

## FORTY-SEVENTH DAY

St. Paul, Minnesota, Monday, May 6, 1991

The Senate met at 12:30 p.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Frank 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. Parry Paraschou.

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

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

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

The President declared a quorum present.

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

### REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: State Planning Agency, Lead Abatement Revenue and Program Options, 1991; Department of Employee Relations, Report on Managerial Pay in Minnesota Government, 1991; Board of Architecture, Engineering, Land Surveying and Landscape Architecture, July 1, 1988 to June 30, 1990; Board of Boxing, July 1, 1989 to June 30, 1990; Department of Human Services, Child Care Legislative Report, 1990; Minnesota Dispatching Skills Task Force, Final Report and Recommendations, 1990; Minnesota Cold Weather Resource Center, Annual Report, 1991; Minnesota Zoo, Annual Report, 1990; State Board of Investment, Annual Report, 1990; Department of Administration, Governor's Task Force on State Buildings,

Final Report, 1990; Metropolitan Council, Metropolitan Agencies, Personnel, Ethical Practices and Communication Activities, 1991; Department of Military Affairs, Effectiveness of the Minnesota National Guard Incentives Program, 1991; Minnesota Emergency Response Commission, Study on Expansion of the Toxic Chemical Reporting Requirements, 1990; Department of Agriculture, Biennial Report, 1988-90; Council on Asian-Pacific Minnesotans, Recommendations-Out-of-Home Placement of Asian-Pacific Children, 1990; Department of Transportation, Rail User Loan Guarantee Program, 1991; Minnesota Emergency Response Commission, Status of Emergency Planning Required by Title III of the Superfund Amendments and Reauthorization Act of 1986, 1990; State Board of Accountancy, Biennial Report, July 1, 1988 to June 30, 1990; Crime Victims Reparations Board, 15th Annual Report, 1989-90 and Crime Victim and Witness Advisory Council, 3rd Biennial Report, 1988-90; Department of Human Services, Study of Hospital Payment Under the Medical Care Programs, Final Report, 1991; Department of Human Services, Regional Treatment Centers, Chemical Dependency Treatment Network, 1991; Department of Revenue, Biennial Report on Property Values, 1989-90; Department of Agriculture, Farmers' Market WIC Coupon Program Report, 1990; Board of Aging, Progress Report, Resident and Family Advisory Council Education Program, 1991; Department of Employee Relations, State's Participation in the Workers' Compensation Reinsurance Association, 1991; Minnesota State Lottery, Financial Statements, 1990; Minnesota State Lottery, Annual Report, 1990; Department of Labor and Industry, Workers' Compensation Advisory Council, Report on Workers' Compensation, 1991; Department of Labor and Industry, Prevailing Wage Certification; Department of Health, Division of Disease Prevention and Control, Confronting AIDS: Progress and Future Directions for HIV/STD Prevention, 1990; Department of Health, Office of Health Facility Complaints, Annual Report, 1989; Minnesota Sentencing Guidelines Commission, Intermediate Sanctions, 1991; Board of Marriage and Family Therapy, Annual Report of Disciplinary Action, 1989 and 1990; Minnesota Racing Commission, Annual Report, 1990; Minnesota Sentencing Guidelines Commission, Summary of 1989 Sentencing Practices for Convicted Felons, 1991; Department of Finance, Actions Taken by the Legislative Advisory Commission, January 1, 1989 through January 1, 1991; Minnesota Housing Finance Agency, Affordable Housing Plan, 1990-91; Minnesota Housing Finance Agency, Assisting Renters in Minnesota, 1991; Minnesota Housing Finance Agency, Housing Trust Fund Program, 1991; Minnesota Housing Finance Agency, Rural and Urban Homesteading Program, 1991; Board of Peace Officer Standards and Training, Study of the Minnesota Professional Peace Officer Education System, 1991; Metropolitan Council, Major Airport Planning Activities, 1990; Metropolitan Council, Annual Contingency, Assessment, Major Airport Strategy, 1990; Department of Agriculture, Plant Pest Survey, Detection and Biological Control Program, 1990; Regional Transit Board, Light Rail Transit Regional Coordination Plan; Department of Health, Prenatal Care and Preventive Care for Children, 1991; Minnesota State Fair, Annual Report, 1990; Department of Transportation, An Analysis of the Impact of Insurance Availability and Cost on Minnesota Volunteer Drivers and Volunteer Transportation Programs, 1990; Department of Health, Providing Medical Care in Rural Minnesota: Recommendations for Meeting Health Personnel Needs, 1991; Minnesota Office of Waste Management, Barriers

to Pollution Prevention, 1991; City of Minneapolis, Neighborhood Revitalization Program, 1991; Department of Health, Licensure of Residential Hospice Facilities, 1991; University of Minnesota, Enrollment Management and the Quality of Education, 1991; University of Minnesota, Campus Day Care Alternatives, 1991; Board of Unlicensed Mental Health Providers, 1990-91; Office of the State Auditor, Revenues, Expenditures, and Debt of the Towns in Minnesota, 1990; Office of Crime Victims Ombudsman, Third Biennial Report, 1990; Metropolitan Council, Regional Parks Operation and Maintenance Grants, 1991; Department of Employee Relations, Group Insurance Program, Biennial Report, 1989-90; Department of Health, Inter-agency Task Force on Mental Health Regulation, Recommendations for Changes in Minnesota's Mental Health Regulatory System, 1991; Department of Health, Regulation of Unlicensed Mental Health Practitioners, 1991; Department of Corrections, Biennial Report, 1989-90; Department of Agriculture, Agricultural Land Preservation Program, Status Report, 1991; State Planning Agency, Evaluation of the State-funded Urban Revitalization Action Program, 1991; Office of Health Facility Complaints, Annual Report, 1990; Minnesota Historical Society, Records Disposition Panel, Standards for Disposition of Government Records: Use and Storage of Records on Optical Disk, 1990; Department of Human Services, Feasibility Study for a State-Funded Prescription Drug Assistance Program, 1991; Department of Human Services, A Review of the Preadmission Screening and Alternative Care Grant Programs, 1991; Department of Human Services, Chemical Dependency Aftercare in Minnesota, Preliminary Report, 1991; Minnesota Sentencing Guidelines Commission, Summary of 1989 Sentencing Practices for Felony Drug Offenders, 1991; Office of the State Auditor, Revenues, Expenditures and Debt of Minnesota Counties, 1989.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

April 12, 1991

The Honorable Jerome Hughes  
President of the Senate

Dear Sir:

The following appointments to the Metropolitan Council are hereby respectfully submitted to the Senate for confirmation as requested by law:

#### DISTRICT 2 REPRESENTATIVE

Diane Z. Wolfson, 1117 Goodrich Avenue, St. Paul, Ramsey County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

#### DISTRICT 4 REPRESENTATIVE

Carol Kummer, 4818 30th Avenue South, Minneapolis, Hennepin County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

## DISTRICT 6 REPRESENTATIVE

Donald B. Riley, 1338 Washburn Avenue North, Minneapolis, Hennepin County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

## DISTRICT 7 REPRESENTATIVE

Esther Newcome, 2374 Joy Avenue, White Bear Lake, Ramsey County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1993.

## DISTRICT 8 REPRESENTATIVE

Susan E. Anderson, 11031 President Drive Northeast, Blaine, Anoka County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

## DISTRICT 10 REPRESENTATIVE

James J. Krautkremer, 6425 Shingle Creek Drive, Brooklyn Park, Hennepin County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

## DISTRICT 12 REPRESENTATIVE

Sondra R. Simonson, 2815 Overlook Drive, Bloomington, Hennepin County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

## DISTRICT 14 REPRESENTATIVE

Bonita D. Featherstone, 908 Woodlawn Court, Burnsville, Dakota County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

## DISTRICT 16 REPRESENTATIVE

E. Craig Morris, 16412 7th Street Lane South, Lakeland, Washington County, Minnesota, has been appointed by me, effective April 2, 1991, for a term expiring on the first Monday in January, 1995.

(Referred to the Committee on Metropolitan Affairs.)

Warmest regards,  
Arne H. Carlson, Governor

May 1, 1991

The Honorable Jerome M. Hughes  
President of the Senate

Dear Senator Hughes:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 6 and 339.

Warmest regards,  
Arne H. Carlson, Governor

May 2, 1991

The Honorable Robert E. Vanasek

Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1991 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1991	Date Filed 1991
	598	39	11:50 a.m. May 1	May 1
339		40	11:47 a.m. May 1	May 1
	697	42	11:45 a.m. May 1	May 1
6		43	11:43 a.m. May 1	May 1

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 187: A bill for an act relating to mental health; authorizing competent persons to make advance declarations regarding mental health treatment; requiring certain notices to be given to the designated agency; amending Minnesota Statutes 1990, sections 253B.03; 253B.18, subdivisions 4b and 5; and 253B.19, subdivision 2.

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

Senate File No. 187 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1991

Mr. President:

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

S.F. No. 1535: A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions;

creating the higher education board; merging the state university, community college, and technical college systems; amending Minnesota Statutes 1990, sections 15A.081, subdivision 7b; 135A.03, subdivision 3; 135A.05; 136.11, subdivisions 3, 5, and by adding a subdivision; 136.142, subdivision 1, and by adding a subdivision; 136A.121, subdivision 10, and by adding subdivisions; 136A.233, subdivision 3; 179A.10, subdivision 2; and 298.28, subdivisions 4, 7, 10, 11, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 135A; 136; 136A; 136E; and 298; repealing Minnesota Statutes 1990, section 136A.05, subdivision 2.

There has been appointed as such committee on the part of the House: Carlson, Dorn, Orenstein, Haukoos and Brown.

Senate File No. 1535 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1991

Mr. President:

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

S.F. No. 1533: A bill for an act relating to the organization and operation of state government; appropriating money for the protection of the state's environment and natural resources; amending Minnesota Statutes 1990, sections 14.18; 41A.09, subdivision 3; 85A.02, subdivision 17; 103B.321, subdivision 1; and 116P.11.

There has been appointed as such committee on the part of the House: Battaglia; Wenzel; Osthoff; Johnson, V. and McGuire.

Senate File No. 1533 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1991

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 53:

H.F. No. 53: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; providing for regulation of certain activities and practices; providing for certain rights-of-way; requiring studies and reports; fixing and limiting accounts and fees; amending Minnesota Statutes 1990, sections 10A.02, by adding a subdivision; 12.14; 15A.081, subdivision 1; 16A.662, subdivisions 2, 4, and 5; 41A.09, subdivision 3; 60A.14, subdivision 1; 60A.17, subdivision 1d; 72B.04, subdivision 7; 80C.04, subdivision 1; 80C.07; 80C.08, subdivision 1;

82.22, subdivisions 1, 5, 10, and 11; 115C.09, by adding a subdivision; 129D.04, by adding subdivisions; 129D.05; 138.91; 138.94; 162.02, subdivision 12; 168C.04; 171.06, subdivision 2a; 171.26; 182.651, by adding subdivisions; 182.661, subdivisions 1, 2, 2a, 3, 3a, and by adding subdivisions; 182.664, subdivisions 3 and 5; 182.666, subdivisions 1, 2, 3, 4, 5, and 5a; 182.669, subdivision 1; 184.28, subdivision 2; 184.29; 184A.09; 239.78; 240.02, subdivisions 2 and 3; 240.06, subdivision 8; 240.155; 240.28; 297B.09, subdivision 1; 299F.57, subdivision 1a; 299F.641, subdivision 2; 299K.07; 299K.09, subdivision 2; 336.9-413; 349.12, subdivision 10; 349.151, subdivision 2; 349A.01, subdivisions 5 and 9; 349A.02, subdivision 1; 349A.03, subdivision 1; 349A.10, subdivision 5; and 626.861, subdivisions 1 and 4; Laws 1989, chapter 269, sections 11, subdivision 7; and 31; repealing Minnesota Statutes 1990, sections 182.664, subdivision 2; 240.01, subdivision 15; 349.12, subdivision 12; 349A.01, subdivisions 3, 4, and 6; and 349B.01; and Laws 1989, chapter 322, section 7.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Rice, Lieder, Sarna, Kalis and Seaberg have been appointed as such committee on the part of the House.

House File No. 53 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 3, 1991

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 53, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 719.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 3, 1991

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 719: A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, human rights, housing finance, and other purposes with certain conditions; amending Minnesota Statutes 1990, sections 3.922, subdivisions 3 and 8; 3.9223, subdivision 1; 3.9225, subdivision 1; 3.9226, subdivision 1; 15.46; 43A.191, subdivision 2; 1031.235; 120.183; 144.335, subdivision 1; 144A.071, by adding a subdivision;

144A.31; 144A.46, subdivision 4; 144A.51, subdivision 5; 144A.53, subdivision 1; 145.925, by adding a subdivision; 148B.01, subdivision 7; 148B.03; 148B.04, subdivision 4; 148B.05, subdivision 1; 148B.06, subdivisions 1 and 3; 148B.07, subdivisions 1, 4, 7, and 8; 148B.08; 148B.12; 148B.17; 148B.18, subdivision 10; 148B.33, subdivision 1; 148B.38, subdivision 3; 157.031, subdivisions 2, 3, 4, and 9; 171.29, subdivision 2; 198.007; 214.04, subdivision 3; 241.022; 245.461, subdivision 3, and by adding a subdivision; 245.462, subdivisions 6 and 18; 245.465; 245.4711, by adding a subdivision; 245.472, by adding a subdivision; 245.473, by adding subdivisions; 245.484; 245.487, subdivision 4, and by adding a subdivision; 245.4871, subdivisions 27, 31, and by adding a subdivision; 245.4873, subdivision 6; 245.4874; 245.4881, subdivision 1; 245.4882, by adding subdivisions; 245.4884, subdivision 1; 245.4885, subdivisions 1, 2, and by adding a subdivision; 245.697, subdivision 1; 246.18, subdivision 4, and by adding a subdivision; 246.64, subdivision 3; 251.011, subdivision 3; 252.24, by adding a subdivision; 252.27, subdivisions 1a and 2a; 252.275; 252.28, subdivisions 1, 3, and by adding a subdivision; 252.32; 252.40; 252.46, subdivisions 3, 6, 12, 14, and by adding a subdivision; 252.478, subdivisions 1 and 3; 252.50, subdivision 2; 253C.01, subdivisions 1 and 2; 254B.04, subdivision 1; 256.01, subdivisions 2, 11, and by adding a subdivision; 256.025, subdivisions 1, 2, 3, and 4; 256.031; 256.032; 256.033; 256.034; 256.035; 256.036, subdivisions 1, 2, 4, and 5; 256.045, subdivision 10; 256.482, subdivision 1; 256.736, subdivision 3a; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256.936, by adding a subdivision; 256.9365, subdivisions 1 and 3; 256.9685, subdivision 1; 256.9686, subdivisions 1 and 6; 256.969, subdivisions 1, 2, 2c, 3a, and 6a; 256.9695, subdivision 1; 256.98, by adding a subdivision; 256.983; 256B.031, subdivision 4, and by adding a subdivision; 256B.04, subdivision 16; 256B.055, subdivisions 10 and 12; 256B.057, subdivisions 1, 2, 3, 4, and by adding a subdivision; 256B.0575; 256B.0625, subdivisions 2, 4, 7, 13, 17, 19, 20, 24, 25, 28, 30, and by adding subdivisions; 256B.0627; 256B.064, subdivision 2; 256B.0641, by adding a subdivision; 256B.08, by adding a subdivision; 256B.091, subdivision 8; 256B.092; 256B.093; 256B.19, subdivision 1, and by adding subdivisions; 256B.431, subdivisions 21, 3e, 3f, and by adding subdivisions; 256B.48, subdivision 1; 256B.49, by adding a subdivision; 256B.491, by adding a subdivision; 256B.50, subdivision 1d; 256B.501, subdivisions 3g, 8, 11, and by adding a subdivision; 256B.64; 256C.24, subdivision 2; 256C.25; 256D.03, subdivisions 2, 2a, 3, and 4; 256D.05, subdivision 6, and by adding a subdivision; 256D.051, subdivisions 1, 1a, 3a, 6, and 8; 256D.052, subdivision 3; 256D.06, subdivision 1b; 256D.07; 256D.10; 256D.101, subdivisions 1 and 3; 256D.36, subdivision 1; 256D.44, by adding a subdivision; 256F.01; 256F.02; 256F.03, subdivision 5; 256F.04; 256F.05; 256F.06; 256F.07, subdivisions 1, 2, and 3; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09, by adding a subdivision; 256H.15, subdivisions 1, 2, and by adding a subdivision; 256H.18; 256H.20, subdivision 3a; 256H.21, subdivision 10; 256H.22, subdivisions 2, 6, and by adding a subdivision; 256I.04, by adding a subdivision; 256I.05, subdivision 2, and by adding subdivisions; 257.071, subdivision 1a; 257.352, subdivision 2; 257.57, subdivision 2; 261.035; 268.022, subdivision 2; 268.39; 268.914; 268.975, subdivision 3, and by adding a subdivision; 268.977; 268.98; 268A.06, by adding a subdivision; 268A.08, subdivision 2; 268A.09, subdivision 2; 270A.04, subdivision 2; 270A.08, subdivision 2; 273.1398, subdivision 1; 299A.21, subdivision 6; 299A.23, subdivision 2;



299A.27; 393.07, subdivisions 10 and 10a; 401.10; 401.13; 462A.02, subdivision 13; 462A.03, subdivisions 10, 13, and 16; 462A.05, subdivisions 14, 20, and by adding subdivisions; 462A.08, subdivision 2; 462A.21, subdivisions 4k, 12a, and 14; 462A.22, subdivision 9; 462A.222, subdivision 3; 471.705, subdivision 1; 474A.048, subdivision 2; 518.551, subdivision 5, and by adding subdivisions; 518.64; 609.52, by adding a subdivision; 638.04; 638.05; 638.06; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1988, chapter 689, article 2, section 256, subdivision 1; and Laws 1989, chapter 335, article 1, section 27, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 16B; 144; 145; 148B; 241; 245; 252; 256; 256B; 256D; 256F; 256H; 257; 268A; and 462A; proposing coding for new law as Minnesota Statutes, chapter 144B; repealing Minnesota Statutes 1990, sections 144A.31, subdivisions 2 and 3; 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; 148B.48; 157.031, subdivision 5; 245.476, subdivisions 1, 2, and 3; 252.275, subdivision 2; 256.032, subdivisions 5 and 9; 256.035, subdivisions 6 and 7; 256.036, subdivision 10; 256B.0625, subdivisions 6 and 19; 256B.0627, subdivision 3; 256B.091; 256B.431, subdivision 6; 256B.69, subdivision 8; 256B.71, subdivision 5; 256D.051, subdivisions 1b, 3c, and 16; 256D.052, subdivision 4; 256D.09, subdivision 4; 256D.101, subdivision 2; 256H.26; 462A.05, subdivisions 28 and 29; and Laws 1990, chapter 568, article 6, section 4.

Mr. Moe, R.D. moved that H.F. No. 719 be laid on the table. The motion prevailed.

### REPORTS OF COMMITTEES

Mr. Lessard from the Committee on Environment and Natural Resources, to which were referred the following appointments as reported in the Journal for March 7, 1991:

#### ENVIRONMENTAL TRUST FUND CITIZENS' ADVISORY COMMITTEE

C. Merle Anderson  
Christine Susan Kneeland  
Patricia Baker

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

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which were referred the following appointments as reported in the Journal for March 27, 1991:

#### MINNESOTA ENVIRONMENTAL QUALITY BOARD

Carolyn E. Engebretson  
Edward C. Oliver

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

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred the following appointment as reported in the Journal for April 24, 1991:

OFFICE OF WASTE MANAGEMENT  
DIRECTOR

Dottie M. Rietow

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

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

Mr. Dahl from the Committee on Education, to which was referred the following appointment as reported in the Journal for January 14, 1991:

BOARD OF THE MINNESOTA CENTER FOR ARTS EDUCATION

H. Theodore Grindal

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

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

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

DEPARTMENT OF EDUCATION  
COMMISSIONER

Gene Mammenga

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

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

Mr. Dahl from the Committee on Education, to which were referred the following appointments as reported in the Journal for March 4, 1991:

STATE UNIVERSITY BOARD

William C. Ulland  
Jerry Serfling  
Corey R. Elmer

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

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

Mr. Dahl from the Committee on Education, to which was referred the following appointment as reported in the Journal for April 24, 1991:

**STATE BOARD FOR COMMUNITY COLLEGES**

Ann M. Kruchten

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.

**MOTIONS AND RESOLUTIONS**

Mr. Moe, R.D. introduced—

Senate Resolution No. 68: A Senate resolution commending Bob Richards as he retires as a member of the Minnesota State Patrol after over 31 years of serving the State of Minnesota and its citizens.

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. Hughes in the chair.

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

S.F. Nos. 1411, 634 and H.F. Nos. 121, 87, 106, which the committee recommends to pass.

H.F. No. 466, which the committee recommends to pass with the following amendments offered by Mr. Davis:

Amend H.F. No. 466, the unofficial engrossment, as follows:

Page 2, line 33, delete "*must*" and insert "*may*"

The motion prevailed. So the amendment was adopted.

Mr. Davis then moved to amend H.F. No. 466, the unofficial engrossment, as follows:

Page 1, line 15, strike "WRECKER" and insert "*TOW TRUCK OR TOWING VEHICLE*" and strike "'Wrecker'" and insert "'*Tow truck or towing vehicle*'"

Page 2, line 19, strike "WRECKER" and insert "*TOW TRUCK OR TOWING VEHICLE*"

Page 2, lines 26, 31, and 33, delete "*wrecker*" and insert "*tow truck or towing vehicle*"

Page 3, line 1, delete "WRECKERS" and insert "*TOW TRUCKS OR TOWING VEHICLES*"

Page 3, line 2, delete "*wrecker*" and insert "*tow truck or towing vehicle*"

Page 3, after line 5, insert:

“Sec. 5. [INSTRUCTION TO REVISOR.]

*The revisor of statutes is directed to change the word “wrecker” wherever it appears in Minnesota Statutes to “tow truck or towing vehicle” in Minnesota Statutes 1992 and subsequent editions of the statutes.”*

Amend the title as follows:

Page 1, line 2, delete ““wrecker”” and insert ““tow truck or towing vehicle””

Page 1, lines 4 and 7, delete “wreckers” and insert “tow trucks or towing vehicles”

The motion prevailed. So the amendment was adopted.

H.F. No. 1042, which the committee recommends to pass with the following amendments offered by Messrs. Beckman and Waldorf:

Mr. Beckman moved to amend H.F. No. 1042 as follows:

Page 1, after line 25, insert:

“Sec. 2. [COMMISSION ON ECONOMIC DEVELOPMENT POLICY.]

*Subdivision 1. [MEMBERSHIP.] The advisory commission on economic development policy consists of 20 members selected as follows:*

*(1) two members of the senate appointed by the subcommittee on committees of the committee on rules and administration and one member of the senate appointed by the minority leader of the senate;*

*(2) two members of the house of representatives appointed by the speaker and one member of the house of representatives appointed by the minority leader of the house of representatives;*

*(3) four representatives of state executive branch agencies appointed by the governor;*

*(4) one member from a state public corporation appointed by the governor;*

*(5) one member appointed by the president of the University of Minnesota representing the Minnesota extension service;*

*(6) one member appointed by the league of Minnesota cities;*

*(7) one member appointed by the association of Minnesota counties;*

*(8) one member appointed by the Minnesota school boards association;*

*(9) one member appointed by the Minnesota association of regional commissions;*

*(10) two members appointed by the league of Minnesota cities from economic development offices in statutory or home rule charter cities within the seven-county metropolitan area including a representative of a city of the first class; and*

*(11) two members appointed by the league of Minnesota cities from economic development offices in statutory or home rule charter cities outside the seven-county metropolitan area, including a representative of a city with a population of 30,000 or more.*

*Subd. 2. [COMPENSATION.] Members serve at the pleasure of their*

appointing authority.

*Subd. 3. [DUTIES.] The commission shall:*

*(1) review the responsibilities and the relationships of the various state and local agencies involved in the delivery of services that promote economic development and redevelopment. The commission shall consider ways and means to better coordinate the delivery of economic development services;*

*(2) identify the ways in which the state provides support to economic development, including financing programs, technical assistance programs, promotion, training and education, and infrastructure development and maintenance;*

*(3) quantify the amount and types of expenditures on economic development;*

*(4) identify measures to evaluate the effectiveness of investments in economic development;*

*(5) consider recent changes in state tax law that effect economic development and redevelopment and evaluate the impact of these changes on local development;*

*(6) review and comment on proposals submitted to it by the governor and the legislature;*

*(7) review and comment on research reports, studies, and papers on the public sector role in economic development; and*

*(8) hold hearings and conduct informal surveys to solicit the positions of business, industry, labor, and service providers.*

*Subd. 4. [ADMINISTRATION AND FINANCE.] The legislative coordinating commission shall provide staff support and administrative services to the commission. Other state agencies shall supply information upon request of the commission and shall in all ways cooperate with the commission in carrying out its duties.*

*Subd. 5. [REPORT.] The commission shall submit a report on its findings and recommendations to the legislature by January 15, 1992, so that the legislature may consider these recommendations in setting policy. The report must include recommendations on:*

*(1) the current structure of economic development and redevelopment assistance at the state, local, and regional levels;*

*(2) the existing, necessary, and desirable role of the public sector in economic development and redevelopment;*

*(3) the existing, necessary, and desirable economic development and redevelopment tools for the public sector; and*

*(4) the existing, necessary, and desirable allocation of state and local resources for economic development and redevelopment.*

Sec. 3. [REPEALER.]

*Section 2 is repealed July 1, 1992.*

Sec. 4. [EFFECTIVE DATE.]

*Section 2 is effective July 1, 1991."*

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "creating a commission on economic development;"

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved to amend H.F. No. 1042 as follows:

Page 1, after line 25, insert:

"Sec. 2. [116J.661] [WORKPLACE SAFETY PROGRAMS.]

*The commissioner shall provide through the business assistance center a program that provides assistance to businesses to create a safe workplace and to reduce the number and severity of workplace injuries. The program must include:*

*(1) providing information to business through publications, seminars, and other means;*

*(2) providing specific advice to individual businesses; and*

*(3) conducting research and developing safety programs with emphasis on businesses that have a high rate of workplace injury."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 525, which the committee reports progress, subject to the following motion:

Mr. Spear moved to amend S.F. No. 525 as follows:

Page 1, line 28, strike the first "or" and insert "of"

Page 8, after line 6, insert:

"Sec. 12. Minnesota Statutes 1990, section 299A.34, subdivision 2, is amended to read:

Subd. 2. [SELECTION AND MONITORING.] ~~The drug~~ *chemical* abuse prevention resource council shall assist in the selection and monitoring of grant recipients."

Page 11, line 32, delete "14" and insert "15"

Page 11, line 36, delete "*section 244.095, is*" and insert "*sections 244.095; and 299A.29, subdivisions 2 and 4, are*"

Page 12, line 3, delete "14" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the second semicolon, insert "299A.34, subdivision 2;"

Page 1, line 13, delete "section" and insert "sections" and before the period, insert "; and 299A.29, subdivisions 2 and 4"

The motion prevailed. So the amendment was adopted.

S.F. No. 525 was then progressed.

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

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.

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

S.F. No. 1550: A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, and other purposes with certain conditions; amending Minnesota Statutes 1990, sections 13.46, subdivision 2; 136A.121, subdivision 6; 136A.162; 144A.071, subdivision 3; 144A.10, subdivision 4; 144A.31; 144A.46, subdivision 4; 145.925, by adding a subdivision; 171.29, subdivision 2; 241.022; 244.16; 245.461, subdivision 3, and by adding a subdivision; 245.462, subdivisions 6 and 18; 245.4711, by adding a subdivision; 245.472, by adding a subdivision; 245.473, by adding subdivisions; 245.484; 245.487, subdivision 4, and by adding a subdivision; 245.4871, subdivisions 27, 31, and by adding a subdivision; 245.4873, subdivision 6; 245.4874; 245.4881, subdivision 1; 245.4882, by adding subdivisions; 245.4884, subdivisions 1 and 3; 245.4885, subdivisions 1, 2, and by adding a subdivision; 246.18, subdivision 4, and by adding a subdivision; 246.23; 252.27, subdivision 1a; 252.275; 252.28, subdivisions 1, 3, and by adding a subdivision; 252.32; 252.41, subdivision 9; 252.46, subdivisions 3, 6, and 14; 252.478, subdivisions 1 and 3; 253C.01, subdivisions 1 and 2; 254A.17, subdivision 3; 254B.04, subdivision 1; 254B.05, by adding a subdivision; 256.01, subdivision 11, and by adding a subdivision; 256.025, subdivisions 1, 3, and 4; 256.045, subdivision 10; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256.936, by adding a subdivision; 256.9365, subdivisions 1 and 3; 256.9685, subdivision 1; 256.9686, subdivisions 1 and 6; 256.969, subdivisions 1, 2, 2c, 3a, 6a, and by adding a subdivision; 256.9695, subdivision 1; 256.98, by adding a subdivision; 256.983; 256B.031, subdivision 4, and by adding a subdivision; 256B.04, subdivision 16; 256B.055, subdivisions 10 and 12; 256B.057, subdivisions 1, 2, 3, 4, and by adding a subdivision; 256B.0575; 256B.0625, subdivisions 4, 7, 13, 17, 24, 25, 28, 30, and by adding subdivisions; 256B.0627; 256B.064, subdivision 2; 256B.0641, by adding a subdivision; 256B.08, by adding a subdivision; 256B.092; 256B.093; 256B.19, by adding a subdivision; 256B.431, subdivisions 2l, 3e, 3f, and by adding subdivisions; 256B.50, subdivision 1d; 256B.501, subdivisions 8, 11, and by adding a subdivision; 256B.64; 256C.24, subdivision 2; 256C.25; 256D.03, subdivisions 2, 2a, 3, and 4; 256D.05, subdivisions 1, 2, 6, and by adding a subdivision; 256D.051, subdivisions 1, 1a, 2, 3, 3a, 6, and 8; 256D.052, subdivisions 3 and 4; 256D.06, subdivision 1b; 256D.07; 256D.10; 256D.101, subdivisions 1 and 3; 256D.111; 256D.36, subdivision 1; 256D.44, by adding a subdivision; 256F.01; 256F.02; 256F.03, subdivision 5; 256F.04; 256F.05; 256F.06; 256F.07, subdivisions 1, 2, and 3; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09, by adding a subdivision; 256H.15, subdivision 1; 256H.20; 256H.21, subdivision 10; 256H.22, subdivision 1, and by adding a subdivision; 256I.04, by adding a subdivision; 256I.05, subdivision 2, and by

adding subdivisions; 257.57, subdivision 2; 260.165, by adding a subdivision; 268A.03; 270A.04, subdivision 2; 270A.08, subdivision 2; 393.07, subdivisions 10 and 10a; 518.551, subdivision 5, and by adding subdivisions; 518.64; 609.52, by adding a subdivision; 631.425, subdivisions 3 and 7; and 643.29, subdivision 1; and Laws 1988, chapter 689, article 2, section 256, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 144; 214; 241; 245; 252; 256; 256B; and 256H; repealing Minnesota Statutes 1990, sections 144A.31, subdivisions 2 and 3; 245.476, subdivisions 1, 2, and 3; 246.18, subdivisions 3 and 3a; 252.275, subdivision 2; 256B.0625, subdivisions 6 and 19; 256B.0627, subdivision 3; 256B.091; 256B.71, subdivision 5; 256D.051, subdivisions 1b, 3c, and 16; 256D.09, subdivision 4; 256D.101, subdivision 2; and 256H.25.

Mr. Moe, R.D. moved that S.F. No. 1550 be laid on the table. The motion prevailed.

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

S.F. No. 1551: A bill for an act relating to appropriations; appropriating money from the bond proceeds fund for the construction of a visitor's center at Lac Qui Parle Wildlife Management Area.

Referred to the Committee on Finance.

Messrs. Bertram, Finn, Stumpf and Merriam introduced—

S.F. No. 1552: A bill for an act relating to crimes; requiring that board of pardons hearings must be open to the public; providing that a victim, the sentencing judge, prosecuting attorney, and law enforcement agencies have a right to submit oral or written statements recommending pardon granting or denial at board of pardon hearings; requiring the clerk of the board of pardons to notify victims of the applicant's crime of the time and place of the board of pardons hearing; amending Minnesota Statutes 1990, sections 471.705, subdivision 1; 638.02, subdivision 2; 638.04; 638.05; and 638.06.

Referred to the Committee on Judiciary.

Messrs. DeCramer; Frank; Langseth; Johnson, D.E. and Mehrkens introduced—

S.F. No. 1553: A bill for an act relating to traffic regulation; prohibiting radar detectors; providing for payments, forms, and records; amending Minnesota Statutes 1990, sections 169.99, subdivision 1b; and 171.12, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation.

## MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that H.F. No. 719 be taken from the table. The motion prevailed.

H.F. No. 719: A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, human rights, housing finance, and other



purposes with certain conditions; amending Minnesota Statutes 1990, sections 3.922, subdivisions 3 and 8; 3.9223, subdivision 1; 3.9225, subdivision 1; 3.9226, subdivision 1; 15.46; 43A.191, subdivision 2; 103I.235; 120.183; 144.335, subdivision 1; 144A.071, by adding a subdivision; 144A.31; 144A.46, subdivision 4; 144A.51, subdivision 5; 144A.53, subdivision 1; 145.925, by adding a subdivision; 148B.01, subdivision 7; 148B.03; 148B.04, subdivision 4; 148B.05, subdivision 1; 148B.06, subdivisions 1 and 3; 148B.07, subdivisions 1, 4, 7, and 8; 148B.08; 148B.12; 148B.17; 148B.18, subdivision 10; 148B.33, subdivision 1; 148B.38, subdivision 3; 157.031, subdivisions 2, 3, 4, and 9; 171.29, subdivision 2; 198.007; 214.04, subdivision 3; 241.022; 245.461, subdivision 3, and by adding a subdivision; 245.462, subdivisions 6 and 18; 245.465; 245.4711, by adding a subdivision; 245.472, by adding a subdivision; 245.473, by adding subdivisions; 245.484; 245.487, subdivision 4, and by adding a subdivision; 245.4871, subdivisions 27, 31, and by adding a subdivision; 245.4873, subdivision 6; 245.4874; 245.4881, subdivision 1; 245.4882, by adding subdivisions; 245.4884, subdivision 1; 245.4885, subdivisions 1, 2, and by adding a subdivision; 245.697, subdivision 1; 246.18, subdivision 4, and by adding a subdivision; 246.64, subdivision 3; 251.011, subdivision 3; 252.24, by adding a subdivision; 252.27, subdivisions 1a and 2a; 252.275; 252.28, subdivisions 1, 3, and by adding a subdivision; 252.32; 252.40; 252.46, subdivisions 3, 6, 12, 14, and by adding a subdivision; 252.478, subdivisions 1 and 3; 252.50, subdivision 2; 253C.01, subdivisions 1 and 2; 254B.04, subdivision 1; 256.01, subdivisions 2, 11, and by adding a subdivision; 256.025, subdivisions 1, 2, 3, and 4; 256.031; 256.032; 256.033; 256.034; 256.035; 256.036, subdivisions 1, 2, 4, and 5; 256.045, subdivision 10; 256.482, subdivision 1; 256.736, subdivision 3a; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256.936, by adding a subdivision; 256.9365, subdivisions 1 and 3; 256.9685, subdivision 1; 256.9686, subdivisions 1 and 6; 256.969, subdivisions 1, 2, 2c, 3a, and 6a; 256.9695, subdivision 1; 256.98, by adding a subdivision; 256.983; 256B.031, subdivision 4, and by adding a subdivision; 256B.04, subdivision 16; 256B.055, subdivisions 10 and 12; 256B.057, subdivisions 1, 2, 3, 4, and by adding a subdivision; 256B.0575; 256B.0625, subdivisions 2, 4, 7, 13, 17, 19, 20, 24, 25, 28, 30, and by adding subdivisions; 256B.0627; 256B.064, subdivision 2; 256B.0641, by adding a subdivision; 256B.08, by adding a subdivision; 256B.091, subdivision 8; 256B.092; 256B.093; 256B.19, subdivision 1, and by adding subdivisions; 256B.431, subdivisions 21, 3e, 3f, and by adding subdivisions; 256B.48, subdivision 1; 256B.49, by adding a subdivision; 256B.491, by adding a subdivision; 256B.50, subdivision 1d; 256B.501, subdivisions 3g, 8, 11, and by adding a subdivision; 256B.64; 256C.24, subdivision 2; 256C.25; 256D.03, subdivisions 2, 2a, 3, and 4; 256D.05, subdivision 6, and by adding a subdivision; 256D.051, subdivisions 1, 1a, 3a, 6, and 8; 256D.052, subdivision 3; 256D.06, subdivision 1b; 256D.07; 256D.10; 256D.101, subdivisions 1 and 3; 256D.36, subdivision 1; 256D.44, by adding a subdivision; 256F.01; 256F.02; 256F.03, subdivision 5; 256F.04; 256F.05; 256F.06; 256F.07, subdivisions 1, 2, and 3; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09, by adding a subdivision; 256H.15, subdivisions 1, 2, and by adding a subdivision; 256H.18; 256H.20, subdivision 3a; 256H.21, subdivision 10; 256H.22, subdivisions 2, 6, and by adding a subdivision; 256I.04, by adding a subdivision; 256I.05, subdivision 2, and by adding subdivisions; 257.071, subdivision 1a; 257.352, subdivision 2; 257.57, subdivision 2; 261.035; 268.022, subdivision 2; 268.39; 268.914; 268.975, subdivision 3, and by adding a subdivision; 268.977;

268.98; 268A.06, by adding a subdivision; 268A.08, subdivision 2; 268A.09, subdivision 2; 270A.04, subdivision 2; 270A.08, subdivision 2; 273.1398, subdivision 1; 299A.21, subdivision 6; 299A.23, subdivision 2; 299A.27; 393.07, subdivisions 10 and 10a; 401.10; 401.13; 462A.02, subdivision 13; 462A.03, subdivisions 10, 13, and 16; 462A.05, subdivisions 14, 20, and by adding subdivisions; 462A.08, subdivision 2; 462A.21, subdivisions 4k, 12a, and 14; 462A.22, subdivision 9; 462A.222, subdivision 3; 471.705, subdivision 1; 474A.048, subdivision 2; 518.551, subdivision 5, and by adding subdivisions; 518.64; 609.52, by adding a subdivision; 638.04; 638.05; 638.06; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1988, chapter 689, article 2, section 256, subdivision 1; and Laws 1989, chapter 335, article 1, section 27, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 16B; 144; 145; 148B; 241; 245; 252; 256; 256B; 256D; 256F; 256H; 257; 268A; and 462A; proposing coding for new law as Minnesota Statutes, chapter 144B; repealing Minnesota Statutes 1990, sections 144A.31, subdivisions 2 and 3; 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; 148B.48; 157.031, subdivision 5; 245.476, subdivisions 1, 2, and 3; 252.275, subdivision 2; 256.032, subdivisions 5 and 9; 256.035, subdivisions 6 and 7; 256.036, subdivision 10; 256B.0625, subdivisions 6 and 19; 256B.0627, subdivision 3; 256B.091; 256B.431, subdivision 6; 256B.69, subdivision 8; 256B.71, subdivision 5; 256D.051, subdivisions 1b, 3c, and 16; 256D.052, subdivision 4; 256D.09, subdivision 4; 256D.101, subdivision 2; 256H.26; 462A.05, subdivisions 28 and 29; and Laws 1990, chapter 568, article 6, section 4.

### SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 719 and that the rules of the Senate be so far suspended as to give H.F. No. 719 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 719 was read the second time.

Mr. Merriam moved to amend H.F. No. 719 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 719, and insert the language after the enacting clause, and the title, of S.F. No. 1550, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Benson, D.D. moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 8, delete lines 39 to 63

Page 9, delete lines 1 to 4 and insert:

“Provided there is no conflict with any collective bargaining agreement, an employer shall not reduce employee positions for restructuring or any other purpose except through mitigation, attrition,

transfers, and retirement and shall not reduce positions through layoff.”

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

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 1086 at 2:10 p.m.:

Messrs. Frederickson, D.J.; Johnson, D.J.; Pogemiller; Price and Ms. Reichgott. The motion prevailed.

Mr. Berg moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 88, delete lines 35 and 36

### CALL OF THE SENATE

Mr. Frank imposed a call of the Senate for the balance of the proceedings on H.F. No. 719. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the adoption of the Berg amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Lessard moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 70, after line 7, insert:

“Sec. 47. Minnesota Statutes 1990, section 268.022, subdivision 1, is amended to read:

Subdivision 1. [DETERMINATION AND COLLECTION OF SPECIAL ASSESSMENT.] (a) In addition to all other contributions, assessments, and payment obligations under chapter 268, each employer, except an employer making payments in lieu of contributions under section 268.06, subdivision

25, 26, 27, or 28, or an employer with fewer than 20 employees or less than \$1,000,000 in annual sales, is liable for a special assessment levied at the rate of one-tenth of one percent per year on all wages for purposes of the contribution payable under section 268.06, subdivision 2, as defined in section 268.04, subdivision 25. Such assessment shall become due and be paid by each employer to the department of jobs and training on the same schedule and in the same manner as other contributions required by section 268.06.

(b) The special assessment levied under this section shall not affect the computation of any other contributions, assessments, or payment obligations due under this chapter."

Renumber the sections of article 2 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 11, after line 19, insert:

"The commissioner of human services shall maintain the 35 skilled nursing facility (SNF) beds for developmentally disabled residents at the Faribault regional treatment center. The transfer of the hospital building at the Faribault regional treatment center to the department of corrections may take place only after alternative, state-operated SNF facility space has been developed for residents on the campus of Faribault regional treatment center."

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.E. moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 193, after line 32, insert:

"Sec. 30. [256D.065] [GENERAL ASSISTANCE AND WORK READINESS PAYMENTS FOR NEW RESIDENTS.]

*Notwithstanding any other provisions of sections 256D.01 to 256D.21, otherwise eligible assistance units without minor children, who have been residing in the state less than six months, shall be granted general assistance and work readiness payments in an amount that, when added to the nonexempt income actually available to the assistance unit, shall be no greater than 60% of the amount that the assistance unit would be eligible to receive under section 256D.06, subdivision 1. A unit may receive benefits in excess of this amount, equal to the lesser of the benefits the unit actually received in the last state of residence or the maximum benefits allowable under section 256D.06, subdivision 1. To receive the higher benefit amount, the assistance*

*unit must provide verification of the amount of assistance received in the last state of residence. Nonexempt income is the income considered available under Minnesota Rules, parts 9500.1200 to 9500.1270. Any savings realized as a result of this section are transferred to the medical assistance account and are appropriated to the commissioner of human services to provide rate increases for intermediate care facilities for mentally retarded persons, semi-independent living services, home and community-based waived services, developmental achievement centers, community support programs, and residential facilities for persons with mental illness, which must be used to increase staff salaries."*

Renumber the sections of article 4 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 23, as follows:

Those who voted in the affirmative were:

Belanger	Day	Laidig	Moe, R.D.	Stumpf
Benson, D.D.	Frederickson, D.R.	Langseth	Mondale	Traub
Berg	Halberg	Larson	Morse	Vickerman
Bertram	Johnson, D.E.	Lessard	Olson	
Brataas	Johnston	McGowan	Pariseau	
Chmielewski	Kelly	Mehrrens	Renneke	
Davis	Knaak	Metzen	Sams	

Those who voted in the negative were:

Adkins	Dicklich	Hughes	Merriam	Samuelson
Beckman	Finn	Johnson, J.B.	Pappas	Spear
Berglin	Flynn	Kroening	Piper	Waldorf
Cohen	Frank	Luther	Ranum	
DeCramer	Hottinger	Marty	Riveness	

The motion prevailed. So the amendment was adopted.

Mr. Dicklich moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 18, after line 39, insert:

"When cost-effective, the commissioner may use money received for the services for children with handicaps program to purchase health coverage for eligible children."

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 719, as amended by the Senate May 6, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1550.)

Page 73, after line 34, insert:

"Sec. 50. Minnesota Statutes 1990, section 471.705, subdivision 1, is amended to read:

Subdivision 1. Except as otherwise expressly provided by statute, all

meetings, including executive sessions, of any state agency, board, commission or department when required or permitted by law to transact public business in a meeting, and the governing body of any school district however organized, unorganized territory, county, city, town, or other public body, and of any committee, subcommittee, board, department or commission thereof, shall be open to the public, except meetings of the board of pardons and the commissioner of corrections. The votes of the members of such state agency, board, commission or department or of such governing body, committee, subcommittee, board, department or commission on any action taken in a meeting herein required to be open to the public shall be recorded in a journal kept for that purpose, which journal shall be open to the public during all normal business hours where such records are kept. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. This section shall not apply to any state agency, board, or commission when exercising quasi-judicial functions involving disciplinary proceedings.”

Page 85, after line 22, insert:

“Sec. 58. Minnesota Statutes 1990, section 638.02, subdivision 3, is amended to read:

Subd. 3. Upon granting a pardon extraordinary the board of pardons shall file a copy thereof with the district court of the county in which the conviction occurred, ~~whereupon and the court shall order the conviction set aside and all records pertinent to the conviction sealed. These records shall only be reopened in the case of a criminal judicial proceeding thereafter instituted~~ include a copy of the pardon in the court file.

Sec. 59. Minnesota Statutes 1990, section 638.04, is amended to read:  
638.04 [MEETINGS.]

The board of pardons shall hold meetings at least twice each year and shall hold a meeting whenever it takes formal action on an application for a pardon or commutation of sentence. All board meetings shall be open to the public as provided in section 471.705.

*The victim of an applicant's crime has a right to submit an oral or written statement at the meeting. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the application for a pardon or commutation should be granted or denied. In addition, any law enforcement agency may submit an oral or written statement at the meeting, giving its recommendation on whether the application should be granted or denied. The board must consider the victim's and the law enforcement agency's statement when making its decision on the application.*

Sec. 60. Minnesota Statutes 1990, section 638.05, is amended to read:  
638.05 [APPLICATION FOR PARDON.]

Every application for a pardon or commutation of sentence shall be in writing, addressed to the board of pardons, signed by the convict or some one in the convict's behalf, shall state concisely the grounds upon which the pardon or commutation is sought, and in addition shall contain the following facts:

(1) The name under which the convict was indicted, and every alias by which known;

(2) The date and terms of sentence, and the names of the offense for which it was imposed;

(3) The name of the trial judge and the county attorney who participated in the trial of the convict, together with that of the county of trial;

(4) A succinct statement of the evidence adduced at the trial, with the endorsement of the judge or county attorney who tried the case that the same is substantially correct; if such statement and endorsement are not furnished, the reason thereof shall be stated;

(5) The age, birthplace, parentage, and occupation and residence of the convict during five years immediately preceding conviction;

(6) A statement of other arrests, indictments, and convictions, if any, of the convict.

*Every application for a pardon or commutation of sentence shall contain a statement by the applicant consenting to the disclosure to the board of any private data concerning the applicant contained in the application or in any other record relating to the grounds on which the pardon or commutation is sought.*

Sec. 61. Minnesota Statutes 1990, section 638.06, is amended to read:

638.06 [ACTION ON APPLICATION.]

Every such application shall be filed with the clerk of the board of pardons. If an application for a pardon or commutation has been once heard and denied on the merits, no subsequent application shall be filed without the consent of two members of the board endorsed thereon. The clerk shall, immediately on receipt of any application, mail notice thereof, and of the time and place of hearing thereon, to the judge of the court wherein the applicant was tried and sentenced, and to the prosecuting attorney who prosecuted the applicant, or a successor in office; ~~provided, pardons or commutations of sentence of persons committed to a county jail or workhouse may be granted by the board without notice.~~ *The clerk shall also make all reasonable efforts to locate any victim of the applicant's crime. The clerk shall mail notice of the application and the time and place of the hearing to any victim who is located. This notice shall specifically inform the victim of the victim's right to be present at the hearing and to submit an oral or written statement to the board as provided in section 638.04."*

Renumber the sections of article 2 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 719 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 59 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson, D.D.	Brataas	Knaak	Olson	Pariseau
Berg	Halberg			

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Executive and Official Communications, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

May 3, 1991

The Honorable Jerome M. Hughes  
President of the Senate

Dear Mr. President:

I have vetoed Chapter 46, Senate File 539, a bill that would amend the Minnesota Antitrust Law as it relates to suppliers, distributors and dealers.

The bill is designed to overrule a unanimous 1984 decision of the United States Supreme Court as it applies in Minnesota. That decision held that pricing complaints followed by termination of a discounter did not raise an inference of conspiracy.

Antitrust claims would be encouraged under Senate File 539, particularly those involving supplier/dealer discussions of pricing practices of a second dealer, where the second dealer is later terminated by the supplier. In such situations, an inference of conspiracy is permitted and the case would go to the jury. Only during trial could the supplier show that the decision to terminate was based on factors such as advertising, display space or, perhaps, customer service. In order to simply make this kind of response, suppliers could well face litigation costs in the hundreds of thousands of dollars.

If allowed to become law, manufacturers all over the world would have to adopt special policies, unique to Minnesota, for choosing and not choosing dealers. Further, they would likely be very selective in their signing of



dealers or choose not to have dealers in Minnesota at all. Inevitably dealers would cluster along the borders in the Dakotas and Iowa but they probably would not be inclined to do business along "main street" in greater Minnesota.

What makes this combination of concerns disturbing is that the legislation, if signed, would become effective the day after enactment. This, of course, allows absolutely no time for notification of a major reversal of a high court decision that governs the supplier, distributor, dealer relationship - one where national uniformity is important to permit consistent application of a supplier's distribution policies. It is also important to point out that Senate File 539 turns conduct that would be innocent elsewhere into a conspiracy characterization in Minnesota. Additionally, under the bill, antitrust defendants would be subject to threat of treble damages.

I believe legislation dealing with matters as complex as evidence in antitrust claims deserves the meticulous review of the House and Senate Judiciary Committees. Unfortunately, that did not occur. Instead, the bill was referred to the Commerce Committees in both bodies. A motion on the House floor to refer it to the Judiciary Committee was defeated.

It appears that the Legislature simply did not give this measure adequate nor balanced consideration. Clearly, legislation of this magnitude should be handled more judiciously.

Sincerely,  
Arne H. Carlson, Governor

Mr. Moe, R.D. moved that S.F. No. 539 and the veto message thereon be laid on the table and printed in the Journal. 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. Merriam from the Committee on Finance, to which was re-referred

S.F. No. 275: A bill for an act relating to motor vehicles; exempting from commercial vehicle inspection requirements and hazardous material driver's license endorsement requirements, pickup trucks carrying certain quantities of petroleum products or liquid fertilizer; reducing the minimum size of fleets of commercial vehicles permitted to conduct self-inspections; specifying the commercial vehicle inspection standards to be adopted by the commissioner of public safety; providing that certain vehicles may be issued certificates by complying with out-of-service criteria, and that such certificates are valid for two years; providing certain proof of federal inspection in lieu of state inspection decal requirements; changing the period of time for which inspection records must be retained; lowering the property damage level of accidents subject to postcrash vehicle inspections; delaying effective date of requirement that all commercial vehicles bear a commercial vehicle inspection decal; amending Minnesota Statutes 1990, sections 169.781, subdivisions 1, 2, 3, 4, 5, and by adding a subdivision; 169.783, subdivision 1; 171.02, by adding a subdivision; and Laws 1990, chapter 563, section 11.

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

Page 2, line 6, delete "and" and insert "or"

Page 2, line 7, after "fertilizer" insert "or pesticide"

Page 2, line 12, delete "trailer" in both places and insert "semitrailer"

Page 2, line 16, delete "trailer" and insert "semitrailer"

Page 5, line 19, delete "trailer" and insert "semitrailer"

Page 6, line 25, delete "and" and insert "or" and after "fertilizer" insert "or pesticide"

Page 6, line 32, strike "effective" and before "July" insert "suspended until"

Page 6, line 33, delete "effective" and insert "suspended until"

Page 7, line 2, delete "9" and insert "8"

Page 7, line 3, after the period, insert "Section 9 is effective retroactively to April 1, 1991."

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

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

S.F. No. 783: A bill for an act relating to health; infectious waste control; transferring responsibility for infectious waste from the pollution control agency to the department of health; clarifying that veterinarians are also covered by the act; clarifying requirements for management and generators' plans; allowing certain medical waste to be mixed with other waste under certain conditions; appropriating money; amending Minnesota Statutes 1990, sections 116.76, subdivision 5; 116.77; 116.78, subdivision 4; 116.79, subdivisions 1, 3, and 4; 116.80, subdivisions 2 and 3; 116.81, subdivision 1; 116.82, subdivision 3; and 116.83; repealing Minnesota Statutes 1990, sections 116.76, subdivision 2; and 116.81, subdivision 2.

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

Page 5, line 6, delete "and"

Page 5, after line 6, insert:

"(9) for a licensed home care agency with no more than two generating employees, a fee of \$40;

(10) for a licensed home care agency with more than two generating employees, a fee of \$20 for each generating employee, up to a maximum fee of \$225; and"

Page 5, line 7, delete "(9)" and insert "(11)"

Page 9, line 5, delete "\$ . . . . ." and insert "\$104,000"

Page 9, line 7, after the period, insert "The amount appropriated from the general fund to the pollution control agency for hazardous waste control for fiscal years 1992 and 1993 by S.F. No. 1533 is reduced by \$220,000 in order to reflect the transfer of responsibilities provided for in this act."

Page 9, line 8, delete “. . . . .” and insert “one”

Page 9, line 10, delete “. . . . .” and insert “two.”

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

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

S.F. No. 208: A bill for an act relating to motor vehicles; providing for seven-year, in transit license plates for motor vehicle dealers; amending Minnesota Statutes 1990, sections 168.12, subdivision 1; 168.27, subdivisions 16 and 17; and 297B.035, subdivision 2.

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

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

S.F. No. 105: A bill for an act relating to appropriations; removing certain directions, limits, and provisos on the use of money for certain projects; amending Laws 1990, chapter 610, article 1, section 9, subdivision 1.

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

Page 1, after line 6, insert:

“Section 1. [MINNEAPOLIS AND HASTINGS VETERANS HOMES; LONG-RANGE PLAN; RELOCATION OF RESIDENTS.]

*Subdivision 1. [LONG-RANGE PLAN.] The veterans nursing home board shall develop a long-range plan for the Minneapolis and Hastings campuses. The plan must include a physical plant assessment of all buildings on the two campuses, a proposal for the configuration of nursing and domiciliary beds on each campus or on alternative sites, and a determination of how to best meet the present and future needs of veterans. The report shall consider cost estimates and systemwide objectives for serving veterans. The board shall report to the legislature by February 15, 1992. Until the report is submitted to the legislature, the department of health shall not reduce the licensed bed capacity for the Minneapolis veterans home during the biennium ending June 30, 1993.*

*Subd. 2. [RELOCATION OF RESIDENTS.] The board shall relocate all residents and programs from building 6 on the Minneapolis campus by October 1, 1991.”*

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert “requiring a long-range plan for the Minneapolis and Hastings veterans homes; requiring relocation of residents;”

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

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

S.F. No. 786: A bill for an act relating to agriculture; making changes in the plant and animal pest control act; amending Minnesota Statutes 1990, sections 18.46, subdivisions 6, 9, and by adding a subdivision; 18.49, subdivision 2; 18.51; 18.52, subdivisions 1, 2, and 5; 18.54, subdivision 2; 18.55; 18.56; 18.57; and 18.60.

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

Page 2, line 26, reinstate the stricken "\$40" and delete the new language

Page 2, line 29, reinstate the stricken "\$60" and delete the new language

Page 2, line 32, reinstate the stricken "\$125" and delete the new language

Page 2, line 35, reinstate the stricken "\$360" and delete the new language

Page 3, line 2, delete "*for the first*"

Page 3, delete lines 3 and 4

Page 3, line 36, reinstate the stricken language and delete the new language

Page 4, lines 2 to 18, reinstate the stricken language and delete the new language

Page 7, line 11, after the first comma, insert "*Minnesota Statutes 1990*" and delete "*13*" and insert "*18.60*"

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

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

S.F. No. 1116: A bill for an act relating to counties; permitting counties to spend money for broadcast facilities; amending Minnesota Statutes 1990, section 375.164.

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

Page 1, line 8, after "*NONCOMMERCIAL*" insert "*BROADCAST FACILITIES*" and after "*TRANSLATOR*" delete "*BROADCAST*"

Page 1, line 14, strike "in the county"

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

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

S.F. No. 510: A bill for an act relating to agriculture; changing the egg law; imposing a penalty; amending Minnesota Statutes 1990, sections 29.21, by adding subdivisions; 29.22; 29.23; 29.235; 29.26; and 29.27; proposing coding for new law in Minnesota Statutes, chapter 29.

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

Pages 2 to 4, delete section 9

Page 5, lines 18 and 19, delete "*16*" and insert "*15*"

Page 5, line 33, delete "40" and insert "45" and delete "4" and insert "7"

Page 7, line 14, delete "40" and insert "45" and delete "4" and insert "7"

Page 8, delete line 23 and insert:

*"This act is effective July 1, 1991."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "29.22;"

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

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

H.F. No. 882: A bill for an act relating to traffic regulations; increasing criminal and civil penalties for littering; amending Minnesota Statutes 1990, sections 169.42, subdivision 5; and 169.421, subdivision 4.

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

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

H.F. No. 722: A bill for an act relating to the military; clarifying language about certain money appropriated for land acquisition; amending Minnesota Statutes 1990, section 190.25, subdivision 3.

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 275, 783, 208, 105, 786, 1116 and 510 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 882 and 722 were read the second time.

## MOTIONS AND RESOLUTIONS - CONTINUED

Messrs. Spear and Kelly introduced—

Senate Resolution No. 69: A Senate resolution congratulating William E. Falvey for his exceptional service to the citizens of Minnesota during his service on the Minnesota Sentencing Guidelines Commission.

Referred to the Committee on Rules and Administration.

Messrs. Spear and Kelly introduced—

Senate Resolution No. 70: A Senate resolution congratulating Stephen C. Rathke for his exceptional service to the citizens of Minnesota during his service on the Minnesota Sentencing Guidelines Commission.

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. Hughes in the chair.

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

S.F. Nos. 906, 1316 and H.F. Nos. 155, 1054, which the committee recommends to pass.

H.F. No. 1151, which the committee recommends to pass with the following amendment offered by Mr. Kelly:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 469.084, is amended by adding a subdivision to read:

*Subd. 15. [BID LAW EXEMPTION.] If the port authority receives real property through termination of a revenue agreement, as defined in section 469.153, subdivision 10, or as the result of refinancing and contracts with a corporation to operate the property, the corporation may sell, purchase, or rent supplies, materials, or equipment, or construct, alter, expand, repair, or maintain the real property without regard to section 471.345.*

Sec. 2. [GENERAL OBLIGATION BONDS.]

*The sale of general obligation school building bonds, under the authority of Laws 1990, chapter 604, article 8, section 10, and pursuant to a resolution of the governing body of independent school district No. 625 adopted by a two-thirds majority vote on April 16, 1991, is valid.*

Sec. 3. [EFFECTIVE DATE.]

*Section 1 is effective the day following final enactment. Section 2 is effective on the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of independent school district No. 625.”*

Delete the title and insert:

“A bill for an act relating to local government; exempting certain St. Paul port authority activities from competitive bidding requirements; validating the sale of certain school building bonds; amending Minnesota Statutes 1990, section 469.084, by adding a subdivision.”

The motion prevailed. So the amendment was adopted.

S.F. No. 809, which the committee recommends to pass with the following amendments offered by Mrs. Pariseau and Mr. McGowan:

Mrs. Pariseau moved to amend S.F. No. 809 as follows:

Page 11, after line 17, insert:

“Sec. 14. Minnesota Statutes 1990, section 609.72, subdivision 1, is amended to read:

Subdivision 1. Whoever does any of the following in a public or private place, knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, is guilty of disorderly conduct, which is a misdemeanor:

- (1) Engages in brawling or fighting; or
- (2) Disturbs an assembly or meeting, not unlawful in its character; or
- (3) Engages in offensive, obscene, ~~or abusive language or in~~, boisterous ~~and~~, or noisy conduct ~~or in offensive, obscene, or abusive language~~ tending reasonably to arouse alarm, anger, or resentment in others.

A person does not violate this section if the person's disorderly conduct was caused by an epileptic seizure."

Page 12, line 4, delete "15" and insert "16"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 21, after the first semicolon, insert "609.72, subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. McGowan moved to amend S.F. No. 809 as follows:

Page 9, delete lines 29 and 30

Page 11, line 6, delete "*Proof of a*" and insert "*Possession of*"

Page 11, line 7, delete "*prior*" and after "*written*" insert "*evidence of prior*"

The motion prevailed. So the amendment was adopted.

H.F. No. 525, which the committee recommends to pass with the following amendment offered by Mr. Beckman:

Amend H.F. No. 525, as amended pursuant to Rule 49, adopted by the Senate May 1, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1099.)

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

Page 4, line 4, before the period, insert "; *or*"

(5) *the individual is a licensed physician, who has 480 hours of experience in a licensed chemical dependency program*"

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.

### MEMBERS EXCUSED

Mr. Gustafson was excused from the Session of today from 4:05 to 4:25 p.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:30 p.m., Tuesday, May 7, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate