

## EIGHTEENTH DAY

St. Paul, Minnesota, Thursday, February 28, 1991

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

### CALL OF THE SENATE

Mr. Spear 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. Peter Geisendorfer-Lindgren.

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

Adkins	Day	Johnson, J.B.	Merriam	Ranum
Beckman	DeCramer	Johnston	Metzen	Reichgott
Belanger	Dicklich	Kelly	Moe, R.D.	Renneke
Benson, D.D.	Finn	Knaak	Mondale	Riveness
Benson, J.E.	Flynn	Kroening	Morse	Sams
Berg	Frank	Laidig	Neuville	Samuelson
Berglin	Frederickson, D.J.	Langseth	Novak	Solon
Bernhagen	Frederickson, D.R.	Larson	Olson	Spear
Bertram	Gustafson	Lessard	Pappas	Storm
Chmielewski	Halberg	Luther	Pariseau	Stumpf
Cohen	Hottinger	Marty	Piper	Traub
Dahl	Hughes	McGowan	Pogemiller	Vickerman
Davis	Johnson, D.J.	Mehrkens	Price	Waldorf

The President declared a quorum present.

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

### MEMBERS EXCUSED

Mrs. Brataas was excused from the Session of today.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 31, 1991

The Honorable Jerome Hughes  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as requested by law:

**COMMISSIONER OF  
IRON RANGE RESOURCES AND REHABILITATION**

Wayne L. Dalke, 808 Northeast 5th Avenue, Chisholm, St. Louis County, Minnesota, has been appointed by me, effective February 1, 1991, for a term expiring on the first Monday in January, 1995.

(Referred to the Committee on Economic Development and Housing.)

January 31, 1991

The Honorable Jerome Hughes  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as requested by law:

**COMMISSIONER OF TRANSPORTATION**

John H. Riley, 3411 Cypress Drive, Falls Church, Virginia, has been appointed by me, effective January 10, 1991, for a term expiring on the first Monday in January, 1995.

(Referred to the Committee on Transportation.)

Warmest regards,  
Arne H. Carlson, Governor

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 55 and 131.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 25, 1991

**FIRST READING OF HOUSE BILLS**

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

H.F. No. 55: A bill for an act relating to peace officers; clarifying the soft body armor reimbursement program; amending Minnesota Statutes 1990, section 299A.38, subdivision 2.

Referred to the Committee on Local Government.

H.F. No. 131: A bill for an act relating to Meeker county; authorizing the county board to provide for an addition to the county hospital.

Referred to the Committee on Health and Human Services.

**REPORTS OF COMMITTEES**

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

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

S.F. No. 246: A bill for an act relating to probate; increasing the limit on an estate subject to collection of personal property by affidavit; amending Minnesota Statutes 1990, section 524.3-1201.

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

Page 2, line 11, before the period, insert "*or 525.15*"

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

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

S.F. No. 224: A bill for an act relating to the public defender; providing who is eligible to be represented by the public defender; authorizing good conduct reduction of sentence for persons serving terms in local correctional facilities as a condition of probation; amending Minnesota Statutes 1990, sections 590.05; 611.14; 611.18; 611.25, subdivision 1; and 643.29, subdivision 1.

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

Page 1, line 19, delete everything after the first "*the*" and insert "*conviction has not been previously directly appealed by or on behalf of the convicted person.*"

Page 1, line 20, delete "*conviction.*"

Page 1, line 21, delete "*all other persons*" and insert "*any other person*"

Page 1, line 22, delete the comma and delete "*are*" and insert "*is*" and after the period, insert "*Before declining to represent a person who has applied for representation in pursuing a postconviction remedy after a previous appeal, the state public defender shall review the merits of the case.*"

Page 2, line 7, strike "proceeding"

Page 2, line 8, delete the new language

Page 2, line 9, delete the new language and insert "*remedy if the conviction has not been previously directly appealed by or on behalf of the convicted person*"

Page 2, line 23, after the comma, insert "*who is*" and strike everything after "*offense*"

Page 2, line 24, strike "of a municipal, county, or probate court"

Page 2, line 35, before "If" insert "*Subdivision 1. [INITIAL APPOINTMENT.]*"

Page 3, line 5, delete "*and*"

Page 3, line 8, before the first comma, insert "*who is not pursuing an*

*appeal or postconviction remedy*” and delete “*clause (1)*,”

Page 3, line 9, strike “to represent” and delete “*that person*” and after the period, insert:

“*Subd. 2. [COURT APPOINTMENT.]*”

Page 3, line 20, after the period, insert:

“*Subd. 3. [BEFORE COURT APPEARANCE.]*”

Page 4, line 4, delete “*proceeding*” and insert “*remedy*”

Page 4, delete line 5 and insert “*if the conviction has not been previously directly appealed by or on behalf of the convicted person.*”

Page 4, line 6, delete “*all*” and insert “*any*”

Page 4, line 7, delete “*persons*” and insert “*person*”

Page 4, line 8, delete the comma and delete “*are*” and insert “*is*” and after the period, insert “*Before declining to represent a person who has applied for representation in pursuing a postconviction remedy after a previous appeal, the state public defender shall review the merits of the case.*”

Page 4, delete section 5 and insert:

“*Sec. 5. [EFFECTIVE DATE.]*”

*Sections 1 to 4 are effective the day following final enactment.*”

Delete the title and insert:

“A bill for an act relating to the public defender; limiting entitlement to appellate representation by the state public defender to the first direct appeal of a conviction; amending Minnesota Statutes 1990, sections 590.05; 611.14; 611.18; and 611.25, subdivision 1.”

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

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

S.F. No. 127: A bill for an act relating to civil commitment; prohibiting ex parte judicial release orders during the emergency hold period; amending Minnesota Statutes 1990, section 253B.05, subdivision 3.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 253B.05, subdivision 1, is amended to read:

Subdivision 1. [EMERGENCY HOLD.] (a) Any person may be admitted or held for emergency care and treatment in a treatment facility with the consent of the head of the treatment facility upon a written statement by an examiner that: (1) the examiner has examined the person not more than 15 days prior to admission, (2) the examiner is of the opinion, for stated reasons, that the person is mentally ill, mentally retarded or chemically dependent, and is in imminent danger of causing injury to self or others if not immediately restrained, and (3) an order of the court cannot be obtained in time to prevent the anticipated injury.

(b) The statement shall be: (1) sufficient authority for a peace or health officer to transport a patient to a treatment facility, (2) stated in behavioral terms and not in conclusory language, and (3) of sufficient specificity to provide an adequate record for review. *If imminent danger to specific individuals is a basis for the emergency hold, the statement must include identifying information on those individuals, to the extent practicable.* A copy of the statement shall be personally served on the person immediately upon admission. A copy of the statement shall be maintained by the treatment facility.

Sec. 2. Minnesota Statutes 1990, section 253B.05, subdivision 2, is amended to read:

Subd. 2. [PEACE OR HEALTH OFFICER HOLD.] (a) A peace or health officer may take a person into custody and transport the person to a licensed physician or treatment facility if the officer has reason to believe that the person is mentally ill or mentally retarded and in imminent danger of injuring self or others if not immediately restrained. A peace or health officer or a person working under such officer's supervision, may take a person who is believed to be chemically dependent or is intoxicated in public into custody and transport the person to a treatment facility. If the person is intoxicated in public or is believed to be chemically dependent and is not in danger of causing self-harm or harm to any person or property, the peace or health officer may transport the person home. *Written* application for admission of the person to a treatment facility shall be made by the peace or health officer. The application shall contain a statement given by the peace or health officer specifying the reasons for and circumstances under which the person was taken into custody. *If imminent danger to specific individuals is a basis for the emergency hold, the statement must include identifying information on those individuals, to the extent practicable.* A copy of the statement shall be made available to the person taken into custody.

(b) A person may be admitted to a treatment facility for emergency care and treatment under this subdivision with the consent of the head of the facility under the following circumstances: a written statement is made by the medical officer on duty at the facility that after preliminary examination the person has symptoms of mental illness or mental retardation and appears to be in imminent danger of harming self or others; or, a written statement is made by the institution program director or the director's designee on duty at the facility that after preliminary examination the person has symptoms of chemical dependency and appears to be in imminent danger of harming self or others or is intoxicated in public.

Sec. 3. Minnesota Statutes 1990, section 253B.05, subdivision 3, is amended to read:

Subd. 3. [DURATION OF HOLD.] (a) Any person held pursuant to this section may be held up to 72 hours, exclusive of Saturdays, Sundays, and legal holidays, after admission unless a petition for the commitment of the person has been filed in the probate court of the county of the person's residence or of the county in which the *treatment* facility is located and the court issues an order pursuant to section 253B.07, subdivision 6. If the head of the *treatment* facility believes that commitment is required and no petition has been filed, the head of the *treatment* facility shall file a petition for the commitment of the person. The hospitalized person may move to have the venue of the petition changed to the probate court of the county of the person's residence, if the person is a resident of Minnesota.

*(b) During the 72-hour hold period, a court may release a person held under this section only through a writ of habeas corpus under chapter 589. The court shall make written findings regarding its decision under chapter 589. Before releasing the person, the court shall make every reasonable effort to provide notice of the release to: (1) any specific individuals identified in a statement under subdivision 1 or 2 or in the record as individuals who might be endangered if the person was not held; and (2) the examiner whose written statement was a basis for a hold under subdivision 1 or the peace or health officer who applied for a hold under subdivision 2."*

Delete the title and insert:

"A bill for an act relating to civil commitment; establishing requirements for judicial release orders during the emergency hold period; amending Minnesota Statutes 1990, section 253B.05, subdivisions 1, 2, and 3."

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

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

S.F. No. 12: A bill for an act relating to human services; providing for cost-based reimbursement for outpatient services provided by pediatric specialty hospitals to children under age 18 under the medical assistance and general assistance medical care programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Page 1, lines 22 and 23, delete "*on or after July 1, 1991*"

Page 1, line 25, delete "*Once every quarter,*" and after "*shall*" insert "*annually*"

Page 2, line 3, delete "*quarter*" and insert "*year*"

Page 2, delete lines 8 to 11 and insert "*The commissioner shall seek federal approval of the cost-based reimbursement payment system. The payment determined under this section must not exceed the maximum payment amount that is eligible for full federal financial participation and must not result in reductions in outpatient reimbursement to hospitals that are not pediatric specialty hospitals.*"

Page 2, after line 15, insert:

"Sec. 3. [EFFECTIVE DATE.]

*Section 1 is effective for services rendered on or after July 1, 1991, or the date federal approval of the new reimbursement system is received, whichever is later."*

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

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 461: A bill for an act relating to state employees; allowing state employees to donate accrued sick leave for the benefit of another state

employee; amending Minnesota Statutes 1990, section 43A.181.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 43A.181, subdivision 1, is amended to read:

Subdivision 1. [DONATION OF VACATION TIME.] A state employee may donate up to ~~eight~~ 12 hours of accrued vacation time in any fiscal year to the account established by subdivision 2 for the benefit of another state employee. The employee must notify the employee’s agency head of the amount of accrued vacation time the employee wishes to donate and the name of the other state employee who is to benefit from the donation. The agency head shall determine the monetary value of the donated time, using the gross salary of the employee making the donation. The agency head shall transfer that amount, less deductions for applicable taxes and retirement contributions, to the account established by subdivision 2. A donation of accrued vacation time is irrevocable once its monetary value has been transferred to the account.

Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective the day following final enactment.”*

Delete the title and insert:

“A bill for an act relating to state employees; increasing the amount of vacation time a state employee may donate for the benefit of another state employee; amending Minnesota Statutes 1990, section 43A.181, subdivision 1.”

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

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

S.F. No. 74: A bill for an act relating to natural resources; establishing Glendalough state park; prescribing the powers and duties of the commissioner of natural resources in relation thereto; appropriating money; amending Minnesota Statutes 1990, section 85.012, by adding a subdivision.

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

Page 3, line 24, delete “\$50,000” and insert “\$ . . . . .”

Page 3, line 25, delete “\$700,000” and insert “\$ . . . . .”

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

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

S.F. No. 218: A bill for an act relating to the environment; pollution control agency; conforming certain rulemaking procedures to the administrative procedure act; providing for junk yard investigations; permitting collection of money for household hazardous waste programs; providing for

a charge for training program fees and for computer use; amending Minnesota Statutes 1990, sections 115.44, subdivisions 4, 6, and 7; 115A.96, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 115A and 116.

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

Pages 2 and 3, delete section 4

Page 3, line 24, delete "PROGRAM FEES" and insert "PROGRAMS"

Page 3, line 25, delete "*Subdivision 1. [TRAINING PROGRAMS.]*"

Page 3, delete lines 30 to 35

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete "providing for junk yard investigations;"

Page 1, line 7, delete "for training program fees and"

Page 1, delete line 11 and insert "chapter 116."

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

Mr. Bertram from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 373: A bill for an act relating to the military; creating an emergency assistance fund for families of military personnel who are called to active service; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

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

Page 1, line 14, after "to" insert "*extended federal*" and delete "*service*" and insert "*duty, other than training,*"

Page 1, line 20, delete "*permanent*"

Page 1, line 24, after "to" insert "*extended federal*" and delete "*military*" and insert "*duty, other than training*"

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

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

Mr. Waldorf from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for February 20, 1991:

DEPARTMENT OF EMPLOYEE RELATIONS  
COMMISSIONER

Linda Barton

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



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

Mr. Waldorf from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for February 21, 1991:

DEPARTMENT OF ADMINISTRATION  
COMMISSIONER

Dana B. Badgerow

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

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

Mr. Merriam from the Committee on Finance, to which was referred the following appointment as reported in the Journal for February 7, 1991:

DEPARTMENT OF FINANCE  
COMMISSIONER

John Gunyou

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

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred the following appointment as reported in the Journal for January 14, 1991:

BOARD OF WATER AND SOIL RESOURCES  
CHAIR

Donald Ogaard

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

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

Mr. Chmielewski from the Committee on Employment, to which was referred the following appointment as reported in the Journal for February 14, 1991:

DEPARTMENT OF LABOR AND INDUSTRY  
COMMISSIONER

John Burr Lennes, Jr.

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

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

Mr. Chmielewski from the Committee on Employment, to which was referred the following appointment as reported in the Journal for February 21, 1991:

**DEPARTMENT OF JOBS AND TRAINING  
COMMISSIONER**

R. Jane Brown

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

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 246, 224, 127 and 461 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Davis moved that his name be stricken as a co-author to S.F. No. 67. The motion prevailed.

Mr. Solon moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 163. The motion prevailed.

Mr. Solon moved that the name of Mr. DeCramer be added as a co-author to S.F. No. 307. The motion prevailed.

Mr. Pogemiller moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 411. The motion prevailed.

Mr. Dicklich moved that the names of Messrs. Davis, Morse and Ms. Piper be added as co-authors to S.F. No. 415. The motion prevailed.

Mr. Solon moved that the name of Mr. Davis be added as a co-author to S.F. No. 428. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Hottinger be added as a co-author to S.F. No. 433. The motion prevailed.

Mr. Berg moved that the name of Mr. Morse be added as a co-author to S.F. No. 457. The motion prevailed.

Mr. Hottinger moved that the names of Messrs. Frank and Storm be added as co-authors to S.F. No. 459. The motion prevailed.

Mr. Luther moved that the name of Mr. Frank be added as a co-author to S.F. No. 461. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Frank be added as a co-author to S.F. No. 463. The motion prevailed.

Ms. Olson moved that the name of Mr. Dahl be added as a co-author to S.F. No. 466. The motion prevailed.

Mr. Vickerman moved that S.F. No. 388 be withdrawn from the Committee on Health and Human Services and returned to its author. The motion prevailed.

Mr. Benson, D.D. moved that his name be stricken as chief author and the name of Mr. Vickerman be added as chief author to S.F. No. 380. The motion prevailed.

### GENERAL ORDERS

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

After some time spent therein, the committee arose, and Mr. Hughes reported that no bills were recommended to pass.

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

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Day; Benson, D.D. and Renneke introduced—

S.F. No. 469: A bill for an act relating to human services; consolidating and simplifying county mental health and community social services planning; authorizing the review and reduction of social service administrative requirements; establishing a process for limiting social services due to county fiscal limitations; amending Minnesota Statutes 1990, sections 245.465; 245.466, subdivision 5; 245.478, subdivisions 1, 2, and 6; 245.4874; 245.4875, subdivision 5; 245.4887, subdivisions 1, 2, and 6; 256.045, subdivision 3; 256E.04, subdivision 1; 256E.05, subdivisions 2, 3, 5, and by adding subdivisions; 256E.08, subdivision 1; 256E.09, subdivisions 1, 3, and 6; and 256E.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256E; repealing Minnesota Statutes 1990, sections 245.462, subdivision 15; 245.4871, subdivision 23; 256B.092, subdivisions 1c and 1d; and 256E.09, subdivisions 4 and 5.

Referred to the Committee on Health and Human Services.

Messrs. Dahl, Mondale and Mrs. Pariseau introduced—

S.F. No. 470: A bill for an act relating to metropolitan government; providing for the powers of the mosquito control district; amending Minnesota Statutes 1990, sections 473.704, by adding a subdivision; and 473.705.

Referred to the Committee on Metropolitan Affairs.

Messrs. Chmielewski, McGowan and Mondale introduced—

S.F. No. 471: A bill for an act relating to employment; regulating an employee's lien for wages; amending Minnesota Statutes 1990, section 514.59.

Referred to the Committee on Employment.

Mr. Cohen, Ms. Pappas and Mr. Kelly introduced—

S.F. No. 472: A bill for an act relating to local government; authorizing the city of St. Paul and independent school district No. 625 to impose residency requirements.

Referred to the Committee on Local Government.

Messrs. Finn and Samuelson introduced—

S.F. No. 473: A bill for an act relating to health; authorizing an exception to the moratorium on nursing home beds; amending Minnesota Statutes 1990, section 144A.071, subdivision 3.

Referred to the Committee on Health and Human Services.

Mr. Dicklich, Ms. Ranum and Mr. Pogemiller introduced—

S.F. No. 474: A bill for an act relating to education; establishing a department of families and children; requiring a task force to determine implementation procedures.

Referred to the Committee on Health and Human Services.

Mses. Piper and Berglin introduced—

S.F. No. 475: A bill for an act relating to child care; establishing the Minnesota early childhood care and education council; specifying duties and membership; specifying new duties for regional resource and referral agencies; appropriating money; amending Minnesota Statutes 1990, sections 256H.10, subdivision 2; 256H.15, subdivision 1; 256H.20; 256H.21, subdivisions 6 and 10; 256H.22, subdivisions 1, 2, 4, 5, and 6; proposing coding for new law in Minnesota Statutes, chapter 256H; repealing Minnesota Statutes 1990, sections 256H.22, subdivisions 3, 10 and 11; and 256H.25.

Referred to the Committee on Health and Human Services.

Mr. Benson, D.D. introduced—

S.F. No. 476: A bill for an act relating to taxation; increasing the taxes on cigarettes; changing the computation of alcoholic beverage taxes; amending Minnesota Statutes 1990, sections 297.02, subdivision 1; 297.03, subdivision 5; 297C.01, by adding subdivisions; and 297C.02.

Referred to the Committee on Taxes and Tax Laws.

Ms. Johnston, Mr. Neuville, Ms. Olson, Mrs. Pariseau and Mr. Hottinger introduced—

S.F. No. 477: A bill for an act relating to transportation; authorizing state departments to cancel uncollectible debts up to \$200 in certain cases; allowing department of transportation to employ debt collection services; allowing department of transportation to make direct expenditures from state aid funds for administrative expenses; providing penalty for failure to pay fee for sign permit more than 30 days after fee is due; providing when estimates of certain construction projects are nonpublic data; providing for laying fiber optic cable or conduits along highways; directing the commissioner of transportation to adopt rules governing the location and breakaway standards for mailbox installations; allowing white strobe lamps to be used on highway maintenance vehicles; authorizing exchange of lands with Grand Portage Band of Chippewa Indians; abolishing conflicting requirements related to market artery highways; providing a penalty; amending Minnesota Statutes 1990, sections 10.12; 13.72, subdivision 1; 161.20, subdivision 4; 161.45, subdivision 1; 161.46, subdivisions 1 and 2; 162.06, subdivision 2; 162.12, subdivision 2; 169.64, subdivision 7; and 173.13, subdivision

7; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, section 169.833.

Referred to the Committee on Transportation.

Messrs. Davis and Metzen introduced—

S.F. No. 478: A bill for an act relating to traffic regulations; defining “wrecker” to include new variations of tower vehicles; requiring the use of amber lights on wreckers after January 1, 1992; exempting wreckers from weight requirements under certain circumstances; amending Minnesota Statutes 1990, sections 169.01, subdivision 52; 169.64, subdivision 5; and 169.825, by adding a subdivision.

Referred to the Committee on Transportation.

Ms. Traub, Mr. DeCramer, Ms. Ranum, Messrs. Larson and Finn introduced—

S.F. No. 479: A bill for an act relating to education; establishing a grant program for home-based programs to prepare American Indian children for school; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124C.

Referred to the Committee on Education.

Messrs. Mondale, Morse, Ms. Johnson, J.B. and Mr. Hottinger introduced—

S.F. No. 480: A bill for an act relating to the environment; authorizing background investigations of environmental permit applicants; expanding current authority to impose administrative penalties for air and water pollution and solid waste management violations; amending Minnesota Statutes 1990, sections 115.071, by adding a subdivision; 115C.05; and 116.072, subdivisions 1, 2, and 6; proposing coding for new law in Minnesota Statutes, chapter 115.

Referred to the Committee on Environment and Natural Resources.

Messrs. Sams, Langseth, Davis, Beckman and Day introduced—

S.F. No. 481: A bill for an act relating to dairy inspection fees; limiting the charge for on-farm inspections to 40 percent of average inspection costs; amending Minnesota Statutes 1990, section 32.394, subdivisions 8 and 8b.

Referred to the Committee on Agriculture and Rural Development.

Ms. Reichgott, Messrs. Luther, Spear, Knaak and Cohen introduced—

S.F. No. 482: A bill for an act relating to corporations; deleting consideration of the effect of insurance company takeovers on shareholders and creditors; limiting application of fair price provisions to domestic corporations; deleting nexus requirements for application of control share acquisition and business combination statutes; exempting employee stock ownership plans from takeover statutes; modifying limitations on corporate share purchases above market value; amending Minnesota Statutes 1990, sections 60D.02, subdivisions 1, 2, and 4; 60D.06; 60D.08, subdivisions 1 and 2; 60D.11; 60D.12, subdivision 2; 302A.011, subdivisions 38, 39, 49, and by adding subdivisions; and 302A.553, subdivision 3; proposing

coding for new law in Minnesota Statutes, chapter 302A; repealing Minnesota Statutes 1990, sections 60D.02, subdivision 5; and 80B.06, subdivision 7.

Referred to the Committee on Judiciary.

Messrs. Hottinger, Beckman and Frederickson, D.R. introduced—

S.F. No. 483: A bill for an act relating to courts; repealing the provision of law that requires election officials to notify the supreme court that an incumbent judge of the district court is not seeking reelection when the judge fails to file an affidavit of candidacy; amending Minnesota Statutes 1990, section 2.722, subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Moe, R.D.; Luther and Hottinger introduced—

S.F. No. 484: A bill for an act relating to commerce; regulating farm equipment dealerships; amending Minnesota Statutes 1990, sections 325E.061, subdivisions 2, 4, and 5; 325E.063; 325E.064; 325E.068, subdivisions 2, 4, and 5; 325E.0682; and 325E.0683.

Referred to the Committee on Commerce.

Messrs. Spear and Cohen introduced—

S.F. No. 485: A bill for an act relating to courts; increasing the number of district court judges authorized by law; adjusting the number of district court judges authorized by law to include the addition of district court judges as a result of trial court unification; amending Minnesota Statutes 1990, section 2.722, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. DeCramer, Vickerman, Langseth, Chmielewski and Mehrkens introduced—

S.F. No. 486: A bill for an act relating to motor carriers; authorizing the commissioner of transportation to grant variances from rules governing the transport of hazardous materials; amending Minnesota Statutes 1990, section 221.033, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Frederickson, D.R. introduced—

S.F. No. 487: A bill for an act relating to education; excluding certain revenue from fund balances for certain purposes; amending Minnesota Statutes 1990, sections 124.2713, by adding a subdivision; 124.2714; and 124.2715, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Storm, Halberg, Ms. Berglin, Messrs. Sams and Day introduced—

S.F. No. 488: A bill for an act relating to human services; mental health; clarifying reporting and screening requirements; clarifying the definition

of psychiatric nurses; clarifying the definition of professional home-based family treatment; imposing criteria for admission, continued stays, and discharges for inpatient hospital and residential treatment; amending Minnesota Statutes 1990, sections 245.462, subdivisions 6 and 18; 245.472, by adding a subdivision; 245.473, by adding subdivisions; 245.484; 245.487, subdivision 4; 245.4871, subdivisions 27 and 31; 245.4873, subdivision 6; 245.4878; 245.4881, subdivision 1; 245.4882, by adding subdivisions; 245.4884, subdivision 1; 245.4885, subdivisions 1, 2, and by adding a subdivision; 253C.01, subdivisions 1 and 2; and 256B.431, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 245; repealing Minnesota Statutes 1990, section 245.476, subdivisions 1, 2, and 3.

Referred to the Committee on Health and Human Services.

Mr. Johnson, D.J. introduced—

S.F. No. 489: A bill for an act relating to state lands; authorizing the sale of certain land in Cook county.

Referred to the Committee on Environment and Natural Resources.

Mr. Johnson, D.J. introduced—

S.F. No. 490: A bill for an act relating to state lands; directing sale of two tracts of state-owned land in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Vickerman; DeCramer; Frederickson, D.J.; Beckman and Frederickson, D.R. introduced—

S.F. No. 491: A bill for an act providing money to construct a noncommercial television station; appropriating money.

Referred to the Committee on Veterans and General Legislation.

Mr. Knaak introduced—

S.F. No. 492: A bill for an act relating to education; requiring all school districts to form and join intermediate districts; proposing coding for new law in Minnesota Statutes, chapter 136D.

Referred to the Committee on Education.

Mr. Dahl introduced—

S.F. No. 493: A bill for an act relating to consumer protection; requiring certain creditors to file credit card disclosure reports with the state treasurer; providing rulemaking authority; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325G.

Referred to the Committee on Commerce.

Messrs. Spear, Marty, Luther, Pogemiller and Neuville introduced—

S.F. No. 494: A bill for an act relating to crimes; driving while intoxicated; authorizing counties to create pilot programs to provide intensive probation for repeat violators of the driving while intoxicated laws; increasing the

chemical dependency assessment charge for repeat violators of the driving while intoxicated laws; appropriating money; amending Minnesota Statutes 1990, section 169.121, subdivision 5a.

Referred to the Committee on Judiciary.

Messrs. Kelly and Cohen introduced—

S.F. No. 495: A bill for an act relating to the collection and dissemination of data; providing that certain law enforcement data under subpoena by the commissioner of human rights shall be provided by a law enforcement agency only after a court hearing; amending Minnesota Statutes 1990, section 363.05, subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Kroening; Johnson, D.E.; Price; Dicklich and Samuelson introduced—

S.F. No. 496: A bill for an act relating to horse racing; providing for licensing of telercing facilities; allowing for pari-mutuel wagering at telercing facilities; amending Minnesota Statutes 1990, sections 240.01, subdivisions 1, 10, and by adding subdivisions; 240.03; 240.05, subdivision 1; 240.06, subdivision 1; 240.10; 240.11; 240.13, subdivisions 1, 2, 3, 4, 5, 6, and 8; 240.15, subdivision 6; 240.16, subdivision 1a; 240.19; 240.23; 240.25, subdivision 2; 240.27; 240.28, subdivision 1; and 240.29; proposing coding for new law in Minnesota Statutes, chapter 240; repealing Minnesota Statutes 1990, sections 240.01, subdivision 13; 240.13, subdivision 6a; and 240.14, subdivision 1a.

Referred to the Committee on Gaming Regulation.

Mr. Merriam introduced—

S.F. No. 497: A bill for an act relating to game and fish; authorizing the commissioner to establish special seasons for persons with a physical disability to take game with firearms and by archery; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Environment and Natural Resources.

Mr. Bertram introduced—

S.F. No. 498: A bill for an act relating to tax-forfeited lands; requiring the commissioner of natural resources to pay assessments on certain lands; appropriating money; amending Minnesota Statutes 1990, section 282.018, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Bertram and Davis introduced—

S.F. No. 499: A bill for an act relating to counties; setting conditions for assisting state fair exhibits; amending Minnesota Statutes 1990, section 375.79; repealing Minnesota Statutes 1990, sections 375.80; 375.81; and 375.82.

Referred to the Committee on Local Government.



Messrs. Solon and Johnson, D.E. introduced—

S.F. No. 500: A bill for an act relating to the board of social work; extending until August 1, 1991, the grandparent provision that allows the board to issue a social work license without an examination to persons who meet certain education and training criteria; exempting school social workers from the licensure requirement; amending Minnesota Statutes 1990, sections 148B.23, subdivision 1; and 148B.28, subdivision 4.

Referred to the Committee on Health and Human Services.

Messrs. Merriam; Samuelson; Benson, D.D.; Hughes and Waldorf introduced—

S.F. No. 501: A bill for an act relating to insurance; regulating the availability of health insurance to small employers; imposing certain restrictions on the underwriting and rating of small employer groups; establishing a reinsurance pool for small employer business; requiring a review of the social and financial impacts of proposed mandated benefits; transferring regulatory authority over health maintenance organizations from the department of health to the department of commerce; appropriating money; amending Minnesota Statutes 1990, sections 60B.03, subdivision 2; and 62D.02, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 62K.

Referred to the Committee on Commerce.

Ms. Berglin introduced—

S.F. No. 502: A bill for an act relating to court fees; waiving filing fees for a person or person's spouse or children seeking protection under the Soldiers' and Sailors' Civil Relief Act of 1940; amending Minnesota Statutes 1990, section 357.021, subdivision 1a.

Referred to the Committee on Judiciary.

Messrs. Pogemiller and Solon introduced—

S.F. No. 503: A bill for an act relating to the public defender; providing an aid offset for public defense costs in the third and sixth judicial districts; providing who is eligible to be represented by the public defender in certain judicial districts; appropriating money; amending Minnesota Statutes 1990, sections 477A.012, by adding a subdivision; and 611.26, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Knaak introduced—

S.F. No. 504: A bill for an act relating to education; providing voluntary metropolitan desegregation incentives; establishing a legislative commission and an advisory council; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Education.

Mr. Laidig introduced—

S.F. No. 505: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land in Washington county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Berg, McGowan, Price, Bertram and Johnson, D.E. introduced—

S.F. No. 506: A bill for an act relating to lawful gambling; requiring record keeping, reports, and audits by licensed gambling organizations; allowing certain costs as lawful purposes; requiring preparation of an accounting manual; amending Minnesota Statutes 1990, sections 349.12, subdivision 25, and by adding a subdivision; 349.19, subdivisions 5 and 9, and by adding subdivisions.

Referred to the Committee on Gaming Regulation.

Ms. Berglin, Messrs. Belanger and Pogemiller introduced—

S.F. No. 507: A bill for an act relating to taxation; modifying the metropolitan revenue distribution program; creating a crime and social services disparities fund; amending Minnesota Statutes 1990, sections 299C.18; 473F.07, subdivision 4, and by adding subdivisions; and 473F.08, subdivisions 5 and 7a; proposing coding for new law in Minnesota Statutes, chapter 473F.

Referred to the Committee on Taxes and Tax Laws. Mr. Frank questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Hughes; Pogemiller; Marty; Johnson, D.E. and Ms. Piper introduced—

S.F. No. 508: A bill for an act relating to elections; changing requirement of absentee ballot applications for deer hunters; clarifying uses to be made of lists of registered voters; requiring commissioner of health to report deaths to secretary of state; authorizing facsimile applications for absentee ballots; requiring notarized affidavits of candidacy; changing time for issuance of certificates of election; changing certain deadlines and language of a disclaimer; changing procedures for hospital district elections; amending Minnesota Statutes 1990, sections 97A.485, subdivision 1a; 201.091, subdivisions 1 and 4; 201.13, subdivision 1; 203B.04, subdivision 1; 204B.09, subdivision 1; 204C.40, subdivision 2; 205.16, subdivision 4; 205A.07, subdivision 3; 211B.04; and 447.32, subdivisions 2, 3, and 4.

Referred to the Committee on Elections and Ethics.

Ms. Berglin introduced—

S.F. No. 509: A bill for an act relating to health; modifying training and competency requirements for nursing assistants; amending Minnesota Statutes 1990, sections 144A.61, subdivisions 3, 3a, and 6a; and 144A.611, subdivisions 1 and 2.

Referred to the Committee on Health and Human Services.

Messrs. Berg and Beckman introduced—

S.F. No. 510: A bill for an act relating to agriculture; changing the egg law; imposing a penalty; amending Minnesota Statutes 1990, sections 29.21, by adding subdivisions; 29.22; 29.23; 29.235; 29.26; and 29.27; proposing

coding for new law in Minnesota Statutes, chapter 29.

Referred to the Committee on Agriculture and Rural Development.

Mr. Luther, Ms. Traub, Mr. Finn and Ms. Olson introduced—

S.F. No. 511: A bill for an act relating to natural resources; Eurasian water milfoil; changing the watercraft surcharge; placing the surcharge in a dedicated account; providing for informational materials; providing for a pilot program; restricting new public access; amending Minnesota Statutes 1990, sections 86B.415, subdivisions 7 and 9; 103G.617, subdivision 3, and by adding subdivisions.

Referred to the Committee on Environment and Natural Resources.

Messrs. Berg, Renneke and Frederickson, D.R. introduced—

S.F. No. 512: A bill for an act relating to agriculture; regulating noxious weeds; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 1990, sections 18.171 to 18.201, 18.211 to 18.315, and 18.321 to 18.323.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Johnson, D.E.; Samuelson; Mrs. Pariseau, Ms. Johnston and Mr. Lessard introduced—

S.F. No. 513: A bill for an act relating to the military; providing for issuance of a state ribbon to certain participants in the Persian Gulf War; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 190.

Referred to the Committee on Veterans and General Legislation.

Mr. Marty introduced—

S.F. No. 514: A bill for an act relating to security guards; requiring the registration of the employees of private detectives and protective agents, and proprietary guards; precluding local regulation of private detectives and protective agents; providing penalties; amending Minnesota Statutes 1990, sections 326.32, subdivision 14, and by adding subdivisions; 326.3341; and 326.3381, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Judiciary.

Messrs. Finn, Lessard and Stumpf introduced—

S.F. No. 515: A bill for an act relating to natural resources; increasing the number of permits that may be held by one purchaser of timber on state lands; setting an interest rate of six percent for certain extensions of the permits; amending Minnesota Statutes 1990, section 90.121.

Referred to the Committee on Environment and Natural Resources.

Ms. Reichgott, Messrs. Dicklich, Mehrkens, DeCramer and Mondale introduced—

S.F. No. 516: A bill for an act relating to education; enhancing adult basic education programs; including adult basic educators in the definition of teacher; authorizing payment of GED test fees; increasing the membership of the interagency adult learning advisory council; appropriating money; amending Minnesota Statutes 1990, sections 124.261; 124C.03, subdivision 3; 125.032, subdivision 2; 126.22, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 124; repealing Minnesota Statutes 1990, section 124.26, subdivisions 7 and 8.

Referred to the Committee on Education.

Messrs. Morse and Beckman introduced—

S.F. No. 517: A bill for an act relating to agriculture; establishing a certification program to identify milk and milk products free of biosynthetic bovine somatotropin; amending Minnesota Statutes 1990, sections 151.01, subdivision 28; 151.15, subdivision 3; and 151.25; proposing coding for new law in Minnesota Statutes, chapter 32.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Beckman; Fredrickson, D.J.; Morse; Vickerman and Dicklich introduced—

S.F. No. 518: A bill for an act relating to agriculture; authorizing expense reimbursement for the Minnesota education in agriculture council; appropriating money; amending Minnesota Statutes 1990, section 126.113, subdivision 2.

Referred to the Committee on Education.

Ms. Reichgott, Messrs. DeCramer, Dicklich, Dahl and Pogemiller introduced—

S.F. No. 519: A bill for an act relating to education; clarifying the furnishing of food in schools; providing school lunch and school breakfast aid; defining allowable cost; appropriating money; amending Minnesota Statutes 1990, sections 123.35, subdivision 11; and 124.646.

Referred to the Committee on Education.

Messrs. Kelly and Spear introduced—

S.F. No. 520: A bill for an act relating to legal services; providing for the creation of a state board of specialized legal assistants; requesting the supreme court to adopt rules governing the delivery of legal services by specialized legal assistants; amending Minnesota Statutes 1990, section 481.02, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 481A.

Referred to the Committee on Judiciary.

Messrs. Pogemiller, Dicklich, Ms. Olson and Mr. Stumpf introduced—

S.F. No. 521: A bill for an act relating to education; authorizing certain secondary pupils to transfer to certain schools under the high school graduation incentives program; amending Minnesota Statutes 1990, section 126.22, subdivision 3.

Referred to the Committee on Education.

Mr. Benson, D.D. introduced—

S.F. No. 522: A bill for an act relating to game and fish; prohibiting designation of experimental waters in specified counties; amending Minnesota Statutes 1990, section 97C.001, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Beckman; Frederickson, D.J.; Morse; Vickerman and Dicklich introduced—

S.F. No. 523: A bill for an act relating to education; providing for payments attributable to pupils from families receiving AFDC to be made to the district of residence; including resident pupils attending nonresident districts under district agreements in the pupils counted for fund balance reductions; amending Minnesota Statutes 1990, sections 124.17, subdivision 1b; 124.175; and 124A.26, subdivision 1.

Referred to the Committee on Education.

Messrs. Beckman; Frederickson, D.J.; Vickerman and Dicklich introduced—

S.F. No. 524: A bill for an act relating to education; modifying the definition of fund balance pupil units; amending Minnesota Statutes 1990, section 124A.26, subdivision 1.

Referred to the Committee on Education.

Messrs. Spear, Marty, Pogemiller and McGowan introduced—

S.F. No. 525: A bill for an act relating to crimes; expanding the definition of drug free zones to include post-secondary and technical colleges and public housing property; requiring the sentencing guidelines commission to develop a model set of local correctional guidelines; authorizing special levies for local correctional services that do not involve incarceration; changing the name and duties of the drug abuse prevention resource council; providing incentives for judicial districts to adopt local correctional guidelines; requiring reporting of felony convictions; requiring chemical use assessments of persons convicted of felonies; requiring studies; appropriating money; amending Minnesota Statutes 1990, sections 152.01, subdivision 14a, and by adding a subdivision; 152.022, subdivision 1; 152.023, subdivision 2; 244.095, subdivisions 1 and 2; 275.50, subdivision 5; 275.51, subdivision 3f; 299A.30; 299A.31, subdivision 1; 299A.32; 401.14, by adding a subdivision; 485.16; and 609.115, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 244; repealing Minnesota Statutes 1990, sections 244.095, subdivision 3; 299A.29; and 299A.30.

Referred to the Committee on Judiciary.

Messrs. Spear, Kelly and Neuville introduced—

S.F. No. 526: A bill for an act relating to crime; sentencing; clarifying and revising the intensive community supervision program; amending Minnesota Statutes 1990, sections 244.05, subdivision 6; 244.12; 244.13; 244.14; and 244.15.

Referred to the Committee on Judiciary.

Mr. Laidig introduced—

S.F. No. 527: A bill for an act relating to the city of Bayport; permitting a special library levy.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Riveness, DeCramer and Langseth introduced—

S.F. No. 528: A bill for an act relating to transportation; authorizing state departments to cancel uncollectible debts up to \$200 in certain cases; allowing department of transportation to employ debt collection services; allowing department of transportation to make direct expenditures from state aid funds for administrative expenses; providing penalty for failure to pay fee for sign permit more than 30 days after fee is due; providing when estimates of certain construction projects are nonpublic data; providing for laying fiber optic cable or conduits along highways; directing the commissioner of transportation to adopt rules governing the location and breakaway standards for mailbox installations; allowing white strobe lamps to be used on highway maintenance vehicles; authorizing exchange of lands with Grand Portage Band of Chippewa Indians; abolishing conflicting requirements related to market artery highways; providing a penalty; amending Minnesota Statutes 1990, sections 10.12; 13.72, subdivision 1; 161.20, subdivision 4; 161.45, subdivision 1; 161.46, subdivisions 1 and 2; 162.06, subdivision 2; 162.12, subdivision 2; 169.64, subdivision 7; and 173.13, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, section 169.833.

Referred to the Committee on Transportation.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

### **MOTIONS AND RESOLUTIONS**

Mr. Moe, R.D. moved that his name be stricken as chief author, shown as a co-author and the name of Mr. Hottinger be added as chief author to S.F. No. 484. The motion prevailed.

### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Monday, March 4, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate