

## FORTY-EIGHTH DAY

St. Paul, Minnesota, Tuesday, May 7, 1991

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

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rabbi Norman M. Cohen.

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

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

The President declared a quorum present.

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

May 3, 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
	331	44	4:25 p.m. May 2	May 2
	73	45	4:31 p.m. May 2	May 2
	739	58	4:35 p.m. May 2	May 2

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 719:

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 2l, 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.

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

Greenfield; Rodosovich; Anderson, R.; Murphy and Segal have been appointed as such committee on the part of the House.

House File No. 719 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 6, 1991

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 719, 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. 1631.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1991

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1631: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; consolidating certain funds and accounts and making conforming changes; changing the organization, operation, financing, and management of certain courts and related offices; amending Minnesota Statutes 1990, sections 2.722, subdivision 1, and by adding a subdivision; 3.885, subdivisions 3 and 6; 8.06; 14.07, subdivisions 1 and 2; 14.08; 14.26; 15.191, subdivision 1; 15.50, subdivision 3; 15A.081, subdivision 1; 16A.27, subdivision 5; 16A.45, subdivision 1; 16A.641, subdivision 3; 16A.662, subdivision 4; 16A.672, subdivision 9; 16A.69, by adding a subdivision; 16A.721, subdivision 1; 16B.24, subdivisions 5 and 6; 16B.36, subdivision 1; 16B.41, subdivision 2, and by adding a subdivision; 16B.465, subdivision 4; 16B.48, subdivision 2; 17.49, subdivision 1; 62D.122; 62J.02, subdivisions 2 and 3; 69.031, subdivision 5; 69.77, subdivision 2b; 79.34, subdivision 1; 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; 116J.8765, by adding a subdivision; 116L.03, subdivisions 1 and 2; 124C.03, subdivisions 2, 3, 8, 9, 10, 12, 14, 15, and 16; 126A.02, subdivisions 1 and 2; 126A.03; 128C.12, subdivision 1; 138.17, subdivision 1; 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; 160.276, by adding a subdivision; 214.141; 256H.25, subdivision 1; 268.361, subdivision 3; 271.06, subdivision 4; 271.19; 275.14; 275.51, subdivision 6; 275.54, subdivision 3; 299A.30, subdivision 2; 299A.31, subdivision 1; 299A.40, subdivision 4; 356.215, subdivisions 4d and 4g; 356.216; 357.24; 363.121; 368.01, subdivision 1a;

373.40, subdivision 1; 402.045; 422A.05, by adding subdivisions; 422A.101; 422A.17; 422A.23, subdivision 2; 423A.01, subdivision 2; 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; 474A.03, by adding a subdivision; 477A.011, subdivisions 3 and 3a; 477A.014, subdivision 4; 480.181, by adding a subdivision; 480.24, subdivision 3; 480.242, subdivision 2 and by adding a subdivision; 481.10; 490.124, subdivision 4; 504.34, subdivisions 5 and 6; 590.05; 593.48; 609.101, subdivision 1; 611.14; 611.17; 611.18; 611.20; 611.25, subdivision 1; 611.26, subdivision 6, and by adding subdivisions; 611.27, subdivisions 1 and 4; 626.861, by adding a subdivision; 643.29, subdivision 1; Laws 1989, chapter 319, article 19, sections 6; and 7, subdivision 1, and subdivision 4, as amended; chapter 335, article 1, section 7; article 3, section 44, as amended; and Laws 1990, chapter 610, article 1, section 27; proposing coding for new law in Minnesota Statutes, chapters 4; 7; 16A; 16B; 43A; 116J; 270; 356; and 471; repealing Minnesota Statutes 1990, sections 3C.035, subdivision 2; 3C.056; 8.15; 14.32, subdivision 2; 40A.02, subdivision 2; 40A.08; 116K.01; 116K.02; 116K.03; 116K.04; 116K.05; 116K.06; 116K.07; 116K.08; 116K.09; 116K.10; 116K.11; 116K.12; 116K.13; 116K.14; 144.861; 144.874, subdivision 7; 480.250; 480.252; 480.254; 480.256; 611.215, subdivision 4; 611.261; 611.28; 611.29; Laws 1989, chapter 335, article 3, section 54, as amended; and Laws 1990, chapter 604, article 9, section 14.

Mr. Moe, R.D. moved that H.F. No. 1631 be laid on the table. 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. 109: A bill for an act relating to judicial administration; increasing fees; eliminating fees; decreasing the number of certified copies of marriage licenses prepared; expanding the probate surcharge to informal probate matters; amending Minnesota Statutes 1990, sections 357.021, subdivision 2; 517.101; and 525.5501, 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 referred

S.F. No. 740: A bill for an act relating to state finance; providing for the uses of imprest funds, the cancellation of warrants, the costs of data searches, the conditions and uses of bonds, and certain account rules; appropriating money; amending Minnesota Statutes 1990, sections 15.191, subdivision 1; 16A.45, subdivision 1; 16A.641, subdivision 3; 16A.662, subdivision 4; 16A.672, subdivision 9; and 16A.721, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Page 1, after line 11, insert:

“Section 1. Minnesota Statutes 1990, section 13.03, subdivision 3, is amended to read:

Subd. 3. [REQUEST FOR ACCESS TO DATA.] Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. *If the responsible authority is a state agency, the amount received is appropriated to the agency and added to the appropriations from which the costs were paid.* If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, data base, or system developed with a significant expenditure of public funds by the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.”

Page 2, delete section 3

Page 3, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after “sections” insert “13.03, subdivision 3;”

Page 1, line 8, delete “16A.662, subdivision 4;”

Page 1, line 9, delete “; proposing” and insert a period

Page 1, delete line 10

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

adopted.

Mr. Merriam from the Committee on Finance, to which was referred S.F. No. 1528: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Delete everything after the enacting clause and insert:

“Section 1. [DEPARTMENT OF CORRECTIONS.]

*Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of corrections for payment to the persons named in this section in full and final payment of claims against the state. These appropriations are available until June 30, 1992.*

*Subd. 2. Ovis Adonay, at Minnesota correctional facility - Stillwater, for artists' supplies lost due to mishandling by prison staff . . . . . \$25.00.*

*Subd. 3. Charles Croud, 3550 Penn Avenue North, Apartment #3, Minneapolis, MN 55422, for injury to his left index finger sustained while working at Minnesota correctional facility - Stillwater . . . . . \$1,875.00.*

*Subd. 4. William Daher, 685 106th Lane Northwest, Apartment #3, Coon Rapids, MN 55433, for injury to the third finger on his left hand sustained while working at Minnesota correctional facility - Stillwater . . . . . \$1,875.00.*

*Subd. 5. Daniel Goodbear, Minnesota correctional facility - Lino Lakes, for belongings lost due to mishandling by prison staff . . . . . \$75.00.*

*Subd. 6. William Helenboldt, Minnesota correctional facility - Stillwater, for injury to his left hand sustained while working at Minnesota correctional facility - Stillwater, \$11,400.00.*

*Subd. 7. Carla Rae Horn, 1697 Ford Parkway, St. Paul, MN 55116, for damage to a television set due to mishandling by prison staff at Shakopee . . . . . \$50.00.*

*Subd. 8. Perry Immerman, 236 Clifton Avenue, Minneapolis, MN 55403, for injuries sustained to his right thumb while working at Minnesota correctional facility - Lino Lakes . . . . . \$1,125.00.*

*Subd. 9. Peter Jessen, c/o James Reichert, Attorney, 915 Grain Exchange Building, 400 South 4th Street, Minneapolis, MN 55415, for injury to his left thumb, index and middle fingers sustained while working at Minnesota correctional facility - Lino Lakes . . . . . \$19,125.00.*

*Subd. 10. Louis Linskie, c/o John Kuukari, 211 West 2nd Street - 3rd Floor, Duluth, MN 55802, for injury to the second, third, and fourth fingers of his right hand sustained while working at Minnesota correctional facility - St. Cloud . . . . . \$2,250.00.*

*Subd. 11. John Murphy, Minnesota correctional facility - Stillwater, for belongings lost due to mishandling by prison staff . . . . . \$140.00.*

*Subd. 12. Darrell Olson, Minnesota correctional facility - St. Cloud, for injury to the fifth finger of his left hand sustained while working at Minnesota correctional facility - St. Cloud . . . . . \$1,125.00.*

*Subd. 13. Michael Picht, 14100 North 78th Avenue, Peoria, AZ 85345, for injury to the fifth finger on his left hand sustained while working at Minnesota correctional facility - Willow River/Moose Lake . . . . . \$562.50.*

*Subd. 14. For reimbursement to state or local agencies of amounts paid for medical services to individuals who were injured while performing community service work for correctional purposes under Minnesota Statutes, section 3.739:*

*(1) for claims under \$500.00 each . . . . . \$2,465.28; and*

*(2) for medical services provided to Jon R. Soleta, for injuries sustained when he fell from a trailer at Talcot Park in Cottonwood county while loading drainfield sections as part of his community service requirement . . . . . \$12,258.82.*

**Sec. 2. [DEPARTMENT OF PUBLIC SAFETY.]**

*Subdivision 1. The sums set forth in this section are appropriated from the trunk highway fund to the commissioner of public safety for payment to the persons named in this section in full and final payment for fines assessed due to erroneous weight limits posted on the Champlin bridge. The appropriation is available until June 30, 1992.*

*Subd. 2. Aqua City Irrigation, 5428 Nicollet Avenue, Minneapolis, MN 55419 . . . . . \$156.00.*

*Subd. 3. Frank Brody, 3805 Reservoir Boulevard, Minneapolis, MN 55421 . . . . . \$2,444.00.*

*Subd. 4. Bumgardners Asphalt Company, 396 Dayton Avenue, St. Paul, MN 55102 . . . . . \$876.00.*

*Subd. 5. Commercial Furniture Movers Inc., 4301 Highway 7, St. Louis Park, MN 55416 . . . . . \$1,532.00.*

*Subd. 6. Crosstown Sign Company, 10166 Central Avenue NE, Minneapolis, MN 55434 . . . . . \$460.00.*

*Subd. 7. Egan-McKay Electrical Contractors, Inc., 7100 Medicine Lake Road, Minneapolis, MN 55427 . . . . . \$642.00.*

*Subd. 8. Eagle Express Inc. and Mark Staley, 3980 South Kingan, Apartment 205, St. Francis, WI 53207 . . . . . \$300.00.*

*Subd. 9. Elk River Concrete Products, 7575 Golden Valley Road, Minneapolis, MN 55427 . . . . . \$3,429.00.*

*Subd. 10. Michael L. Fries, 215 West Raven Street, Belle Plaine, MN 56011 . . . . . \$748.00.*

*Subd. 11. Meyer Golden, 8117 North 28th Avenue, New Hope, MN 55427 . . . . . \$1,068.00.*

*Subd. 12. Green Field Trans. Co. Inc., P.O. Box 1235, Fort Dodge, IA 50501 . . . . . \$1,580.00.*

*Subd. 13. Layson Inc., P.O. Box 94045, Washington, MI 48094 . . . . . \$2,406.00.*

*Subd. 14. McDonough Truck Line, Inc., 3105 Industrial Drive, Faribault, MN 55021 . . . . . \$1,484.00.*

*Subd. 15. Moyer Trucking Corp., c/o North Star Transport, Inc., 837 Apollo*



Road, P.O. Box 21-307, St. Paul, MN 55121 . . . . . \$2,186.00.

Subd. 16. Muller Pribyl Util. Inc., 2402 Hwy. 55, Hamel, MN 55340  
. . . . . \$60.00.

Subd. 17. Noble Nursery Inc., 10530 Troy Lane, Maple Grove, MN 55369  
. . . . . \$828.00.

Subd. 18. Northern States Power Co., 414 Nicollet Mall, Minneapolis, MN  
55401 . . . . . \$4,268.00.

Subd. 19. Overnite Express Inc., 501 16th Street, P.O. Box 250, Newport,  
MN 55055 . . . . . \$2,652.00.

Subd. 20. Phil Mark Excavating Inc., Route 1, Box 152, Clearwater, MN  
55320 . . . . . \$2,716.00.

Subd. 21. Product Fabricators Inc., Industrial Park, North Branch, MN  
55056 . . . . . \$940.00.

Subd. 22. Specialized Hauling Inc., P.O. Box 567, 1500 Omaha Street,  
Sioux City, IA 51102 . . . . . \$4,953.00.

Subd. 23. Structural Component Supply Company, 1029 North 4th, Cannon  
Falls, MN 55009 . . . . . \$780.00.

Subd. 24. Tropical Gardens 1, Inc., 1296 Kowalski Road, Mosinee, WI  
54455 . . . . . \$556.00.

Subd. 25. Universal Am-Can, Ltd., P.O. Box 2007, Warren, MI 48090-  
9938 . . . . . \$1,500.00.

### Sec. 3. [DEPARTMENT OF TRANSPORTATION.]

*Subdivision 1. The department of transportation shall pay the actual costs of connecting the persons named in this section to city water, including frontage assessments, meter charges, connection fees, and hookup costs not to exceed the amounts specified. Acceptance by a claimant of the department's action under this section is a complete settlement of the claimant's claim for damages resulting from contamination of residential water.*

Subd. 2. David Hoheisel, Route 2, Box 32, Little Falls, MN 56345  
. . . . . \$5,000.00.

Subd. 3. Mark Ray Miedema, 204 14th St. SW, Little Falls, MN 56345  
. . . . . \$7,000.00.

Subd. 4. Donald E. Opatz, Route 2, P.O. Box 342, Little Falls, MN 56345  
. . . . . \$5,000.00.

Subd. 5. George and Marlys Winskowski, Route 2, Box 6, Little Falls, Min-  
nesota 56345 . . . . . \$5,000.

### Sec. 4. [DEPARTMENT OF NATURAL RESOURCES.]

*Subdivision 1. The sum set forth in this section is appropriated from the general fund to the commissioner of natural resources for payment to the persons named in full and final payment of claims against the state. The appropriation is available until June 30, 1992.*

Subd. 2. Douglas and Kathy Grossman, 32163 North Lakes Trail, Lind-  
strom, MN 55045, for damages incurred as a result of the department of nat-  
ural resources' failure to inform claimants about required permits . . . . .  
\$7,500.00.

Sec. 5. [DEPARTMENT OF PUBLIC SAFETY; LEGAL DEFENSE COSTS.]

*Subdivision 1. The sums set forth in this section are appropriated from the trunk highway fund to the commissioner of public safety for payment to the persons named in full and final payment of claims against the state. The appropriations are available until June 30, 1992.*

*Subd. 2. Philip H. Hodapp, 140 Meadow Lane, Mankato, MN 56001, for legal defense costs relating to possible criminal negligence charges resulting from a motor vehicle accident while performing duties for the state patrol . . . . . \$3,500.00.*

*Subd. 3. Michael A. Theis, 1206 Barrette Street, Apartment #103, Crookston, MN 56716, for legal defense costs relating to possible criminal negligence charges resulting from a motor vehicle accident while performing duties for the state patrol . . . . . \$2,567.61.*

Sec. 6. [DEPARTMENT OF TRANSPORTATION.]

*Subdivision 1. The sum set forth in this section is appropriated from the trunk highway fund to the commissioner of transportation for payment to the person named in full and final payment of claims against the state. The appropriation is available until June 30, 1992.*

*Subd. 2. Acton Township, Meeker County, c/o Don Slinden, Jr., R.R. 2, Box 248, Awater, Minnesota, for chloride used as dust control on township roads that were used as an alternative to a state-established detour . . . . . \$7,488.00.*

Sec. 7. [DEPARTMENT OF VETERANS AFFAIRS.]

*Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of veterans affairs for payment to the persons named in full and final payment of claims against the state for adjusted compensation arising from World War II, the Korean conflict, and Vietnam service. The appropriations are available until June 30, 1992.*

*Subd. 2. [WORLD WAR II.] Lester H. Bock, 10469 Woodrow Road NE, Brainerd, MN 56401 . . . . . \$360.00.*

*Subd. 3. [WORLD WAR II-MERCHANT MARINE.] Harrison T. Alink, 803 6th Avenue SE, Austin, MN 55912 . . . . . \$60.00.*

*Archer L. Anderson, 5938 Sheridan Avenue South, Minneapolis, MN 55410 . . . . . \$195.00.*

*Douglas R. Anderson, 6505 21st Avenue South, Richfield, MN 55423 . . . . . \$240.00.*

*Orrie M. Anderson, Box 227, Adams, MN 55909 . . . . . \$60.00.*

*Raymond C. Anderson, 6825 West Broadway, Brooklyn Park, MN 55428 . . . . . \$390.00.*

*Edward J. Andryski, 3105 North Zenith Avenue, Robbinsdale, MN 55422 . . . . . \$30.00.*

*William D. Best, 2106 10th Place NE, Austin, MN 55912 . . . . . \$315.00.*

*Leonard F. Block, 304 10th Street NW, Austin, MN 55912 . . . . . \$270.00.*

*John M. Brommer, 10617 Queen Avenue South, Bloomington, MN 55431*  
 . . . . . \$180.00.

*Robert E. Clappier, 7149 Coachwood Road, Woodbury, MN 55125*  
 . . . . . \$195.00.

*Stanley W. Cox, 528 East 131st Street, Burnsville, MN 55337* . . . . .  
 \$90.00.

*Elmer B. Deick, 1207 6th Avenue Southwest, Austin, MN 55912* . . . . .  
 \$225.00.

*Delbert F. DeMars, 2663 16th Avenue East, North St. Paul, MN 55109*  
 . . . . . \$75.00.

*Ivan W. DeMars, 3890 Van Dyke Street, White Bear Lake, MN 55110*  
 . . . . . \$285.00.

*Oliver H. Dunn, 612 South Missouri Avenue, Belleville, IL 62220* . . . . .  
 \$400.00.

*Leonard S. Dzieweczynski, R.R. 1, Box 58, Swanville, MN 56382* . . . . .  
 \$60.00.

*Harold R. Freeberg, 2985 North Fairview, St. Paul, MN 55113* . . . . .  
 \$300.00.

*Thomas H. Gallagher, 4113 20th Avenue South, Minneapolis, MN 55407*  
 . . . . . \$390.00.

*Laurel L. Glessing, Highway 12 West, Cokato, MN 55321* . . . . .  
 \$45.00.

*Leonard G. Hensel, P.O. Box 276, Howard Lake, MN 55349* . . . . .  
 \$60.00.

*Harold R. Johnson, 1310 10th Avenue Northwest, Austin, MN 55912*  
 . . . . . \$15.00.

*Reuben E. Johnson, HCR 3, Box 195, Lutsen, MN 55604* . . . . .  
 \$255.00.

*William D. Liebelt, 1571 Wheelock Lane, Apartment #203, St. Paul, MN*  
 55117 . . . . . \$150.00.

*Kenneth L. Lockway, 332 Maria Avenue, St. Paul, MN 55106* . . . . .  
 \$135.00.

*Austin G. McCann, 537 St. Andrews Drive, Waite Park, MN 56387*  
 . . . . . \$60.00.

*Terrance R. McCullen, 13407 Wagner Drive, Bayonet Point, FL 34667*  
 . . . . . \$240.00.

*Alvin J. Metelak, 5442 North Central Avenue, Chicago, IL 60630* . . . . .  
 \$45.00.

*James E. Neuwirth, 4400 Southeast Naef Road, Apartment #F-24, Mil-*  
*waukie, OR 97267* . . . . . \$285.00.

*Earl L. Olson, P.O. Box 2069, Stillwater, MN 55082* . . . . . \$120.00.

*Robert L. Pagel, 3954 Southview Drive, San Diego, CA 92117* . . . . .  
 \$210.00.

*Harold R. Quesenberry, 1130 Richards Avenue, Colorado Springs, CO*

80906 . . . . . \$375.00.

*F. Milo Reker, 1603 Okabena Street, Worthington, MN 56187 . . . . . \$75.00.*

*George W. Savage, 19450 Bauer Circle, Hastings, MN 55033 . . . . . \$240.00.*

*Earl A. Schwartz, 7374 Irvin Avenue South, Cottage Grove, MN 55016 . . . . . \$75.00.*

*Ellard L. Skuza, 5637 North East River Road, Sauk Rapids, MN 56379 . . . . . \$105.00.*

*Arnold J. Trombley, 321 3rd Street, Elk River, MN 55330 . . . . . \$370.00.*

*Warren E. Velenchenko, 9100 Portland Avenue South, Bloomington, MN 55420 . . . . . \$375.00.*

*Robert H. Vierkant, 4738 45th Street NE, Sauk Rapids, MN 56379 . . . . . \$120.00.*

*Arthur V. Wenner, 312 Dudrey Court, Moorhead, MN 56560 . . . . . \$255.00.*

*Jacob Westra, 714 14th Street Northeast, Austin, MN 55912 . . . . . \$45.00.*

*Subd. 4. [WORLD WAR II-BENEFICIARY.] Sidonia B. Baker, 407 SW 11th Avenue, Apartment #115, Forest Lake, MN 55025 . . . . . \$195.00.*

*Lois I. Bowers, 604 North 4th Street, Stillwater, MN 55082 . . . . . \$120.00.*

*Lucille T. Hansen, 899 Cleveland Avenue, Apartment #910, St. Paul, MN 55116 . . . . . \$165.00.*

*Subd. 5. [KOREAN.] Marilyn J. Amerson, 200 NE 1st Avenue, Apartment #1010A, Austin, MN 55912 . . . . . \$127.50.*

*Charles R. Herrmann, 28339 98-1/2 Street, Zimmerman, MN 55398 . . . . . \$97.50.*

*John A. Hodgkin, 6408 Hampshire Avenue North, Minneapolis, MN 55428 . . . . . \$120.00.*

*Granville O. McGee, 4357 Oakland Avenue, Minneapolis, MN 55407 . . . . . \$37.50.*

*Durward C. Peterson, 716 Walsh Street, Crookston, MN 56716 . . . . . \$45.00.*

*Richard L. Radiske, P.O. Box 92, Whipholt, MN 56485 . . . . . \$90.00.*

*George W. Schuneman, Jr., 2222 Blaisdell Avenue South, Apartment #104, Minneapolis, MN 55404 . . . . . \$82.50.*

*Subd. 6. [VIETNAM.] Lloyd E. Arne, Route 2, Box 310, Holly Ridge, NC 28448 . . . . . \$600.00.*

*Perry J. Bakker, Route 2, Box 191, Shell Lake, WI 54871 . . . . . \$600.00.*

*Dana R. Berg, 1415 22nd Street, Apartment #604, Minneapolis, MN 55404 . . . . . \$225.00.*

- Scott H. Boland, Route 3, Box 511A, Mora, MN 55051 . . . . . \$600.00.*
- Lee W. Brown, 510 Folsom Street, Taylors Falls, MN 55084 . . . . . \$300.00.*
- Dennis A. Dandurand, 257 East Park Street, Granite Falls, MN 56241 . . . . . \$100.00.*
- Robert E. Demel, 516 Whitley Avenue, Joliet, IL 60433 . . . . . \$600.00.*
- Douglas D. Dopp, 7925 Quail Avenue North, Brooklyn Park, MN 55443 . . . . . \$285.00.*
- Edward T. Douglas, 5103 Minnehaha Avenue South, Apartment #8, Minneapolis, MN 55417 . . . . . \$225.00.*
- Thomas L. Everson, 210 Elm Avenue, Apartment #7, Montgomery, MN 56069 . . . . . \$100.00.*
- Gary W. Fish, 7464 Colfax Avenue North, Brooklyn Park, MN 55444 . . . . . \$570.00.*
- Manuel Franco, 292 East Robie Street, St. Paul, MN 55107 . . . . . \$100.00.*
- Gene R. Grindstaff, 8419 Oakland Avenue South, Bloomington, MN 55420 . . . . . \$600.00.*
- James D. Hanson, 13172 Hastings Street Northeast, Blaine, MN 55434 . . . . . \$435.00.*
- James B. Kelly, 4295 Liberty Road South, Salem, OR 97302 . . . . . \$100.00.*
- Larry H. Larson, 1063 1st Avenue South, St. James, MN 56081 . . . . . \$100.00.*
- Stephen J. Larson, 2937 Garfield Avenue South, Minneapolis, MN 55408 . . . . . \$165.00.*
- Daniel A. Lee, 516 Fowler Street, Faribault, MN 55021 . . . . . \$300.00.*
- Kirsten A. Malecha, 193 Strese Lane, Apple Valley, MN 55124 . . . . . \$300.00.*
- Norlan J. Malecha, 193 Strese Lane, Apple Valley, MN 55124 . . . . . \$300.00.*
- Theodore G. Mandeville, 3510 23rd Avenue South, Minneapolis, MN 55407 . . . . . \$100.00.*
- Daniel T. McCabe, 123 West 14th Street, Hastings, MN 55033 . . . . . \$100.00.*
- Michael L. McCarty, 5421 Ponds Drive North, Brooklyn Center, MN 55429 . . . . . \$100.00.*
- Timothy V. Milke, 7030 255th Street East, Faribault, MN 55021 . . . . . \$300.00.*
- Richard A. Patrick, 765 Rose, St. Paul, MN 55106 . . . . . \$300.00.*
- James E. Payne, 1171 Marion, St. Paul, MN 55117 . . . . . \$210.00.*
- Orlan N. Pederson, 381-112 Wabasha, Apartment #2, St. Paul, MN 55101 . . . . . \$300.00.*

*Dale O. Roman, Dom #2, VAMC, 4801 8th Street North, St. Cloud, MN 56303 . . . . . \$195.00.*

*Richard A. Rude, P.O. Box 39, Motley, MN 56466 . . . . . \$105.00.*

*Richard L. Schultz, 1512 St. Paul Road, Apartment #A-8, Owatonna, MN 55060 . . . . . \$600.00.*

*Thomas E. Schwietz, 425 West Ormsby, Apartment #307, Louisville, KY 40203 . . . . . \$600.00.*

*Alvin E. Seitz, 717 20th Street NW, Bemidji, MN 56601 . . . . . \$150.00.*

*John M. Spande, 2840 Highview Drive, Highway 13, Eagan, MN 55121 . . . . . \$195.00.*

*Frank J. Valentine, 2541 34th Avenue South, Minneapolis, MN 55406 . . . . . \$600.00.*

Sec. 8. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

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. 607: A bill for an act relating to highways; permitting the inclusion of certain city streets in the county state-aid street system; amending Minnesota Statutes 1990, section 162.02, subdivision 12.

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. 559: A bill for an act relating to motor fuels; requiring the sale of oxygenated gasoline; amending Minnesota Statutes 1990, sections 239.76, by adding a subdivision; and 296.01, by adding a subdivision.

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

Page 1, line 11, delete everything after "sale" and insert "for use in motor vehicles."

Page 1, delete line 12

Page 1, after line 18, insert:

"Sec. 3. Minnesota Statutes 1990, section 296.02, subdivision 8, is amended to read:

Subd. 8. [TAX REDUCTION FOR AGRICULTURAL ALCOHOL GASOLINE SOLD ~~IN BULK~~ TO GOVERNMENT OR FOR SCHOOL TRANSPORTATION.] A distributor shall be allowed a credit of 80 cents for every gallon of fuel grade alcohol blended with gasoline to produce agricultural alcohol gasoline which is sold ~~in bulk~~ to the state, local units of government, or for use in the transportation of pupils to and from school-related events in school vehicles. This reduction is in lieu of the reductions provided in subdivision 7."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "changing a requirement for the agricultural alcohol gasoline tax reduction;"

Page 1, line 4, delete "and"

Page 1, line 5, before the period, insert "; and 296.02, subdivision 8"

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

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

H.F. No. 606: A bill for an act relating to transportation; authorizing state departments to cancel uncollectible debts up to \$200 in certain cases; allowing department of transportation to employ debt collection services; allowing department of transportation to make direct expenditures from state aid funds for administrative expenses; providing penalty for failure to pay fee for sign permit more than 30 days after fee is due; providing when estimates of certain construction projects are nonpublic data; directing the commissioner of transportation to adopt rules governing the location and breakaway standards for mailbox installations; allowing white strobe lamps to be used on highway maintenance vehicles; authorizing exchange of lands with Grand Portage Band of Chippewa Indians; abolishing conflicting requirements related to market artery highways; adding a route and changing the description of a route in the state highway system; providing a penalty; amending Minnesota Statutes 1990, sections 10.12; 13.72, subdivision 1; 161.20, subdivision 4; 162.06, subdivision 2; 162.12, subdivision 2; 169.64, by adding a subdivision; and 173.13, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, section 169.833.

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

Amend the report from the Committee on Judiciary, adopted by the Senate April 24, 1991, as follows:

Page 8, after line 35, insert:

"Sec. 11. Laws 1990, chapter 610, article 1, section 13, subdivision 4, is amended to read:

Subd. 4. Federal Aid Demonstration	5,600,000
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*Program and Federal Discretionary Bridge Fund Matching*

*This appropriation is from the state transportation fund. Any amount used for the federal discretionary bridge match is intended to reduce the amount available for the federal aid demonstration program, not supplement it."*

ReNUMBER the sections in sequence

Amend the title amendment as follows:

Page 9, line 20, after the first semicolon, insert "providing money for the federal discretionary bridge fund;"

Page 9, line 22, delete "and"

Page 9, line 23, after the semicolon, insert "and Laws 1990, chapter 610, article 1, section 13, subdivision 4;"

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. 74: A bill for an act relating to natural resources; establishing Glendalough state park; prescribing the powers and duties of the commissioner of natural resources in relation thereto; appropriating money; amending Minnesota Statutes 1990, section 85.012, by adding a subdivision.

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

Page 1, delete lines 24 to 26 and insert:

*"Subd. 3. [PAYMENT IN LIEU OF TAXES FOR PRIVATE TRACTS.] (a) If a tract or lot or privately owned land is acquired for inclusion within Glendalough state park and, as a result of the acquisition, taxes are no longer assessed against the tract or lot or improvements on the tract or lot, the following amount shall be paid by the commissioner of natural resources to Otter Tail county for distribution to the taxing districts:*

*(1) in the first year after taxes are last required to be paid on the property, 55 percent of the last required payment;*

*(2) in the second year after taxes are last required to be paid on the property, 40 percent of the last required payment; and*

*(3) in the third year after taxes are last required to be paid on the property, 20 percent of the last required payment.*

*(b) The commissioner shall make the payments from money appropriated for state park maintenance and operation. The county auditor shall certify to the commissioner of natural resources the total amount due to a county on or before March 30 of the year in which money must be paid under this section. Money received by a county under this subdivision shall be distributed to the various taxing districts in the same proportion as the levy on the property in the last year taxes were required to be paid on the property."*

Page 2, delete lines 1 to 22

Page 3, delete lines 21 to 30

Page 3, line 31, delete "6" and insert "5"

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

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. 441: A bill for an act relating to commerce; modifying provisions relating to certain motor vehicle accident prevention courses; appropriating money; amending Minnesota Statutes 1990, section 65B.28, subdivision 2,



and by adding subdivisions.

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

Page 2, line 16, delete “. *The fee must be limited to*” and insert “*under section 16A.128 to cover*”

Page 2, line 18, delete “*a separate account in*” and insert “*the state treasury and credited to*”

Page 2, line 19, delete from “*The*” through page 2, line 21, to the period

Page 2, after line 21, insert:

“Sec. 4. [APPROPRIATION.]

*\$119,000 is appropriated from the general fund to the commissioner of public safety for motor vehicle accident prevention courses as provided in this act. \$64,000 is for fiscal year 1992 and \$55,000 is for fiscal year 1993.”*

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. 542: A bill for an act relating to traffic regulations; increasing the fine for violating seat belt requirements; removing citation restrictions; reallocating fine receipts; amending Minnesota Statutes 1990, section 169.686, subdivisions 1 and 3.

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

Page 2, line 4, strike “APPROPRIATION; SPECIAL ACCOUNT” and insert “*FINES*”

Page 2, line 6, strike everything after “*treasury*”

Page 2, line 7, strike “*as the emergency medical services relief account*” and delete the new language

Page 2, lines 8 to 17, delete the new language and strike the old language

Page 2, after line 17, insert:

“Sec. 3. [APPROPRIATIONS.]

*\$900,000 each year of the biennium ending June 30, 1993, is appropriated from the general fund to the commissioner of health for distribution to the eight regional emergency medical services systems designated by the commissioner under Minnesota Statutes, section 144.8093, for personnel education and training, equipment and vehicle purchases, and operational expenses of emergency life support transportation services. The board of directors of each emergency medical services region shall establish criteria for funding. \$100,000 each year of the biennium ending June 30, 1993, is appropriated from the general fund to the commissioner of public safety for the expenses of traffic safety educational programs conducted by the state patrol.”*

Page 2, line 18, delete “3” and insert “4”

Amend the title as follows:

Page 1, line 4, after "receipts;" insert "appropriating money;"

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. 982: A bill for an act relating to economic development; changing the name of the Greater Minnesota Corporation; adding duties; providing for a new structure for the board of directors; amending Minnesota Statutes 1990, sections 116O.03, subdivision 2; 116O.04, subdivision 2; 116O.05, subdivision 2; and 116O.09, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116O; repealing Minnesota Statutes 1990, sections 116J.970; 116J.971; and 116O.03, subdivision 2a.

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

Pages 7 and 8, delete sections 16 and 17

Page 8, after line 25, insert:

"Sec. 20. [EFFECTIVE DATE.]

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

Renumber the sections in sequence

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

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

H.F. No. 609: A bill for an act relating to veterans; authorizing the veterans homes board to rent certain facilities; authorizing expenditures of money; amending Minnesota Statutes 1990, section 198.003.

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

Page 2, delete lines 3 to 10 and insert:

"Subd. 4. [VETERANS HOMES RESOURCES ACCOUNT.] *Money received by the board under subdivision 3 must be deposited in the state treasury and credited to a veterans homes resources account in the special revenue fund. Money in the account is appropriated to the board to operate, maintain, and repair facilities used under subdivision 3, and to pay associated legal fees and expenses.*"

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. 1299: A bill for an act relating to agriculture; abolishing refund of checkoff fee paid by paddy wild rice producers; changing the definition of restricted seed potato growing area; amending Minnesota Statutes 1990, sections 17.63; and 21.1196, subdivision 1.

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

Page 2, delete section 2

Delete the title and insert:

"A bill for an act relating to agriculture; abolishing refund of checkoff fee paid by paddy wild rice producers; amending Minnesota Statutes 1990, section 17.63."

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 109, 740, 1528, 607, 559, 74, 441, 542 and 982 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 606, 609 and 1299 were read the second time.

## MOTIONS AND RESOLUTIONS

### 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. 1151: A bill for an act relating to the city of Saint Paul; exempting certain port authority activities from competitive bidding; amending Minnesota Statutes 1990, section 469.084, by adding a subdivision.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1411: A bill for an act relating to housing; requiring counseling for reverse mortgage loans; providing penalties; amending Minnesota Statutes 1990, section 47.58, by adding a subdivision.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 121: A bill for an act relating to education; encouraging a Minnesota international volunteer corps; amending Minnesota Statutes 1990, section 16B.88, by adding a subdivision.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 634: A bill for an act relating to court actions; providing immunity from liability arising out of the use of breath alcohol testing devices in liquor establishments; prohibiting the use of the breath alcohol test as evidence; proposing coding for new law in Minnesota Statutes, chapter 604.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 87: A bill for an act relating to highways; allowing county board of and appropriate town boards in Itasca county to establish and record certain public roads less than four rods in width until December 31, 1995.

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

So the bill passed and its title was agreed to.

H.F. No. 106: A bill for an act relating to towns; providing for money from town road account to be distributed to towns by March 1, annually; amending Minnesota Statutes 1990, section 162.081, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1042: A bill for an act relating to economic development; changing the organization of the department of trade and economic development; amending Minnesota Statutes 1990, section 116J.01, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 155: A bill for an act relating to traffic regulations; authorizing immediate towing of certain unlawfully parked vehicles; amending Minnesota Statutes 1990, section 169.041, subdivision 4.

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 58 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bertram	Finn	Lessard	Metzen	Stumpf
Davis				

So the bill passed and its title was agreed to.

H.F. No. 466: A bill for an act relating to traffic regulations; defining "wrecker" to include new variations of tower vehicles; requiring the use of amber lights on wreckers after January 1, 1992; allowing use of red lights on vehicles of certain emergency response personnel; exempting wreckers from weight requirements under certain circumstances; amending Minnesota Statutes 1990, sections 169.01, subdivision 52; 169.58, subdivision 2;

169.64, subdivision 5; and 169.825, by adding a subdivision.

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

So the bill passed and its title was agreed to.

S.F. No. 809: A bill for an act relating to crimes; providing that it is a prima facie case for certification to adult court if a juvenile used a firearm at the time of the offense or is alleged to have committed a firearms violation after a previous firearms violation; increasing the penalty for furnishing a firearm to a minor; providing for witness protection services; providing for consecutive mandatory minimum sentences for firearm and controlled substances violations; increasing the penalty for theft of a firearm; prohibiting soliciting a juvenile to commit a crime; imposing enhanced penalties for weapons violations in public housing zones; increasing the penalty for unlawful possession of a pistol by a minor; amending Minnesota Statutes 1990, sections 260.125, subdivision 3; 299C.065; 609.05, subdivision 4, and by adding a subdivision; 609.11, by adding a subdivision; 609.52, subdivision 3; 609.66, subdivisions 1, 1a, and by adding subdivisions; 609.72, subdivision 1; 609.902, subdivision 4; 624.713, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

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

So the bill passed and its title was agreed to.

S.F. No. 906: A bill for an act relating to retirement; authorizing purchase of military service credit by a certain teachers retirement association member.

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

So the bill passed and its title was agreed to.

S.F. No. 1316: A bill for an act relating to horse racing; authorizing the commission to adopt rules governing affirmative action plan goals and economic opportunity contract goals; amending Minnesota Statutes 1990, sections 240.06, subdivision 1; 240.07, subdivision 1; 240.19; and 240.23.

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

So the bill passed and its title was agreed to.

H.F. No. 1054: A bill for an act relating to retirement; teachers retirement association; permitting purchases of prior services by certain employees for periods of leave.

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

So the bill passed and its title was agreed to.

H.F. No. 525: A bill for an act relating to insurance; regulating claim denial; requiring chemical dependency claim reviewers to meet certain qualifications; requiring insurers to file an annual report on evaluations with the commissioner of commerce; amending Minnesota Statutes 1990, section 72A.201, subdivision 8.

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

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. 520, 306, 782, 1419, 1284, 1091, 1152, 621, 1204 and H.F. Nos. 1201, 478, 357, 178, 276, 74, 239, 192, 200, 808, 671, 90, 36, 282, 1405, 456, 236, which the committee recommends to pass.

S.F. No. 753, which the committee recommends to pass, after the following motion:

Mr. Hottinger moved to amend S.F. No. 753 as follows:

Page 2, delete section 2

Renumber the sections 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 17 and nays 33, as follows:

Those who voted in the affirmative were:

Adkins	Day	Kelly	Metzen	Storm
Beckman	Frederickson, D.R.	Langseth	Neuville	
Bertram	Gustafson	Larson	Pappas	
Chmielewski	Hottinger	Lessard	Renneke	

Those who voted in the negative were:

Benson, J.E.	Frederickson, D.J.	Kroening	Morse	Riveness
Berglin	Hughes	Luther	Novak	Sams
Cohen	Johnson, D.E.	Marty	Pariseau	Spear
Davis	Johnson, D.J.	McGowan	Pogemiller	Traub
Finn	Johnson, J.B.	Mehrkens	Price	Vickerman
Flynn	Johnston	Merriam	Ranum	
Frank	Knaak	Mondale	Reichgott	

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

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

Page 1, after line 15, insert:

“Section 1. Minnesota Statutes 1990, section 152.01, subdivision 12a, is amended to read:

Subd. 12a. [PARK ZONE.] “Park zone” means an area designated as a public park by the federal government, the state, a local unit of government, a park district board, or a park and recreation board in a city of the first class. “Park zone” includes the area within ~~300~~ 1,000 feet or ~~one~~ three city ~~block~~ blocks, whichever distance is greater, of the park boundary.

Sec. 2. Minnesota Statutes 1990, section 152.01, subdivision 14a, is amended to read:

Subd. 14a. [SCHOOL ZONE.] “School zone” means:

(1) any property owned, leased, or controlled by a school district or an organization operating a nonpublic school, as defined in section 123.932, subdivision 3, where an elementary, middle, secondary school, secondary vocational center or other school providing educational services in grade one through grade 12 is located, or used for educational purposes, or where extracurricular or cocurricular activities are regularly provided;

(2) the area surrounding school property as described in clause (1) to a distance of ~~300~~ 1,000 feet or ~~one~~ three city ~~block~~ blocks, whichever distance is greater, beyond the school property; and

(3) the area within a school bus when that bus is being used to transport one or more elementary or secondary school students.”

Page 1, line 21, delete “300” and insert “1,000”

Page 1, line 22, delete “one” and insert “three” and delete “block” and

insert "*blocks*"

Page 1, after line 22, insert:

"Sec. 4. Minnesota Statutes 1990, section 152.021, subdivision 1, is amended to read:

Subdivision 1. [SALE CRIMES.] A person is guilty of controlled substance crime in the first degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of ten grams or more containing cocaine base;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 grams or more containing a narcotic drug;

(3) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 grams or more containing methamphetamine, amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 200 or more dosage units; or

(4) on one or more occasions within a 90-day period the person unlawfully sells one or more mixtures of a total weight of 50 kilograms or more containing marijuana or Tetrahydrocannabinols, *or one or more mixtures of a total weight of 25 kilograms or more containing marijuana or Tetrahydrocannabinols in a school zone, a park zone, or a public housing zone.*"

Page 2, line 16, strike everything after "any" and insert "*of the following*"

Page 2, line 17, strike "or II narcotic drug"

Page 2, line 18, before the period, insert ":

(i) *any amount of a schedule I or II narcotic drug;*

(ii) *one or more mixtures containing methamphetamine or amphetamine;*  
or

(iii) *one or more mixtures of a total weight of five kilograms or more containing marijuana or Tetrahydrocannabinols"*

Page 2, line 31, strike "or"

Page 2, line 34, strike "or"

Page 3, line 1, strike the period and insert " ; or

(7) *the person unlawfully possesses one or more mixtures containing methamphetamine or amphetamine in a school zone, a park zone, or a public housing zone.*

Sec. 8. Minnesota Statutes 1990, section 152.024, subdivision 1, is amended to read:

Subdivision 1. [SALE CRIMES.] A person is guilty of controlled substance crime in the fourth degree if:

(1) the person unlawfully sells one or more mixtures containing a controlled substance classified in schedule I, II, or III, except marijuana or Tetrahydrocannabinols;

(2) the person unlawfully sells one or more mixtures containing a controlled substance classified in schedule IV or V to a person under the age of 18; ~~or~~

(3) the person conspires with or employs a person under the age of 18 to unlawfully sell a controlled substance classified in schedule IV or V; *or*

(4) *the person unlawfully sells any amount of marijuana or Tetrahydrocannabinols in a school zone, a park zone, or a public housing zone, except a small amount for no remuneration.*"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "increasing the area affected from within 300 feet to within 1,000 feet of a school or park boundary for purposes of increasing penalties for sale or possession of controlled substances; increasing penalties for sale or possession of methamphetamine ("ice"), amphetamine, and sale of marijuana, within a school zone, park zone, or public housing zone;"

Page 1, line 7, after the second comma, insert "subdivisions 12a, 14a, and"

Page 1, line 8, after the first semicolon, insert "152.021, subdivision 1;"

Page 1, line 9, after the first semicolon, insert "152.024, subdivision 1;"

The motion prevailed. So the amendment was adopted.

S.F. No. 269, which the committee recommends to pass with the following amendment offered by Mr. Luther:

Page 1, line 20, after "IS" insert "*UNDER 21 YEARS OF AGE OR*"

Page 1, line 21, delete "*SECTION*" and insert "*SECTIONS*" and after "340A.502" insert "*AND 340A.503*"

The motion prevailed. So the amendment was adopted.

S.F. No. 300, which the committee reports progress, subject to the following motion:

Ms. Flynn moved to amend S.F. No. 300 as follows:

Page 18, line 14, delete "and" and insert a semicolon

Page 18, line 16, after "appears" insert "; and (3) substitute the citation "sections 148.88 to 148.97" for the citation "Laws 1973, chapter 685" wherever the latter citation appears in Minnesota Statutes, sections 148.89, 148.90, 148.93, 148.96, and 148.97"

The motion prevailed. So the amendment was adopted.

S.F. No. 300 was then progressed.

H.F. No. 654, which the committee recommends to pass with the following amendment offered by Mr. Finn:

Page 2, line 3, after the first comma, insert "*subdivision 7,*"

Amend the title as follows:

Page 1, line 4, delete "sensitivity" and insert "dynamics"

The motion prevailed. So the amendment was adopted.

H.F. No. 924, which the committee recommends to pass with the following amendment offered by Mr. DeCramer:

Page 1, line 11, after "a" insert "public"

The motion prevailed. So the amendment was adopted.

H.F. No. 414, which the committee recommends to pass with the following amendment offered by Mr. McGowan:

Amend H.F. No. 414, as amended pursuant to Rule 49, adopted by the Senate April 23, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 400.)

Page 2, line 8, before the period, insert ", and may not prohibit the use of deadly force under circumstances in which that force is justified under section 609.066, subdivision 2"

The motion prevailed. So the amendment was adopted.

S.F. No. 195, which the committee recommends to pass with the following amendment offered by Mr. Beckman:

Page 2, line 8, delete "450 liters" and insert "200 gallons"

Page 4, line 22, delete "450 liters" and insert "200 gallons"

The motion prevailed. So the amendment was adopted.

H.F. No. 726, which the committee recommends to pass with the following amendments offered by Messrs. Finn and Merriam:

Mr. Finn moved to amend H.F. No. 726, the unofficial engrossment, as follows:

Page 2, after line 3, insert:

"Sec. 2. Laws 1991, chapter 4, section 1, is amended to read:

Section 1. [507.411] [SATISFACTION AND RELEASE OF MORTGAGES; CORPORATE NAME OR IDENTITY CHANGE.]

When a change in the name or identity of a corporate mortgagee or assignee of the mortgagee is caused by or results from a corporate merger, consolidation, amendment to charter or articles of incorporation, or conversion of articles of incorporation or charter from federal to state charter or, from state to federal charter, or from one form of entity to another, a mortgage satisfaction or release that is otherwise recordable and that specifies, in both the body and acknowledgment, the merger, consolidation, amendment, or conversion event causing the change in name or identity is in recordable form. The satisfaction or release is entitled to be recorded in the office of the county recorder or filed with the registrar of titles, without further evidence of corporate merger, consolidation, amendment of charter or articles of incorporation, or conversion. For purposes of satisfying or releasing the mortgage, the satisfaction or release is prima facie evidence of the facts stated in it with respect to the corporate merger, consolidation, amendment of charter or articles of incorporation, or conversion, and the county recorder and the registrar of titles shall rely upon it to satisfy or release the mortgage."

Page 2, line 5, delete "*Section 1 is*" and insert "*Sections 1 and 2 are*"  
 Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "clarifying provisions for recording a satisfaction or release of a mortgage;"

Page 1, line 6, before the period, insert "and Laws 1991, chapter 4, section 1"

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H.F. No. 726, the unofficial engrossment, as follows:

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1990, section 519.101, is amended to read:

519.101 [*DOWER AND CURTESY ACTIONS NOT MAINTAINABLE.*]

*Subdivision 1. [GENERAL.] The following actions must be commenced, and a notice of lis pendens filed with the county recorder or registrar of titles in the county where the property is located, within 15 years after the conveyance on which the action is based was recorded with the county recorder or registrar of titles:*

(1) ~~an action for the recovery of title to or possession of real property, or of any a right therein, or the possession thereof, shall be maintained by any in the property based on a person having any a marital interest or estate in dower or by the curtesy or any a marital interest or estate or statutory interest in lieu of dower or by the curtesy therein, or by anyone claiming, by, through, or under any such the person, where it appears that if the husband or wife spouse of such the person conveyed such the real property, or any interest therein, by a conveyance in writing, prior to the first day of January 1975 in the property; or~~

(2) ~~an and no action shall be maintained for the recovery of title to or possession of real property, or of any a right therein, or the possession thereof, in real property by any a person claiming by reason of the failure of a spouse to join in a conveyance of land which constituted real property that was the homestead of the grantor at the time of the conveyance where such conveyance was made prior to January 1, 1975, unless such action shall be commenced on or prior to the first day of January 1988, and notice thereof filed for record at the time of the commencement of said action in the office of the county recorder in the county where said real property is situate.~~

*Subd. 2. [INCHOATE INTERESTS.] An inchoate estate or statutory interest in lieu of dower or curtesy in real property in this state that is conveyed in writing by the spouse of the person entitled to the inchoate estate or interest is abolished if the conveyance has been recorded with the county recorder or registrar of titles of the county where the real property is located for 15 years or longer. This subdivision does not affect an inchoate estate or statutory interest in lieu of dower or curtesy if an action is commenced and a notice of lis pendens is filed with the county recorder or registrar of titles in the county where the property is located during the 15-year period.*

Sec. 2. [*EXTENSION OF TIME FOR CERTAIN ACTIONS.*]

*Notwithstanding section 1, a person whose claim would be barred by section 1, subdivision 1, or a person whose estate or interest would be abolished by section 1, subdivision 2, may commence an action and file a notice of lis pendens on or before March 1, 1992.*

Sec. 3. [REPEALER.]

*Minnesota Statutes 1990, section 519.09, is repealed.*

Page 2, line 5, delete "Section 1 is" and insert "Sections 1 to 3 are" and after the period, insert "Section 1 applies to all inchoate or vested interests or estates existing on or created on or after the effective date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "for" insert "the statute of limitations for a"

Page 1, line 5, delete "before March 1, 1977"

Page 1, line 6, before the period, insert "; repealing Minnesota Statutes 1990, section 519.09"

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.

### **CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Mr. Stumpf moved that the following members be excused for a Conference Committee on S.F. No. 1535 at 1:30 p.m.:

Messrs. Dicklich, Stumpf, Waldorf, Mrs. Brataas and Ms. Piper. The motion prevailed.

### **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 2:30 p.m.:

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

### **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 Orders of Business of Reports of Committees and Second Reading of House Bills. 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

House Concurrent Resolution No. 5: A House concurrent resolution adopting Permanent Joint Rules of the House of Representatives and Senate.

Reports the same back with the recommendation that the resolution be

amended as follows:

Page 11, after line 4, insert:

**“EMPLOYEE CAMPAIGN ACTIVITY**

*Rule 3.04. From the closing of filings for office in the respective body until the general election, no legislative employee may engage in campaign activity during hours of employment. Campaign activity means mailings of campaign committees, fundraising, polling, and campaign material design and dissemination.”*

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 728: A bill for an act relating to education; establishing the Minnesota training institute to ensure quality services to persons with developmental disabilities; requiring the institute to ensure appropriate training programs and materials; establishing a board to govern the training institute; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 252.

Reports the same back with the recommendation that the report from the Committee on Education, shown in the Journal for April 30, 1991, be adopted; that committee recommendation being:

“the bill be amended and when so amended the bill do pass and be referred to the Committee on Finance”. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 1142: A bill for an act relating to agricultural finance; changing certain provisions of the rural finance authority's beginning farmer program; amending Minnesota Statutes 1990, sections 41B.03, subdivision 3; 41B.036; and 41B.039, subdivision 2.

Reports the same back with the recommendation that the report from the Committee on Agriculture and Rural Development, shown in the Journal for April 30, 1991, be amended to read:

“the bill be amended and when so amended the bill do pass and be referred to the Committee on Finance”. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1517: A bill for an act relating to taxation; authorizing the department of trade and economic development to issue obligations to finance construction of aircraft maintenance and repair facilities; providing tax credits for job creation; providing an exemption from sales tax for certain



equipment and materials; authorizing establishment of tax increment financing districts in the cities of Duluth and Hibbing; authorizing the metropolitan airports commission to operate outside the metropolitan area; amending Minnesota Statutes 1990, sections 290.06, by adding a subdivision; and 473.608, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 116J and 297A.

Reports the same back with the recommendation that the report from the Committee on Economic Development and Housing, shown in the Journal for May 3, 1991, be amended to read:

“the bill be amended and when so amended the bill do pass and be referred to the Committee on Metropolitan Affairs”. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

H.F. No. 181: A bill for an act relating to the environment; adding reimbursement requirements for the petroleum tank release cleanup account; providing for insurance subrogation rights; amending Minnesota Statutes 1990, sections 115C.04, subdivision 3; 115C.09, subdivision 3; and 115C.10, subdivision 1.

Reports the same back with the recommendation that the report from the Committee on Environment and Natural Resources, shown in the Journal for April 30, 1991, be adopted; that committee recommendation being:

“the bill be amended 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 under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 546: A bill for an act relating to crimes; environmental enforcement; imposing criminal penalties for knowing violations of standards related to hazardous air pollutants and toxic pollutants in water; providing that certain property is subject to forfeiture in connection with convictions for water pollution and air pollution violations; imposing criminal penalties for unauthorized disposal of solid waste; authorizing prosecution of environmental crimes by the attorney general; providing for environmental restitution as part of a sentence; increasing criminal penalties for false statements on documents related to permits and record keeping; amending Minnesota Statutes 1990, sections 18D.331, subdivision 4; 609.531, subdivision 1; and 609.671; proposing coding for new law in Minnesota Statutes, chapter 18D.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for April 30, 1991, be adopted; that committee recommendation being:

“the bill be amended and when so amended the bill do pass and be referred to the Committee on Finance”. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1507: A bill for an act relating to emergency telephone service; establishing a grant program for counties to initiate and improve emergency telephone services; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 403.

Reports the same back with the recommendation that the report from the Committee on Energy and Public Utilities, shown in the Journal for April 25, 1991, be adopted; that committee recommendation being:

“the bill do pass and be re-referred to the Committee on Finance”. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 480: A bill for an act relating to the environment; authorizing background investigations of environmental permit applicants; expanding current authority to impose administrative penalties for air and water pollution and solid waste management violations; amending Minnesota Statutes 1990, sections 115.071, by adding a subdivision; 115C.05; and 116.072, subdivisions 1, 2, 6, 10, and 11; proposing coding for new law in Minnesota Statutes, chapters 115 and 116.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for April 29, 1991, be adopted; that committee recommendation being:

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

## **SECOND READING OF HOUSE BILLS**

H.F. No. 181 was read the second time.

## **MOTIONS AND RESOLUTIONS - CONTINUED**

Mr. Moe, R.D. moved that House Concurrent Resolution No. 5 be laid on the table. The motion prevailed.

Mr. Davis moved that H.F. No. 1070 be withdrawn from the Committee on Agriculture and Rural Development and re-referred to the Committee on Finance. The motion prevailed.

Without objection, 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. Morse, Mrs. Benson, J.E.; Messrs. Merriam, Lessard and Dahl introduced—

S.F. No. 1554: A bill for an act relating to recreational vehicles; regulating registration and operation of off-road vehicles; setting fees and penalties; requiring comprehensive recreational use plan; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1990, sections 84.91; 84.911; 85.018, subdivisions 2, 3, and 5; 171.03; and 466.03, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Mr. Solon introduced—

S.F. No. 1555: A bill for an act relating to alcoholic beverages; limiting the number of temporary on-sale licenses that may be issued to a club or organization; amending Minnesota Statutes 1990, sections 340A.403, subdivision 2; and 340A.404, subdivision 10.

Referred to the Committee on Commerce.

Messrs. Finn and Stumpf introduced—

S.F. No. 1556: A bill for an act relating to appropriations; appropriating money for tourist facilities at Bemidji.

Referred to the Committee on Finance.

Mr. Morse introduced—

S.F. No. 1557: A bill for an act relating to rules; requiring health and human services rules to include in rulemaking notices information on the department division and staff administering the rules; amending Minnesota Statutes 1990, section 256.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

## RECESS

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

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

## APPOINTMENTS

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

H.F. No. 53: Messrs. Langseth, DeCramer, Beckman, Mehrkens and Metzen.

H.F. No. 719: Messrs. Samuelson, Renneke, Spear, Ms. Berglin and Mr. Solon.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

**MEMBERS EXCUSED**

Messrs. Berg and Samuelson were excused from the Session of today. Mr. Neville was excused from the Session of today at 3:00 p.m. Mr. Novak was excused from the Session of today at 3:40 p.m. Mr. Halberg was excused from the Session of today at 4:30 p.m. Mr. Kroening was excused from the Session of today from 12:30 to 1:05 p.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:30 p.m., Wednesday, May 8, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate