subdivision 2; 18E.03, subdivisions 3, 4, 5, and by adding a subdivision; 18E.04, subdivision 1; 103B.3369, subdivision 5; 103I.005, subdivisions 2, 8, 9, 16, and by adding a subdivision; 103I.101, subdivisions 2, 5, and 6; 103I.111, subdivision 5, and by adding a subdivision; 103I.205, subdivisions 1, 2, 4, 5, 6, and 8; 103I.208, subdivision 2; 103I.235; 103I.301, subdivision 3; 103I.311, subdivision 3; 103I.325, subdivision 2; 103I.525, subdivisions 1, 5, and 6; 103I.531, subdivision 4; 103I.541, subdivision 1, and by adding subdivisions; 103I.681; 103I.685; 103I.691; 103I.705, subdivisions 2 and 3; 105.41, subdivisions 1c and 5a; 115B.20, subdivision 1; 116C.69, subdivision 3; Laws 1989, chapters 326, article 3, section 49; article 6, section 33, subdivision 2; article 8, section 10; and 335, article 1, section 23, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 18D and 103I; repealing Minnesota Statutes 1988, section 115B.17, subdivision 8; Minnesota Statutes 1989 Supplement, sections 103I.005, subdivision 19; 103I.211; 103I.301, subdivision 5; 103I.321; 103I.325, subdivision 1; and 103I.533.

There has been appointed as such committee on the part of the House:

Price, Kalis, Bishop, Munger and Redalen.

Senate File No. 2126 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 1777: A bill for an act relating to Ramsey county; setting the terms of charter commission members; amending Minnesota Statutes 1988, section 383A.553, subdivision 1.

There has been appointed as such committee on the part of the House: Kostohryz, McGuire and Valento.

Senate File No. 1777 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

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. 2527: A bill for an act relating to agriculture; establishing an agricultural liming material law; allowing agreements between the commissioner of agriculture and certain persons required to file reports under the corporate farming law; appropriating money; prescribing penalties; amending Minnesota Statutes 1988, section 500.24, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 18F

There has been appointed as such committee on the part of the House: Jennings, Sparby and Redalen.

Senate File No. 2527 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2721 and 2495.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 1990

FIRST READING OF HOUSE BILLS

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

H.F. No. 2721: A bill for an act relating to retirement; Minneapolis police and firefighters; health and medical benefits; continuance of surviving spouse benefits; St. Louis Park police survivor benefits; amending Laws 1949, chapter 406, section 6, subdivision 1, as amended; and Laws 1965, chapter 519, section 1, as amended.

Referred to the Committee on Governmental Operations.

H.F. No. 2495: A bill for an act relating to farm safety; providing for a pilot project of comprehensive farm safety audits; appropriating money.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Vickerman introduced—

Senate Resolution No. 187: A Senate resolution congratulating Merrill Starr, of Tracy, Minnesota, for 70 continuous years of Masonic service.

Referred to the Committee on Rules and Administration.

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

Messrs. Brandl, Benson and Storm introduced—

S.F. No. 2641: A bill for an act relating to health; stating legislative policy on abortion; requiring counseling and disclosure of certain information before an abortion; restricting abortions after the 23rd week of pregnancy; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Human Services.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 2181 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 2181

A bill for an act relating to labor; regulating joint labor-management committees; regulating public employee elections; providing for the selection of arbitrators by mutual agreement; amending Minnesota Statutes 1988, sections 179.02, by adding a subdivision; 179.84, subdivision 1; 179.85; 179A.04, subdivision 3; 179A.12, subdivisions 7 and 11; and Minnesota Statutes 1989 Supplement, section 179A.16, subdivision 4.

April 18, 1990

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 2181, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: (Signed) Carol Flynn, Donald M. Moe, Bob Decker

House Conferees: (Signed) Andy Dawkins, Joseph Begich, Tony L. Bennett

Ms. Flynn moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2181 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2181 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|----------|----------|----------------|-----------|
| Adkins | Decker | Laidig | Mehrkens | Piper |
| Anderson | Dicklich | Langseth | Metzen | Ramstad |
| Berglin | Diessner | Lantry | Moe, D.M. | Renneke |
| Bertram | Flynn | Lessard | Olson | Samuelson |
| Brandl | Frank | Luther | Pariseau | Schmitz |
| Brataas | Hughes | Marty | Pehler | Solon |
| Cohen | Knaak | McGowan | Peterson, R.W. | Storm |
| Dahl | Knutson | McQuaid | Piepho | Vickerman |

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 2156 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 2156

A bill for an act relating to local government; allowing municipalities to enter into certain contracts to reduce energy and operating costs; amending Minnesota Statutes 1988, section 471.345, by adding a subdivision; repealing Minnesota Statutes 1988, section 471.345, subdivision 9.

April 17, 1990

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 2156, report that we have

agreed upon the items in dispute and recommend as follows:

That the Senate concur in the House amendment.

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

Senate Conferees: (Signed) James C. Pehler, Jim Vickerman, David J. Frederickson

House Conferees: (Signed) Wayne Simoneau, Ron Abrams, Peter McLaughlin

Mr. Pehler moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2156 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2156 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 34 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|----------|----------|-----------------|-----------|
| Adkins | Dahl | Laidig | Metzen | Ramstad |
| Anderson | Decker | Langseth | Olson | Schmitz |
| Berglin | Dicklich | Lessard | Pariseau | Solon |
| Bertram | Flynn | Luther | Pehler | Spear |
| Brandl | Frank | Marty | Peterson, R. W. | Storm |
| Brataas | Hughes | McGowan | Piepho | Vickerman |
| Cohen | Knaak | Mehrkens | Piper | |

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1983 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1983

A bill for an act relating to liquor; authorizing the metropolitan airports commission to issue off-sale liquor licenses for the sale of Minnesota wine; amending Minnesota Statutes 1988, section 340A.405, by adding a subdivision.

April 17, 1990

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1983, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 1983 be further amended as follows:

Page 1, after line 13, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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

Senate Conferees: (Signed) Joe Bertram, Sr., Allan H. Spear, Phyllis W. McQuaid

House Conferees: (Signed) Bernie Omann, Rich O'Connor

Mr. Bertram moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1983 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1983 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 34 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|----------|----------|-----------------|-----------|
| Adkins | Dahl | Kroening | McGowan | Ramstad |
| Anderson | Decker | Laidig | Metzen | Renneke |
| Berglin | Dicklich | Langseth | Olson | Schmitz |
| Bertram | Flynn | Larson | Pariseau | Spear |
| Brandl | Frank | Lessard | Pehler | Storm |
| Brataas | Hughes | Luther | Peterson, R. W. | Vickerman |
| Cohen | Knaak | Marty | Piper | |

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1999 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1999

A bill for an act relating to agriculture; changing certain duties, procedures, and requirements related to organic food; amending Minnesota Statutes 1988, sections 31.92, by adding subdivisions; 31.94; and 31.95.

April 19, 1990

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1999, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 1999 be further amended as follows:

Page 2, delete lines 24 to 36

Page 3, delete lines 1 to 5 and insert:

"Subd. 3a. [CERTIFICATION ORGANIZATIONS.] (a) A Minnesota grown organic product that is labeled "certified" must be certified by a designated certification organization.

(b) A certified organic product sold in this state must be certified by a designated certification organization or by a certification organization approved by the commissioner. Before approving a certification organization, the commissioner must seek the evaluation and recommendation of the Minnesota organic advisory task force.

(c) The commissioner shall appoint a Minnesota organic advisory task force composed of members of the organic industry to advise the commissioner on organic issues. Members of the task force may not be paid compensation or costs for expenses."

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

Senate Conferees: (Signed) James C. Pehler, Charles R. Davis, Lyle G. Mehrkens

House Conferees: (Signed) Paul Anders Ogren, Ted Winter, Bernie Omann

Mr. Pehler moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1999 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1999 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 34 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|---------|---------------|----------|----------------|-----------|
| Adkins | Decker | Kroening | McGowan | Ramstad |
| Berglin | Dicklich | Laidig | Metzen | Renneke |
| Bertram | Flynn | Langseth | Olson | Schmitz |
| Brandl | Frank | Larson | Pariseau | Spear |
| Brataas | Hughes | Lessard | Pehler | Storm |
| Cohen | Johnson, D.E. | Luther | Peterson, R.W. | Vickerman |
| Dahl | Knaak | Marty | Piper | |

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dahl moved that S.F. No. 1894 be taken from the table. The motion prevailed.

S.F. No. 1894: A bill for an act relating to environment and natural resources; amending provisions relating to water management organizations; providing legislative commission oversight of the metropolitan water management act; authorizing management and financing of drainage systems under certain laws; clarifying water management purposes; authorizing counties to remove watershed district managers for just cause; authorizing a technical advisory committee; requiring watershed management organizations to prepare newsletters, annual reports, and audits; providing for preparation of watershed plans and implementation of plans; providing penalties for not implementing plans; authorizing and directing the board

of water and soil resources to adopt rules; providing for appeal of plan failures; providing for requests for proposals for certain services; authorizing accumulation of levy proceeds; requiring a draining system report; appropriating money; amending Minnesota Statutes 1988, sections 110B.28; 110B.30; 112.42, by adding a subdivision; 473.875; 473.876, by adding a subdivision; 473.877, subdivision 1; 473.878, subdivisions 1, 1a, 2, 3, 4, 8, and by adding subdivisions; 473.879, subdivision 2; 473.881; 473.882, subdivision 1; and 473.883, subdivisions 3 and 7; Minnesota Statutes 1989 Supplement, section 473.883, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 112 and 473.

Mr. Dahl moved that the Senate do not concur in the amendments by the House to S.F. No. 1894, 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. Dahl moved that S.F. No. 2619 be taken from the table. The motion prevailed.

S.F. No. 2619: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

CONCURRENCE AND REPASSAGE

Mr. Dahl moved that the Senate concur in the amendments by the House to S.F. No. 2619 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2619 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 35 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|---------------|---------|-----------------|-----------|
| Adkins | Decker | Knutson | Metzen | Renneke |
| Anderson | Dicklich | Laidig | Olson | Samuelson |
| Berglin | Flynn | Larson | Pariseau | Schmitz |
| Bertram | Frank | Lessard | Pehler | Solon |
| Brandl | Hughes | Luther | Peterson, R. W. | Spear |
| Cohen | Johnson, D.E. | Marty | Piepho | Storm |
| Dahl | Knaak | McGowan | Ramstad | Vickerman |

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Brandl moved that S.F. No. 1940 be taken from the table. The motion prevailed.

S.F. No. 1940: A bill for an act relating to health; specifying requirements for a health maintenance organization application for a certificate; establishing protections against conflicts of interest; establishing requirements for a guaranteeing organization; including certain investments as admitted assets; requiring an expedited resolution of disputes about coverage of immediately and urgently needed service; allowing replacement coverage by other health maintenance organizations; allowing appointment of a special examiner; amending Minnesota Statutes 1988, sections 62D.02, subdivision 15; 62D.03, subdivision 4; 62D.04, subdivision 1; 62D.041,

subdivision 2; 62D.044; 62D.08, subdivisions 1, 2, and 6; 62D.11, subdivisions 1a, 4, and by adding a subdivision; 62D.121, by adding a subdivision; 62D.17, subdivisions 1 and 4; 62D.18, subdivision 1; 62D.211; Minnesota Statutes 1989 Supplement, sections 62D.121, subdivision 3; 72A.491, by adding a subdivision; Laws 1988, chapter 434, section 24; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Statutes 1988, sections 62D.12, subdivisions 14 and 16; 62D.18, subdivisions 2 to 5; and 62D.20, subdivision 2.

CONCURRENCE AND REPASSAGE

Mr. Brandl moved that the Senate concur in the amendments by the House to S.F. No. 1940 and that the bill be placed on its repassage as amended.

Mr. Knutson moved that the Senate do not concur in the amendments by the House to S.F. No. 1940, 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.

CALL OF THE SENATE

Mr. Brandl imposed a call of the Senate for the balance of the proceedings on S.F. No. 1940. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the motion of Mr. Knutson.

The roll was called, and there were yeas 17 and nays 25, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|----------|-------|
| Anderson | Johnson, D.E. | Larson | Pariseau | Storm |
| Brataas | Knaak | McGowan | Piepho | |
| Decker | Knutson | Mehrkens | Ramstad | |
| Frederick | Laidig | Olson | Renneke | |

Those who voted in the negative were:

| | | | | |
|---------|----------|----------|-----------|-----------|
| Adkins | Cohen | Hughes | Metzen | Piper |
| Beckman | Dicklich | Kroening | Moe, D.M. | Schmitz |
| Berglin | Flynn | Lessard | Moe, R.D. | Solon |
| Bertram | Frank | Luther | Morse | Spear |
| Brandl | Freeman | Marty | Pehler | Vickerman |

The motion did not prevail.

The question recurred on the adoption of the motion of Mr. Brandl. The motion prevailed.

S.F. No. 1940 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 39 and nays 7, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|----------|---------------|-----------------|-----------|
| Adkins | Brataas | Johnson, D.E. | Merriam | Ramstad |
| Anderson | Cohen | Knaak | Metzen | Schmitz |
| Beckman | Decker | Kroening | Moe, D.M. | Solon |
| Belanger | DeCramer | Lessard | Moe, R.D. | Spear |
| Berglin | Dicklich | Luther | Morse | Storm |
| Bernhagen | Flynn | Marty | Pehler | Stumpf |
| Bertram | Frank | McGowan | Peterson, R. W. | Vickerman |
| Brandl | Hughes | Mehrkins | Piper | |

Those who voted in the negative were:

| | | | | |
|-----------|--------|----------|--------|---------|
| Frederick | Larson | Pariseau | Piepho | Renneke |
| Knutson | Olson | | | |

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1874 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1874

A bill for an act relating to meetings of public bodies; government data practices; defining final disposition of a disciplinary action regarding personnel records; making clear that meetings may not be closed on the basis of data classification statutes; providing an exception to the open meeting law for preliminary discussions concerning allegations of misconduct against government employees or evaluations of government employees; amending Minnesota Statutes 1988, sections 13.43, subdivision 2; and 471.705, by adding subdivisions.

April 12, 1990

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1874, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 1874 be further amended as follows:

Page 3, line 14, delete "*law enforcement agency*" and insert "*state agency, statewide system, or political subdivision*"

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

Senate Conferees: (Signed) Richard J. Cohen, Gene Merriam, Fritz Knaak

House Conferees: (Signed) Phil Carruthers, Thomas W. Pugh, Kathleen Blatz

Mr. Cohen moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1874 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1874 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

Conference Committee.

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

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|-----------|-----------------|-----------|
| Adkins | Decker | Laidig | Moe, R.D. | Solon |
| Anderson | DeCramer | Larson | Olson | Spear |
| Beckman | Dicklich | Lessard | Pariseau | Storm |
| Belanger | Flynn | Luther | Pehler | Stumpf |
| Berglin | Frank | Marty | Peterson, R. W. | Vickerman |
| Bernhagen | Frederick | McGowan | Piepho | Waldorf |
| Bertram | Hughes | Mehrkens | Piper | |
| Brandl | Johnson, D.E. | Merriam | Ramstad | |
| Brataas | Knaak | Metzen | Renneke | |
| Cohen | Kroening | Moe, D.M. | Schmitz | |

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

RECESS

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

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

APPOINTMENTS

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

S.F. No. 1674: Messrs. Berg; Morse; Frederickson, D.J.; Frederickson, D.R. and Larson.

S.F. No. 2160: Messrs. Merriam; Frederickson, D.R. and Lessard.

S.F. No. 2195: Messrs. Morse, Knaak and Marty.

S.F. No. 1894: Messrs. Dahl, Novak and Knaak.

S.F. No. 2177: Messrs. Spear, Marty and Belanger.

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 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. 2282: A bill for an act relating to contracts; providing for enforcement of certain contracts; proposing coding for new law as Minnesota Statutes, chapter 338.

Senate File No. 2282 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Frank moved that the Senate concur in the amendments by the House to S.F. No. 2282 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Mr. Frank imposed a call of the Senate for the balance of the proceedings on S.F. No. 2282. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Knaak moved that the Senate do not concur in the amendments by the House to S.F. No. 2282, 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 question was taken on the adoption of the motion of Mr. Knaak.

The roll was called, and there were yeas 12 and nays 28, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|---------------|---------|----------|-----------|
| Anderson | Johnson, D.E. | Laidig | Mehrkens | Moe, D.M. |
| Benson | Knaak | McGowan | Merriam | Storm |
| Bertram | Knutson | | | |

Those who voted in the negative were:

| | | | | |
|----------|-----------|---------------|------------|---------|
| Adkins | Decker | Hughes | Metzen | Schmitz |
| Belanger | Dicklich | Johnson, D.J. | Novak | Spear |
| Berglin | Flynn | Kroening | Olson | Stumpf |
| Brandl | Frank | Larson | Piper | Waldorf |
| Cohen | Frederick | Luther | Pogemiller | |
| Dahl | Freeman | Marty | Ramstad | |

The motion did not prevail.

The question recurred on the motion of Mr. Frank. The motion prevailed.

S.F. No. 2282 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 35 and nays 20, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|--------------------|---------------|-----------|------------|
| Adkins | Davis | Hughes | Mehrkens | Piper |
| Beckman | DeCramer | Johnson, D.E. | Metzen | Pogemiller |
| Belanger | Dicklich | Johnson, D.J. | Moe, D.M. | Schmitz |
| Berglin | Flynn | Kroening | Moe, R.D. | Solon |
| Brandl | Frank | Lessard | Morse | Spear |
| Cohen | Frederickson, D.J. | Luther | Novak | Stumpf |
| Dahl | Freeman | Marty | Pehler | Waldorf |

Those who voted in the negative were:

| | | | | |
|-----------|-----------|--------------------|---------|----------|
| Anderson | Bertram | Frederickson, D.R. | Larson | Pariseau |
| Benson | Brataas | Knaak | McGowan | Ramstad |
| Berg | Decker | Knutson | Merriam | Renneke |
| Bernhagen | Frederick | Laidig | Olson | Storm |

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

MESSAGES FROM THE HOUSE - CONTINUED

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. 443: A bill for an act relating to health; establishing standards for the use of nitrous oxide in the practice of podiatric medicine; amending Minnesota Statutes 1988, section 153.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 153.

Senate File No. 443 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1990

CONCURRENCE AND REPASSAGE

Mr. Pogemiller moved that the Senate concur in the amendments by the House to S.F. No. 443 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 443 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|------------|---------|
| Adkins | Cohen | Knaak | Merriam | Renneke |
| Anderson | Dahl | Kroening | Metzen | Schmitz |
| Beckman | Davis | Laidig | Moe, D.M. | Spear |
| Belanger | Decker | Larson | Moe, R.D. | Stumpf |
| Benson | Dicklich | Lessard | Olson | Waldorf |
| Berglin | Flynn | Luther | Pehler | |
| Bernhagen | Frank | Marty | Piper | |
| Bertram | Hughes | McGowan | Pogemiller | |
| Brataas | Johnson, D.E. | Mehrkens | Ramstad | |

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

MEMBERS EXCUSED

Messrs. Chmielewski and Gustafson were excused from the Session of today. Mr. Dahl was excused from the Session of today from 9:00 to 10:30 a.m. and 12:45 to 1:45 p.m. Mr. Brandl was excused from the Session of today from 9:00 to 11:00 a.m. Mr. Spear was excused from the Session of today from 9:00 a.m. to 12:30 p.m. Mr. Novak was excused from the Session of today at 9:45 a.m. Mr. Stumpf was excused from the Session of today from 10:00 to 10:30 a.m. Mr. Frank was excused from the Session of today from 10:45 a.m. to 12:10 p.m. Mr. Lessard was excused from the Session

of today from 10:15 to 10:30 a.m. and 10:45 to 11:00 a.m. Mr. Piepho was excused from the Session of today from 11:45 a.m. to 12:05 p.m. Ms. Reichgott was excused from the Session of today at 9:00 a.m. Messrs. Berg; Larson; Frederickson, D.J.; Frederickson, D.R. and Vickerman were excused from the Session of today from 11:30 a.m. to 2:00 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, April 23, 1990. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate