

FORTY-FIRST DAY

St. Paul, Minnesota, Saturday, April 27, 1991

The Senate met at 8:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. DeCramer 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. Richard D. Howell, Jr.

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

Adkins	Day	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

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 report pertaining to appointments. The motion prevailed.

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

S.F. No. 257: A bill for an act relating to waste management expenditures; establishing a solid waste management certification and training program; requiring the state resource recovery program to establish a central materials recovery facility and centralized collection and transportation of recyclable materials from state offices and operations; appropriating money; amending Minnesota Statutes 1990, sections 115A.07, by adding a subdivision; 115A.15, subdivision 6, and by adding subdivisions.

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

Page 1, delete section 1

Page 2, lines 10 to 14, delete the new language

Page 2, line 34, delete everything after the period

Page 2, delete lines 35 and 36

Page 3, delete lines 1 and 2

Page 3, lines 5 and 10, after "*reduction*" insert ", reuse,"

Page 3, after line 10, insert:

"(d) The commissioner may contract with private entities for the activities required in this subdivision if the commissioner determines that it would be cost-effective to do so."

Pages 3 and 4, delete sections 4 and 5

Page 4, delete lines 4 to 7

Page 4, line 8, delete "*Subd. 2. [DEPARTMENT OF ADMINISTRATION.]*"

Page 4, line 16, delete "*(a)*" and delete the first "\$" and insert "\$170,000" and delete the second "\$" and insert "\$205,000"

Page 4, delete lines 17 to 21

Page 4, line 24, delete "" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "and training program;"

Page 1, line 9, delete "sections 115A.07, by adding a" and insert "section"

Page 1, line 10, delete "subdivision;"

Page 1, line 11, delete "subdivisions" and insert "a subdivision"

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 re-referred

S.F. No. 835: A bill for an act relating to domestic violence; battered women; clarifying and expanding the role of the battered women's advisory council; updating and correcting certain statutory provisions; creating a sexual assault advisory council and a general crime victims advisory council; clarifying the commissioner of human services' authority to adopt rules governing general assistance payments on behalf of persons receiving services from battered women's shelters; amending Minnesota Statutes 1990, sections 256D.04; 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.

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

Page 2, line 29, delete everything after the headnote

Page 2, line 30, delete everything before "*the*"

Page 7, delete lines 18 to 20

Page 7, line 21, before "*be*" insert "*must*"

Page 7, line 25, delete everything after the period

Page 7, delete lines 26 to 30

Page 8, line 3, delete "*further the objectives described in*" and insert "*are consistent with*"

Page 8, line 26, delete "*Subdivision 1. [PROPOSED ACTION.]*"

Page 8, line 36, delete "*under*" and insert a period

Page 9, delete lines 1 to 31

Pages 9 and 10, delete section 9

Page 11, line 4, delete everything after the headnote

Page 11, line 5, delete everything before "*the*"

Page 12, after line 27, insert:

"Sec. 13. [INITIAL APPOINTMENTS.]

The commissioner of corrections shall make the appointments required by sections 2 and 12 within 60 days after the effective date of those sections."

Page 12, line 30, after the period, insert "*Sections 2, subdivision 4; and 11, subdivision 4, are repealed effective August 1, 1992."*

Renumber the sections in sequence

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 re-referred

S.F. No. 1045: A bill for an act relating to the provision of mental health services and the regulation of unlicensed mental health practitioners; eliminating the office of social work and mental health boards; sunsetting the board of unlicensed mental health service providers; providing for an autonomous board of social work; providing for an autonomous board of marriage and family therapy; establishing the office of mental health practice; providing additional disciplinary remedies to the board of social work and the board of marriage and family therapy; appropriating money; amending Minnesota Statutes 1990, sections 144.335, subdivision 1; 148B.01, subdivision 7; 148B.03; 148B.04, subdivisions 3 and 4; 148B.05; 148B.06; 148B.07; 148B.08; 148B.09; 148B.11; 148B.12; 148B.13; 148B.15; 148B.17; 148B.18, subdivision 10; 148B.33, subdivision 1; 148B.38, subdivision 3; and 214.04, subdivision 3; proposing coding for new law in

Minnesota Statutes, chapter 148B; repealing Minnesota Statutes 1990, sections 148B.01, subdivisions 2, 5, and 6; 148B.02; 148B.16; 148B.171; 148B.40; 148B.41; 148B.42; 148B.43; 148B.44; 148B.45; 148B.46; 148B.47; and 148B.48.

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

Page 12, line 14, delete "*any person named therein,*" and insert "*a person it names*"

Page 13, line 20, delete "*pursuant to*" and insert "*under*"

Page 15, line 13, delete "*shall*" and insert "*may*"

Page 16, line 34, delete "*shall*" and insert "*must*"

Page 20, line 21, delete "CREATION" and insert "DUTIES"

Page 20, line 22, delete "*is created*" and delete "*to*" and insert "*shall*"

Page 20, line 35, delete "*pursuant to*" and insert "*under*"

Page 21, line 12, delete "CREATION" and insert "DUTIES"

Page 21, line 13, delete "*is created to*" and insert "*shall*"

Page 21, line 24, delete "*seven*" and insert "*nine*" and delete "*five*" and insert "*six*"

Page 21, line 25, delete "*two*" and insert "*three*"

Page 21, line 26, delete everything after the period

Page 21, delete lines 27 to 29

Page 21, line 31, delete "*pursuant*"

Page 21, line 32, delete "*to requirements*"

Page 24, lines 18, 19, and 25, delete "*pursuant to*" and insert "*under*"

Page 27, delete lines 2 to 9

Page 29, line 35, delete "*shall be*" and insert "*is*"

Page 29, line 36, delete "*shall constitute*" and insert "*constitutes*"

Page 30, line 30, delete "*shall*" and insert "*may*"

Page 31, line 12, delete "*pursuant to*" and insert "*in accordance with*"

Page 32, line 30, delete "*any person named therein,*" and insert "*a person it names*"

Page 33, line 21, delete "*shall*" and insert "*may*"

Page 33, line 34, delete "*pursuant to*" and insert "*under*"

Page 34, line 5, delete "*must*" and insert "*may*"

Page 35, lines 20 and 36, delete "*shall*" and insert "*must*"

Page 36, line 4, delete "*(a)*" and insert "*(1)*"

Page 36, line 6, delete "*(b)*" and insert "*(2)*"

Page 36, line 12, delete "*(c)*" and insert "*(3)*"

Page 36, line 14, delete "*(d)*" and insert "*(4)*"

Page 36, line 17, delete "(e)" and insert "(5)"

Page 36, line 20, delete "(f)" and insert "(6)"

Page 36, line 29, delete "(g)" and insert "(7)"

Page 36, line 31, delete "(h)" and insert "(8)"

Page 36, line 33, delete "(i)" and insert "(9)"

Page 37, line 1, delete "(j)" and insert "(10)"

Page 37, line 4, delete "(k)" and insert "(11)"

Page 37, line 8, delete "(l)" and insert "(12)"

Page 37, line 11, delete "(m)" and insert "(13)"

Page 37, line 14, delete "(n)" and insert "(14)"

Page 37, line 18, delete "(o)" and insert "(15)"

Page 37, line 21, delete "(p)" and insert "(16)"

Page 37, line 23, delete "(q)" and insert "(17)"

Page 37, line 31, delete "shall" and insert "must"

Page 38, line 8, delete everything after the period

Page 38, delete lines 9 to 13

Page 40, after line 26, insert:

"Sec. 36. [INITIAL APPOINTMENTS TO ADVISORY COUNCIL.]

Notwithstanding section 22, subdivision 2, the commissioner of health, in making the initial appointments to the mental health practitioner advisory council, shall appoint at least four persons who were members of the board of unlicensed mental health service providers on June 30, 1991.

Sec. 37. [TRANSFER OF DATA AND RECORDS.]

By June 30, 1992, the board of unlicensed mental health service providers shall transfer to the office of mental health practice all data and records obtained by the board as investigative data under Minnesota Statutes, section 148B.09, subdivision 1, and all other data gathered by the board.

Sec. 38. [INITIAL EXPENSES.]

For the transition period from July 1, 1991, to June 30, 1992, the commissioner of health shall use a portion of the money collected under section 33 to pay the difference between the costs of the operation of the board of unlicensed mental health service providers and the amount of money collected by the board in fees."

Renumber the sections in sequence

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 re-referred

S.F. No. 202: A bill for an act relating to occupations and professions; requiring residential building contractors, remodelers, and specialty contractors to be licensed by the state; establishing a builders state advisory

council; providing penalties; appropriating money; amending Minnesota Statutes 1990, section 45.027, subdivisions 1, 2, 5, 6, 7, and 8; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Page 6, line 3, before the period, insert “, *including roofing*”

Page 7, line 13, delete “\$1,500” and insert “\$2,500”

Page 7, line 17, delete the period and insert “, *provided that*”

Page 7, line 18, delete “*competency*”

Page 7, line 21, delete the period and insert “, *and*”

Page 7, after line 25, insert:

“(8) *a person doing excavation for the installation of an on-site sewage treatment system;*”

Page 7, line 26, delete “(8)” and insert “(9)”

Page 7, line 29, delete “(9)” and insert “(10)”

Page 9, line 12, after the semicolon, insert “*and*”

Page 9, line 14, delete “; *and*”

Page 9, delete lines 15 and 16

Page 9, line 17, delete everything before the period

Page 9, line 28, after “30” insert “*business*”

Page 9, line 29, delete “*application*”

Page 10, line 1, after “(1)” insert “*Minnesota*”

Page 10, line 15, delete “*within*”

Page 10, line 16, delete everything before “*that*”

Page 10, line 20, after the first comma, insert “*negligence, breach of contract,*” and delete “*five*” and insert “*ten*”

Page 10, line 23, after “*governmental*” insert “*unit or*”

Page 10, line 24, delete everything after “*state*”

Page 10, line 25, delete everything before the semicolon

Page 12, line 4, delete “*real estate*”

Page 12, line 6, after “*supervise*” insert “*employees, agents,*”

Page 12, line 7, after the comma, insert “*or has performed negligently or in breach of contract,*”

Page 12, line 10, delete everything after “*has*”

Page 12, line 11, delete “*license,*”

Page 12, line 12, delete “*or*”

Page 12, line 14, before the period, insert “;”

(8) *has failed to use the proceeds of any payment made to the licensee for the construction of, or any improvement to, residential real estate, as*

defined in section 326.83, for the payment of labor, skill, material, and machinery contributed to the construction or improvement, knowing that the cost of any labor performed, or skill, material, or machinery furnished for the improvement remains unpaid; or

(9) has not furnished to the person making payment either a valid lien waiver as to any unpaid labor performed, or skill, material, or machinery furnished for an improvement, or a payment bond in the basic amount of the contract price for the improvement conditioned for the prompt payment to any person or persons entitled to payment"

Page 13, line 13, delete "regulations" and insert "rules"

Page 13, line 18, delete "shall" and insert "may"

Page 14, line 26, delete everything after "received"

Page 14, line 27, delete everything before the period

Page 14, line 33, delete "January 1" and insert "March 31"

Page 15, line 3, after the period, insert "*The commissioner may stagger the dates of license renewal.*"

Page 15, after line 9, insert:

"Sec. 24. [EFFECTIVE DATE.]

Sections 9 and 22 are effective the day following final enactment."

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. 1181: A bill for an act relating to state government; abolishing the state planning agency; transferring certain of its powers and duties; amending Minnesota Statutes 1990, sections 3.885, subdivisions 3 and 6; 15A.081, subdivision 1; 17.49, subdivision 1; 62D.122; 62J.02, subdivisions 2 and 3; 103B.311, subdivision 7; 103B.315, subdivision 5; 103F.761, subdivision 1; 103H.101, subdivision 4; 103H.175, subdivisions 1 and 2; 115A.072, subdivision 1; 116C.03, subdivisions 2, 4, and 5; 116C.712, subdivisions 3 and 5; 124C.03, subdivisions 2, 3, 8, 9, 10, 12, 14, 15, and 16; 126A.02, subdivisions 1 and 2; 126A.03; 144.70, subdivision 2; 144A.071, subdivision 5; 145.926, subdivisions 1, 4, 5, 7, and 8; 145A.02, subdivision 16; 145A.09, subdivision 6; 214.141; 256H.25, subdivision 1; 268.361, subdivision 3; 275.14; 275.51, subdivision 6; 275.54, subdivision 3; 299A.30, subdivision 2; 299A.31, subdivision 1; 299A.40, subdivision 4; 368.01, subdivision 1a; 373.40, subdivision 1; 402.045; 462.384, subdivision 7; 462.396, subdivision 2; 466A.05, subdivision 1; 469.203, subdivision 4; 469.207, subdivisions 1 and 2; 473.156, subdivision 1; 477A.011, subdivisions 3 and 3a; 477A.014, subdivision 4; 504.34, subdivisions 5 and 6; proposing coding for new law in Minnesota Statutes, chapters 4 and 16B; repealing Minnesota Statutes 1990, sections 40A.02, subdivision 2; 40A.08; 116K.01 to 116K.14; 144.861; and 144.874.

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

Page 6, after line 35, insert:

"Sec. 5. [16A.86] [LAND MANAGEMENT INFORMATION CENTER.]

(a) The purpose of the land management information center in the department of finance is to foster integration of environmental information and provide services in computer mapping and graphics, environmental analysis, and small systems development. The commissioner, through the center, shall periodically study land use and natural resources on the basis of county, regional, and other political subdivisions.

(b) The commissioner shall set fees under section 16A.128, subdivision 2, reflecting the actual costs of providing the center's information products and services to clients. Fees collected must be deposited in the state treasury and credited to the land management information center revolving account. Money in the account is appropriated to the commissioner for operation of the land management information system, including the cost of services, supplies, materials, labor, and equipment, as well as the portion of the general support costs and statewide indirect costs of the department that is attributable to the land management information system. The commissioner may require a state agency to make an advance payment to the revolving fund sufficient to cover the agency's estimated obligation for a period of 60 days or more. If the revolving fund is abolished or liquidated, the total net profit from operations must be distributed to the funds from which purchases were made. The amount to be distributed to each fund must bear to the net profit the same ratio as the total purchases from each fund bear to the total purchases from all the funds during a period of time that fairly reflects the amount of net profit each fund is entitled to receive under this distribution."

Page 7, line 26, delete "6" and insert "7"

Pages 8 and 9, delete section 7

Page 13, line 34, delete "administration" and insert "finance"

Page 15, lines 14 and 25, delete "administration" and insert "finance"

Page 16, line 24, delete "administration" and insert "finance"

Page 17, lines 7, 17, and 25, delete "administration" and insert "finance"

Page 18, lines 16, 19, and 24, delete "administration" and insert "finance"

Page 19, lines 1 and 4, delete "administration" and insert "finance"

Page 22, line 28, delete "administration" and insert "finance"

Page 23, line 3, strike "17-member" and insert "16-member"

Page 23, lines 5, 21, and 25, delete "administration" and insert "finance"

Page 24, line 32, delete "human services" and insert "education"

Page 24, line 33, strike "commissioners" and insert "commissioner"

Page 24, line 34, reinstate the stricken "human services" and delete "health" and strike "and education"

Page 25, lines 8 and 31, delete "human services" and insert "education"

Page 26, line 35, delete "human services" and insert "education"

Page 27, line 13, delete "human services" and insert "education"

Page 27, line 22, delete "5" and insert "6"

Page 29, line 32, delete "5" and insert "6"

Page 31, lines 17 and 36, delete "5" and insert "6"

Page 34, line 35, delete "5" and insert "6"

Page 35, line 33, delete "5" and insert "6"

Page 41, line 19, delete "5" and insert "6"

Page 42, after line 25, insert:

"Sec. 69. [TRANSFERS.]

(a) All powers and duties of the state planning agency relating to developmental disability and the developmental disability council are transferred to the commissioner of administration.

(b) The authority of the state planning agency to conduct a timber harvesting generic environmental impact statement is transferred to the commissioner of administration.

(c) Authority of the state planning agency to administer state and federal grants and other state and federal programs is assigned to the commissioner of administration, to the extent not otherwise assigned by sections 1 to 69 or other law.

Sec. 70. [EFFECT OF TRANSFERS.]

Minnesota Statutes, section 15.039, subdivisions 1 to 6, applies to transfers under sections 1 to 70. Section 15.039, subdivision 7, does not apply. Complement transfers are as follows:

(1) Thirty general fund positions in the state planning agency are transferred as follows: positions associated with the state demographer, the developmental disability council, and telecommunications policy are transferred to the department of administration. Positions associated with the land management information center and the environmental quality board are transferred to the department of finance.

(2) Positions in the state planning agency funded by a fund other than the general fund are transferred according to section 15.039, subdivision 7, to the agency to which responsibilities are transferred by sections 1 to 70. A position funded by a fund other than the general fund associated with the office of dispute resolution is transferred to the department of administration.

This section does not abrogate or modify any rights enjoyed by affected employees under the managerial or commissioner's plan under Minnesota Statutes, section 43A.18, or the terms of an agreement between an exclusive representative of state employees and the state."

Page 42, line 30, after "144.874" insert ", subdivision 7"

Amend the title as follows:

Page 1, line 28, before the period, insert ", subdivision 7"

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

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

S.F. No. 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.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

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

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.

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

Delete everything after the enacting clause and insert:

“Section 1. [117.57] [AUTHORITIES; RAILROAD PROPERTIES.]

Subdivision 1. [GENERAL.] The power of eminent domain of an authority, as defined in section 469.174, subdivision 2, extends to railroad properties located within the authority's limits, provided:

(1) the railroad property is not a line of track for which abandonment is required under federal law, or if it is a line of track for which abandonment is required under federal law, abandonment has been approved;

(2) some part of the property contains land pollution as defined in section 116.06, or contains a release or threatened release of petroleum, as provided in chapter 115C, or contains a release or threatened release of a pollutant, contaminant, hazardous substance, or hazardous waste, as provided in chapter 115B;

(3) the authority intends to develop the property and has a plan for its cleanup and development within five years; and

(4) any railroad use for which the property is being used on the date when the condemnation petition is filed with the court is capable of being relocated.

Upon a showing by the petitioner in condemnation proceedings that the conditions described in clauses (1) to (4) exist, then the public use to which the authority would put the property will be presumed a superior public use to railroad use or any other past, present, or proposed future use, regardless of whether the property is held in trust, was previously acquired by condemnation, or is owned by a railroad. The presumption may be rebutted by a showing by the railroad that the property is necessary for the ongoing and efficient operation of the railroad.

Subd. 2. [STATE RAIL BANK.] This section does not supersede section 222.63.

Subd. 3. [SPUR LINE FOR AGRICULTURAL USE.] (a) Except as provided in paragraph (b), subdivision 1 does not apply to railroad property that is in a county outside of the metropolitan area as defined in section 473.121, subdivision 2, if:

(1) the property is a spur line in actual use; and

(2) the spur line is the principal means of transportation for an agricultural use, as defined in section 17.81, subdivision 4, by an owner or lessee of real estate abutting the spur line.

(b) The spur line may be acquired pursuant to subdivision 1 with the written consent of all the owners or lessees described in paragraph (a), clause (2)."

Delete the title and insert:

"A bill for an act relating to eminent domain; providing for exercise of eminent domain power over properties owned by railroads; proposing coding for new law in Minnesota Statutes, chapter 117."

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

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

S.F. No. 228: A bill for an act relating to marriage dissolution; requiring a summons to contain certain information; providing for court approval of certain items without a hearing; changing requirements for certain court orders; limiting joint custody; creating a summary dissolution pilot project; appropriating money for legal service to low-income persons and for marriage dissolution education and orientation; amending Minnesota Statutes 1990, sections 518.13, by adding a subdivision; 518.167, subdivision 1; and 518.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Page 1, delete lines 16 to 29 and insert:

"(a) Every summons must include the notice in this paragraph.

NOTICE OF TEMPORARY RESTRAINING PROVISIONS

UNDER MINNESOTA LAW, SERVICE OF THIS SUMMONS MAKES THE FOLLOWING REQUIREMENTS APPLY TO BOTH PARTIES TO THIS ACTION, UNLESS THEY ARE MODIFIED BY THE COURT OR THE PROCEEDING IS DISMISSED:

(1) NEITHER PARTY MAY DISPOSE OF ANY ASSETS EXCEPT (i) FOR THE NECESSITIES OF LIFE OR FOR THE NECESSARY GENERATION OF INCOME OR PRESERVATION OF ASSETS, (ii) BY AN AGREEMENT IN WRITING, OR (iii) FOR RETAINING COUNSEL TO CARRY ON OR TO CONTEST THIS PROCEEDING;

(2) NEITHER PARTY MAY HARASS THE OTHER PARTY; AND

(3) ALL CURRENTLY AVAILABLE INSURANCE COVERAGE MUST BE MAINTAINED AND CONTINUED WITHOUT CHANGE IN COVERAGE OR BENEFICIARY DESIGNATION.

IF YOU VIOLATE ANY OF THESE PROVISIONS, YOU WILL BE SUBJECT TO SANCTIONS BY THE COURT.

(b) Upon service of the summons, the restraining provisions contained in the notice apply by operation of law upon both parties until modified by further order of the court or dismissal of the proceeding, unless more than one year has passed since the last document was filed with the court."

Page 2, line 5, delete "may" and insert "must"

Page 2, line 6, delete "requiring"

Page 2, line 10, before the semicolon, insert "*and at least 20 days have elapsed since the time for answering under section 518.12 expired*"

Page 2, line 14, delete "above"

Page 2, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1990, section 518.167, is amended by adding a subdivision to read:

Subd. 5. [COSTS.] The court shall order all or part of the cost of the investigation and report to be paid by either or both parties, based on their ability to pay. Any part of the cost that the court finds the parties are incapable of paying must be borne by the county welfare agency or department of court services that performs the investigation. The court may not order costs under this subdivision to be paid by a party receiving public assistance or legal assistance from a qualified legal services program or by a party whose annual income falls below the poverty line under United States Code, title 42, section 9902(2)."

Page 3, line 13, before "The" insert "*Upon request of either or both parties,*" and strike "upon"

Page 3, line 14, strike "request of either or both parties,"

Page 3, after line 18, insert:

"The court shall use a rebuttable presumption that joint physical custody is not in the best interests of the child if either party objects to joint physical custody."

Page 3, delete lines 24 to 26

Page 3, line 30, delete "utilize" and insert "use" and delete "set forth"

Page 3, line 33, after "marriage" insert a comma

Page 4, delete line 3

Page 4, line 4, delete "(6)" and insert "(5)"

Page 4, line 7, delete "(7)" and insert "(6)"

Page 4, lines 8 and 10, delete "\$10,000" and insert "\$25,000"

Page 4, line 9, delete "(8)" and insert "(7)"

Page 4, line 11, delete "(9)" and insert "(8)"

Page 4, line 20, delete "of this section"

Page 4, line 24, delete "waiving" and insert "preserving"

Page 4, line 28, delete "the" and insert "any"

Page 4, line 29, after "available" insert "from the court"

Page 4, line 30, delete "had" and delete the first "the" and insert "any such"

Page 5, line 9, delete the quotation marks in both places

Page 5, line 13, delete "Subd. 5." and insert "Sec. 6." and before "The" insert paragraph coding

Page 5, line 14, after "*process*" insert "*under section 5*"

Page 5, line 17, delete "*shall*" and insert "*must*"

Page 5, delete lines 31 to 33 and insert:

"Sec. 7. Minnesota Statutes 1990, section 518B.01, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them:

(a) "Domestic abuse" means: (i) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; or (ii) criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, or 609.345, committed against a minor family or household member by an adult family or household member.

(b) "Family or household members" means spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. *"Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time. Issuance of an order for protection on this ground does not affect a determination of paternity under sections 257.51 to 257.74.*

Sec. 8. [REPEALER.]

Section 5 is repealed effective July 1, 1996, for cases filed on or after that date."

Page 5, line 34, delete "6" and insert "9"

Amend the title as follows:

Page 1, line 5, delete "certain" and after "orders" insert "in contested custody cases and providing for payment of investigation costs"

Page 1, line 11, delete "subdivision 1; and" and insert "by adding a subdivision;" and after "2;" insert "518B.01, subdivision 2;"

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

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

S.F. No. 1117: A bill for an act relating to insurance; accident and health; establishing minimum loss ratios for certain noncomprehensive policies; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Delete everything after the enacting clause and insert:

"Section 1. [62A.135] [NONCOMPREHENSIVE POLICIES; MINIMUM LOSS RATIOS.]

(a) This section applies to individual or group policies designed primarily to provide coverage for hospital or medical expenses on a per diem, fixed

indemnity, or nonexpense incurred basis issued or renewed to provide coverage after August 1, 1991, to a Minnesota resident.

(b) Notwithstanding section 62A.02, subdivision 3, relating to loss ratios, policies must return to Minnesota policyholders in the form of aggregate benefits under the policy, for each year, on the basis of incurred claims experience and earned premiums in Minnesota and in accordance with accepted actuarial principles and practices:

(1) at least 75 percent of the aggregate amount of premiums collected in the case of group policies; and

(2) at least 65 percent of the aggregate amount of premiums collected in the case of individual policies."

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

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

H.F. No. 1201 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.
1201	1190				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1201 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1201 and insert the language after the enacting clause of S.F. No. 1190, the first engrossment; further, delete the title of H.F. No. 1201 and insert the title of S.F. No. 1190, the first engrossment.

And when so amended H.F. No. 1201 will be identical to S.F. No. 1190, and further recommends that H.F. No. 1201 be given its second reading and substituted for S.F. No. 1190, 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. Davis from the Committee on Agriculture and Rural Development, to which was referred the following appointment as reported in the Journal for February 4, 1991:

DEPARTMENT OF AGRICULTURE
COMMISSIONER

Elton Redalen

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. 1533, 1535 and 1117 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1201 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Johnson, D.J. moved that the name of Mr. Marty be added as a co-author to S.F. No. 1511. The motion prevailed.

Mr. Marty moved that the names of Ms. Piper, Messrs. Finn, Chmielewski and Kroening be added as co-authors to S.F. No. 1531. The motion prevailed.

Mr. Cohen introduced—

Senate Resolution No. 64: A Senate resolution congratulating Homer D. Miles, Reservation Director, Tomahawk Scout Reservation, Boy Scouts of America, on his retirement.

Referred to the Committee on Rules and Administration.

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

GENERAL ORDERS

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

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

S.F. Nos. 724, 962, 118, 1019, 593, 765, 976, 1213, 1129, 1032, 1235, 743, 139 and H.F. Nos. 1418, 422, 479, 1282, 584, 623, 807, which the committee recommends to pass.

S.F. No. 385, which the committee recommends to pass with the following amendment offered by Ms. Johnston:

Page 1, after line 6, insert:

“Section 1. Minnesota Statutes 1990, section 473.123, subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP; APPOINTMENT; QUALIFICATIONS.] (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council. *Every effort must be made to have each county in the metropolitan area represented with at least one resident on the council.*

(b) In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which a member is to be appointed must be notified in writing. The notices must describe the

appointments process and invite participation and recommendations on the appointment.

(c) The governor shall create a nominating committee, composed of seven metropolitan citizens appointed by the governor, to nominate persons for appointment to the council from districts. Three of the committee members must be local elected officials. Following the submission of applications as provided under section 15.0597, subdivision 5, the nominating committee shall conduct public meetings, after appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may consolidate meetings. Following the meetings, the committee shall submit to the governor a list of nominees for each appointment. The governor is not required to appoint from the list.

(d) Before making an appointment, the governor ~~shall~~ *must* consult with all members of the legislature from the council district for which the member is to be appointed.

(e) Appointments to the council are subject to the advice and consent of the senate as provided in section 15.066.

(f) Members of the council must be appointed to reflect fairly the various demographic, political, and other interests in the metropolitan area and the districts.

(g) Members of the council must be persons knowledgeable about urban and metropolitan affairs."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "encouraging geographic balance on the metropolitan council;"

Page 1, line 5, delete "section" and insert "sections 473.123, subdivision 3; and"

The motion prevailed. So the amendment was adopted.

S.F. No. 1027, which the committee recommends to pass with the following amendment offered by Mr. Larson:

Page 1, after line 5, insert:

"Section 1. [85.045] [ADOPT-A-PARK PROGRAM.]

Subdivision 1. [CREATION.] The Minnesota adopt-a-park program is established. The commissioner shall coordinate the program through the regional offices of the department of natural resources.

Subd. 2. [PURPOSE.] The purpose of the program is to encourage business and civic groups or individuals to assist, on a volunteer basis, in improving and maintaining state parks, monuments, historic sites, and trails.

Subd. 3. [AGREEMENTS.] (a) The commissioner shall enter into informal agreements with business and civic groups or individuals for volunteer services to maintain and make improvements to real and personal property

in state parks, monuments, historic sites, and trails in accordance with plans devised by the commissioner after consultation with the groups.

(b) The commissioner may erect appropriate signs to recognize and express appreciation to groups and individuals providing volunteer services under the adopt-a-park program.

(c) The commissioner may provide assistance to enhance the comfort and safety of volunteers and to facilitate the implementation and administration of the adopt-a-park program.

(d) This section is not subject to chapter 14."

Page 1, delete line 6 and insert:

"Sec. 2. [STUDY AND REPORT.]"

Page 1, line 8, delete "Senate and House" and insert "senate and house"

Page 1, line 9, delete "Representatives" and insert "representatives" and delete "feasibility" and insert "implementation" and delete "a" and insert "the"

Page 1, line 10, delete everything after "program" and insert "established in section 1."

Page 1, delete lines 11 and 12

Page 1, line 13, delete everything before "The" and delete "shall" and insert "must"

Page 1, line 17, after "volunteers," insert "and"

Page 1, line 18, delete everything after "accomplishments" and insert a period

Page 1, line 19, delete everything before "The" and delete "shall" and insert "must"

Page 1, line 20, delete "any" and insert "recommended" and delete "required" and delete "implementing" and insert "improving"

Page 1, line 22, delete "2" and insert "3"

Page 1, line 23, delete "Section 1" and insert "This act"

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 633, which the committee recommends to pass with the following amendment offered by Ms. Johnston:

Amend H.F. No. 633, the unofficial engrossment, as follows:

Page 2, line 9, delete "without" and insert "unless" and after "observer" insert "is"

Page 2, line 10, after "board" insert "or the personal watercraft is equipped with a mirror providing the operator a wide field of vision to the rear"

The motion prevailed. So the amendment was adopted.

S.F. No. 735, which the committee reports progress, subject to the following motions:

Mr. Waldorf moved to amend S.F. No. 735 as follows:

Page 1, line 16, after the period, insert "*A union representative may not use time donated under this subdivision for lobbying or political purposes.*"

Mr. Lessard moved to amend the Waldorf amendment to S.F. No. 735 as follows:

Page 1, line 4, delete "*lobbying or*"

The question was taken on the adoption of the Lessard amendment to the Waldorf amendment.

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Beckman	Frederickson, D.J.	Johnston	Metzen	Stumpf
Bernhagen	Frederickson, D.R.	Kroening	Price	Vickerman
Bertram	Halberg	Larson	Renneke	
Dahl	Hottinger	Lessard	Riveness	
Finn	Johnson, D.E.	McGowan	Samuelson	
Frank	Johnson, D.J.	Mehrken	Solon	

Those who voted in the negative were:

Adkins	Chmielewski	Johnson, J.B.	Moe, R.D.	Ranum
Belanger	Cohen	Kelly	Mondale	Reichgott
Benson, D.D.	Day	Knaak	Morse	Sams
Benson, J.E.	DeCramer	Langseth	Neuville	Spear
Berg	Dicklich	Luther	Pappas	Storm
Berglin	Flynn	Marty	Piper	Traub
Brataas	Gustafson	Merriam	Pogemiller	Waldorf

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

The question recurred on the Waldorf amendment. The motion prevailed. So the Waldorf amendment was adopted.

S.F. No. 735 was then progressed.

H.F. No. 137, which the committee recommends to pass with the following amendments offered by Messrs. Luther and Laidig:

Mr. Luther moved to amend H.F. No. 137, as amended pursuant to Rule 49, adopted by the Senate April 11, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 4.)

Page 3, line 35, before "A" insert "(a)"

Page 4, line 4, delete "*ten days after the primary*" and insert "*16 days before the general election*"

Page 4, after line 4, insert:

"(b) A candidate may withdraw after the deadline in paragraph (a) if:

(1) the candidate withdraws because of a catastrophic illness that was diagnosed after the deadline for withdrawal;

(2) the candidate's illness will permanently and continuously incapacitate the candidate and prevent the candidate from performing the duties of the office sought; and

(3) the candidate or the candidate's legal guardian files with the affidavit of withdrawal a certificate verifying that the candidate's illness meets the

requirements of clauses (1) and (2), signed by at least two licensed physicians."

Page 4, line 16, reinstate the stricken "or nonpartisan"

Page 4, line 17, reinstate the stricken "candidate"

Page 5, line 3, delete "following" and insert "before"

Page 5, line 4, delete "primary" and insert "general election"

Page 5, line 5, after "death" insert "or catastrophic illness"

Page 6, line 4, delete "tenth day following the primary" and insert "16th day before the general election"

Page 6, line 7, delete "following the primary" and insert "before the general election"

Page 6, lines 9, 25, and 32, after "death" insert "or catastrophic illness"

Page 6, line 13, after the period, insert "If the vacancy in nomination occurs through the death of the candidate for governor, the new candidate for governor shall submit the name of the lieutenant governor candidate within seven days after the vacancy in nomination for governor is filled under section 204B.13, subdivision 2, but no later than four days before the general election."

Page 6, line 17, delete "tenth" and insert "16th" and delete "following the primary" and insert "before the general"

Page 6, line 24, delete "tenth" and insert "14th" and delete "following" and insert "before"

Page 6, line 25, delete "primary" and insert "general"

Page 6, line 26, delete "tenth day following the primary" and insert "sixteenth day before the general"

Page 6, line 33, delete the new language and insert "16th day before the general"

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend H.F. No. 137, as amended pursuant to Rule 49, adopted by the Senate April 11, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 4.)

Page 4, after line 24, insert:

"Sec. 8. Minnesota Statutes 1990, section 204B.13, is amended by adding a subdivision to read:

Subd. 1a. [PARTISAN OFFICE; PRIMARY CANDIDATE.] A vacancy in nomination in a partisan office shall be filled by the candidate who received the next highest number of votes at the primary for that office among candidates of that party, if that candidate received 25 percent or more of the total votes cast for that office in that party's primary. Within 48 hours after a vacancy in nomination occurs, the secretary of state shall certify to the party the name of the candidate who meets this requirement. If no candidate meets the requirement, the secretary of state shall so certify within 48 hours to the party, which shall fill the vacancy in nomination as provided under subdivision 2."

Page 4, line 27, before "A" insert "*If the secretary of state certifies that no candidate meets the requirement of subdivision 1a, or if the candidate selected under subdivision 1a declines to fill the vacancy in nomination, a vacancy in nomination for partisan office shall be filled as provided in this subdivision.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1179, which the committee recommends to pass with the following amendments offered by Ms. Johnston:

Amend H.F. No. 1179, as amended pursuant to Rule 49, adopted by the Senate April 22, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1124.)

Page 1, after line 25, insert:

"Sec. 2. [473.1631] [LEGISLATIVE REVIEW.]

All metropolitan agencies shall file their budgets with the secretary of the senate and the clerk of the house of representatives on January 15 of the first year of each biennium for review by the committees of each body that have jurisdiction over the metropolitan agencies."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for legislative review of metropolitan agency budgets;"

Page 1, line 6, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 473"

The motion prevailed. So the amendment was adopted.

Ms. Johnston then moved to amend H.F. No. 1179, as amended pursuant to Rule 49, adopted by the Senate April 22, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1124.)

Page 2, after line 23, insert:

"Sec. 3. [EFFICIENCY REPORT.]

The chair of the metropolitan council shall report to the standing committees of each body of the legislature having jurisdiction over metropolitan agencies by February 15 of the first year of each biennium on the level of staffing at the council in relationship to the duties and responsibilities of the council and how the level of staffing promotes efficiency and does not result in duplication of effort."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring the chair of the metropolitan council to report to the legislature;"

The motion prevailed. So the amendment was adopted.

S.F. No. 226, which the committee recommends to pass with the following amendment offered by Mr. Samuelson:

Page 20, line 10, delete "*budget*" and insert "*levy certified to the county*

auditor under section 275.07, subdivision 1,"

The motion prevailed. So the amendment was adopted.

S.F. No. 460, which the committee recommends to pass with the following amendment offered by Mr. Bertram:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1990, section 196.05, is amended to read:
196.05 [DUTIES OF COMMISSIONER.]

The commissioner shall:

(1) act as the agent of a resident of the state having a claim against the United States for benefits arising out of or by reason of service in the armed forces and prosecute the claim without charge;

(2) act as custodian of veterans' bonus records;

(3) administer the laws relating to the providing of bronze flag holders at veterans' graves for memorial purposes;

(4) administer the laws relating to recreational or rest camps for veterans so far as applicable to state agencies;

(5) administer the state soldiers' welfare fund and veterans' relief fund and other funds appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation of veterans;

(6) cooperate with national, state, county, municipal, and private social agencies in securing to veterans and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;

(7) provide necessary assistance where other adequate aid is not available to the dependent family of a veteran while the veteran is hospitalized and after the veteran is released for as long a period as is necessary as determined by the commissioner;

(8) act as the guardian of the estate for a minor or an incompetent person receiving money from the United States government when requested to do so by an agency of the United States of America provided sufficient personnel are available;

(9) cooperate with United States governmental agencies providing compensation, pensions, insurance, or other benefits provided by federal law, by supplementing the benefits prescribed therein, when conditions in an individual case make it necessary;

(10) assist in implementing state laws, rights, and privileges relating to the reemployment of veterans upon their separation from the armed forces;

(11) contact, at times as the commissioner deems proper, war veterans, as defined in section 197.447, who are confined in a public institution; investigate the treatment accorded those veterans and report annually to the governor the results of the investigations; and the heads of the public institutions shall permit the commissioner, or the commissioner's representative, to visit any veteran; and, if the commissioner, or the commissioner's representative requests any information relative to any veteran and the veteran's affairs, the head of the institution shall furnish it; ~~and~~

(12) assist dependent family members of military personnel who are called

from reserve status to extended federal active duty during a time of war or national emergency through the state soldiers' assistance fund provided by section 197.03; and

(13) exercise other powers as may be authorized and necessary to carry out the provisions of this chapter and chapters 197 and 198, consistent with those chapters.

Sec. 2. Minnesota Statutes 1990, section 197.03, is amended to read:

197.03 [STATE SOLDIERS' ~~WELFARE~~ ASSISTANCE FUND CREATED.]

There is created a state soldiers' ~~welfare~~ assistance fund to aid and assist any citizen of Minnesota or resident alien residing in Minnesota who served in the military or naval forces of the United States, in securing compensation, hospitalization, medical treatment, insurance or other relief or benefits to which the server may be entitled from the United States or any other government or state and for the emergency relief, hospitalization, treatment and maintenance of all such persons who were bona fide residents of the state at the time their need arose and their dependents as ~~hereinafter~~ provided by sections 196.05 and 197.04 to 197.07."

Page 2, after line 3, insert:

"Sec. 5. [REVISOR'S INSTRUCTION.]

The revisor of statutes is directed to change the words "soldiers' welfare fund" where found in Minnesota Statutes, sections 196.05, 197.02, 197.03, 197.04, 197.05, 197.06, and 197.07, to the words "soldiers' assistance fund" in Minnesota Statutes 1992 and subsequent editions.

Sec. 6. [EFFECTIVE DATE.]

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

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page, 1, line 2, after the semicolon, insert "authorizing the commissioner of veterans affairs to assist certain dependents of military personnel; clarifying the name of the state soldiers' welfare fund;"

Page 1, line 3, after the semicolon, insert "containing instructions to the revisor of statutes;"

Page 1, line 4, delete "section" and insert "sections 196.05; 197.03; and"

The motion prevailed. So the amendment was adopted.

S.F. No. 950, which the committee recommends to pass with the following amendment offered by Ms. Berglin:

Page 2, line 23, delete "\$100" and insert "\$1,000"

The motion prevailed. So the amendment was adopted.

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

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

REPORTS OF COMMITTEES

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

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

S.F. No. 937: A bill for an act relating to human services; modifying requirements for metro transportation support grants; creating an exception to the nursing home moratorium; specifying inflationary indices to be used in determining rates for nursing homes and intermediate care facilities; revising provider reimbursement under the medical assistance program; establishing surcharges on providers; establishing an investment per bed limit for nursing homes; establishing an equipment allowance for nursing homes; establishing a capital replacement per diem for nursing homes; authorizing the recognition of debt from sales or refinancing occurring after May 22, 1983; amending Minnesota Statutes 1990, sections 144A.071, subdivision 3; 144A.10, subdivision 4; 144A.31, subdivision 4; 252.46, subdivision 14; 252.478, subdivisions 1 and 3; 256B.0641, by adding a subdivision; 256B.431, subdivisions 2l, 3f, and by adding subdivisions; 256B.50, subdivision 1d; and 256B.501, subdivision 11, and by adding a subdivision; 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 30, line 15, after "*shall*" insert "*begin to*"

Page 30, line 16, delete "*permanent*" and insert "*emergency*" and delete everything after "*this*" and insert "*article within 30 days, and may adopt permanent rules to implement this article. Emergency and permanent rules adopted to implement this article supersede any provisions adopted under the exemption from rulemaking requirements in this section.*"

Page 37, line 4, after "*is*" insert "*not*"

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mrs. Brataas moved that her name be stricken as a co-author to S.F. No. 539. The motion prevailed.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

H.F. No. 246: A bill for an act relating to alcoholic beverages; allowing proof of age by means of a Canadian identification card; amending Minnesota Statutes 1990, section 340A.503, subdivision 6.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 397: A bill for an act relating to capital improvements; altering the terms of a grant to the Red Lake watershed district; amending Laws 1990, chapter 610, article 1, section 20, subdivision 5.

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

So the bill passed and its title was agreed to.

H.F. No. 415: 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.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 614: 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.

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

So the bill passed and its title was agreed to.

H.F. No. 41: 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.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.08, subdivision 2; 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.

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

So the bill passed and its title was agreed to.

H.F. No. 132: A bill for an act relating to energy; improving energy efficiency by prohibiting incandescent lighting in certain exit signs; requiring amendments to building codes and standards to increase energy efficiency; requiring state agencies to use funds allocated for utility expenditures to buy nonincandescent bulbs; amending Minnesota Statutes 1990, sections 16B.61, subdivision 3; and 299F.011, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 635: A bill for an act relating to commerce; prohibiting certain agreements between insurers and health care providers; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

So the bill passed and its title was agreed to.

H.F. No. 809: A bill for an act relating to counties; fixing various fees for documents; amending Minnesota Statutes 1990, sections 357.18, subdivision 1; 508.82; and 508A.82.

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 63 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	Day	Johnson, J.B.	Metzen	Reichgott
Beckman	DeCramer	Johnston	Moe, R.D.	Renneke
Belanger	Dicklich	Kelly	Mondale	Riveness
Benson, D.D.	Finn	Knaak	Morse	Sams
Benson, J.E.	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	Johnson, D.E.	McGowan	Price	
Davis	Johnson, D.J.	Mehrkens	Ranum	

Messrs. Berg and Merriam voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 324: A bill for an act relating to employment; regulating an employee's lien for wages; amending Minnesota Statutes 1990, section 514.59.

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

So the bill passed and its title was agreed to.

H.F. No. 526: A bill for an act relating to corporations; clarifying and modifying provisions governing divisions and combinations of shares and rights of shareholders; clarifying meeting notice requirements; authorizing electronic communications by shareholders; modifying access to corporate records; clarifying and modifying provisions governing mergers and dissolutions; amending Minnesota Statutes 1990, sections 302A.111, subdivision 2; 302A.139; 302A.401, subdivisions 3 and 4; 302A.405, subdivision 1; 302A.413, subdivision 3; 302A.435, subdivision 1; 302A.437, subdivision 1; 302A.449, subdivision 1, and by adding a subdivision; 302A.461, subdivisions 2, 4, and 4a; 302A.471, subdivision 1; 302A.551, subdivision 4; 302A.613, subdivision 2; 302A.621; 302A.651, subdivision 1; 302A.701; 302A.723, subdivision 3; 302A.725, subdivision 1; 302A.727; and 302A.781; proposing coding for new law in Minnesota Statutes, chapter 302A; repealing Minnesota Statutes 1990, sections 302A.729; 302A.730; and 302A.733.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 910: A bill for an act relating to health; providing clarification of various laws relating to public health issues; providing penalties; amending Minnesota Statutes 1990, sections 115.71, subdivision 9, and by adding a subdivision; 144.698, subdivision 1; 145.43, subdivision 1a; 153A.15, subdivision 4, and by adding a subdivision; 153A.17; and 268.12, subdivision 12; proposing coding for new law in Minnesota Statutes, chapters 144; 147; and 176; repealing Minnesota Statutes 1990, sections 115.71, subdivision 7; 145.34; 145.35; and 153A.16.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 1422: A bill for an act relating to workers' compensation; regulating benefits and insurance; establishing a permanent commission on workers' compensation; providing penalties; appropriating money; amending Minnesota Statutes 1990, sections 79.252, by adding a subdivision; 176.011, subdivisions 3, 11a, and 18; 176.101, subdivisions 1, 2, and 3f; 176.102, subdivisions 1, 2, 3, 3a, 4, 6, 9, and 11; 176.111, subdivision 18; 176.135, subdivisions 1, 6, and 7; 176.136, subdivisions 1, 2, and by adding subdivisions; 176.155, subdivision 1; 176.645, subdivisions 1 and 2; 176.83, subdivisions 5, 6, and by adding a subdivision; 176A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 175 and 176; repealing Minnesota Statutes 1990, sections 175.007;

and 176.136, subdivision 5; and chapters 79, 175A, and 176.

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 40 and nays 26, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kelly	Mondale	Riveness
Beckman	Finn	Kroening	Novak	Sams
Berglin	Flynn	Lessard	Pappas	Samuelson
Chmielewski	Frank	Luther	Piper	Solon
Cohen	Frederickson, D.J.	Marty	Pogemiller	Spear
Dahl	Hottinger	Merriam	Price	Traub
Davis	Johnson, D.J.	Metzen	Ranum	Vickerman
DeCramer	Johnson, J.B.	Moe, R.D.	Reichgott	Waldorf

Those who voted in the negative were:

Belanger	Brataas	Johnston	Mehrkens	Storm
Benson, D.D.	Day	Knaak	Morse	Stumpf
Benson, J.E.	Frederickson, D.R.	Laidig	Neuville	
Berg	Gustafson	Langseth	Olson	
Bernhagen	Halberg	Larson	Pariseau	
Bertram	Johnson, D.E.	McGowan	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 804: A bill for an act relating to corrections; requiring prisoners to pay for medical services to the extent of their ability to pay; requiring the county of residence to pay for medical services to juveniles in custody; providing for reimbursement of the costs of medical services by health insurance or a health plan; requiring county boards to pay for medical services for prisoners in jail; amending Minnesota Statutes 1990, section 641.15; proposing coding for new law in Minnesota Statutes, chapter 260.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 739: 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.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kroening voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 244: A bill for an act relating to traffic regulations; regulating traffic safety concerning school buses and the safety of school children; providing penalties; amending Minnesota Statutes 1990, sections 169.01, subdivision 6; 169.45; 169.451; 171.07, by adding a subdivision; 171.17; and 171.18; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, sections 169.44; and 169.64, subdivision 7.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkins	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 793: A bill for an act relating to the environment; establishing maximum content levels of mercury in batteries; prohibiting certain batteries; amending Minnesota Statutes 1990, sections 115A.9155, subdivision 2; 325E.125, subdivision 2, and by adding a subdivision; and 325E.1251.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkins	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 687: A bill for an act relating to the environment; requiring recycled CFCs used in refrigerant applications to comply with certain standards; proposing coding for new law in Minnesota Statutes, chapter 239.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkins	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 274: A bill for an act relating to commerce; motor vehicle sales and distribution; regulating franchises; proscribing certain acts; providing remedies; amending Minnesota Statutes 1990, sections 80E.04, subdivision 1, and by adding a subdivision; 80E.05; 80E.06, subdivision 2; 80E.12; and 80E.13.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 885: A bill for an act relating to health; creating a limited exception to the moratorium on licensure of new nursing home beds; allowing a facility with an addendum to its provider agreement to upgrade beds from boarding care beds to nursing home beds; amending Minnesota Statutes 1990, section 144A.071, 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Day	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 707: A bill for an act relating to public safety; modifying exceptions to the requirement of inspection of boilers and pressure vessels; amending Minnesota Statutes 1990, section 183.56.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 832: 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 785: A bill for an act relating to financial institutions; permitting interstate banking with additional reciprocating states; amending Minnesota Statutes 1990, section 48.92, subdivision 7.

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 60 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Chmielewski	Davis	Kelly	Kroening	Stumpf
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So the bill passed and its title was agreed to.

H.F. No. 238: A bill for an act relating to consumer protection; prohibiting the provision of a credit card number as a condition of check cashing or acceptance; proposing coding for new law in Minnesota Statutes, chapter 325F.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkins	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 877: A bill for an act relating to game and fish; authorizing certain disabled permit holders to take deer of either sex; authorizing the commissioner to establish special seasons for persons with a physical disability to take game with firearms and by archery; amending Minnesota Statutes 1990, section 97B.055, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1105: A bill for an act relating to Ramsey county; providing

for additional civil service certification of underrepresented groups; amending Minnesota Statutes 1990, section 383A.291, subdivision 2.

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	Johnston	Moe, R.D.	Riveness
Beckman	DeCramer	Kelly	Mondale	Sams
Belanger	Dicklich	Knaak	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	Johnson, D.E.	Mehrkins	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 983: A bill for an act relating to Ramsey county; changing Ramsey county special laws to make them consistent with the county home rule charter; amending Minnesota Statutes 1990, sections 383A.06, subdivision 2; 383A.16, subdivision 4; 383A.20, subdivision 10; 383A.32, subdivision 1; and 383A.50, subdivision 4; repealing Minnesota Statutes 1990, sections 383A.04; 383A.06, subdivision 3; 383A.07, subdivisions 6, 15, and 20; 383A.16, subdivision 5; 383A.20, subdivisions 1, 6 to 9, and 11; 383A.23, subdivision 1; 383A.24; 383A.25; 383A.45; 383A.46; 383A.48; 383A.49; and 383A.50, subdivisions 1 and 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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Lessard voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 859: A bill for an act relating to local improvements; providing authority for review of assessments for improvements; defining improvements; amending Minnesota Statutes 1990, section 430.102, subdivisions

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

So the bill passed and its title was agreed to.

S.F. No. 1074: A bill for an act relating to the city of Mankato; authorizing the city to annex uncontiguous territory to the city.

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

So the bill passed and its title was agreed to.

H.F. No. 1017: A bill for an act relating to agriculture; regulating certain sales and services offered by grocery stores; limiting applicability of certain licensing and regulatory provisions; amending Minnesota Statutes 1990, sections 28A.05; 145A.03, by adding a subdivision; 157.01, subdivision 1; and 412.221, subdivision 30; proposing coding for new law in Minnesota Statutes, chapter 28A.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Day	Johnson, J.B.	Metzen	Reichgott
Beckman	DeCramer	Johnston	Moe, R.D.	Renneke
Belanger	Dicklich	Kelly	Mondale	Riveness
Benson, D.D.	Finn	Knaak	Morse	Sams
Benson, J.E.	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	Johnson, D.E.	McGowan	Price	Waldorf
Davis	Johnson, D.J.	Mehrkens	Ranum	

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 179: A bill for an act relating to animals; prohibiting greyhound races using live lures and training of greyhound dogs for racing using live lures; proposing coding for new law in Minnesota Statutes, chapter 343.

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 63 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Kroening and Novak voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 971: A bill for an act relating to agriculture; extending the ban on the use of biosynthetic bovine somatotropin by one year; amending Minnesota Statutes 1990, sections 151.01, subdivision 28; 151.15, subdivision 3; and 151.25; and Laws 1990, chapter 526, section 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 44 and nays 21, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kelly	Morse	Sams
Beckman	Finn	Kroening	Novak	Samuelson
Berglin	Flynn	Langseth	Pappas	Solon
Bertram	Frank	Larson	Piper	Spear
Chmielewski	Frederickson, D.J.	Luther	Pogemiller	Stumpf
Cohen	Hottinger	Marty	Price	Traub
Dahl	Johnson, D.E.	Metzen	Ranum	Vickerman
Davis	Johnson, D.J.	Moe, R.D.	Reichgott	Waldorf
DeCramer	Johnson, J.B.	Mondale	Riveness	

Those who voted in the negative were:

Belanger	Brataas	Johnston	Mehrkens	Storm
Benson, D.D.	Day	Knaak	Neuville	
Benson, J.E.	Frederickson, D.R.	Laidig	Olson	
Berg	Gustafson	Lessard	Pariseau	
Bernhagen	Halberg	McGowan	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Luther moved that H.F. No. 137, on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

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

GENERAL ORDERS

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

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

S.F. Nos. 147, 800, 84, 1128, 998 and H.F. Nos. 843, 173, which the committee recommends to pass.

H.F. No. 137, which the committee recommends to pass with the following amendment offered by Mr. Frederickson, D.J.:

Amend H.F. No. 137, as amended pursuant to Rule 49, adopted by the Senate April 11, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 4.)

Page 7, after line 26, insert:

"Sec. 14. Minnesota Statutes 1990, section 308A.635, subdivision 6, is amended to read:

Subd. 6. [ABSENTEE BALLOTS.] (a) A member who is absent from a members' meeting may vote by mail on the ballot prescribed in this subdivision on any motion, resolution, or amendment that the board submits for vote by mail to the members.

(b) The ballot shall be in the form prescribed by the board and contain:

(1) the exact text of the proposed motion, resolution, or amendment to be acted on at the meeting; and

(2) spaces opposite the text of the motion, resolution, or amendment in which the member may indicate an affirmative or negative vote.

(c) The member shall express a choice by marking an "X" in the appropriate space on the ballot and mail or deliver the ballot to the cooperative in a plain, sealed envelope inside another envelope bearing the member's name. ~~The ballot must be signed by the member.~~

(d) A properly executed ballot shall be accepted by the board and counted as the vote of the absent member at the meeting."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after the semicolon, insert "modifying requirements for absentee ballots;"

Page 1, line 14, delete "and"

Page 1, line 15, after the semicolon, insert "and 308A.635, subdivision 6;"

The motion prevailed. So the amendment was adopted.

S.F. No. 1050, which the committee recommends to pass with the following amendment offered by Mr. Davis:

Page 1, line 14, before "*The*" insert "*Before requiring pasteurization, the commissioner shall provide a plan at least 60 days before the next inspection to the manufacturer to assist the manufacturer in meeting the processing and facility requirements.*"

The motion prevailed. So the amendment was adopted.

S.F. No. 588, which the committee recommends to pass with the following amendment offered by Mr. Finn:

Page 2, line 15, after "*to*" insert "*use the device to*"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 476 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 476: A bill for an act relating to taxation; updating references to the Internal Revenue Code; increasing the taxes on cigarettes and tobacco products; changing the computation of alcoholic beverage taxes; amending Minnesota Statutes 1990, sections 290.01, subdivisions 19, 19a, and 19d; 290.067, subdivision 1; 290.92, subdivision 1; 297.02, subdivision 1; 297.03, subdivision 5; 297.32, subdivisions 1 and 2; 297.35, subdivision 1; 297C.01, by adding subdivisions; and 297C.02.

Mr. Benson, D.D. moved to amend S.F. No. 476 as follows:

Page 21, line 6, delete "5.7" and insert "3.8"

Page 21, line 12, delete "15.6" and insert "10.4"

Page 21, line 22, delete "7.2" and insert "4.8"

The motion prevailed. So the amendment was adopted.

S.F. No. 476 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 35 and nays 29, as follows:

Those who voted in the affirmative were:

Belanger	Dahl	Kelly	Merriam	Ranum
Benson, D.D.	DeCramer	Knaak	Moe, R.D.	Reichgott
Berglin	Dicklich	Langseth	Mondale	Renneke
Bernhagen	Flynn	Luther	Pappas	Spear
Bertram	Frederickson, D.R.	Marty	Piper	Storm
Brataas	Johnson, D.E.	McGowan	Pogemiller	Stumpf
Cohen	Johnson, D.J.	Mehrkens	Price	Traub

Those who voted in the negative were:

Adkins	Finn	Johnston	Morse	Sams
Beckman	Frank	Kroening	Neuville	Samuelson
Benson, J.E.	Frederickson, D.J.	Laidig	Novak	Solon
Berg	Gustafson	Larson	Olson	Vickerman
Davis	Hottinger	Lessard	Pariseau	Waldorf
Day	Johnson, J.B.	Metzen	Riveness	

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

Mr. Moe, R.D. moved that S.F. No. 476 be laid on the table. The motion prevailed.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Knaak, Novak, Dicklich, Merriam and Larson introduced—

S.F. No. 1536: A bill for an act relating to game and fish; authorizing designation of trophy northern pike waters; repealing certain restrictions on winter fishing; amending Minnesota Statutes 1990, section 97C.011; repealing Minnesota Statutes 1990, section 97C.385.

Referred to the Committee on Environment and Natural Resources.

Mr. Knaak introduced—

S.F. No. 1537: A bill for an act relating to electric utilities; exempting the city of White Bear Lake from the electric service area boundaries set by statute.

Referred to the Committee on Energy and Public Utilities.

Mr. Knaak introduced—

S.F. No. 1538: A bill for an act relating to health; requiring registration for drug outlets; allowing the board of pharmacy to regulate over-the-counter drugs; amending Minnesota Statutes 1990, sections 151.01, by adding a subdivision; 151.19, by adding a subdivision; and 151.26.

Referred to the Committee on Health and Human Services.

MEMBERS EXCUSED

Mr. Hughes was excused from the Session of today. Mr. Novak was excused from the Session of today from 8:30 to 9:45 a.m. Mr. Halberg was excused

from the Session of today from 1:30 to 2:50 p.m. Mr. Pogemiller was excused from the Session of today from 11:00 a.m. to 12:00 noon.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:30 a.m., Monday, April 29, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate