

FIFTIETH DAY

St. Paul, Minnesota, Thursday, May 9, 1991

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

CALL OF THE SENATE

Ms. Olson 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. John Khoury.

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.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 7, 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. No. 729.

Warmest regards,
Arne H. Carlson, Governor

May 7, 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
	614	47	11:08 a.m. May 6	May 6
	324	48	11:12 a.m. May 6	May 6
	526	49	3:29 p.m. May 6	May 6
	1105	50	3:26 p.m. May 6	May 6
	983	51	11:15 a.m. May 6	May 6
	1017	52		May 7
	422	53	11:28 a.m. May 6	May 6
	1418	54	2:27 p.m. May 6	May 6
	843	55	3:30 p.m. May 6	May 6
368		56	3:07 p.m. May 6	May 6
	230	57	2:30 p.m. May 6	May 6
286		59	3:34 p.m. May 6	May 6
550		60	3:18 p.m. May 6	May 6
732		61	3:33 p.m. May 6	May 6

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1315.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1991

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 81: A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1990, sections 367.03, subdivision 1; and 367.05, subdivision 1.

Senate File No. 81 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1991

Mr. Hottinger moved that the Senate do not concur in the amendments by the House to S.F. No. 81, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be 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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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

Senate File No. 793 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1991

Mr. Merriam moved that S.F. No. 793 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 669, 833, 1197, 1119, 267, 786 and 1189.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1991

FIRST READING OF HOUSE BILLS

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

H.F. No. 669: A bill for an act relating to agriculture; providing a "Minnesota extra" category of dairy products; proposing coding for new law in Minnesota Statutes, chapter 32.

Referred to the Committee on Finance.

H.F. No. 833: A bill for an act relating to economic development; regulating the use of tax-exempt revenue bonds; amending Minnesota Statutes 1990, sections 474A.02, subdivisions 1, 2b, 7, 8, 19, and by adding subdivisions; 474A.03; 474A.04, subdivision 1a; 474A.047, subdivisions 1 and 3; 474A.061, subdivisions 1, 2a, 2b, 2c, 3, and 4; 474A.091, subdivisions 1, 2, 3 and 5; 474A.131, by adding a subdivision; 474A.15; 474A.16; and 474A.17; proposing coding for new law in Minnesota Statutes,

chapters 462A and 462C; repealing Minnesota Statutes 1990, sections 474A.048; and 474A.081, subdivisions 1, 2, and 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 579, now on General Orders.

H.F. No. 1197: A bill for an act relating to commerce; franchises; regulating assignments, transfers, and sales; amending Minnesota Statutes 1990, section 80C.14, subdivision 5, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1118, now on General Orders.

H.F. No. 1119: A bill for an act relating to education; requiring the development of policies for students with disabilities in post-secondary institutions; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1166, now on General Orders.

H.F. No. 267: 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 275, now on General Orders.

H.F. No. 786: A bill for an act relating to contracts; providing for enforcement of certain contracts; making technical changes; correcting inconsistencies; clarifying certain provisions; amending Minnesota Statutes 1990, section 325E.37.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 895, now on General Orders.

H.F. No. 1189: A bill for an act relating to counties; permitting counties to spend money for broadcast facilities; amending Minnesota Statutes 1990, section 375.164.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1116, now on General Orders.

REPORTS OF COMMITTEES

Mr. Luther 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

H.F. No. 1326 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				1326	1204

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1326 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1326 and insert the language after the enacting clause of S.F. No. 1204, the first engrossment; further, delete the title of H.F. No. 1326 and insert the title of S.F. No. 1204, the first engrossment.

And when so amended H.F. No. 1326 will be identical to S.F. No. 1204, and further recommends that H.F. No. 1326 be given its second reading and substituted for S.F. No. 1204, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 143 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
143	105				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 143 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 143 and insert the language after the enacting clause of S.F. No. 105, the first engrossment; further, delete the title of H.F. No. 143 and insert the title of S.F. No. 105, the first engrossment.

And when so amended H.F. No. 143 will be identical to S.F. No. 105, and further recommends that H.F. No. 143 be given its second reading and substituted for S.F. No. 105, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the

Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

H.F. No. 1125 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1125	893				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1125 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1125 and insert the language after the enacting clause of S.F. No. 893, the first engrossment; further, delete the title of H.F. No. 1125 and insert the title of S.F. No. 893, the first engrossment.

And when so amended H.F. No. 1125 will be identical to S.F. No. 893, and further recommends that H.F. No. 1125 be given its second reading and substituted for S.F. No. 893, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1050 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1050	1008				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1050 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1050 and insert the language after the enacting clause of S.F. No. 1008; further, delete the title of H.F. No. 1050 and insert the title of S.F. No. 1008.

And when so amended H.F. No. 1050 will be identical to S.F. No. 1008, and further recommends that H.F. No. 1050 be given its second reading and substituted for S.F. No. 1008, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1127 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1127	1432				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 564 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
564	709				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 378 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				378	306

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1592 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				1592	1419

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 289 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
289	1117				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 289 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 289 and insert the language after the enacting clause of S.F. No. 1117, the first engrossment; further, delete the title of H.F. No. 289 and insert the title of S.F. No. 1117, the first engrossment.

And when so amended H.F. No. 289 will be identical to S.F. No. 1117, and further recommends that H.F. No. 289 be given its second reading and substituted for S.F. No. 1117, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 1326, 143, 1125, 1050, 1127, 564, 378, 1592 and 289 were read the second time.

MOTIONS AND RESOLUTIONS

Remaining on the Order of Business of Motions and Resolutions, Mr. Luther moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

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

S.F. No. 1561: 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 3.885, subdivisions 3 and 6; 3.97, by adding a subdivision; 3.971, subdivision 2; 8.06; 8.15; 15.06, subdivision 1; 15A.081, subdivision 1; 15A.082, subdivision 3, as amended; 16A.27, subdivision 5; 16B.24, subdivision 6; 16B.36, subdivision 1; 16B.41, subdivision 2, and by adding a subdivision; 16B.465, subdivision 4; 16B.48, subdivision 2; 16B.63, by adding a subdivision; 17.49, subdivision 1; 43A.17, subdivisions 1 and 9; 62D.122; 62J.02, subdivisions 2 and 3; 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.873, subdivision 1; 116J.8766, subdivision 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; 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; 176.421, subdivision 6a; 214.141; 256H.25, subdivision 1; 268.361, subdivision 3; 275.14; 275.51, subdivision 6; 275.54, subdivision 3; 299A.30, subdivision 2; 299A.31, subdivision 1; 299A.40, subdivision 4; 368.01, subdivision 1a; 373.40, subdivision 1; 383B.119, subdivision 3; 402.045; 423A.02, subdivision 1; 462.384, subdivision 7; 462.396, subdivision 2; 462A.05, by adding subdivisions; 466A.05, subdivision 1; 469.201, subdivision 2; 469.203, subdivision 4; 469.207, subdivisions 1 and 2; 471.468; 473.156, subdivision 1; 474A.03, by adding a subdivision; 477A.011, subdivisions 3 and 3a; 477A.014, subdivision 4; 484.545, subdivision 1; 484.73, by adding a subdivision; 504.34, subdivisions 5 and 6; Laws 1989, chapter 335, article 3, section 44, as amended; proposing coding for new law in Minnesota Statutes, chapters 4; 7; 16B; 43A; 268; 270; and 462A; repealing Minnesota Statutes 1990, sections 40A.02, subdivision 2; 40A.08; 116J.967; 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; 383B.119, subdivision 2; and 422A.01, subdivision 3.

Mr. Luther moved that S.F. No. 1561 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dicklich moved that S.F. No. 958 be taken from the table. The motion prevailed.

S.F. No. 958: A bill for an act relating to state lands; authorizing sale of tax-forfeited lands and an easement in St. Louis county.

CONCURRENCE AND REPASSAGE

Mr. Dicklich moved that the Senate concur in the amendments by the House to S.F. No. 958 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 958: A bill for an act relating to state lands; authorizing sale of tax-forfeited lands and an easement in St. Louis county; releasing a reversionary interest in real property.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dahl moved that S.F. No. 793 be taken from the table. The motion prevailed.

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

Mr. Dahl moved that the Senate do not concur in the amendments by the House to S.F. No. 793, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Samuelson moved that S.F. No. 635 be taken from the table. The motion prevailed.

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

CONCURRENCE AND REPASSAGE

Mr. Samuelson moved that the Senate concur in the amendments by the House to S. F. No. 635 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 635 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Beckman	Dahl	Johnson, D.E.	Marty	Riveness
Belanger	Davis	Johnston	McGowan	Samuelson
Benson, D.D.	Day	Kelly	Merriam	Spear
Benson, J.E.	DeCramer	Knaak	Metzen	Storm
Berg	Finn	Kroening	Neuville	Stumpf
Berglin	Flynn	Laidig	Novak	Traub
Bernhagen	Gustafson	Langseth	Pappas	Vickerman
Bertram	Halberg	Larson	Pariseau	
Brataas	Hottinger	Lessard	Piper	
Cohen	Hughes	Luther	Ranum	

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

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 12:30 p.m.:

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Morse moved that the following members be excused for a Conference Committee on S. F. No. 1533 at 1:30 p.m.:

Messrs. Davis; Frederickson, D.R.; Laidig; Merriam and Morse. The motion prevailed.

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 2:00 p.m.:

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

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Luther 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. 853, 1466, 764, 1289, 431, 858, 282, 1127, 760, 502, 856, 510, 1528, 208, 255, 74, 1244, 1164 and H.F. Nos. 932, 71, 870, 743, 85, 424, 825, 154, 1066, 551, 882, 722, 1001, 609, which the committee recommends to pass.

S.F. No. 745, which the committee recommends be returned to its author.

S.F. No. 1112, which the committee recommends to pass with the following amendment offered by Mrs. Benson, J.E.:

Page 1, line 20, delete everything after "facility"

Page 1, line 21, delete everything before the period

Page 1, line 22, delete "and social"

The motion prevailed. So the amendment was adopted.

H.F. No. 875, which the committee recommends to pass with the following amendment offered by Mr. Mondale:

Amend H.F. No. 875, the unofficial engrossment, as follows:

Page 8, delete lines 15 to 20 and insert:

"(13) if an automobile policy provides for the adjustment or settlement of an automobile loss due to damaged window glass, failing to assume all costs sufficient to pay the insured's chosen vendor for the replacement of comparable window glass at a price generally available in the area. This clause does not prohibit an insurer from recommending a vendor to the insured or from agreeing with a vendor to perform work at an agreed-upon price."

Page 8, after line 23, insert:

"Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 5, 7, and 8 are effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

H.F. No. 21, which the committee recommends to pass with the following amendments offered by Messrs. Bernhagen and Laidig:

Mr. Bernhagen moved to amend H.F. No. 21, the unofficial engrossment, as follows:

Page 2, line 7, before "Until" insert "(a)"

Page 2, line 10, delete everything after "waste" and insert "as defined in paragraph (b)"

Page 2, line 11, delete everything before "that"

Page 2, line 14, after the period, insert:

"(b) An environmental assessment worksheet must be prepared for the following facilities before a permit is issued:

(1) a new or expanded facility that is not owned or operated by an infectious waste generator;

(2) a new or expanded facility with more than 350 pounds per hour of total capacity; and

(3) a facility that expands capacity by more than 100 pounds per hour or that expands its total capacity by more than 50 percent, whichever is greater.

(c)"

Page 2, line 20, after the period, insert "*The permit and environmental assessment worksheet requirements of sections 2 and 3 do not apply to an incinerator that is planned to manage waste generated by the owner or operator and adjacent facilities if a plan for the incinerator is submitted to the pollution control agency by June 30, 1991, construction begins by October 1, 1991, and the facility complies with all applicable rules of the pollution control agency, including rules adopted after the date of final enactment of this act.*"

The motion prevailed. So the amendment was adopted.

Mr. Laidig moved to amend H.F. No. 21, the unofficial engrossment, as follows:

Page 1, line 25, delete "*Except as provided in paragraph (b),*"

Page 2, delete lines 1 to 4 and insert:

"(b) The commissioner shall notify a person who is planning to construct or expand a facility for the incineration of infectious waste of existing and potential air quality standards and other requirements that may require the facility to be upgraded and shall advise the person that the facility should be built to accommodate upgrading to meet those standards and requirements.

(c) Within 30 days after a person applies for an air emission permit required in paragraph (a), or upon request, the commissioner shall meet with the applicant and prepare a schedule for the permitting process. The schedule must indicate opportunities for public input, what information will be required and available about the project, who will prepare and pay for the information, and how the public can obtain more information about the project or similar projects. The schedule must be published in the State Register."

The motion prevailed. So the amendment was adopted.

S.F. No. 526, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 6, line 7, delete "*supervised release*" and insert "*supervision*"

The motion prevailed. So the amendment was adopted.

H.F. No. 716, which the committee recommends to pass with the following amendment offered by Mr. Luther:

Amend H.F. No. 716, the unofficial engrossment, as follows:

Page 4, line 7, strike "or"

Page 4, line 10, before the comma, insert "*; or transferred from one correctional facility to another when the correctional program involves less security*" and strike "*prior to the release*"

Page 4, line 12, after the period, insert "*The good faith effort to notify the victim must occur prior to the release, transfer, or change in security status. For a victim of a felony crime against the person for which the*

offender was sentenced to a term of imprisonment of more than 18 months, the good faith effort to notify the victim must occur 60 days before the offender's release, transfer, or change in security status."

The motion prevailed. So the amendment was adopted.

H.F. No. 683, which the committee recommends to pass with the following amendments offered by Mr. Solon:

Amend H.F. No. 683, the unofficial engrossment, as follows:

Page 9, line 16, delete everything after "*beverages*"

Page 9, delete lines 17 and 18

Page 9, line 19, delete "*or distributor*"

Page 12, line 12, delete "*directly or indirectly*"

Page 18, delete section 27

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, delete everything after the semicolon

Page 1, delete line 7

Page 1, line 8, delete "*only;*"

Page 2, line 19, delete everything after the second semicolon

Page 2, line 20, delete everything before "*repealing*"

The motion prevailed. So the amendment was adopted.

Mr. Solon, for Mr. Dicklich, then moved to amend H.F. No. 683, the unofficial engrossment, as follows:

Page 19, after line 7, insert:

"Sec. 31. [ON-SALE LICENSES; CITY OF HIBBING.]

Notwithstanding Minnesota Statutes, section 340A.413, subdivision 1, the city of Hibbing may issue not more than 20 on-sale intoxicating liquor licenses. All other provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to licenses issued under this section."

Page 19, after line 17, insert:

"Subd. 3. [HIBBING SPECIAL LAW.] *Laws 1989, chapter 72, is repealed."*

Page 19, line 28, after the period, insert "*Section 31 is effective on approval by the Hibbing city council and compliance with Minnesota Statutes, section 645.021, subdivision 3."*

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 783, which the committee recommends to pass with the following amendments offered by Mses. Johnson, J.B. and Olson:

Ms. Johnson, J.B. moved to amend S.F. No. 783 as follows:

Page 8, after line 36, insert:

“Sec. 12. [MEDICAL WASTE TASK FORCE.]

(a) The commissioner of health shall appoint a medical waste task force to include representatives of the pollution control agency, the department of health, the office of waste management, representatives of local government units, citizens groups, environmental organizations, organized labor, the academic community, medical waste generators, and persons in the business of managing medical waste. Members of the task force shall serve without compensation.

(b) The medical waste task force shall:

(1) estimate the quantity and composition of medical waste currently generated in the state;

(2) assess current infectious waste decontamination capacity in the state;

(3) design a state policy that focuses on alternatives to incineration as the primary means of infectious waste decontamination according to the order of preference in Minnesota Statutes, section 115A.02, paragraph (b); and

(4) submit, by September 1, 1992, a medical waste management strategy report to the legislative commission on waste management and to the committees on the environment and natural resources and health and human services of the legislature recommending a statewide medical waste management policy.”

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Ms. Olson moved to amend the Johnson, J.B. amendment to S.F. No. 783 as follows:

Page 1, line 17, after “to” insert “landfilling and”

Page 1, line 19, delete “decontamination” and insert “disposal”

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Johnson, J.B. amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 928, which the committee recommends to pass with the following amendment offered by Mr. Neuville:

Page 3, line 4, delete everything after “[AUTHORITY.]” and insert “To carry out the commissioner’s enforcement duties under chapter 29, 31, 31A, or 34, the commissioner may, upon presenting appropriate credentials, during regular working hours and at other reasonable times, inspect premises subject to the commissioner’s enforcement and licensing authority for reasons related to the commissioner’s enforcement and licensing authority; request information from persons with information relevant to an inspection; and inspect relevant papers and records, including business records.”

Page 3, delete lines 5 to 11

Page 3, line 12, delete “records.”

Page 3, line 19, delete everything after “with” and insert “subpoenas

or to permit an inspection."

Page 3, delete line 20

The motion prevailed. So the amendment was adopted.

H.F. No. 425, which the committee recommends to pass with the following amendments offered by Mrs. Benson, J.E.; Messrs. Finn, Beckman and DeCramer:

Mrs. Benson, J.E. moved to amend H.F. No. 425, 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. 490.)

Page 3, delete section 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete the semicolon and insert a period

Page 1, delete lines 7 and 8

The motion prevailed. So the amendment was adopted.

Mr. Finn moved to amend H.F. No. 425, 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. 490.)

Page 2, after line 28, insert:

"Sec. 3. [SALE OF TAX-FORFEITED LANDS; CASS COUNTY.]

(a) Notwithstanding Minnesota Statutes, section 282.018, subdivision 1, Cass county may sell tax-forfeited lands that border public water and, as of February 1, 1990, that were under lease agreements with the county pursuant to Minnesota Statutes, section 282.04, subdivision 1a. The lands must be conveyed under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general.

(c) The lands are located in Cass county and consist of:

(1) four lots bordering Stevens Lake in Government Lots 3 and 4, Section 22, Township 140, Range 27;

(2) nine lots bordering Long Lake in the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter, Section 15, Township 134, Range 30; and

(3) 17 lots bordering Lake Louise in the Northwest Quarter of the Northwest Quarter of Section 29, Township 139, Range 28 and the Northeast Quarter of the Northeast Quarter of Section 30, Township 139, Range 28.

(d) The improvements on the lands that are owned by the lessee must be appraised separately from the lands. If a person other than the lessee purchases the lands, the purchaser must make payment in full to the lessee for the appraised value of any improvements. Failure of a successful bidder to comply with this provision voids the sale and the property may be reoffered for sale.

(e) For the purpose of local zoning ordinances, lands sold under this

section must be treated as if purchased at the time the county first leased the lands under Minnesota Statutes, section 282.04, subdivision 1a.

(f) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "authorizing the sale of certain tax-forfeited lands that border public water in Cass county;"

The motion prevailed. So the amendment was adopted.

Mr. Beckman moved to amend H.F. No. 425, 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. 490.)

Page 3, after line 17, insert:

"Sec. 5. [SALE OF CERTAIN LAND IN FARIBAULT COUNTY.]

Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell certain land to Eugene L. and Marilyn E. Stallkamp of Bricelyn, Minnesota, in accordance with this section before December 31, 1991.

The land described in this section may be sold by private sale for a consideration not less than its appraised value plus the cost of an appraisal. The conveyance must be in a form approved by the attorney general.

The land that may be sold is a tract of state land of about 2.8 acres located in Faribault county described as: That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 30, Township 102, North, Range 24 West, described as follows: from a point on the East and West Quarter lines of said Section 30, distant 863.9 feet West of the Center of said Section 30, run Southerly at right angles to said Quarter line for a distance of 1003.00 feet to the point of beginning of tract to be described: thence deflect to the left at an angle of 90 degrees for a distance of 440 feet: thence deflect to the right at an angle of 90 degrees for a distance of 230 feet: thence deflect to the right at an angle of 90 degrees for a distance of 620 feet: thence run Northeasterly to the point of beginning: containing 2.80 acres, more or less.

The tract of land, formerly owned by the department of transportation and used as a gravel pit, was conveyed to the department of natural resources in 1972 when no longer needed and is completely surrounded by land owned by the Stallkamps. The land is no longer used for any purpose and is surplus land for the department."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, before the period, insert "; authorizing the sale of certain land in Faribault county"

The motion prevailed. So the amendment was adopted.

Mr. DeCramer moved to amend H.F. No. 425, 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. 490.)

Page 2, after line 28, insert:

"Sec. 3. [CONVEYANCE OF STATE LANDS; SOUTHWEST STATE UNIVERSITY.]

(a) Notwithstanding Minnesota Statutes, chapter 94, the commissioner of administration may convey the land described in paragraph (c) to John McLaughlin of Marshall, Minnesota, for a consideration of not less than the appraised value. Mr. McLaughlin shall pay the cost of appraisal.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in the city of Marshall, Lyon county, and described as: That portion of the Northwest Quarter of Section 3, Township 111 North, Range 41 West, described as follows:

Beginning at the southeasterly corner of Lot 1, Block 1, College Foundation Addition, city of Marshall, Minnesota, and running thence northerly along the easterly line of said Lot 1 a distance of 276.26 feet; thence easterly a distance of 51.27 feet; thence southerly and parallel with the easterly line of said Lot 1 a distance of 276.26 feet; thence westerly 51.27 feet to the true point of beginning.

(d) Mr. McLaughlin sold the land in 1964 and now wishes to repurchase it for use in connection with development of student housing. The land is no longer needed by Southwest State University.

Sec. 4. [EASEMENT ACROSS STATE LANDS; SOUTHWEST STATE UNIVERSITY.]

(a) Notwithstanding any other law, the commissioner of administration may convey to John McLaughlin of Marshall, Minnesota, an easement as described in paragraph (c) for no consideration.

(b) The conveyance must be in a form approved by the attorney general.

(c) The easement to be granted is on that portion of the Northwest Quarter of Section 3, Township 111 North, Range 41 West, described as follows:

Beginning at the intersection of State Street and the northerly line of McLaughlin Drive, College Foundation Addition, city of Marshall, Minnesota, and running thence westerly as an extension of the northerly line of said McLaughlin Drive a distance of 70 feet to the westerly line of State Street, the true point of beginning; thence southerly along the westerly line of State Street a distance of 50 feet; thence, westerly a distance of 25 feet; thence northerly and parallel with the westerly line of State Street a distance of 50 feet; thence easterly a distance of 25 feet to the true point of beginning.

(d) The easement is necessary to provide access to the property described in section 3."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Luther moved that H.F. No. 1631 be taken from the table. The motion prevailed.

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.

SUSPENSION OF RULES

Mr. Luther 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. 1631 and that the rules of the Senate be so far suspended as to give H.F. No. 1631 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1631 was read the second time.

Mr. Kroening moved to amend H.F. No. 1631 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1631, and insert the language after the enacting clause, and the title, of S.F. No. 1561, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Halberg moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 13, after line 49, insert:

"The commissioner of finance shall determine \$24,000,000 in total expenditure reductions among the legislature, the judicial branch, state agencies, the governor's office, and the constitutional offices. The reduction as to each entity shall be determined proportionate to their total general fund appropriation for fiscal years 1992-1993. Once the appropriate amount has been determined as to each entity, the governor shall implement these reductions. To the extent possible, each entity shall implement its budget reduction in the areas of upper and middle management."

CALL OF THE SENATE

Mr. Kroening imposed a call of the Senate for the balance of the proceedings on H.F. No. 1631. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the adoption of the Halberg amendment.

The roll was called, and there were yeas 21 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Day	Johnston	Neuville	Sams
Benson, D.D.	Frederickson, D.J.	Knaak	Olson	
Benson, J.E.	Gustafson	Larson	Pariseau	
Dahl	Halberg	McGowan	Renneke	
Davis	Johnson, D.E.	Mondale	Riveness	

Those who voted in the negative were:

Adkins	Flynn	Langseth	Morse	Solon
Beckman	Frank	Lessard	Piper	Spear
Berg	Hottinger	Luther	Pogemiller	Traub
Berglin	Hughes	Marty	Price	Vickerman
Bertram	Johnson, D.J.	Merriam	Ranum	Waldorf
Cohen	Johnson, J.B.	Metzen	Reichgott	
Finn	Kroening	Moe, R.D.	Samuelson	

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

Mr. Knaak moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 28, lines 8 to 11, delete the new language and insert "A state agency may hire outside counsel after obtaining a bid for the services from the attorney general and at least three attorneys other than the attorney general, provided the agency accepts the lowest cost bid for the services."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adkins	Finn	Kroening	Pappas	Solon
Berg	Flynn	Langseth	Piper	Spear
Berglin	Frank	Luther	Price	Stumpf
Bertram	Frederickson, D.J.	Marty	Ranum	Traub
Chmielewski	Hottinger	Merriam	Reichgott	Vickerman
Cohen	Johnson, D.J.	Metzen	Riveness	Waldorf
Davis	Johnson, J.B.	Mondale	Sams	
Dicklich	Kelly	Morse	Samuelson	

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

Mr. Luther moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 98, after line 35, insert:

"ARTICLE 3

PUBLIC DEFENSE

Section 1. Minnesota Statutes 1990, section 611.215, subdivision 1, is amended to read:

Subdivision 1. [STRUCTURE; MEMBERSHIP.] (a) The state board of public defense is a part of, but is not subject to the administrative control of, the judicial branch of government. The state board of public defense

shall consist of seven members including:

(1) ~~a district court judge appointed by the supreme court;~~

(2) four attorneys admitted to the practice of law, well acquainted with the defense of persons accused of crime, but not employed as prosecutors, appointed by the supreme court; and

~~(3) two~~ (2) three public members appointed by the governor.

After the expiration of the terms of persons appointed to the board before March 1, 1991, the appointing authorities may not appoint a person who is a judge to be a member of the state board of public defense, other than as a member of the ad hoc board of public defense.

(b) All members shall demonstrate an interest in maintaining a high quality, independent defense system for those who are unable to obtain adequate representation. *Appointments to the board shall include qualified women and members of minority groups. At least three members of the board shall be from judicial districts other than the first, second, fourth, and tenth judicial districts.* The terms, compensation, and removal of members shall be as provided in section 15.0575. The chair shall be elected by the members from among the membership for a term of two years.

(c) In addition, the state board of public defense shall consist of ~~an 11-member~~ *a nine-member* ad hoc board when considering the appointment of district public defenders under section 611.26, subdivision 2. The terms of *chief* district public defenders currently serving shall terminate in accordance with the staggered term schedule set forth in section 611.26, subdivision 2.

Sec. 2. Minnesota Statutes 1990, section 611.215, subdivision 1a, is amended to read:

Subd. 1a. ~~[CHIEF ADMINISTRATOR.] The chair of the state board of public defense may, subject to the approval of the board,~~ *state public defender shall* appoint a chief administrator who must be chosen solely on the basis of training, experience, and other qualifications, and who will serve at the pleasure of the ~~board~~ *state public defender*. The chief administrator need not be licensed to practice law. The *chief* administrator shall attend all meetings of the board, but may not vote, and shall:

(1) enforce all resolutions, rules, regulations, or orders of the board;

(2) ~~appoint and remove all subordinate officers and regular employees of the board upon the basis of merit and fitness, subject to the provisions of a personnel code adopted by the board;~~

~~(3) present to the board and the state public defender plans, studies, and reports prepared for board the board's and the state public defender's purposes and recommend to the board and the state public defender for adoption measures necessary to enforce or carry out the powers and duties of the board and the state public defender, or to efficiently administer the affairs of the board and the state public defender;~~

~~(4)~~ (3) keep the board fully advised as to its financial condition, and prepare and submit to the board its annual budget and other financial information as it may request;

~~(5)~~ (4) recommend to the board the adoption of rules and regulations necessary for the efficient operation of the board and its functions; and

~~(6)~~ (5) perform other duties prescribed by the board *and the state public defender*.

Sec. 3. Minnesota Statutes 1990, section 611.215, subdivision 2, is amended to read:

Subd. 2. [DUTIES AND RESPONSIBILITIES.] (a) ~~The state board of public defense shall appoint the state public defender, who serves full time for a term of four years. The board shall prepare an annual report to the governor, the legislature, and the supreme court on the operation of the state public defender's office, district defender systems, and public defense corporations. The board shall approve and recommend to the legislature a budget for the board, the office of state public defender, the judicial district public defenders, and the public defense corporations.~~

(b) The board shall establish procedures for distribution of state funding under this chapter to the state and district public defenders; ~~including Hennepin and Ramsey county public defenders~~; and to the public defense corporations.

~~(b)~~ (c) The board shall establish standards for the offices of the state and district public defenders and for the conduct of all appointed counsel systems. The standards must include, but are not limited to:

(1) standards needed to maintain and operate an office of public defender including requirements regarding the qualifications, training, and size of the legal and supporting staff for a public defender or appointed counsel system;

(2) standards for public defender caseloads;

(3) standards and procedures for the eligibility for appointment, assessment, and collection of the costs for legal representation provided by public defenders or appointed counsel;

(4) standards for contracts between a board of county commissioners and a county public defender system for the legal representation of indigent persons;

(5) standards prescribing minimum qualifications of counsel appointed under the board's authority or by the courts; and

(6) standards ensuring the ~~economical~~ *independent, competent, and efficient delivery of legal services; including alternatives to the present geographic boundaries of the public defender districts representation of clients whose cases present conflicts of interest, in both the trial and appellate courts.*

(d) The board may require the reporting of statistical data, budget information, and other cost factors by the state and district public defenders and appointed counsel systems.

~~The state board of public defense shall design and conduct programs for the training of all state and district public defenders, appointed counsel, and attorneys for public defense corporations funded in section 611.26.~~

Sec. 4. Minnesota Statutes 1990, section 611.23, is amended to read:

611.23 [OFFICE OF STATE PUBLIC DEFENDER; APPOINTMENT; SALARY.]

The ~~office of~~ state public defender is ~~under the supervision of~~ *responsible* to the state board of public defense. The state public defender shall be

appointed by the state board of public defense for a term of four years, except as otherwise provided in this section, and until a successor is appointed and qualified. The state public defender shall be a full-time qualified attorney, licensed to practice law in this state, serve in the unclassified service of the state, and be removed only for cause by the appointing authority. Vacancies in the office shall be filled by the appointing authority for the unexpired term. The salary of the state public defender shall be fixed by the state board of public defense but must not exceed the salary of the chief deputy attorney general. Terms of the state public defender shall commence on ~~January~~ July 1. The state public defender shall devote full time to the performance of duties and shall not engage in the general practice of law.

Sec. 5. Minnesota Statutes 1990, section 611.24, is amended to read:
611.24 [ORGANIZATION OF OFFICE; ASSISTANTS.]

The state public defender shall supervise the operation, activities, policies and procedures of the state public defender system. The state public defender, subject to the limitations imposed by, and the supervision of, the state board of public defense, may shall employ or retain assistant state public defenders, a chief administrator, a deputy state public defender in charge of appellate services, and other personnel as may be necessary to discharge the function functions of the office. An assistant state public defender shall be a qualified attorney, licensed to practice law in this state, serve in the unclassified service of the state if employed, and serve at the pleasure of the appointing authority at a salary or retainer fee not to exceed reasonable compensation for comparable services performed for other governmental agencies or departments. Retained or part-time employed assistant state public defenders may engage in the general practice of law.

Sec. 6. Minnesota Statutes 1990, section 611.25, is amended by adding a subdivision to read:

Subd. 3. [DUTIES.] The state public defender shall prepare an annual report to the board and a report to the governor, the legislature, and the supreme court on the operation of the state public defender's office, district defender systems, and public defense corporations. The state public defender may require the reporting of statistical data, budget information, and other cost factors by the chief district public defenders and appointed counsel systems. The state public defender shall design and conduct programs for the training of all state and district public defenders, appointed counsel, and attorneys for public defense corporations funded under section 611.26. The state public defender shall establish policies and procedures to administer the state public defender system, consistent with standards adopted by the state board of public defense.

Sec. 7. Minnesota Statutes 1990, section 611.26, subdivision 2, is amended to read:

Subd. 2. [APPOINTMENT; TERMS.] The state board of public defense shall appoint a chief district public defender for each judicial district. When appointing a chief district public defender, the state board of public defense membership shall be increased to include two judges residents of the district and two county commissioners of the counties within appointed by the chief judge of the district to reflect the characteristics of the population served by the public defender in that district. The additional members shall serve only in the capacity of selecting the district public defender. The judges

within the district shall elect their two ad hoc members. The two county commissioners within the district shall be selected by the county boards of the counties within the district. The ad hoc state board of public defense shall appoint a *chief* district public defender only after requesting and giving reasonable time to receive any recommendations from the public, the local bar association, the judges of the district, and the county commissioners within the district. Each *chief* district public defender shall be a qualified attorney, licensed to practice law in this state. The *chief* district public defender shall be appointed for a term of four years, beginning November January 1, pursuant to the following staggered term schedule: (1) in 1987, the third and eighth districts; (2) in 1988, the first and tenth districts; (3) in 1989, the fifth and ninth districts; (4) in 1990, the sixth and seventh districts; (5) in 1991 1992, the second, fourth, and eighth districts; and (6) (2) in 1992 1993, the first, third, fourth, and tenth districts; (3) in 1994, the fifth and ninth districts; and (4) in 1995, the sixth and seventh districts. The *chief* district public defenders shall serve for staggered four-year terms and may be removed for cause upon the order of the state board of public defense. Vacancies in the office shall be filled by the appointing authority for the unexpired term.

Sec. 8. Minnesota Statutes 1990, section 611.26, subdivision 3, is amended to read:

Subd. 3. [COMPENSATION.] (a) The compensation of the *chief* district public defender shall be set by the board of public defense. The compensation of each assistant district public defender shall be set by the *chief* district public defender with the approval of the board of public defense. The compensation for *chief* district public defenders may not exceed the prevailing compensation for county attorneys within the district, and the compensation for assistant district public defenders may not exceed the prevailing compensation for assistant county attorneys within the district. To assist the board of public defense in determining prevailing compensation under this subdivision, counties shall provide to the board information on the compensation of county attorneys, including salaries and benefits, rent, secretarial staff, and other pertinent budget data. For purposes of this subdivision, compensation means salaries, cash payments, and employee benefits including paid time off and group insurance benefits, and other direct and indirect items of compensation including the value of office space provided by the employer.

(b) *This subdivision does not limit the rights of public defenders to collectively bargain with their employers.*

Sec. 9. Minnesota Statutes 1990, section 611.26, subdivision 4, is amended to read:

Subd. 4. [ASSISTANT PUBLIC DEFENDERS.] A *chief* district public defender shall appoint assistants who are qualified attorneys licensed to practice law in this state and other staff as the *chief* district public defender finds prudent and necessary subject to the standards adopted by the state board of public defense defender. Assistant district public defenders must be appointed to ensure broad geographic representation and caseload distribution within the district. Each assistant district public defender serves at the pleasure of the *chief* district public defender.

Sec. 10. Minnesota Statutes 1990, section 611.26, subdivision 7, is amended to read:

Subd. 7. [OTHER EMPLOYMENT.] *Chief district public defenders and assistant district public defenders may engage in the general practice of law where not employed on a full time basis.*

Sec. 11. Minnesota Statutes 1990, section 611.26, is amended by adding a subdivision to read:

Subd. 9. [SERVICES.] The chief district public defender is responsible for the administration of public defender services in the district, consistent with standards adopted by the state board of public defense and the policies and procedures adopted by the state public defender.

Sec. 12. [TRANSFER OF POSITIONS TO OFFICE OF THE STATE PUBLIC DEFENDER.]

The employees of the state board of public defense are transferred to the office of the state public defender.

Sec. 13. [SALARY FREEZE.]

The salary, as defined in Minnesota Statutes, section 43A.17, subdivision 1, of a position in the office of the Hennepin county public defender may not be increased above its level on April 1, 1991, until July 1, 1993, unless this salary freeze is earlier lifted by law.

Sec. 14. [REPEALER.]

Minnesota Statutes 1990, sections 383B.63, subdivision 1; 611.215, subdivision 4; 611.26, subdivision 1; 611.261; and Laws 1989, chapter 335, article 3, section 38, are repealed.

Sec. 15. [APPROPRIATION.]

\$15,000,000 is appropriated from the general fund to the board of public defense for aid to the office of the Hennepin county public defender. \$7,500,000 is for fiscal year 1992 and \$7,500,000 is for fiscal year 1993. This appropriation is available only if the reforms to the public defender system in sections 1 to 14 are enacted.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 15 are effective July 1, 1991."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 24, line 38, after "effect" insert "for judges"

Page 24, line 39, before the period, insert " , and for legislators and constitutional officers until January 3, 1994"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, J.B.	Mehrkens	Renneke
Beckman	Day	Johnston	Morse	Sams
Benson, D.D.	Frederickson, D.J.	Knaak	Neuville	Storm
Benson, J.E.	Gustafson	Laidig	Olson	
Bernhagen	Halberg	Larson	Pariseau	
Brataas	Hottinger	McGowan	Ranum	

Those who voted in the negative were:

Berg	Frederickson, D.R.	Merriam	Pogemiller	Traub
Bertram	Kelly	Metzen	Price	Vickerman
Cohen	Kroening	Moe, R.D.	Reichgott	Waldorf
Dahl	Langseth	Mondale	Samuelson	
DeCramer	Lessard	Novak	Solon	
Finn	Luther	Pappas	Spear	
Flynn	Marty	Piper	Stumpf	

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

Mr. Luther moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 15, after line 47, insert:

“The salary of a position in the state civil service or subject to the political subdivision salary limit in Minnesota Statutes, section 43A.17, subdivision 9, but not subject to Minnesota Statutes, chapter 179A, that is at least \$50,000 a year may not be increased above its level on April 1, 1991, until January 1, 1993, unless this salary freeze is earlier lifted by law.”

Mr. Knaak moved to amend the Luther amendment to H.F. No. 1631 as follows:

Page 1, line 12, delete “\$50,000” and insert “\$35,000”

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Luther amendment, as amended.

The roll was called, and there were yeas 57 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Brataas	Merriam	Neuville	Waldorf
Benson, J.E.				

The motion prevailed. So the amendment, as amended, was adopted.

Ms. Pappas moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 5, after line 33, insert:

"\$5,000 the first year is to continue the study of racial bias in the judicial system mandated by Laws 1990, chapter 557."

Correct the subdivision and section totals and the summaries by fund accordingly

The motion prevailed. So the amendment was adopted.

Mr. Benson, D.D. moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 12, line 5, delete "586,000" and insert "1,586,000"

Page 12, delete line 6 and insert:

"\$1,000,000 the first year is to fund the activities of a joint public/private commission to be called the Commission on Reform and Efficiency (CORE). \$200,000 is available immediately for start-up costs. The commission"

Page 12, line 11, after the period, insert "This appropriation is available only as matched by an equal amount from nonstate sources. In-kind contributions may be counted toward the matching contribution goal." and delete "commissioner" and insert "commission"

Page 12, line 13, delete "\$11,000,000" and insert "\$12,000,000"

Page 12, line 18, after the period, insert "Any unencumbered balance remaining in the first year does not cancel and is available for the second year of the biennium."

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 42, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Knaak moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Pages 27 to 29, delete sections 41 and 42

Renumber the sections of article I 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 23 and nays 42, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Kroening moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 56, line 23, delete "422A.01" and insert "422A.101"

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 29, after line 32, insert:

"Sec. 44. Minnesota Statutes 1990, section 16A.18, is amended to read:
16A.18 [ACCOUNTING, PAYROLL FOR COURTS, LEGISLATURE.]

The judicial and legislative branches are branch is not required to use the

state accounting system or a computerized payroll system.”

Renumber the sections of article 1 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 14 and nays 46, as follows:

Those who voted in the affirmative were:

Benson, D.D.	Brataas	Halberg	Larson	Pariseau
Benson, J.E.	Day	Johnston	Neuville	Storm
Bernhagen	Gustafson	Knaak	Olson	

Those who voted in the negative were:

Adkins	Finn	Kroening	Moe, R.D.	Solon
Beckman	Flynn	Laidig	Mondale	Spear
Belanger	Frank	Langseth	Morse	Stumpf
Berg	Frederickson, D.J.	Lessard	Piper	Traub
Berglin	Frederickson, D.R.	Luther	Pogemiller	Vickerman
Bertram	Hottinger	Marty	Price	Waldorf
Cohen	Johnson, D.E.	McGowan	Ranum	
Dahl	Johnson, D.J.	Mehrkens	Reichgott	
Davis	Johnson, J.B.	Merriam	Riveness	
DeCramer	Kelly	Metzen	Sams	

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

Mr. Pogemiller moved to amend H.F. No. 1631, as amended by the Senate May 9, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 1561.)

Page 45, line 7, delete the new language

Page 45, line 19, delete from “*The*” through page 45, line 22, to the period

The motion prevailed. So the amendment was adopted.

H.F. No. 1631 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 53 and nays 13, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Gustafson	Johnston	Mehrkens	Pariseau
Benson, D.D.	Halberg	Knaak	Neuville	
Benson, J.E.	Hughes	Larson	Olson	

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

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

S.F. No. 1152: A bill for an act relating to motor vehicles; authorizing the registrar of motor vehicles to prorate the original registration on groups of passenger motor vehicles presented to St. Paul by a lessor; amending Minnesota Statutes 1990, section 168.017, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1284: A bill for an act relating to agriculture; changing the livestock market agency and dealer licensing act; amending Minnesota Statutes 1990, sections 17A.01; 17A.03, subdivisions 1 and 7; 17A.04, subdivision 1; 17A.14; proposing coding for new law in Minnesota Statutes, chapter 17A; repealing Minnesota Statutes 1990, section 17A.15.

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson, D.D.; Berg; Finn and Halberg voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 922: A bill for an act relating to crimes; imposing a duty to investigate and render aid when a person is injured in a shooting accident; imposing penalties; providing immunity from civil liability under certain circumstances; 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 934: A bill for an act relating to motor vehicles; prohibiting registration of vehicle for which salvage certificate of title is issued; amending Minnesota Statutes 1990, section 168A.152, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 594: A bill for an act relating to foreign money claims; enacting the uniform foreign-money claims act; proposing coding for new law in Minnesota Statutes, chapter 548.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 1, as follows:

Those who voted in the affirmative were:

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

Ms. Reichgott voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 693: A bill for an act relating to data practices; providing for classifications of government data; amending Minnesota Statutes 1990, sections 13.01, by adding a subdivision; 13.03, by adding a subdivision; 13.40; 13.43, subdivision 2 and by adding a subdivision; 13.55; 13.82, subdivisions 4 and 10; 13.83, subdivisions 4, 8, and by adding a subdivision; 13.84, by adding a subdivision; 144.335, by adding a subdivision; 169.09, subdivision 13; 260.161, subdivision 3; 383B.225, subdivision 6; 390.11, subdivision 7; 390.32, subdivision 6; 403.07, subdivision 4; 595.024, subdivision 3; and 626.556, subdivision 11c, and by adding a subdivision; proposing coding for new law in chapter 13.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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.	Mehrkins	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

So the bill passed and its title was agreed to.

H.F. No. 1549: A resolution memorializing the President and the Congress of the United States to take action to alleviate the crisis in the Midwest dairy industry.

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

The question was taken on the passage of the resolution.

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

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

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

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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.	Mehrkins	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

So the bill passed and its title was agreed to.

S.F. No. 1064: A bill for an act relating to waters; exempting certain proceedings by the board of water and soil resources from the administrative procedure act; changing administrative appeal procedures; authorizing appeals to the court of appeals; exempting the Minnesota housing finance agency from restrictions on transfers of marginal land and wetlands; limiting a prohibition on certain new water use permits to the metropolitan area; exempting tree and shrub planting from certain notification requirements; amending Minnesota Statutes 1990, sections 103B.345, subdivisions 2 and 4; 103D.105, subdivision 1; 103D.111; 103F.535, subdivision 1; 103G.271, subdivision 4a; and 216D.01, subdivision 5.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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	
Cohen	Hughes	McGowan	Price	
Dahl	Johnson, D.E.	Mehrkens	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

So the bill passed and its title was agreed to.

S.F. No. 1300: A bill for an act relating to agriculture; allowing exemption of certain garbage from requirements for feeding to livestock or poultry; amending Minnesota Statutes 1990, section 35.73, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 35.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1551: A bill for an act relating to retirement; Edina volunteer firefighters relief association; modifying limitations on survivor benefit coverage; amending Laws 1965, chapter 592, section 4, as amended.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1475: A bill for an act relating to education; requiring post-secondary governing boards to report on cultural diversity.

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 2, as follows:

Those who voted in the affirmative were:

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

Mr. Halberg and Ms. Johnston voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 815: A bill for an act relating to insurance; the Minnesota comprehensive health insurance plan; regulating premium determinations, meetings, and experimental delivery and managed care delivery methods; authorizing preferred provider networks; classifying PPO agreement data; regulating access; amending Minnesota Statutes 1990, sections 13.71, by adding a subdivision; 62E.08, by adding a subdivision; 62E.10, subdivisions 4 and 9; 62E.12; 62E.13, by adding a subdivision; and 62E.14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62E.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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	

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. No. 351 and H.F. Nos. 1509, 128, 910, which the committee recommends to pass.

S.F. No. 173, which the committee recommends to pass with the following amendments offered by Mr. Knaak:

Page 2, line 36, after "(f)" insert "(1)"

Page 3, line 2, after "(f)" insert "(1)"

The motion prevailed. So the amendment was adopted.

Mr. Knaak then moved to amend S.F. No. 173 as follows:

Page 3, line 2, before the period, insert "*and the employer cannot show that the previous employee in the same position was dismissed for good cause shown, including but not limited to malfeasance, nonfeasance, gross neglect of duty, or negligence*"

The motion prevailed. So the amendment was adopted.

S.F. No. 735, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 1, line 17, delete "*lobbying or*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 18, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Frederickson, D.R.	Lessard	Pariseau
Beckman	Davis	Hottinger	McGowan	Samuelson
Belanger	Day	Johnson, D.E.	Mehrkens	Solon
Benson, D.D.	Finn	Johnson, D.J.	Metzen	Stumpf
Benson, J.E.	Frank	Kroening	Mondale	Vickerman
Bertram	Frederickson, D.J.	Laidig	Neuville	

Those who voted in the negative were:

Berglin	Flynn	Luther	Pappas	Traub
Brataas	Hughes	Marty	Piper	Waldorf
Cohen	Johnson, J.B.	Merriam	Riveness	
Dicklich	Kelly	Morse	Spear	

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S.F. No. 735.

The roll was called, and there were yeas 32 and nays 14, as follows:

Those who voted in the affirmative were:

Adkins	Brataas	Frederickson, D.J.	Lessard	Samuelson
Beckman	Chmielewski	Hottinger	McGowan	Solon
Belanger	Davis	Hughes	Metzen	Stumpf
Benson, D.D.	Day	Johnson, D.E.	Mondale	Vickerman
Benson, J.E.	Dicklich	Johnson, D.J.	Pariseau	
Berg	Finn	Kroening	Riveness	
Bertram	Frank	Laidig	Sams	

Those who voted in the negative were:

Berglin	Johnson, J.B.	Marty	Pappas	Traub
Cohen	Kelly	Merriam	Piper	Waldorf
Flynn	Luther	Morse	Spear	

The motion prevailed. So S.F. No. 735 was recommended to pass.

H.F. No. 914, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Amend H.F. No. 914, as amended pursuant to Rule 49, adopted by the Senate April 22, 1991, as follows:

(The text of the amended House File is identical to S.F. No. 844.)

Page 2, after line 25, insert:

"Sec. 2. Minnesota Statutes 1990, section 282.018, subdivision 1, is amended to read:

Subdivision 1. [PROPERTY ON OR ADJACENT TO PUBLIC WATERS.]
 (a) All land which is the property of the state as a result of forfeiture to the state for nonpayment of taxes, regardless of whether the land is held in trust for taxing districts, and which borders on or is adjacent to meandered lakes and other public waters and watercourses, and the live timber growing or being thereon, is hereby withdrawn from sale except as hereinafter provided. The authority having jurisdiction over the timber on any such lands may sell the timber as otherwise provided by law for cutting and removal under such conditions as the authority may prescribe in accordance with approved, sustained yield forestry practices. The authority having jurisdiction over the timber shall reserve such timber and impose such conditions as the authority deems necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features. Within the area in Cook, Lake, and

St. Louis counties described in the Act of Congress approved July 10, 1930 (46 Stat. 1020), the timber on tax-forfeited lands shall be subject to like restrictions as are now imposed by that act on federal lands.

(b) Of all tax-forfeited land bordering on or adjacent to meandered lakes and other public waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary high-water mark being the waterside boundary thereof, and the land side boundary thereof being a line drawn parallel to the ordinary high-water mark and two rods distant landward therefrom, hereby is reserved for public travel thereon, and whatever the conformation of the shore line or conditions require, the authority having jurisdiction over such lands shall reserve a wider strip for such purposes.

(c) Any tract or parcel of land which has 50 feet or less of waterfront may be sold by the authority having jurisdiction over the land, in the manner otherwise provided by law for the sale of such lands, if the authority determines that it is in the public interest to do so. If the authority having jurisdiction over the land is not the commissioner of natural resources, the land may not be offered for sale without the prior approval of the commissioner of natural resources.

(d) *Where the authority having jurisdiction over lands withdrawn from sale under this section is not the commissioner of natural resources, the authority may submit proposals for disposition of the lands to the commissioner. The commissioner of natural resources shall evaluate the lands and their public benefits and make recommendations on the proposed dispositions to the committees of the legislature with jurisdiction over natural resources. The commissioner shall include any recommendations of the commissioner for disposition of lands withdrawn from sale under this section over which the commissioner has jurisdiction. The commissioner's recommendations may include a public sale, sale to a private party, acquisition by the department of natural resources for public purposes, or a cooperative management agreement with, or transfer to, another unit of government."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 535, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 4, delete lines 3 to 15 and insert:

"Subd. 13. [PAYMENT OF HEALTH CARE CLAIMS.] Insurers issuing individual and group health insurance policies and all other third party payors shall pay a health care provider for all claims and indemnities payable under legal policies and contracts upon the proper filing of a claim, together with all necessary documentation, by issuing a check payable to the insured and the health care provider, if the insurer is aware of a valid assignment of benefits for the claim. This subdivision does not apply to a nonprofit health service plan corporation regulated under chapter 62C or a health maintenance organization regulated under chapter 62D."

The motion prevailed. So the amendment was adopted.

S.F. No. 1179, which the committee recommends to pass with the following amendment offered by Mr. Pogemiller:

Pages 1 and 2, delete section 1

Page 6, line 16, before "A" insert "*Subject to the provisions of chapter*

466,"

Page 6, line 28, before "An" insert "*Subject to the provisions of chapter 466,*"

Pages 14 and 15, delete section 14

Page 15, line 17, delete "14" and insert "12"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "287.06;"

Page 1, line 9, delete "subdivisions 3 and 8" and insert "subdivision 3"

The motion prevailed. So the amendment was adopted.

H.F. No. 126, which the committee recommends to pass with the following amendment offered by Mr. Davis:

Amend H.F. No. 126, the unofficial engrossment, as follows:

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 1990, section 161.14, is amended by adding a subdivision to read:

Subd. 26. [ELMER L. ANDERSEN HIGHWAY.] That portion of constitutional route 18 known as trunk highway No. 169, beginning at Princeton and extending south six miles, is named and designated the "Elmer L. Andersen scenic highway." The commissioner of transportation may adopt a suitable marking design to mark this highway, may erect the appropriate signs, and shall ensure preservation of the environmental characteristics and scenic beauty of the designated highway."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 688, which the committee reports progress, subject to the following motions:

Ms. Ranum moved to amend S.F. No. 688 as follows:

Page 19, line 24, delete "may"

Page 19, line 25, after the comma, insert "*may at reasonable times*" and after "site" insert "*other than a private residence*".

Page 19, line 29, after the period, insert "*When a site at which electrical work is being or has been performed or where records concerning the performance of electrical work are kept is a private residence, the board must notify an adult resident before inspecting the site, and the inspection must be made during normal business hours unless a resident agrees in advance to another time.*"

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend S.F. No. 688 as follows:

Pages 15 and 16, delete section 26

Page 19, delete section 32

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 18 and nays 22, as follows:

Those who voted in the affirmative were:

Beckman	Berg	Gustafson	Mehrkens	Sams
Belanger	Bernhagen	Johnston	Neuville	Storm
Benson, D.D.	Bertram	Knaak	Olson	
Benson, J.E.	Day	McGowan	Pariseau	

Those who voted in the negative were:

Adkins	Frederickson, D.J.	Lessard	Pappas	Traub
Chmielewski	Hottinger	Luther	Price	Waldorf
Cohen	Hughes	Marty	Ranum	
Flynn	Johnson, J.B.	Moe, R.D.	Riveness	
Frank	Kroening	Mondale	Spear	

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

Mr. Knaak then moved to amend S.F. No. 688 as follows:

Pages 7 and 8, delete section 15

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 19 and nays 23, as follows:

Those who voted in the affirmative were:

Belanger	Bernhagen	Gustafson	McGowan	Pariseau
Benson, D.D.	Bertram	Johnston	Mehrkens	Sams
Benson, J.E.	Day	Knaak	Neuville	Storm
Berg	DeCramer	Langseth	Olson	

Those who voted in the negative were:

Adkins	Flynn	Johnson, J.B.	Mondale	Spear
Beckman	Frank	Kroening	Novak	Traub
Chmielewski	Frederickson, D.J.	Luther	Pappas	Waldorf
Cohen	Hottinger	Marty	Ranum	
Dicklich	Hughes	Moe, R.D.	Riveness	

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

The question was taken on the recommendation to pass S.F. No. 688.

The roll was called, and there were yeas 27 and nays 29, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Merriam	Pappas	Spear
Chmielewski	Hughes	Metzen	Piper	Traub
Cohen	Johnson, J.B.	Moe, R.D.	Price	Waldorf
Dicklich	Kroening	Mondale	Ranum	
Finn	Luther	Morse	Riveness	
Flynn	Marty	Novak	Samuelson	

Those who voted in the negative were:

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

The motion did not prevail. S.F. No. 688 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.

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:

S.F. No. 81: Mr. Hottinger, Mrs. Adkins and Mr. Day.

S.F. No. 793: Messrs. Dahl, Merriam and Laidig.

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

MEMBERS EXCUSED

Mr. Chmielewski was excused from the Session of today from 12:30 to 5:10 p.m. Mr. Halberg was excused from the Session of today at 6:45 p.m. Messrs. Frank; Moe, R.D.; Mondale; Renneke and Sams were excused from the Session of today from 12:30 to 1:30 p.m. Mr. Novak was excused from the Session of today from 12:30 to 1:15 p.m. and from 3:45 to 5:20 p.m. Mr. Dahl was excused from the Session of today from 12:30 to 2:10 p.m. Mr. DeCramer was excused from the Session of today from 5:00 to 5:25 p.m. Mr. Hughes was excused from the Session of today from 5:00 to 5:45 p.m. Ms. Reichgott was excused from the Session of today at 6:50 p.m. Mr. Dahl was excused from the Session of today at 7:00 p.m. Mr. Knaak was excused from the Session of today from 7:05 to 8:30 p.m. Mr. Renneke and Ms. Berglin were excused from the Session of today from 7:30 to 9:30 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 1:00 p.m., Friday, May 10, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate