

## TWENTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 18, 1991

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

### CALL OF THE SENATE

Mr. Price 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. Michael J. Redmond.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

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

The President declared a quorum present.

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

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 640 and 196. The motion prevailed.

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 552: A bill for an act relating to elections; providing for time off to vote in primaries; amending Minnesota Statutes 1990, section 204C.04.

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

as follows:

Page 1, line 13, after "or" insert "general"

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. 142: A bill for an act relating to natural resources; increasing the watershed administrative fund limit; establishing a natural resource protection fund; amending Minnesota Statutes 1990, section 103D.905, subdivision 3, and by adding a subdivision.

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

Page 1, line 10, before "An" insert "(a)"

Page 1, line 12, reinstate the stricken language and delete "\$200,000"

Page 1, after line 22, insert:

*"(b) The dollar amount limit on the ad valorem tax levy in paragraph (a) may be increased to \$200,000 upon approval by the board of county commissioners of each county affected by the watershed district.*

*(c) Any amount over \$125,000 raised by the levy authorized by this subdivision must be allocated to the natural resource protection fund authorized under subdivision 9."*

Page 1, line 26, delete "is" and insert "may be" and delete everything after "established"

Page 2, line 1, delete everything before the second "to"

Page 2, line 4, delete "fund consists of an" and insert "managers may make an annual"

Page 2, line 6, delete "\$50,000" and insert "\$75,000" and delete everything after the period and insert "Any levy under this subdivision must receive prior approval from the board of county commissioners of each county affected by the watershed district."

Page 2, line 7, delete everything before "the"

Page 2, line 9, delete "cannot" and insert "may not"

Page 2, line 10, delete everything after "exceed" and insert "\$200,000. Gifts, grants, and appropriations accepted by the district for enhancing, conserving, and protecting natural resources may be deposited in the natural resource protection fund."

Page 2, delete line 11

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "authorizing an increase in the"

Page 1, line 3, after "limit" insert "under certain conditions"

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

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

S.F. No. 425: A bill for an act relating to unclaimed property; providing for payment of certain expenses for claims made in other states; proposing coding for new law in Minnesota Statutes, chapter 345.

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 345.48, subdivision 1, is amended to read:

Subdivision 1. All funds received under sections 345.31 to 345.60, including the proceeds from the sale of abandoned property pursuant to section 345.47, shall forthwith be deposited by the commissioner in the general fund of the state *after deduction of the fees and expenses provided for in section 2*; except that unclaimed restitution payments held by a court under section 345.38 shall be deposited in the crime victim and witness account created in section 609.101, subdivision 1. Before making the deposit the commissioner shall record the name and last known address of each person appearing from the holders’ reports to be entitled to the abandoned property and of the name and last known address of each policyholder, insured person, or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

Sec. 2. [345.485] [PROPERTY IN OTHER STATES.]

*The commissioner may request that the attorney general of another state or another person or entity in the other state make a demand or bring an action to recover unclaimed property in the name of the commissioner in the other state. This state shall pay all expenses including attorney fees incurred under this section. The commissioner may agree to pay fees to the person or entity making the demand or bringing the action based in whole or in part on a percentage of the value of any property recovered. Expenses paid under this section shall not reduce the amount to which the claimant is entitled.*

Sec. 3. [EFFECTIVE DATE.]

*Sections 1 and 2 are effective the day following final enactment.”*

Delete the title and insert:

“A bill for an act relating to unclaimed property; providing for payment of certain expenses for claims made in other states; amending Minnesota Statutes 1990, section 345.48, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 345.”

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

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

S.F. No. 231: A bill for an act relating to insurance; accident and health; defining full-time students for purposes of dependent coverage; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 1, line 13, after "*disability*" insert "*as documented by a physician*"

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

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

S.F. No. 295: A bill for an act relating to commerce; providing that cost of doing business by cigarette wholesalers does not include discounts for purposes of the Minnesota unfair cigarette sales act; requiring use of cigarette distributor fees for administration of that act; appropriating money; amending Minnesota Statutes 1990, sections 325D.32, subdivision 10; and 325D.415.

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

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

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.

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

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

S.F. No. 557: A bill for an act relating to commerce; removing a real estate licensing prohibition; amending Minnesota Statutes 1990, section 82.20, subdivision 4.

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

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

S.F. No. 329: A bill for an act relating to commerce; regulating real estate closings; prohibiting real estate brokers or salespersons from requiring the use of particular closing agents; requiring certain disclosures in listing agreements; amending Minnesota Statutes 1990, section 82.19, by adding a subdivision.

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 507.45, subdivision 4, is amended to read:

Subd. 4. (a) No real estate salesperson, broker, attorney, auctioneer, builder, title company, financial institution, or other person making a mortgage loan may require a ~~borrower~~ person to use any particular licensed attorney, real estate broker, real estate salesperson, or real estate closing agent in connection with a residential real estate closing.

*(b) All listing agreements must include a notice informing sellers of their rights under this subdivision. The notice must require the seller to indicate in writing whether it is acceptable to the seller to have the licensee arrange for closing services or whether the seller wishes to arrange for others to conduct the closing. The notice must also include the disclosure of any controlled business arrangement, as the term is defined in United States Code, title 12, section 1602, between the licensee and the real estate closing agent through which the licensee proposes to arrange closing services.*

*(c) The commissioner of commerce may adopt rules under chapter 14 to implement, administer, and enforce this subdivision."*

Delete the title and insert:

"A bill for an act relating to commerce; regulating real estate closings; prohibiting persons from requiring the use of particular closing agents; authorizing the commissioner to adopt rules; amending Minnesota Statutes 1990, section 507.45, subdivision 4."

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

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

S.F. No. 168: A resolution memorializing the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States.

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

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

S.F. No. 611: A bill for an act relating to veterans; clarifying rulemaking authority of the veterans homes board; changing language concerning payment of arrearages by veterans home residents; correcting certain references; amending Minnesota Statutes 1990, sections 198.003; 198.005; 198.03, subdivision 3; and 198.35.

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

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

S.F. No. 640: A bill for an act relating to veterans; authorizing the veterans homes board to rent certain facilities; authorizing expenditures of money; amending Minnesota Statutes 1990, section 198.003.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Mr. Waldorf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 118: A bill for an act relating to animals; tightening laws prohibiting cruel treatment of certain animals, including equines; increasing certain penalties; amending Minnesota Statutes 1990, sections 343.21, subdivisions 9 and 10; 346.43; and 346.44; proposing coding for new law in Minnesota Statutes, chapter 343.

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

Page 1, lines 21 and 22, delete the new language

Page 2, line 6, delete "or an equine,"

Page 2, line 10, delete ", or an equine"

Page 2, delete section 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete ", including equines"

Page 1, line 6, delete "346.43;"

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

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

S.F. No. 284: A bill for an act relating to county and district agricultural societies; appropriating money.

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

Page 1, line 10, after "38.02," insert "*subdivision 1, clause (3),*"

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

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

S.F. No. 303: A bill for an act relating to agriculture; appropriating money for farm and small business management programs at technical colleges.

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

Mr. DeCramer from the Committee on Transportation, to which was referred

S.F. No. 212: A bill for an act relating to drivers' licenses; extending waiting period for person to receive limited driver's license who has been convicted of manslaughter or criminal negligence with a motor vehicle; amending Minnesota Statutes 1990, section 171.30, subdivision 2, and by adding a subdivision.

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 171.30, subdivision 2, is amended to read:

Subd. 2. A limited license shall not be issued for a period of 60 days to an individual whose license or privilege has been revoked or suspended for commission of the following offenses:

(a) ~~Manslaughter or criminal negligence resulting from the operation of a motor vehicle.~~

(b) Any felony in the commission of which a motor vehicle was used.

(c) (b) Failure to stop and disclose identity as required under the laws of this state, in the event of a motor vehicle accident resulting in the death or personal injury of another.

Sec. 2. Minnesota Statutes 1990, section 171.30, is amended by adding a subdivision to read:

*Subd. 2a. Notwithstanding subdivision 2, a limited license shall not be issued for a period of 180 days to an individual whose license or privilege has been revoked or suspended for commission of the offense of manslaughter, criminal negligence resulting from the operation of a motor vehicle, or criminal vehicular homicide or injury under section 609.21.*

Sec. 3. Minnesota Statutes 1990, section 171.30, subdivision 4, is amended to read:

Subd. 4. [PENALTY.] A person who violates a condition or limitation of a limited license issued under subdivision 1 *or fails to have the license in immediate possession at all times when operating a motor vehicle is guilty of a misdemeanor and may not operate a motor vehicle for the remainder of the period of suspension or revocation, or 30 days, whichever is longer.*

Sec. 4. [EFFECTIVE DATE.]

*Sections 1 to 3 are effective for violations that occur on or after August 1, 1991.”*

Delete the title and insert:

“A bill for an act relating to drivers’ licenses; extending waiting period for person to receive limited driver’s license who has been convicted of certain crimes; amending Minnesota Statutes 1990, section 171.30, subdivisions 2, 4, and by adding a subdivision.”

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

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

S.F. No. 162: A bill for an act relating to the city of Nashwauk; authorizing an increase in benefits payable to surviving spouses by the police relief association; amending Laws 1943, chapter 196, section 4, as amended.

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

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

S.F. No. 548: A bill for an act relating to state finance; permitting investments in all federally insured savings accounts; amending Minnesota Statutes 1990, section 11A.24, subdivision 4.

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

Page 1, line 23, strike everything after "by"

Page 1, line 24, strike everything before the semicolon and insert "*federal agencies*"

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

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

S.F. No. 567: A bill for an act relating to retirement; authorizing appointed public officers to purchase public employees retirement association service credit for previous service as an elected official; amending Laws 1990, chapter 570, article 8, section 14, subdivision 1.

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

Page 1, line 10, after "An" insert "*individual who became an appointed public officer prior to May 9, 1990, or an*"

Page 1, line 10, delete "*or appointed*"

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

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

S.F. No. 72: A bill for an act relating to retirement; providing certain widow benefits for the Virginia firefighters relief association; providing for disposition of assets of the Virginia firefighters relief association under certain conditions; amending Laws 1974, chapter 183, section 3.

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

Page 1, line 13, strike "widow" and insert "*spouse*"

Page 1, line 14, strike "his wife prior to" and insert "*the spouse of the member before*" and strike "he" and insert "*the member*"

Page 1, line 15, strike "his"

Page 1, line 17, strike "his"

Page 1, line 19, strike "widow" and insert "*spouse*" and after "and" insert "*surviving*" and strike "there"

Page 1, line 20, strike "shall be paid" and insert "*the survivors are entitled to*"

Page 1, line 21, strike "widow" and insert "*surviving spouse*"



Page 1, line 22, strike "fireman" and insert "firefighter" and strike "he" and insert "the member"

Page 2, line 2, strike "fireman" and insert "firefighter"

Page 2, line 3, strike "he" and insert "the member"

Page 2, line 8, after "last" insert "pension or"

Page 2, line 11, before "benefit" insert "pension or"

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

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

S.F. No. 5: A bill for an act relating to retirement; authorizing a benefit increase for certain retired police officers, firefighters, and surviving spouses in the city of Eveleth.

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

Page 1, line 9, after "to" insert "the current pensions and" and after "other" insert "retirement" and after the comma, insert "the pensions and"

Page 1, line 11, delete "may" and insert "are"

Page 1, line 12, delete the first "be" and delete "may be made" and insert "are"

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

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

S.F. No. 368: A bill for an act relating to motor vehicles; requiring the appointment of officers of statutory and home rule charter cities as deputy registrars in certain circumstances; amending Minnesota Statutes 1990, section 168.33, subdivision 2.

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

Page 2, line 18, after "appoint" insert ", and may for cause discontinue,"

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

Mr. Metzen from the Committee on Economic Development and Housing, to which was referred

S.F. No. 543: A bill for an act relating to housing; changing the definition of mentally ill person; consolidating special needs housing programs; clarifying and amending biennial reporting requirement; authorizing new construction of accessible housing; authorizing off-reservation home improvement program; amending Minnesota Statutes 1990, sections 268.39; 462A.03, subdivision 16; 462A.05, subdivision 20; 462A.21, subdivisions 4k, 12a, and 14; 462A.22, subdivision 9; 474A.048, subdivision 2; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1989, chapter 335,

article 1, section 27, subdivision 1, as amended; repealing Minnesota Statutes 1990, section 462A.05, subdivisions 28 and 29.

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

Page 3, line 5, after "agency" insert "*. Loans or grants for residential housing for migrant farmworkers may be made under this paragraph. Residential housing for migrant farmworkers must contain cooking, sleeping, and bathroom facilities and hot and cold running water in the same structure*"

Page 4, after line 2, insert:

"Sec. 4. Minnesota Statutes 1990, section 462A.08, subdivision 2, is amended to read:

Subd. 2. The agency from time to time may issue bonds or notes for the purpose of refunding any bonds or notes of the agency then outstanding, *or, with the consent of the original issuer, any bonds or notes then outstanding issued by an issuer other than the agency for the purpose of making or purchasing loans for single-family housing or multifamily housing developments, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the redemption date next succeeding the date of delivery of such refunding bonds or notes. The proceeds of any such refunding bonds or notes may, in the discretion of the agency, be applied to the purchase or payment at maturity of the bonds or notes to be refunded, or to the redemption of such outstanding bonds or notes on the redemption date next succeeding the date of delivery of such refunding bonds or notes and may, pending such application, be placed in escrow to be applied to such purchase, retirement, or redemption. Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations issued or guaranteed by the state or the United States or by any agency or instrumentality thereof, or in certificates of deposit or time deposits secured in such manner as the agency shall determine, maturing at such time or times as shall be appropriate to assure the prompt payment of the principal of and interest and redemption premiums, if any, on the bonds or notes to be refunded. The income earned or realized on any such investment may also be applied to the payment of the bonds or notes to be refunded. After the terms of the escrow have been fully satisfied, any balance of such proceeds and investment income may be returned to the agency for use by it in any lawful manner. All refunding bonds or notes issued under the provisions of this subdivision shall be issued and secured in the manner provided by resolution of the agency. If bonds or notes are issued by the agency to refund bonds or notes issued by an issuer other than the agency, as authorized by this subdivision, the agency and the issuer may enter into agreements as they may consider appropriate to facilitate the transaction.*"

Page 6, line 46, before the period, insert "*. Home improvement loans may be made without regard to household income*"

Page 7, line 55, before the period, insert "*. Home improvement loans may be made without regard to household income*"

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 9, after "20;" insert "462A.08, subdivision 2;"

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

Mr. Metzen from the Committee on Economic Development and Housing, to which was referred

S.F. No. 286: A bill for an act relating to cities of the first class; providing for the organization and powers of neighborhood revitalization policy boards; amending Minnesota Statutes 1990, section 469.1831, subdivision 6.

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

Page 2, line 9, after "officials" insert "*and appointed members of the library board*"

Page 2, line 19, after "(e)" insert "*Except for the legislative appointees,*"

Page 3, line 6, after "*appropriated*" insert "*or otherwise made available*" and delete "*and encumbered for the*"

Page 3, line 7, delete "*purpose*"

Page 3, line 23, delete "*a*" and insert "*an administrative*"

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

Mr. Metzen from the Committee on Economic Development and Housing, to which was referred

S.F. No. 431: A bill for an act relating to local government; permitting Pennington county and Thief River Falls to construct, finance, and own student housing.

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

Mr. Metzen from the Committee on Economic Development and Housing, to which was referred

S.F. No. 175: A bill for an act relating to taxation; exempting the city of Isle from certain tax increment financing provisions.

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

Mr. Metzen from the Committee on Economic Development and Housing, to which was referred

S.F. No. 196: A bill for an act relating to economic development; specifying that money transferred or appropriated to the capital access program account is appropriated to the commissioner of trade and economic development; amending Minnesota Statutes 1990, section 116J.8765, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Metzen from the Committee on Economic Development and Housing, to which was referred

S.F. No. 446: A bill for an act relating to economic development; authorizing the establishment of rural development zones; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Mr. DeCramer from the Committee on Transportation, to which was referred

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.

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

Pages 3 and 4, delete sections 4 to 6

Pages 5 to 7, delete sections 9 and 10 and insert:

“Sec. 6. Minnesota Statutes 1990, section 169.64, is amended by adding a subdivision to read:

*Subd. 6a. [WHITE STROBE LAMPS.] Notwithstanding sections 169.55, subdivision 1, 169.57, subdivision 3, clause (b), or any other law to the contrary, a vehicle may be equipped with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle is:*

*(1) a school bus that is subject to and complies with the color and equipment requirements of section 169.44, subdivision 1a. The lamp shall be permanently mounted on the longitudinal center line of the bus roof not less than five feet nor more than seven feet forward of the rear roof edge. It shall operate from a separate switch containing an indicator lamp to show when the strobe lamp is in use. The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals so as to require use of the bright strobe lamp to alert motorists to the presence of the school bus. A strobe lamp may not be lighted unless the school bus is actually being used as a school bus; or*

*(2) a road maintenance vehicle owned or under contract to the department of transportation or a road authority of a county, home rule or statutory city, or town, but the strobe lamp may only be operated while the vehicle is actually engaged in snow removal during daylight hours.*

*The strobe lamp shall be of a double flash type certified to the commissioner of public safety by the manufacturer as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula."*

Page 8, line 4, delete "license" and insert "land"

Page 8, line 26, delete "natural resources" and insert "transportation"

Page 9, line 8, delete "natural resources" and insert "transportation"

Page 11, after line 1, insert:

"Sec. 9. [TRUNK HIGHWAY SYSTEM; ROUTE NO. 336 ADDED.]

*Subdivision 1. [ADDITIONAL ROUTE.] On execution of the agreement required by subdivision 2, there is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:*

*Route No. 336. Beginning at a point on Route No. 2 at or near Dilworth; thence extending in a general southerly direction following generally the location of present County State-Aid Highway No. 11 to a point on Route No. 392.*

*Subd. 2. [AGREEMENT REQUIRED.] Legislative Route No. 336 is added to the trunk highway system only when an agreement to transfer jurisdiction has been approved by the commissioner of transportation and the Clay county board and a copy of the agreement, signed by the commissioner and the chair of the Clay county board, has been filed in the office of the commissioner.*

*Subd. 3. [REVISOR INSTRUCTION.] Following execution of the agreement required in subdivision 2, the revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall add the route identified in subdivision 1.*

Sec. 10. [TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.]

*Subdivision 1. [ROUTE.] There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:*

*Route No. 297. Beginning at a point on Route No. 392 northwest of Fergus Falls; thence extending in a general southeasterly direction to a point at or near the intersection of West Fir Avenue and North Oak Street in the city of Fergus Falls; thence in a general northwesterly direction into and through the grounds of the Fergus Falls Regional Treatment Center; thence in a general southeasterly direction to a point at or near the intersection of West Fir Avenue and North Union Avenue in the city of Fergus Falls.*

*Subd. 2. [SUBSTITUTION; AGREEMENT REQUIRED.] The route established in subdivision 1 is substituted for Route No. 297 as contained and described in Minnesota Statutes 1990, section 161.115. Route No. 297 as contained and described in that section is discontinued and removed from the trunk highway system. No transfer is effective until an agreement to transfer jurisdiction of a portion of the old route has been agreed to by the commissioner of transportation and Otter Tail county and the city of Fergus*

*Falls and signed by the commissioner and the chair of the Otter Tail county board and the mayor of Fergus Falls and filed in the office of the commissioner.*

*Subd. 3. [REVISOR INSTRUCTION.] The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system according to subdivision 2."*

Page 11, after line 4, insert:

"Sec. 12. [EFFECTIVE DATE.]

*Sections 9 and 10 are effective the day following final enactment."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "providing for laying"

Page 1, delete lines 12 to 14

Page 1, line 15, delete everything before "allowing"

Page 1, line 20, after "penalty;" insert "adding and substituting routes on the state highway system;"

Page 1, line 22, delete "161.45, subdivision 1; 161.46,"

Page 1, line 23, delete "subdivisions 1 and 2;"

Page 1, line 24, delete "subdivision 7" and insert "by adding a subdivision"

Page 1, line 25, delete everything after the semicolon

Page 1, line 26, delete everything before "repealing"

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

Mr. Novak from the Committee on Energy and Public Utilities, to which was referred

S.F. No. 562: A resolution memorializing the President and Congress to increase funding for the low-income home energy assistance program and to maintain its operation in Minnesota.

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

Page 1, delete lines 23 to 25

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

Mr. Novak from the Committee on Energy and Public Utilities, to which was referred

S.F. No. 137: A bill for an act relating to energy; improving energy efficiency by prohibiting incandescent lighting in certain exit signs; amending Minnesota Statutes 1990, sections 16B.61, subdivision 3; and 299F.011, by adding a subdivision.

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

Page 3, line 28, delete "1996" and insert "1994"

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. 550: A bill for an act relating to health; employee drug testing; clarifying requirements for labs that test employees for drugs; amending Minnesota Statutes 1990, sections 181.950, subdivisions 2, 5, 8, and 10; 181.951, subdivision 1; 181.953, subdivisions 1, 3, 5, and 9; and 626.5562, subdivision 5; repealing Minnesota Statutes 1990, sections 181.950, subdivision 3; and 181.953, subdivision 2; Minnesota Rules, parts 4740.0100 to 4740.1090.

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

Page 5, line 1, delete "either"

Page 5, lines 2 and 3, delete "or the laboratory accreditation program"

Page 7, line 15, delete "federal"

Page 7, line 16, before the period, insert "*imposed by the licensing, accreditation, or certification program listed in section 181.953, subdivision 1, in which the laboratory participates*"

Page 7, line 19, delete "189.953" and insert "181.953"

Page 7, line 30, after "enactment" insert ", *except that the changes in section 6 do not apply to a laboratory with a current license from the commissioner until July 1, 1992*"

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. 453: A bill for an act relating to corrections; establishing a juvenile detention services subsidy program; appropriating money; amending Minnesota Statutes 1990, section 241.022; proposing coding for new law in Minnesota Statutes, chapter 241.

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

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

S.F. No. 583: A bill for an act relating to health; clarifying requirements for vaccination of children for certain illnesses; amending Minnesota Statutes 1990, sections 123.70, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, and by adding a subdivision; and 151.37, by adding a subdivision.

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

Page 7, line 10, before "*children*" insert "*preschool-aged*"

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. 296: A bill for an act relating to abortion; providing the manner of authorizing abortion for minors; imposing penalties; amending Minnesota Statutes 1990, section 144.343; proposing coding for new law in Minnesota Statutes, chapter 144.

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 144.343, subdivision 3, is amended to read:

Subd. 3. [PARENT, ABORTION; DEFINITIONS.] For purposes of this section, "parent" means ~~both parents the mother or the father of the pregnant woman if they are both living, one parent of the pregnant woman if only one is living or if the second one cannot be located through reasonably diligent effort,~~ or the guardian or conservator if the pregnant woman has one.

For purposes of this section, "abortion" means the use of any means to terminate the pregnancy of a woman known to be pregnant with knowledge that the termination with those means will, with reasonable likelihood, cause the death of the fetus and "fetus" means any individual human organism from fertilization until birth.

Sec. 2. Minnesota Statutes 1990, section 144.343, subdivision 4, is amended to read:

Subd. 4. [LIMITATIONS.] No notice shall be required under this section if:

(a) The attending physician certifies in the pregnant woman's medical record that the abortion is necessary to prevent the woman's death and there is insufficient time to provide the required notice; or

(b) The abortion is authorized in writing by ~~the person or persons who are entitled to notice a parent;~~ or

(c) The pregnant minor woman declares that she is a victim of sexual abuse, neglect, or physical abuse as defined in section 626.556. Notice of that declaration shall be made to the proper authorities as provided in section 626.556, subdivision 3."

Amend the title as follows:

Page 1, line 3, delete everything after the first semicolon

Page 1, line 4, delete the semicolon and insert ", subdivisions 3 and 4."

Page 1, delete lines 5 and 6

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. 374: A bill for an act relating to taxation; income; authorizing a tax checkoff for foodshelf programs; creating a foodshelf account distribution board; appropriating money; amending Minnesota Statutes 1990, section 290.431; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Delete everything after the enacting clause and insert:

“Section 1. [268.55] [FOODSHELF ACCOUNT.]

*Subdivision 1. [ESTABLISHMENT.] A foodshelf account is established in the state general fund to receive contributions designated on income tax returns and property tax refund forms. The state treasurer shall credit all interest earned on the money to the account.*

*Subd. 2. [DISTRIBUTION OF MONEY.] The statewide grantee designated by the legislature shall periodically distribute money in the account to qualifying foodshelf programs. A foodshelf program qualifies under this section if it is a nonprofit corporation, or is affiliated with a nonprofit corporation, as defined under section 501(c)(3) of the Internal Revenue Code of 1986, and distributes a standard food order without charge to needy individuals. The standard food order must consist of, at least, a two-day supply or six pounds per person of nutritionally balanced food items. A qualifying foodshelf program may not limit food distributions to individuals of a particular religious affiliation, race, or other criteria unrelated to need or to requirements necessary to administration of a fair and orderly distribution system. A qualifying foodshelf program may not use the money received or the food distribution program to foster or advance religious or political views. A qualifying foodshelf must have a stable address and directly serve individuals in a defined geographic area that is not also served in substantial part by another foodshelf. The statewide grantee shall resolve questions of whether two foodshelves are serving in substantial part the same area.*

*Subd. 3. [APPLICATION.] In order to receive money from the foodshelf account, a program must apply to the statewide grantee. The application must be in a form prescribed by the statewide grantee and must contain information specified by the statewide grantee to verify that the applicant is a qualifying foodshelf program and the amount the applicant is entitled to receive under subdivision 4. Applications must be filed at the times and for the periods determined by the statewide grantee.*

*Subd. 4. [DISTRIBUTION FORMULA.] The statewide grantee shall distribute the foodshelf account money to qualifying foodshelf programs either (1) in proportion to the number of individuals served by the program during the prior period of its operation or (2) in proportion to the share of contributions to the foodshelf account from taxpayers who reside in the geographic service area of the foodshelf. The statewide grantee shall gather*

*data from applications or other appropriate sources to determine the proportionate amount each qualifying program is entitled to receive. The statewide grantee may increase or decrease the qualifying program's proportionate amount if it determines the increase or decrease is necessary or appropriate to meet changing needs or demands.*

*Subd. 5. [USE OF MONEY.] Money distributed to foodshelf programs under this section must be used to provide client services to needy individuals and families. Qualified expenditures include purchases of food or personal care items, expenditures for vouchers for those items, and expenditures for transportation of food. None of the money expended may be used to pay for other expenses, such as rent, salaries, and other administrative expenses. Recipients must retain records documenting expenditure of the money for a three-year period and comply with any additional requirements imposed by the statewide grantee.*

*Subd. 6. [ENFORCEMENT.] The statewide grantee may undertake any reasonable actions, including but not limited to on-site inspections and auditing of accounts and records, to assure that recipients of money under this section comply with the requirements of the law. The statewide grantee may contract with an outside organization to audit or otherwise oversee recipients' use of the money. If ineligible expenditures are made by a recipient, the amount must be repaid to the statewide grantee and deposited in the foodshelf account.*

*Subd. 7. [APPROPRIATION.] (a) The money deposited in the foodshelf account is appropriated to the commissioner of jobs and training, to be awarded to a statewide grantee designated by the legislature, provided the grantee agrees to comply with the requirements in this section, to be distributed to foodshelf programs under this section and for administration of the distribution. None of the money may be retained by the commissioner for administrative expenses or other purposes.*

*(b) For each fiscal year, the statewide grantee may estimate the amounts that will be received during the year by the foodshelf account and may distribute the estimated receipts evenly over the fiscal year even though the contributions are not received until the second half of the year.*

Sec. 2. Minnesota Statutes 1990, section 290.431, is amended to read:

**290.431 [NONGAME WILDLIFE CHECKOFF AND FOODSHELF CHECKOFFS.]**

*Subdivision 1. [CHECKOFF AUTHORIZED.] Every individual who files an income tax return or property tax refund claim form may designate on their original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that individual and paid either into an account to be established for the management of nongame wildlife or into the foodshelf account, or both. The commissioner of revenue shall, on the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into either the nongame wildlife management account or the foodshelf account, or both.*

*Subd. 2. [DEPOSIT OF MONEY.] The sum of the amounts so designated to be paid shall be credited to the nongame wildlife management account for use by the nongame program of the section of wildlife in the department of natural resources and to the foodshelf account established under section 1.*

*Subd. 3. [NONGAME WILDLIFE ACCOUNT.] All interest earned on money accrued in the nongame wildlife management account shall be credited to the account by the state treasurer. The commissioner of natural resources shall submit a work program for each fiscal year and semiannual progress reports to the legislative commission on Minnesota resources in the form determined by the commission. None of the money provided in this section may be expended unless the commission has approved the work program.*

*Subd. 4. [STATE PLEDGE.] The state pledges and agrees with all contributors to the nongame wildlife management account to use the funds contributed solely for the management of nongame wildlife projects and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of nongame wildlife.*

*The state further pledges that all money given to the foodshelf programs will be used for foodshelf programs for needy people in Minnesota.*

*Subd. 5. [INFORMATION ON SOURCE.] The commissioner shall annually report to the commissioner of jobs and training the amount of the contributions to that account designated on the tax returns of residents of each county.*

*Subd. 6. [LIMITATIONS ON CHECKOFFS.] (a) No more than two tax checkoffs may be included on income tax returns and property tax refund forms for any taxable year.*

*(b) Beginning with the third taxable year when a tax checkoff for contributions for a specific purpose is included on the tax form, if the contributions designated for a tax year equal less than \$300,000, the checkoff program for that purpose will terminate and that checkoff will no longer be included on the income tax returns and property tax refund forms for subsequent years.*

### Sec. 3. [STATEWIDE GRANTEE.]

*The statewide grantee for the fiscal year ending June 30, 1992, and subsequent years until changed by the legislature is the Minnesota foodshelf association.*

### Sec. 4. [EFFECTIVE DATE.]

*Sections 1 to 3 are effective for taxable years beginning after December 31, 1990."*

Delete the title and insert:

"A bill for an act relating to taxation; income; authorizing a tax checkoff for foodshelf programs; authorizing grants; appropriating money; amending Minnesota Statutes 1990, section 290.431; proposing coding for new law in Minnesota Statutes, chapter 268."

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

Mr. DeCramer from the Committee on Transportation, to which was referred

H.F. No. 243: A bill for an act relating to highways; allowing specific service signs to be erected at intersections of trunk highways with interstate highways; amending Minnesota Statutes 1990, section 160.293, subdivisions 2 and 3.

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

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

H.F. No. 246 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
246			216		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 246 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 246 and insert the language after the enacting clause of S.F. No. 216, the first engrossment; further, delete the title of H.F. No. 246 and insert the title of S.F. No. 216, the first engrossment.

And when so amended H.F. No. 246 will be identical to S.F. No. 216, and further recommends that H.F. No. 246 be given its second reading and substituted for S.F. No. 216, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 98 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
98			127		

and that the above Senate File be indefinitely postponed.

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 552, 425, 231, 484, 557, 329, 611, 162, 548, 567, 72, 5, 368, 543, 286, 562, 137, 550, 583 and 296 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 243, 246 and 98 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Lessard moved that his name be stricken as a co-author to S.F. No. 240. The motion prevailed.

Mr. Lessard moved that the name of Mr. Bernhagen be added as a co-author to S.F. No. 731. The motion prevailed.

Mr. Lessard moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 732. The motion prevailed.

Mr. Lessard moved that the name of Mr. Finn be added as a co-author to S.F. No. 761. The motion prevailed.

Ms. Pappas moved that the name of Ms. Piper be added as a co-author to S.F. No. 768. The motion prevailed.

Ms. Berglin moved that the names of Mses. Piper and Pappas be added as co-authors to S.F. No. 773. The motion prevailed.

Ms. Berglin moved that the name of Ms. Piper be added as a co-author to S.F. No. 774. The motion prevailed.

Mr. Sams moved that the name of Mr. Frederickson, D.R. be added as a co-author to S.F. No. 776. The motion prevailed.

Mr. Hottinger moved that S.F. No. 82 be withdrawn from the Committee on Local Government and returned to its author. The motion prevailed.

Messrs. Moe, R.D. and Benson, D.D. introduced—

Senate Concurrent Resolution No. 6: A Senate concurrent resolution relating to adjournment for more than three days.

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

1. Upon their adjournments on March 27, 1991, the Senate and House of Representatives may each set its next day of meeting for April 2, 1991.

2. Each house consents to adjournment of the other house for more than three days.

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

**CALENDAR**

H.F. No. 290: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 104: A bill for an act relating to consumer protection; regulating automatic garage door opening systems; amending Minnesota Statutes 1990, sections 325F.82, subdivision 2, and by adding a subdivision; and 325F.83, subdivisions 1, 3, and 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 132: A bill for an act relating to public safety; providing for wheelchair securement devices in transit vehicles for transporting disabled people; amending Minnesota Statutes 1990, sections 299A.11; 299A.12, subdivision 1, and by adding a subdivision; and 299A.14, subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

S.F. No. 34: A bill for an act relating to the state agricultural society; including the Red River Valley Winter Shows as a state agricultural society member; amending Minnesota Statutes 1990, section 37.03, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. Nos. 205, 75, 468 and H.F. No. 275, which the committee recommends 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. Waldorf, Kelly, Morse and Cohen introduced—

S.F. No. 794: A bill for an act relating to retirement; St. Paul teachers retirement fund association; special postretirement adjustment for certain pre-1978 retirees.

Referred to the Committee on Governmental Operations.

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

S.F. No. 795: A bill for an act relating to the Red River watershed management board; changing the description of the area subject to special authority of watershed districts; requiring the board to adopt criteria for funding applications; clarifying the uses of levy proceeds; expanding the board's authority to cooperate with other entities; amending Laws 1976, chapter 162, sections 1 and 2, as amended, and 3.

Referred to the Committee on Environment and Natural Resources.

Messrs. Solon, Chmielewski and Gustafson introduced—

S.F. No. 796: A bill for an act relating to waste; Western Lake Superior sanitary district; amending the definition of solid waste; changing the date for adoption of a budget; amending Minnesota Statutes 1990, sections 458D.02, subdivision 18; and 458D.08.

Referred to the Committee on Environment and Natural Resources.

Mr. DeCramer introduced—

S.F. No. 797: A bill for an act relating to traffic regulations; authorizing the use of studded tires by rural mail carriers; amending Minnesota Statutes 1990, section 169.72, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Morse and Waldorf introduced—

S.F. No. 798: A bill for an act relating to public employees; regulating insurance benefits; amending Minnesota Statutes 1990, sections 43A.13, by adding a subdivision; and 43A.316, subdivision 8.

Referred to the Committee on Governmental Operations.

Messrs. Moe, R.D.; Langseth; DeCramer; Ms. Olson and Mr. Merriam introduced—

S.F. No. 799: A bill for an act relating to highways; establishing a category of natural preservation routes in the county state-aid highway system; proposing coding for new law in Minnesota Statutes, chapter 162.

Referred to the Committee on Transportation.

Mr. Price and Mrs. Adkins introduced—

S.F. No. 800: A bill for an act relating to natural resources; revising certain provisions relating to the taking, possession, and transportation of wild animals; amending Minnesota Statutes 1990, sections 97A.445, subdivision 2; 97A.535, subdivision 1; 97B.055, subdivision 3; 97B.106; and 97B.935, subdivision 3; repealing Minnesota Statutes 1990, section



97B.035, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Messrs. Metzen, Solon and Ms. Johnson, J.B. introduced—

S.F. No. 801: A bill for an act relating to retirement; providing for payment of the normal retirement annuity to persons whose age and credited allowable service totals at least 80.

Referred to the Committee on Governmental Operations.

Ms. Ranum, Messrs. Cohen, Knaak and Merriam introduced—

S.F. No. 802: A bill for an act relating to the collection and dissemination of data; authorizing child protective service agencies and family court service agencies to share information about cases relating to child abuse when they involve common clients; amending Minnesota Statutes 1990, sections 13.46, by adding a subdivision; and 13.84, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 803: A bill for an act relating to juvenile court; requiring that a juvenile be referred for adult prosecution if the juvenile has previously been referred to adult court for any delinquent act; amending Minnesota Statutes 1990, section 260.125, subdivision 3a.

Referred to the Committee on Judiciary.

Messrs. Luther and Marty introduced—

S.F. No. 804: A bill for an act relating to corrections; requiring county boards to provide medical aid for prisoners in jail; amending Minnesota Statutes 1990, section 641.15.

Referred to the Committee on Health and Human Services.

Messrs. Beckman, Hottinger, Day and Johnson, D.J. introduced—

S.F. No. 805: A bill for an act relating to education; transferring the Waseca campus to the state board of technical colleges; specifying conditions; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136C.

Referred to the Committee on Education.

Messrs. Bertram, Morse, Merriam, McGowan and Dahl introduced—

S.F. No. 806: A bill for an act relating to public safety; repealing sunset provision relating to position of public fire safety educator; repealing Laws 1989, chapter 322, section 7.

Referred to the Committee on Veterans and General Legislation.

Mr. DeCramer introduced—

S.F. No. 807: A bill for an act relating to education; establishing referendum equity revenue; increasing training and experience revenue; modifying referendum levies; reducing secondary pupil weighting; appropriating money; amending Minnesota Statutes 1990, sections 124.17, subdivision 1; 124A.03, subdivision 2; and 124A.22, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Ms. Pappas introduced—

S.F. No. 808: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; changing the voting age.

Referred to the Committee on Elections and Ethics.

Messrs. Cohen, Mondale, Ms. Traub and Mr. Belanger introduced—

S.F. No. 809: A bill for an act relating to crimes; providing that it is a prima facie case for certification to adult court if a juvenile used a firearm at the time of the offense or is alleged to have committed a firearms violation after a previous firearms violation; increasing the penalty for furnishing a firearm to a minor; increasing the penalty for unlawful possession of a pistol by a minor; amending Minnesota Statutes 1990, sections 260.125, subdivision 3; 609.66, subdivision 1a, and by adding a subdivision; and 624.713, subdivision 2.

Referred to the Committee on Judiciary.

Mr. Johnson, D.E. introduced—

S.F. No. 810: A bill for an act relating to animal health; providing alternative methods for the disposal of certain animal carcasses; amending Minnesota Statutes 1990, section 35.82, subdivisions 1b and 2.

Referred to the Committee on Agriculture and Rural Development.

Mr. Kelly introduced—

S.F. No. 811: A bill for an act relating to retirement; providing certain disability benefits to certain persons under the public employees retirement association police and fire plan.

Referred to the Committee on Governmental Operations.

Mr. Cohen, Ms. Ranum and Mr. Knaak introduced—

S.F. No. 812: A bill for an act relating to the collection and dissemination of data; classifying county coroner and medical examiner data; amending Minnesota Statutes 1990, section 13.83, subdivision 4.

Referred to the Committee on Judiciary.

Mr. Knaak introduced—

S.F. No. 813: A bill for an act relating to retirement; teachers retirement association; permitting purchases of prior services by certain employees for periods of leave.

Referred to the Committee on Governmental Operations.

Mr. Neuville, Ms. Johnston, Messrs. Spear, McGowan and DeCramer introduced—

S.F. No. 814: A bill for an act relating to public safety; authorizing the department of public safety to develop a pilot program to require an ignition interlock device as a condition of a limited license for a driver whose license has been canceled and denied; requiring the department of public safety to certify interlock devices; providing penalties for misuse or tampering, and for failure to use the device; proposing coding for new law in Minnesota Statutes, chapter 171.

Referred to the Committee on Transportation.

Ms. Reichgott, Messrs. Hughes, Belanger, Novak and Ms. Traub introduced—

S.F. No. 815: A bill for an act relating to taxation; extending the property tax exemption for buildings leased to school districts for use in certain community education programs; amending Minnesota Statutes 1990, section 272.02, subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Brataas, Messrs. DeCramer, Chmielewski, Mses. Pappas and Flynn introduced—

S.F. No. 816: A bill for an act relating to traffic regulations; authorizing immediate towing of certain unlawfully parked vehicles; amending Minnesota Statutes 1990, section 169.041, subdivision 4.

Referred to the Committee on Transportation.

Messrs. Benson, D.D.; Neuville; Mrs. Benson, J.E.; Messrs. Day and Johnson, D.E. introduced—

S.F. No. 817: A bill for an act relating to education; extending the rural physician loan forgiveness program to those beyond the first year of residency.

Referred to the Committee on Education.

Mrs. Brataas, Messrs. Chmielewski, Gustafson, Mrs. Adkins and Mr. Mondale introduced—

S.F. No. 818: A bill for an act relating to unemployment; regulating requirements for requalification for benefits following a voluntary quit or discharge for misconduct; amending Minnesota Statutes 1990, section 268.09, subdivision 1.

Referred to the Committee on Employment.

Mrs. Brataas and Mr. Benson, D.D. introduced—

S.F. No. 819: A bill for an act relating to human services; providing rule 12 funding for a dispersed apartment pilot program for persons with mental illness.

Referred to the Committee on Health and Human Services.

Messrs. Chmielewski, Laidig, Bertram and Dahl introduced—

S.F. No. 820: A bill for an act relating to the state agricultural society; providing some building and contracting exceptions; regulating real estate transactions; amending Minnesota Statutes 1990, sections 37.02 and 37.19.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Chmielewski, Solon, Mrs. Brataas and Mr. Gustafson introduced—

S.F. No. 821: A bill for an act relating to state government; authorizing a study to develop models for STARS regions; appropriating money.

Referred to the Committee on Governmental Operations.

Messrs. Merriam and Pogemiller introduced—

S.F. No. 822: A bill for an act relating to the environment; responsible person for removal and remediation of hazardous waste; providing that the state, an agency of the state, or a political subdivision that acquires property through eminent domain or through negotiated purchase following the filing of eminent domain petition, or any person acquiring from the condemning authority, is not liable as a responsible person solely because of the acquisition; providing that no person involuntarily acquiring property shall be liable as a responsible person; amending Minnesota Statutes 1990, section 115B.03, by adding subdivisions.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 823: A bill for an act relating to economic development; providing funding for the Red River trade corridor project; appropriating money.

Referred to the Committee on Finance.

Messrs. Knaak, Hughes, Pogemiller, Beckman and Ms. Olson introduced—

S.F. No. 824: A bill for an act relating to education; clarifying the status of foreign exchange students who have graduated from high school; limiting foreign exchange student participation in the post-secondary enrollment options program; amending Minnesota Statutes 1990, sections 123.35, by adding a subdivision; and 123.3514, subdivision 4.

Referred to the Committee on Education.

Messrs. Merriam, McGowan, Mrs. Adkins, Messrs. Laidig and Dahl introduced—

S.F. No. 825: A bill for an act relating to waste management; abolishing the inventory process for solid waste disposal facilities in the metropolitan area; amending Minnesota Statutes 1990, sections 473.145, subdivisions 2c, 2e, and 4; 473.803, subdivision 4; 473.811, subdivisions 1, 1a, 4a, 6, 7, 8, and 9; 473.823, subdivision 6; 473.831, subdivision 2; 473.840, subdivisions 2, 3, 4, and 7; and 473.845, subdivision 3; repealing Minnesota

Statutes 1990, sections 473.149, subdivision 2b; 473.803, subdivision 1a; 473.806; and 473.833.

Referred to the Committee on Environment and Natural Resources.

Messrs. Frederickson, D.J.; DeCramer; Johnson, D.E. and Hottinger introduced—

S.F. No. 826: A bill for an act relating to education; revising membership requirements for joint vocational technical boards; authorizing joint vocational technical boards to appoint additional members; amending Minnesota Statutes 1990, section 136C.61, subdivision 1; and by adding a subdivision.

Referred to the Committee on Education.

Messrs. Knaak and Laidig introduced—

S.F. No. 827: A bill for an act relating to education; providing equity in general education revenue for all school districts; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Messrs. Knaak and Laidig introduced—

S.F. No. 828: A bill for an act relating to education; increasing training and experience revenue; equalizing referendum levies; increasing funding for early childhood family education programs; increasing the pupil unit weighting for first and second grade pupils; authorizing a parent education levy; amending Minnesota Statutes 1990, sections 124.17, subdivision 1; 124.2711, subdivision 1; 124A.22, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 124 and 124A; repealing Minnesota Statutes 1990, section 124A.03, subdivision 2.

Referred to the Committee on Education.

Mses. Berglin, Piper, Messrs. Storm and Samuelson introduced—

S.F. No. 829: A bill for an act relating to human services; requiring a study of the feasibility of state takeover of the responsibility for child support enforcement and collection.

Referred to the Committee on Health and Human Services.

Messrs. Berg, Chmielewski, Langseth and Stumpf introduced—

S.F. No. 830: A bill for an act relating to workers' compensation; regulating coverage for family farm employees; amending Minnesota Statutes 1990, section 176.11, subdivision 11a.

Referred to the Committee on Employment.

Mses. Flynn, Ranum, Messrs. Dahl, Merriam and Morse introduced—

S.F. No. 831: A bill for an act relating to watershed districts; expanding the authority of watershed districts to assess costs of remedial work; clarifying and expanding judicial review procedures; allowing watershed districts to prosecute certain violations; allowing recovery of attorneys fees;

providing administrative penalties; amending Minnesota Statutes 1990, sections 103D.335, subdivision 19; 103D.535, subdivision 1; and 103D.545; proposing coding for new law in Minnesota Statutes, chapter 103D.

Referred to the Committee on Environment and Natural Resources.

Messrs. Frank, Marty, Kroening, Ms. Pappas and Mr. Mondale introduced—

S.F. No. 832: A bill for an act relating to workers' compensation; providing for increased benefits in cases of employer safety violations; proposing coding for new law in Minnesota Statutes, chapter 176.

Referred to the Committee on Employment.

Mr. Solon, Ms. Olson and Mr. Day introduced—

S.F. No. 833: A bill for an act relating to commerce; regulating heavy and utility equipment dealership agreements; providing for returns and repurchases under certain circumstances; providing remedies; amending Minnesota Statutes 1990, section 325E.0681, by adding subdivisions.

Referred to the Committee on Commerce.

Mr. Merriam introduced—

S.F. No. 834: A bill for an act relating to eminent domain; providing for exercise of eminent domain power over properties owned by railroads.

Referred to the Committee on Judiciary.

Mr. Spear, Meses. Berglin, Reichgott, Piper and Mr. Benson, D.D. introduced—

S.F. No. 835: A bill for an act relating to battered women's programs; clarifying and expanding the role of the battered women's advisory council; updating and correcting certain statutory provisions; amending Minnesota Statutes 1990, sections 611A.31, subdivision 2; 611A.32, subdivisions 1 and 2; 611A.33; 611A.34; 611A.35; and 611A.36, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1990, section 611A.32, subdivision 4.

Referred to the Committee on Health and Human Services.

Mrs. Benson, J.E.; Mr. Larson, Ms. Olson, Messrs. DeCramer and Hughes introduced—

S.F. No. 836: A bill for an act relating to education; allowing nonstate funds for construction on the St. Cloud State University campus.

Referred to the Committee on Education.

Ms. Johnson, J.B.; Messrs. Morse, Price and Lessard introduced—

S.F. No. 837: A bill for an act relating to natural resources; amending certain provisions concerning mineral exploration, exploratory boring, and data acquired in connection therewith; authorizing the adoption of rules establishing minimum standards for wells to explore for or produce oil, gas, and related hydrocarbons; amending Minnesota Statutes 1990, sections

13.793, subdivision 2; 103I.601, subdivision 4; and 103I.605, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Ms. Johnson, J.B.; Messrs. Marty, Novak and Finn introduced—

S.F. No. 838: A bill for an act relating to public utilities; certificates of need for large power facilities; requiring utilities to justify the use of non-renewable resources for new large energy facilities; amending Minnesota Statutes 1990, section 216B.243, by adding a subdivision.

Referred to the Committee on Energy and Public Utilities.

Messrs. Knaak, Sams, Bertram and Lessard introduced—

S.F. No. 839: A bill for an act relating to income taxation; extending the elderly exclusion to recipients of military retirement who are under age 65; amending Minnesota Statutes 1990, section 290.0802, subdivisions 1 and 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Morse, Finn, Dahl, Laidig and Merriam introduced—

S.F. No. 840: A bill for an act relating to the environment; recognizing the hydrological cycle of water purification through the atmosphere; establishing a list of toxic air pollutants; requiring the pollution control agency to monitor toxic emissions and to require reductions of toxic air emissions; requiring mercury emission reductions; requiring reports to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Messrs. Morse, Merriam, Ms. Johnson, J.B.; Messrs. Laidig and Marty introduced—

S.F. No. 841: A bill for an act relating to the environment; setting a goal for reduction of toxic pollutant releases; expanding the required contents of toxic pollution prevention plan progress reports; requiring a notice of plan completion; increasing pollution prevention fees; requiring establishment of a toxic pollution prevention advisory council; requiring reports; requiring the pollution control agency to adopt rules; providing penalties; appropriating money; amending Minnesota Statutes 1990, sections 115D.02; 115D.04, subdivision 2; 115D.08, subdivision 1; and 115D.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 115D.

Referred to the Committee on Environment and Natural Resources.

Mr. Morse, Mses. Flynn; Johnson, J.B. and Mr. Price introduced—

S.F. No. 842: A bill for an act relating to health; modifying requirements for drilling, sealing, and construction of wells, borings, and elevator shafts; amending Minnesota Statutes 1990, sections 103I.005, subdivisions 2, 22, and by adding a subdivision; 103I.101, subdivisions 2, 4, 5, and 6; 103I.205, subdivisions 3, 4, 7, 8, and 9; 103I.208, subdivision 2; 103I.231; 103I.235; 103I.301, subdivision 1; 103I.311, subdivision 3; 103I.525, subdivisions 1, 4, 8, and 9; 103I.531, subdivisions 8 and 9; 103I.535, subdivisions 8

and 9; 103I.541, subdivisions 4 and 5; 103I.545, subdivision 2; 103I.621, subdivision 3; 103I.701, subdivisions 1 and 4; 103I.705, subdivisions 2, 3, 4, and 5; and 103I.711, subdivision 1; repealing Minnesota Statutes 1990, section 103I.005, subdivision 18.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 843: A bill for an act relating to taxation; providing that a penalty not be imposed on Mille Lacs county for an excess levy.

Referred to the Committee on Taxes and Tax Laws.

Ms. Johnson, J.B.; Messrs. Larson and Lessard introduced—

S.F. No. 844: A bill for an act relating to state lands; authorizing Otter Tail county to return donated state land to the donor's heir.

Referred to the Committee on Environment and Natural Resources.

Mr. Vickerman, Mses. Piper and Berglin introduced—

S.F. No. 845: A bill for an act relating to human services; providing a per diem adjustment for nursing home salaries and fringe benefits; appropriating money; amending Minnesota Statutes 1990, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Sams; Moe, R.D.; Davis; Bertram and Johnson, D.E. introduced—

S.F. No. 846: A resolution memorializing Congress and the President to expedite passage of a law establishing class 1 dairy support prices at the market levels prevailing on August 1, 1990.

Referred to the Committee on Agriculture and Rural Development.

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

### MOTIONS AND RESOLUTIONS

Mr. Novak moved that H.F. No. 325 be withdrawn from the Committee on Energy and Public Utilities and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 562, now on General Orders. The motion prevailed.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, March 21, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate