

## EIGHTY-THIRD DAY

St. Paul, Minnesota, Tuesday, March 24, 1992

The Senate met at 12:00 noon and was called to order by the President.

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Paul Harris.

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

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

The President declared a quorum present.

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

### REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Office of the Legislative Auditor, Program Evaluation Division, Higher Education Administrative and Student Services Spending: Technical Colleges, Community Colleges, and State Universities, 1992; Department of Natural Resources, Survey of Minnesota Snowmobile Clubs: Gauging Satisfaction With DNR Reimbursement Policies For Trail Grooming Expenditures, 1992; Department of Natural Resources, University of Minnesota, Gasoline Consumption By Snowmobiles Within Minnesota, 1992; Department of Jobs and Training, Youth Employment and Housing Program, 1991; Department of Military Affairs, Effectiveness of the Minnesota National Guard Incentives Program, 1992; Minnesota State Retirement System, Comprehensive Annual Report, July 1, 1990 - June 30, 1991; Department of Agriculture, Report of the Agricultural Chemical Response Compensation

Board (ACRRA Board) and the Commissioner of Agriculture, 1992; Department of Health, Residential Care Home, 1992; Minnesota State Lottery, Annual Report, 1991; Department of Employee Relations, Critical Incident Stress Debriefing in Minnesota; Minnesota Higher Education Board, Preparing for Merger, Preliminary Plan and Timetable, 1992; Department of Human Services, Compulsive Gambling Treatment Program, 1992; Metropolitan Council, Annual Contingency Assessment, Major Airport Strategy, 1991; Metropolitan Council, Major Airport Planning Activities, 1991; Department of Veterans Affairs and Minnesota Veterans Homes, Board of Directors, Long Term Care Alternatives for Veterans, 1992; Department of Human Services and the Regional Transit Board, Paratransit Advisory Committee, Findings and Recommendations for Coordination and Consolidation of Metro Mobility and Medical Assistance Special Transportation, 1992; Minnesota Sentencing Guidelines Commission, Controlled Substance Offenses, 1992; Minnesota Housing Finance Agency, Minnesota Rural and Urban Homesteading Program, 1992; Minnesota Racing Commission, Annual Report, 1991; Minnesota Veterans Homes Board, Long Range Planning Study; Department of Natural Resources, Division of Enforcement, Metro Conservation Officer Evaluation; Department of Administration, Capital Budget Reform, 1992; Department of Administration, The Dahl House, A Renovation and Potential Reuse, 1992; Department of Human Services, Licensing or Credentialing of Chemical Dependency Counselors in Minnesota, 1992; Department of Human Services, Cost of Chemical Use Assessments of Convicted Felons in Minnesota, 1992; Department of Human Services, Mental Health Report, 1992; Department of Human Services, Enhanced Reimbursement for a Huntington's Disease Unit, 1992; Department of Human Services, Illicit Drugs and African American Youth in Summit University, 1992; Department of Human Services, Recommendations for a Maximum Rate for Noncertified Boarding Care Homes, 1992; Department of Human Services, Recommendations for a Personal Care Services Licensure Rule, 1992; Department of Human Services and the Department of Health, Financial Condition of Nursing Homes, 1992; Department of Jobs and Training, Transitional Housing Program, 1991; Public Utilities Commission, Economic and Technical Review of Generating Electricity from Landfill Gas, 1992; Office of the State Auditor, Local Government Salary Study, 1991; Department of Commerce, Licensing of Specialty Contractors, Licensing Procedures, and Continuing Education Requirements, 1992.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 2424, 2323, 2434, 2692, 1731, 1790 and 1910. The motion prevailed.

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

S.F. No. 2728: A bill for an act relating to agriculture; establishing a dairy fund in the state treasury; imposing fees; providing for certain milk premium payments to dairy farmers; establishing a Minnesota dairy board; proposing coding for new law in Minnesota Statutes, chapter 32.

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

Delete everything after the enacting clause and insert:

"Section 1. [32A.071] [CLASS I MILK PRICE.]

*Subdivision 1. [PURPOSE.] It is the intent of the legislature that establishing an over-order premium milk price will benefit the incomes of all Minnesota dairy farmers and improve the economies in rural communities.*

*Subd. 2. [MINIMUM CLASS I MILK PRICE.] The minimum price for class 1 milk as defined by the upper midwest federal milk marketing order, Code of Federal Regulations, title 7, part 1068, for milk purchased in Minnesota for class 1 use shall be not less than \$1.50 per hundredweight higher than the class 1 price specified in the applicable milk marketing order. This price shall be paid by processors of class 1 milk directly to their suppliers of grade A milk or to the agents of the suppliers. Suppliers or agents shall pass the entire over-order premium payment on to the dairy producers.*

*Subd. 3. [RULES.] The commissioner of agriculture shall adopt rules to implement subdivision 2 in a manner that minimizes disruption to existing trade practices and commercial transactions, including maximizing the use of pooling of over-order premium payments among grade A milk producers.*

*Subd. 4. [REPORT.] Not later than March 1 of 1993 and each year thereafter, the commissioner of agriculture shall report to the chairs of the senate agriculture and rural development committee and the house of representatives agriculture committee on the impacts and benefits to dairy farmers of the minimum class 1 milk price established under subdivision 2.*

Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective August 1, 1992, except that the rulemaking authority granted to the commissioner of agriculture is effective June 1, 1992."*

Delete the title and insert:

"A bill for an act relating to agriculture; establishing a state over-order premium milk price for dairy farmers for certain milk; proposing coding for new law in Minnesota Statutes, chapter 32A."

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

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

S.F. No. 2746: A bill for an act relating to occupations and professions; board of accountancy; establishing procedures for the board to carry out disciplinary proceedings; providing penalties; amending Minnesota Statutes 1990, section 326.211, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1990, sections 326.23; and 326.231.

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

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

S.F. No. 522: A bill for an act relating to game and fish; prohibiting designation of experimental waters in specified counties; amending Minnesota Statutes 1990, section 97C.001, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 97A.015, subdivision 15, is amended to read:

Subd. 15. [DESIGNATED TROUT LAKE; DESIGNATED TROUT STREAM.] "Designated trout lake" or "designated trout stream" means a lake or stream designated by the commissioner as a trout lake or a trout stream under section 97C.001 or 97C.005.

Sec. 2. [97C.007] [SOUTHEASTERN TROUT STREAMS.]

*In designated trout streams located in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue counties, all legal methods of taking fish are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed."*

Delete the title and insert:

"A bill for an act relating to game and fish; specifying allowed methods for taking fish in certain designated trout streams; amending Minnesota Statutes 1990, section 97A.015, subdivision 15; proposing coding for new law in Minnesota Statutes, chapter 97C."

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

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

S.F. No. 1292: A bill for an act relating to waste; establishing priorities for municipal wastewater treatment funding under the state independent grants program; amending Minnesota Statutes 1990, sections 116.16, subdivisions 2, 5, and 9a; 116.162, subdivision 7; 116.18, subdivision 3a; 116.181, subdivisions 1 and 2; and 446A.06, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 115.03, subdivision 1, is amended to read:

Subdivision 1. The agency is hereby given and charged with the following powers and duties:

(a) To administer and enforce all laws relating to the pollution of any of the waters of the state;

(b) To investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

(c) To establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;

(d) To encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;

(e) To adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, rules, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities;

(1) Requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;

(2) Prohibiting or directing the abatement of any discharge of sewage, industrial waste, or other wastes, into any waters of the state or the deposit thereof or the discharge into any municipal disposal system where the same is likely to get into any waters of the state in violation of this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying the schedule of compliance within which such prohibition or abatement must be accomplished;

(3) Prohibiting the storage of any liquid or solid substance or other pollutant in a manner which does not reasonably assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state;

(4) Requiring the construction, installation, maintenance, and operation by any person of any disposal system or any part thereof, or other equipment and facilities, or the reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, or the adoption of other remedial measures to prevent, control or abate any discharge or deposit of sewage, industrial waste or other wastes by any person;

(5) Establishing, and from time to time revising, standards of performance for new sources taking into consideration, among other things, classes, types, sizes, and categories of sources, processes, pollution control technology, cost of achieving such effluent reduction, and any nonwater quality environmental impact and energy requirements. Said standards of performance for new sources shall encompass those standards for the control of the discharge of pollutants which reflect the greatest degree of effluent reduction which the agency determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants. New sources shall encompass buildings, structures, facilities, or installations from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication by the agency of proposed rules prescribing a standard of performance which will be applicable to such source. Notwithstanding any other provision of the law of this state, any point source the construction of which is commenced after May 20, 1973, and which is so constructed as to meet all applicable standards of performance for new sources shall, consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution Control Act, not be subject to any more stringent standard of performance for new sources during a ten-year period beginning on the date of completion of such construction

or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first. Construction shall encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(6) Establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system;

(7) Requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency shall prescribe, and providing such other information as the agency may reasonably require;

(8) Notwithstanding any other provision of this chapter, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision 5, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency shall hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation shall not become effective and shall be adjusted as it applies to such person;

(9) Modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants;

(f) To require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;

(g) To prescribe and alter rules, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state;

(h) To conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable for the discharge of its duties under this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings;

(i) For the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste treatment management plans, and to provide for the implementation of any such plans by means of, including, but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

(j) To train water pollution control personnel, and charge such fees therefor as are necessary to cover the agency's costs. All such fees received shall be paid into the state treasury and credited to the pollution control agency training account;

(k) To impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder;

(l) To set a period not to exceed five years for the duration of any National Pollutant Discharge Elimination System permit;

(m) To require a *each governmental subdivision that owns or operates identified as a permittee for a wastewater disposal system treatment works to have a plan to address its ability to pay the costs of making major repairs to the annually evaluate the condition of its existing system and planning and constructing an adequate replacement system at the end of the existing system's expected useful life identify future capital improvements that will be needed to attain or maintain compliance with a national pollutant discharge elimination system or state disposal system permit; and*

(n) To train individual sewage treatment system personnel, including persons who design, construct, install, inspect, service, and operate individual sewage treatment systems, and charge fees as necessary to pay the agency's costs. All fees received must be paid into the state treasury and credited to the agency's training account. Money in the account is appropriated to the agency to pay expenses related to training.

*The information required in clause (m) must be submitted annually to the commissioner on a form provided by the commissioner. The commissioner*

*shall provide technical assistance if requested by the governmental subdivision.*

**Sec. 2. [116.182] [FINANCIAL ASSISTANCE PROGRAM.]**

*Subdivision 1. [DEFINITIONS.] (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.*

*(b) "Agency" means the pollution control agency.*

*(c) "Authority" means the public facilities authority established in section 446A.03.*

*(d) "Commissioner" means the commissioner of the pollution control agency.*

*(e) "Essential project components" means those components of a wastewater disposal system that are necessary to convey or treat a municipality's existing wastewater flows and loadings, and future wastewater flows and loadings based on the projected residential growth of the municipality for a 20-year period.*

*(f) "Municipality" means a county, home rule charter or statutory city, or town; the metropolitan waste control commission established in chapter 473; the metropolitan council when acting under the provisions of chapter 473; an Indian tribe or an authorized Indian tribal organization; or any other governmental subdivision of the state responsible by law for the prevention, control, and abatement of water pollution in any area of the state.*

*Subd. 2. [APPLICABILITY.] This section governs the commissioner's certification of applications for financial assistance under section 446A.07 or 446A.071.*

*Subd. 3. [PROJECT REVIEW.] The commissioner shall review a municipality's proposed project and financial assistance application to determine whether they meet the criteria in this section and the rules adopted under this section. The review must include a determination of the essential project components.*

*Subd. 4. [CERTIFICATION OF APPROVED PROJECTS.] The commissioner shall certify to the authority each approved application, including a statement of the essential project components and associated costs.*

*Subd. 5. [RULES.] The agency shall adopt rules for the administration of the financial assistance program. The rules must include:*

*(1) application requirements;*

*(2) criteria for the ranking of projects in order of priority based on factors including the type of project and the degree of environmental impact; and*

*(3) criteria for determining essential project components.*

*Subd. 6. [TRANSFER OF FUNDS.] As the projects in the programs specified under section 116.18, except the program under subdivision 3c of that section, are completed, any amounts remaining from appropriations for the programs are appropriated to the authority for the wastewater infrastructure funding program in section 446A.071, provided this use of the funds does not violate applicable provisions of any bond or note resolutions, indentures, or other instruments, contracts, or agreements associated with the source of the funds.*

**Sec. 3. Minnesota Statutes 1990, section 446A.04, subdivision 5, is**



amended to read:

Subd. 5. [FEES.] The authority may set and collect fees for costs incurred by the authority, the commissioner, or the pollution control agency, including costs for personnel and administrative services, for its financings and the establishment and maintenance of reserve funds. Fees charged directly to borrowers upon executing a loan agreement must not exceed one-half of one percent of the loan amount. Servicing fees assessed to loan repayments must not exceed two percent of the loan repayment. Fees collected under this subdivision must be deposited in the state treasury and credited to the general fund.

Sec. 4. [446A.071] [WASTEWATER INFRASTRUCTURE FUNDING PROGRAM.]

Subdivision 1. [ESTABLISHMENT OF THE PROGRAM.] (a) The authority shall establish the wastewater infrastructure funding program to provide supplemental assistance, as provided in rules of the authority, to municipalities that receive loans or other assistance from the water pollution control revolving fund under section 446A.07.

(b) The authority may secure funds for the wastewater infrastructure funding program through state appropriations; any source identified in section 446A.04 which may be designated by the authority for the purposes of this section; and any federal funding appropriated by Congress that may be used for the purposes of this section.

(c) The authority may set aside up to ten percent of the money appropriated to the wastewater infrastructure funding program for wastewater projects that are necessary to accommodate economic development projects.

Subd. 2. [SUPPLEMENTAL ASSISTANCE.] The authority may provide supplemental assistance under this section in the form of loans; write-down of principal, interest, or both; or direct grants, as determined by authority rules. The amount and form of the supplemental assistance must be based on the authority's determination of the financial capability of the municipality, the municipality's eligibility to qualify for other grant programs, and the source of funds.

Subd. 3. [PROGRAM ADMINISTRATION.] The authority may provide supplemental assistance to municipalities demonstrating financial need whose applications have been certified by the commissioner of the agency under section 116.182. The authority shall provide supplemental assistance according to the priority ranking established by the agency except for amounts set aside under subdivision 1, paragraph (c). The authority shall assist municipalities in securing other funding from appropriate sources. The authority shall not award financial assistance under this section unless it determines that the total project financing will be in place.

Subd. 4. [FUNDING LEVEL.] (a) The authority may provide supplemental assistance for essential project components and costs as certified by the commissioner of the agency under section 116.182, subdivision 4, only if the loan or other financial assistance under section 446A.07 is not sufficient to provide financing for that portion of the project. The authority shall take into account the ability of significant wastewater contributors to pay their fair share of the total project costs in determining eligibility of costs for supplemental assistance.

(b) When feasible, the authority shall coordinate and leverage assistance

*under the wastewater infrastructure funding program with other grant programs for which the municipality is eligible.*

*(c) Requirements under paragraph (a) do not apply to the economic development set-aside under subdivision 1, paragraph (c).*

*Subd. 5. [APPLICATIONS.] Applications for supplemental assistance must be made to the authority on forms prescribed by the authority and must include information identified in the rules of the authority and the agency. The authority shall forward an application to the agency within ten days of receipt. The commissioner of the agency shall review the projects and applications to determine if they meet the criteria set forth in section 2 and the agency rules for the program. The commissioner of the agency shall certify approved applications to the authority under section 116.182.*

*Subd. 6. [PAYMENTS.] Payments from the wastewater infrastructure funding program must be made in accordance with applicable state and federal laws and rules of the authority governing such payments.*

*Subd. 7. [RULES.] The commissioner of trade and economic development shall adopt rules establishing procedures for the administration of the wastewater infrastructure funding program. The rules must include:*

*(1) procedures for the administration of the financial assistance program, including application procedures;*

*(2) provisions establishing eligible uses of funds, forms of assistance, payments, and reporting requirements; and*

*(3) criteria for determining the amount of supplemental assistance, which must include consideration of: social, economic, and demographic considerations; sewer service charges; financial management; and the ability of significant wastewater contributors to pay their fair share of the costs without supplemental assistance.*

*Subd. 8. [TRANSFER OF APPROPRIATIONS.] As the projects in the programs specified under section 116.18 are completed, any amounts remaining from appropriations for the programs are appropriated to the authority for the wastewater infrastructure funding program, provided this use does not violate applicable provisions of any bond or note resolutions, indentures, or other instruments, contracts, or agreements associated with the source of the funds.*

#### **Sec. 5. [APPROPRIATION ALLOCATION.]**

*Up to \$50,000 of funds appropriated under Laws 1990, chapter 594, article 1, section 22, paragraph (c), may be awarded to a municipality or sanitary district for advanced alternative on-site treatment system demonstration projects in sensitive groundwater areas. The amount awarded must be matched by an equal amount of local funds from the municipality or sanitary district."*

Delete the title and insert:

*"A bill for an act relating to wastewater treatment funding; requiring governmental subdivisions to evaluate annually their wastewater disposal system needs; establishing a program of supplemental financial assistance for the construction of municipal wastewater disposal systems; expanding the authority of the public facilities authority to set and collect fees; amending Minnesota Statutes 1990, sections 115.03, subdivision 1; and 446A.04, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters*

116; and 446A.”

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

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

S.F. No. 1805: A bill for an act relating to human services: requiring reporting of legally blind persons to Minnesota state services for the blind and visually handicapped; proposing coding for new law in Minnesota Statutes, chapter 248.

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

Delete everything after the enacting clause and insert:

“Section 1. [248.011] [REPORTING OF NEWLY BLINDED INDIVIDUAL.]

*Subdivision 1. [DUTY TO REPORT.] Whenever an ophthalmologist or optometrist makes an initial diagnosis of legal blindness as defined in section 256D.35, subdivision 4a, the ophthalmologist or optometrist shall advise the client that services are available through Minnesota state services for the blind and visually handicapped. After obtaining client consent, the ophthalmologist or optometrist shall report the name of the legally blind client to Minnesota state services for the blind and visually handicapped. The report must be filed with Minnesota state services for the blind and visually handicapped within 30 days following a diagnosis of legal blindness after obtaining client consent.*

*Subd. 2. [DUTIES OF MINNESOTA STATE SERVICES FOR THE BLIND AND VISUALLY HANDICAPPED.] Upon receipt of the name of a legally blind individual, Minnesota state services for the blind and visually handicapped shall contact the newly blind individual within 30 days and provide a complete summary of available services to the blind individual, in media accessible to the individual.*

Sec. 2. Minnesota Statutes 1990, section 248.07, subdivision 1, is amended to read:

Subdivision 1. [COOPERATION.] It shall be the duty of the commissioner of jobs and training, referred to in this section and sections 248.10 and 248.11 as the commissioner, to develop and administer programs serving the needs of blind and visually handicapped persons and to cooperate with state and local boards and agencies both public and private. The commissioner shall create a distinct organizational unit to be known as *the division of services for the blind and visually handicapped*, separate from the vocational rehabilitation unit and with its own activity budget, within the department of jobs and training to provide and coordinate services to the blind.

Sec. 3. Minnesota Statutes 1990, section 248.07, subdivision 5, is amended to read:

Subd. 5. [AIDS.] The commissioner shall further be empowered to aid the blind: (1) By home instruction and training; (2) by assisting them in securing tools, appliances, and supplies; (3) by any other practicable means of improving their social, economic, or educational condition; ~~and~~ (4) by providing to eligible persons, or purchasing for sale at cost plus handling

charges, special materials and supplies needed by blind or visually handicapped persons that are difficult to obtain elsewhere; and (5) by promoting literacy and access to print materials through production of alternative reading formats such as Braille, audio tapes, radio signals, newspaper reading services, and other services originating from the division's communication center. Equipment may be leased or sold under written rehabilitation plans at cost plus handling charges to persons who wish to lease or purchase them. Receipts under this subdivision, as well as gifts to aid the blind, are subject to section 268.0121, subdivision 5.

Sec. 4. Minnesota Statutes 1990, section 248.10, subdivision 2, is amended to read:

Subd. 2. [~~REMOVAL; VACANCIES; EXPIRATION.~~] The compensation, removal of members, and filling of vacancies on the council are as provided in section 15.0575. ~~The council expires on June 30, 1993.~~"

Delete the title and insert:

"A bill for an act relating to human services; requiring reporting of legally blind persons to Minnesota state services for the blind and visually handicapped; modifying the duties of the commissioner of jobs and training; removing a council's expiration date; amending Minnesota Statutes 1990, sections 248.07, subdivisions 1 and 5; and 248.10, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 248."

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

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

S.F. No. 2084: A bill for an act relating to mental health; adding licensed marriage and family therapists to the list of qualified mental health professionals; amending Minnesota Statutes 1991 Supplement, sections 245.462, subdivision 18; and 245.4871, subdivision 27.

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

Page 2, line 11, delete "4,000 hours" and insert "two years"

Page 3, line 20, delete "4,000 hours" and insert "two years"

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

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

S.F. No. 2707: A bill for an act relating to human services; prohibiting restrictions on the right to provide licensed day care; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Delete everything after the enacting clause and insert:

"Section 1. [STUDY OF RESTRICTIONS ON RIGHT TO PROVIDE LICENSED DAY CARE.]

*The commissioner of human services shall submit a report to the legislature by December 1, 1992, on the feasibility and desirability of prohibiting deeds; covenants; housing, condominium, or townhouse association bylaws, declarations, or rules; leases, rental agreements, or rules for manufactured home park lots or other rental property; or other conveyance instruments from placing restrictions on use of residential property that would prevent a person from providing family or group family day care services for which the person is licensed under Minnesota Rules, parts 9502.0300 to 9502.0445. In completing a study and reporting the report, the commissioner shall consider the need for exceptions for:*

*(1) owner-occupied rental property with no more than two units, including the owner-occupied unit; and*

*(2) housing for older persons, as defined in United States Code, title 42, section 3607(b), as amended through December 31, 1991."*

Amend the title as follows:

Page 1, line 2, delete "prohibiting" and insert "requiring a study on"

Page 1, line 3, delete "; proposing" and insert a period

Page 1, delete line 4

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

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

S.F. No. 2234: A bill for an act relating to occupations and professions; modifying disciplinary requirements of the board of social work; allowing the issuance of practice permits; clarifying requirements for changes in licensure level; providing penalties; amending Minnesota Statutes 1990, sections 148B.04, by adding a subdivision; 148B.15; 148B.18, subdivisions 9 and 12; 148B.21, subdivision 2, and by adding subdivisions; 148B.22, subdivision 2; 148B.27, subdivision 3; 148B.28, subdivision 2; Minnesota Statutes 1991 Supplement, sections 148B.04, subdivision 3; 148B.05, subdivision 1; 148B.07, subdivision 3; 148B.08, subdivision 1, and by adding a subdivision; and 148B.175, subdivisions 3, 4, 5, and 8; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Statutes 1990, section 148B.05, subdivision 2.

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

Page 7, line 16, delete "holds a current social work license from" and insert "is licensed or certified to practice social work in Minnesota or"

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

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

S.F. No. 1700: A bill for an act relating to family law; modifying the requirements for a person other than a parent who seeks child custody or visitation; amending Minnesota Statutes 1990, section 518.156, subdivision 1.

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

as follows:

Page 2, line 7, delete “*child custody or*”

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

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

S.F. No. 1782: A bill for an act relating to human services; clarifying and expanding restrictions on giving away assets or income to gain eligibility for medical assistance; requiring an institutionalized spouse on medical assistance to use available income and assets for health care and personal needs; permitting medical assistance liens against real property; prohibiting trust clauses that make trust assets unavailable to a beneficiary if the beneficiary becomes eligible for medical assistance; requiring a report; amending Minnesota Statutes 1990, sections 256B.059, subdivision 5; 256B.0595, subdivision 1; 256B.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 501B.

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

Pages 3 and 4, delete section 3

Page 4, line 13, delete “PROHIBITED” and insert “UNENFORCEABLE”

Page 4, line 16, delete everything before “if”

Page 4, delete section 5 and insert:

“Sec. 4. [514.801] [MEDICAL ASSISTANCE LIENS; DEFINITIONS.]

*Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 4 to 9.*

*Subd. 2. [LONG-TERM CARE SERVICES.] “Long-term care services” includes nursing facility services, and home and community-based services provided pursuant to section 256B.491.*

*Subd. 3. [MEDICAL ASSISTANCE AGENCY.] “Medical assistance agency” or “agency” means the state or any county medical assistance agency that provides a medical assistance benefit.*

*Subd. 4. [MEDICAL ASSISTANCE BENEFIT.] “Medical assistance benefit” means any benefit provided under authority of chapter 256B to a person while in a medical institution as defined in section 256B.15, subdivision 1, clause (b).*

*Subd. 5. [MEDICAL ASSISTANCE LIEN.] “Medical assistance lien” means a lien established under section 5.*

*Subd. 6. [MEDICAL ASSISTANCE RECIPIENT.] “Medical assistance recipient” means a person who has received medical assistance benefits.*

*Subd. 7. [SPOUSE.] “Spouse” means the spouse of a medical assistance recipient.*

Sec. 5. [514.802] [MEDICAL ASSISTANCE LIEN.]

*Subdivision 1. [PROPERTY SUBJECT TO LIEN; LIEN AMOUNT.] (a) Subject to the limitations and restrictions contained in sections 4 to 9, all*

*payments made by a medical assistance agency to provide medical assistance benefits to any medical assistance recipient who owns property in this state, or to the spouse, constitute a lien in favor of the agency upon all real property that:*

*(1) was owned by the medical assistance recipient at the time the medical assistance benefits were provided; or*

*(2) was acquired by the medical assistance recipient after the time the medical assistance lien was filed.*

*(b) The amount of the lien is limited to the same extent as a claim against the estate pursuant to section 256B.15, subdivision 2.*

*Subd. 2. [ATTACHMENT.] (a) Subject to the other limitations and restrictions contained in sections 4 to 9, a medical assistance lien does not attach to or become enforceable against specific real property until the first date when the following conditions have been fulfilled:*

*(1) payments have been made by an agency for a medical assistance benefit;*

*(2) the medical assistance recipient or that person's legal representative, if any, and the spouse or the spouse's legal representative, if any, have been sent, by certified or registered mail, written notice of the agency's lien rights;*

*(3) a lien notice has been filed as provided in section 6;*

*(4) if the property is registered property, the lien notice has been recorded on the certificate of title of the property affected by the lien notice; and*

*(5) all restrictions against enforcement have ceased to apply.*

*(b) No agency may file a medical assistance lien notice against any real property owned by the medical assistance recipient until the medical assistance recipient or that person's legal representative, if any, and the spouse or the spouse's legal representative, if any, have been sent, by certified or registered mail, written notice of the agency's lien rights and there has been an opportunity for a hearing.*

*(c) No agency may file a medical assistance lien notice against any real property while it is the homestead of the medical assistance recipient until the agency has determined, after notice has been given in compliance with paragraph (a), clause (2), and opportunity for hearing in accordance with section 256.045, that the medical assistance recipient cannot reasonably be expected to be discharged from a medical institution to return home;*

*(d) No agency may file a medical assistance lien notice against any real property while it is the home of the spouse.*

*(e) No agency may file a medical assistance lien notice against any property that was the homestead of the medical assistance recipient or the spouse prior to the medical assistance recipient's receipt of long-term care services and in which any of the following is lawfully residing:*

*(1) the child of the medical assistance recipient or of the spouse if the child is under age 21 or is blind or permanently and totally disabled according to the supplemental security income criteria;*

*(2) the child or grandchild of the medical assistance recipient if the child or grandchild resided in the homestead for a period of at least two years immediately before the date the medical assistance recipient began receiving*

*long-term care services, and if the child or grandchild provided care to the medical assistance recipient which permitted the recipient not to require long-term care services; or*

*(3) the sibling of the medical assistance recipient if the sibling has an equity interest in the property and has resided upon the property for a period of at least one year immediately before the date the medical assistance recipient began receiving long-term care services.*

*Subd. 3. [CONTINUATION OF LIEN NOTICE AND LIEN.] A medical assistance lien notice remains effective from the time it is filed until it can properly be disregarded under sections 4 to 9. A medical assistance lien that has attached to specific real property continues until the lien is satisfied, becomes totally unenforceable through operation of the limitations specified in subdivision 6, or is released and discharged in full under subdivision 5.*

*Subd. 4. [LIEN PRIORITY.] A medical assistance lien is subject to the rights of any other person, including an owner, purchaser, holder of a mortgage or security interest, or judgment lien creditor, whose interest is perfected before a lien notice has been filed as provided in section 6. The rights of the other person must be afforded the same protections against a medical assistance lien as are afforded against a judgment lien that arises out of an unsecured obligation and that arises as of the time of the filing of the medical assistance lien notice as provided in section 6. A medical assistance lien is inferior to any lien for taxes or special assessments or other lien that would be superior to the perfected lien of a judgment creditor.*

*Subd. 5. [RELEASE.] (a) The agency that files a medical assistance lien notice shall release and discharge the lien in full if:*

*(1) the medical assistance recipient is discharged from the medical institution and returns home;*

*(2) the medical assistance lien is satisfied;*

*(3) a legally enforceable agreement satisfactory to the agency has been executed providing for reimbursement of the agency for the amount or amounts secured by the lien;*

*(4) the agency has already received reimbursement for the amount or amounts secured by the lien; or*

*(5) the medical assistance recipient, if single, or the surviving spouse, has died, and no claim can be filed against the estate of the decedent pursuant to section 256B.15, subdivision 3.*

*(b) Upon request, the agency that files a medical assistance lien notice shall release a specific parcel of real property from the lien if:*

*(1) any of the conditions specified in paragraph (a) applies;*

*(2) the property is or has been the spouse's homestead, or the property is or was attributed to the spouse according to section 256B.059, subdivision 3 or 4, and the spouse is not receiving medical assistance benefits;*

*(3) the property would be exempt from a claim against the estate pursuant to section 256B.15, subdivision 4;*

*(4) the agency receives reimbursement, or other collateral sufficient to secure payment of reimbursement, in an amount equal to the lesser of the amount secured by the lien, or the amount the agency would be allowed to recover upon enforcement of the lien against the specific parcel of property,*



*if the agency attempted to enforce the lien on the date of the request to release the lien; or*

*(5) there is insufficient equity in the property to provide any reimbursement to the agency after making an allowance for all taxes, assessments, and other proper charges that are or would be superior to the lien rights of the agency and that would become due and payable if the property were to be sold.*

*(c) The agency that files a medical assistance lien notice may release the lien if the attachment or enforcement of the lien is determined by the agency to be contrary to the public interest.*

*(d) The agency that files a medical assistance lien notice shall execute the release of the lien and file the release as provided in section 6, subdivision 2.*

*Subd. 6. [TIME LIMITS; CLAIM LIMITS.] (a) A medical assistance lien ceases to be enforceable against specific real property if any of the following occurs:*

*(1) the lien is not satisfied or proceedings are not lawfully commenced to foreclose the lien within 18 months of the agency's receipt of notice of the death of the medical assistance recipient or the death of the surviving spouse, whichever death occurs later; or*

*(2) the lien is not satisfied or proceedings are not lawfully commenced to foreclose the lien within three years of the death of the medical assistance recipient or the death of the surviving spouse, whichever death occurs later. This limitation is tolled during any period when the provisions of section 7, subdivision 2, apply to delay enforcement of the lien.*

*(b) A medical assistance lien is not enforceable against the real property of an estate to the extent there is a determination by a court of competent jurisdiction, or by an officer of the court designated for that purpose, that there are insufficient assets in the estate to satisfy the agency's medical assistance lien in whole or in part in accordance with the priority of claims established by chapters 256B and 524. The agency's lien remains enforceable to the extent that assets are available to satisfy the agency's lien, subject to the priority of other claims, and to the extent that the agency's claim is allowed against the estate under chapters 256B and 524.*

#### **Sec. 6. [514.803] [MEDICAL ASSISTANCE LIEN NOTICE.]**

*Subdivision 1. [CONTENTS.] A medical assistance lien notice must be dated and must contain:*

*(1) the full name, last known address, and social security number of the medical assistance recipient and the full name, address, and social security number of the spouse, if any;*

*(2) a statement that medical assistance payments have been made to or for the benefit of the person named in the notice, or that person's spouse, specifying the first date of payment of benefits;*

*(3) a statement that all interests in real property owned by the persons named in the notice may be subject to or affected by the rights of the agency to be reimbursed for medical assistance benefits;*

*(4) the legal description of the real property upon which the lien attaches, and whether the property is registered property;*

(5) a statement that upon the death of the last survivor of the persons named in the notice, a medical assistance lien will attach and become enforceable against all described real property that is owned by the persons named in the notice on the date of the filing of the notice and upon all real property acquired by the person after the date of filing of the notice, subject to the limitations and exceptions provided by law.

Subd. 2. [FILING.] Any notice, release, or other document required to be filed under sections 4 to 9 must be filed in the office of the county recorder or registrar of titles, as appropriate, in the county where the real property is located. An attestation, certification, or acknowledgment is not required as a condition of filing. Upon filing of a medical assistance lien notice, the registrar of titles shall record it upon the certificate of title of each parcel of property affected by the lien notice. The county recorder of each county shall establish an index of medical assistance lien notices, other than those that affect only registered property, showing the names of all persons named in the medical assistance lien notices filed in the county, arranged alphabetically. The index must be combined with the index of state tax lien notices. The filing or mailing of any notice, release, or other document under sections 4 to 9 is the responsibility of the agency. The agency shall also send a copy of the medical assistance lien notice by registered or certified mail to each record owner and mortgagee of the real property.

Sec. 7. [514.804] [LIEN ENFORCEMENT; LIMITATION.]

Subdivision 1. [FORECLOSURE PROCEDURE.] Subject to the provisions of subdivision 2, a medical assistance lien may be enforced by the agency that filed it by foreclosure in the manner provided for foreclosure of a judgment lien under chapter 550.

Subd. 2. [HOMESTEAD PROPERTY.] (a) A medical assistance lien may not be enforced against homestead property of the medical assistance recipient or the spouse while it remains the lawful residence of the medical assistance recipient or the spouse.

(b) A medical assistance lien remains enforceable as provided in sections 4 to 9, notwithstanding any law limiting the enforceability of a judgment.

Sec. 8. [514.805] [LIEN DOES NOT AFFECT OTHER REMEDIES.]

Nothing in sections 4 to 9 limits the right of an agency to file a claim against the estate of a medical assistance recipient or the estate of the spouse or limits any other claim for reimbursement of agency expenses or the availability of any other remedy provided to the agency under other law.

Sec. 9. [514.806] [AMOUNTS RECEIVED TO SATISFY LIEN.]

Amounts received by the state to satisfy all or a part of a medical assistance lien filed by the state must be deposited in the state treasury and credited to the fund from which the medical assistance payments were made. Amounts received by a county medical assistance agency to satisfy all or a part of a medical assistance lien filed by the county medical assistance agency must be deposited in the county treasury and credited to the fund from which the medical assistance payments were made."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "requiring a report;"

Page 1, line 13, delete "256B.15, by adding a subdivision;"

Page 1, line 15, delete "chapter 501B" and insert "chapters 501B; and 514"

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

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

H.F. No. 1763: A bill for an act relating to state lands; authorizing the conveyance or release of a state easement in Faribault.

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

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

H.F. No. 1416: A bill for an act relating to commerce; modifying the regulation of interest rate advertising; amending Minnesota Statutes 1990, section 45.025, subdivisions 1 and 2; repealing Minnesota Statutes 1990, section 45.025, subdivision 7.

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

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

S.F. No. 2413: A bill for an act relating to corporations; regulating registrations of domestic corporations with the secretary of state; amending Minnesota Statutes 1990, section 302A.821, as amended.

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

Page 3, line 21, after "*corporation*" insert "*and its shareholders*" in both places

Page 3, line 22, delete "*those*" and insert "*to the extent that assets or rights were affected by acts occurring after the dissolution or*"

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

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

S.F. No. 2418: A bill for an act relating to retirement; St. Paul police relief association; validating a change in the date on which personal and benefit payments are made.

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

Page 1, lines 11 and 15, after "*for*" insert "*the balance of*"

Page 1, lines 13 and 17, delete "*first*" and insert "*20th*"

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

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

S.F. No. 2700: A bill for an act relating to the department of employee relations; public employment; removing a committee's expiration date; modifying retirement program options; expanding a bidding requirement exemption; amending Minnesota Statutes 1990, section 43A.316, subdivisions 4, 6, and 10; Minnesota Statutes 1991 Supplement, section 43A.316, subdivision 8; repealing Laws 1990, chapter 589, article 2, section 3.

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

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

S.F. No. 2729: A bill for an act relating to state government; creating a legislative commission on occupational regulation; revising state policy on occupational regulation; appropriating money; amending Minnesota Statutes 1990, section 214.001, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 3.

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

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

S.F. No. 2242: A bill for an act relating to retirement; authorizing a benefit increase for certain retired police officers and surviving spouses in the city of Thief River Falls.

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

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

S.F. No. 2434: A bill for an act relating to retirement; providing continued coverage in the Minnesota state retirement system for certain employees; amending Minnesota Statutes 1990, sections 352.01, subdivision 2a; and 352.04, subdivision 6.

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

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

S.F. No. 2467: A bill for an act relating to the city of Nashwauk; authorizing an increase in benefits payable to surviving spouses by the police relief association; amending Laws 1943, chapter 196, section 4, as amended.

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

Page 2, line 19, strike everything after the first comma

Page 2, strike line 20

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "repealing a surviving spouse remarriage penalty;"

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

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

S.F. No. 2523: A bill for an act relating to human services; providing for HIV minimum standards; providing for HIV training in chemical dependency treatment programs; expanding exclusion from licensure; providing for integration of residential programs; delegating authority to enforce uniform fire code; setting adult foster care license capacity; amending Minnesota Statutes 1990, sections 245A.02, by adding a subdivision; 245A.07, subdivisions 2 and 3; 245A.11, subdivisions 2, 3, 4, and by adding subdivisions; 299F011, subdivision 4a; Minnesota Statutes 1991 Supplement, sections 245A.03, subdivision 2; 245A.04, subdivision 3; 245A.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 1990, sections 245A.11, subdivision 5; 245A.14, subdivision 5; and 245A.17.

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

Page 11, line 26, after "(a)" insert "*After the commissioner has adopted appropriate rules,*"

Page 11, line 29, delete everything after the period

Page 11, delete lines 30 and 31

Page 12, delete lines 17 and 18

Page 13, line 11, delete "*section*" and insert "*chapter*"

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

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

S.F. No. 2530: A bill for an act relating to the city of Virginia; authorizing annual increases in survivor benefits payable by the Virginia firefighters relief association.

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

Page 1, line 11, after "*percentage*" insert "*salary*"

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

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

S.F. No. 2581: A bill for an act relating to retirement; providing level benefits for members of the Minneapolis fire department relief association.

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

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

S.F. No. 2628: A bill for an act relating to public safety officers; defining firefighters for purposes of the public safety officer's survivor benefits law; providing education benefits under the survivor law to eligible dependents attending technical colleges; amending Minnesota Statutes 1990, section 299A.41, subdivision 4; Minnesota Statutes 1991 Supplement, section 299A.45, subdivision 1.

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

Page 2, line 2, delete "*disposal*" and insert "*responder*"

Page 2, delete section 2 and insert:

"Sec. 2. [EFFECTIVE DATE.]

• *Section 1 is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, delete line 5

Page 1, line 6, delete everything before "amending"

Page 1, line 7, delete the semicolon and insert a period

Page 1, delete lines 8 and 9

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

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

S.F. No. 2644: A bill for an act relating to state government; requiring state agencies to act on permit and license applications within 60 days; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Page 1, line 9, delete "*must*" and insert "*shall*"

Page 1, line 11, delete "*shorter*" and insert "*different*"

Page 1, line 12, after the period, insert "*Failure to act on an application within the time specified is deemed approval of the application.*"

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

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

S.F. No. 2692: A bill for an act relating to energy; providing that energy providers may solicit contributions from customers for fuel funds that distribute emergency energy assistance to low-income households; establishing a statewide fuel fund in the department of jobs and training; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Page 2, line 26, delete "POLICY" and insert "ADVISORY"

Page 2, line 27, delete "*a policy*" and insert "*an advisory*"

Page 2, lines 29, 32, and 35, delete "*policy*" and insert "*advisory*"

Page 3, line 2, delete everything after the period

Page 3, delete line 3

And when so amended the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2764: A bill for an act relating to retirement; authorizing purchase of prior service credit from the teachers retirement association by a certain employee of independent school district No. 197.

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

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

S.F. No. 672: A bill for an act relating to human services; the Minnesota equal access to employment opportunities for persons with severe disabilities act; providing for equal employment opportunities for persons with severe disabilities; establishing rights; appropriating money; amending Minnesota Statutes 1990, sections 43A.191, subdivision 2; 268A.08, subdivision 2; and 268A.09, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Page 1, delete lines 18 to 28

Page 2, delete lines 1 to 16 and insert:

*"In collaboration with the commissioners of jobs and training, human services, and trade and economic development, the commissioner shall identify contracts for the purchase of goods and services from certified rehabilitation facilities and day training and habitation services that will enhance employment opportunities for persons with severe disabilities that result in additional total sales volume of \$1,600,000 by July 1, 1995."*

Page 3, delete lines 5 to 8 and insert:

*"(d) The agency plan must identify, annually, any positions in the agency that can be used for supported employment as defined in section 268A.01, subdivision 13, of persons with severe disabilities. The agency shall report this information to the commissioner. An agency that hires more than one supported worker in the identified positions must receive recognition for each supported worker toward meeting the agency's affirmative action goals and objectives."*

Page 4, line 31, delete "1992" and insert "1993"

Page 5, line 19, delete "APPROPRIATION" and insert "APPROPRIATIONS"

Page 5, after line 22, insert:

*"\$ . . . . . is appropriated from the general fund to the commissioner of jobs and training to be used for reimbursement to agencies for the costs of hiring supported workers under section 3, paragraph (d), for up to one year."*

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

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

S.F. No. 1731: A bill for an act relating to public employment; requiring public employers to include certain former employees in the same insurance pool as active employees; amending Minnesota Statutes 1990, sections 43A.27, subdivision 3; and 471.61, by adding a subdivision.

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

Page 3, after line 26, insert:

*"(j) Except for those employees covered by section 179A.16, subdivision 9, unless otherwise provided by a collective bargaining agreement, any additional premium cost from inclusion of retired employees must be paid by active employees through payroll deductions."*

Page 3, line 31, after the period, insert *"Sections 1 and 2 do not apply to a person who became a former employee before the effective date of sections 1 and 2, unless the person has continuously participated in the employer-sponsored insurance group since leaving employment."*

And when so amended the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 1790: A bill for an act relating to housing; modifying requirements for lead education, assessment, screening, and abatement; transferring rule authority from the commissioner of the pollution control agency to the commissioner of health; establishing a lead abatement account in the housing development fund; creating a lead abatement and training program; establishing a lead abatement program; creating a lead fund; establishing a lead abatement fee on petroleum storage tanks; establishing a paint tax; providing



penalties; amending Minnesota Statutes 1990, sections 144.871, subdivisions 3, 6, 8, and by adding subdivisions; 144.872, subdivisions 1, 2, 3, 4, and by adding a subdivision; 144.873, subdivisions 2 and 3; 144.874, subdivision 4; 144.876; 144.878, subdivision 2, and by adding a subdivision; and 462A.21, by adding a subdivision; Minnesota Statutes 1991 Supplement, sections 144.871, subdivision 2; 144.873, subdivision 1; 144.874, subdivisions 1, 2, 3, and 12; 326.87, subdivision 1; and 462A.05, subdivision 15c; proposing coding for new law in Minnesota Statutes, chapters 115C; 144; and 268; proposing coding for new law as Minnesota Statutes, chapter 297E; repealing Minnesota Statutes 1990, sections 116.51; 116.52; 116.53, subdivision 1; and 144.878, subdivision 4.

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

Page 11, line 7, after the comma, insert "*soil*,"

Page 11, line 22, reinstate the stricken "the pollution"

Page 11, line 23, reinstate the stricken language and delete the new language

Page 13, delete section 26

Page 13, line 15, delete "27" and insert "26"

Page 13, line 16, delete the second comma

Page 13, line 17, delete "*subdivision 1*"

Page 24, line 5, delete the comma

Page 24, line 6, delete everything before "*for*"

Page 24, line 24, delete "*gross*"

Amend the title as follows:

Page 1, delete lines 4 and 5

Page 1, line 6, delete "health;"

Page 1, line 25, delete ", subdivision 1"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2037: A bill for an act relating to public employment; requiring the commissioner of the bureau of mediation services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document and rules relating to the use of these documents; amending Minnesota Statutes 1990, section 179A.04, subdivision 3.

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

Page 2, delete lines 25 to 31 and insert:

*“(m) adopt, subject to chapter 14, uniform baseline determination documents and uniform collective bargaining agreement settlement documents applicable to all negotiations between exclusive representatives of appropriate units of public employees and public employers and prescribe procedures and instructions for completion of the documents. A completed uniform collective bargaining agreement settlement document must be presented to the public employer at the time it ratifies a collective bargaining agreement and must be available afterward for inspection during normal business hours at the principal administrative offices of the public employer.*

Sec. 2. [INITIAL USE OF DOCUMENTS.]

*The uniform baseline determination documents and uniform collective bargaining agreement settlement documents prescribed by section 1, paragraph (m), must be used by public employers defined in Minnesota Statutes, section 124A.22, subdivision 2a, for negotiating collective bargaining agreements effective after June 30, 1993, and by all other public employers for negotiating collective bargaining agreements effective after December 31, 1993.”*

Amend the title as follows:

Page 1, line 6, delete “rules relating to” and insert “to prescribe procedures for”

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

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

S.F. No. 2292: A bill for an act relating to state agencies; providing that agency heads may not delegate affirmative action duties; amending Minnesota Statutes 1990, section 43A.191, subdivision 1.

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

Page 1, line 15, strike “administratively and”

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

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

S.F. No. 2660: A bill for an act relating to public utilities; removing the public service member from the telecommunications access for communication-impaired persons board; amending Minnesota Statutes 1990, section 237.51, subdivisions 2 and 6.

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

Page 1, line 10, reinstate the stricken language and delete the new language

Page 1, line 14, reinstate the stricken “the commissioner of the department of” and after the stricken “service” insert “administration” and reinstate the stricken “or”

Page 1, lines 15 and 16, reinstate the stricken language

Page 1, lines 18, 20, 23, and 26, reinstate the stricken language and delete the new language

Page 2, line 3, reinstate the stricken language and delete the new language

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

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

S.F. No. 2080: A bill for an act relating to education; providing for Minnesota extension service fringe benefits and salary increases; appropriating money.

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

Page 1, delete section 2

Page 1, line 18, delete "3" and insert "2"

Page 1, after line 25, insert:

"Sec. 3. [ALLOWANCE FOR UNMET FEDERAL FRINGE COSTS.]

*When the federal contribution to the fringe benefit package of extension service employees is less than the federal proportional obligation for those benefit packages, the state shall make up the difference. When federal funds are later provided to fully pay the federal proportional obligation for employee benefit packages, the state shall first offset as much as possible of the difference it has previously paid of the federal share."*

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing for partial state payment of federal shares in certain circumstances with subsequent reimbursement;"

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

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

S.F. No. 2352: A bill for an act relating to retirement; local police and salaried firefighter relief associations; authorizing a local option in interest and salary increase actuarial assumptions; amending Minnesota Statutes 1991 Supplement, section 356.215, subdivisions 4d and 7.

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

Delete everything after the enacting clause and insert:

"Section 1. [AUSTIN FIRE DEPARTMENT RELIEF ASSOCIATION; BOARD MEMBER PER DIEM.]

*Notwithstanding any provision of Minnesota Statutes, section 69.80, to the contrary, if its bylaws so permit, the Austin fire department relief association may pay a per diem amount to members of the board of trustees of*

*the relief association. The per diem amount payable to each board member may not exceed \$35 for each meeting of the board of trustees or other official function of the board of trustees.*

**Sec. 2. [HEALTH OR MEDICAL INSURANCE PREMIUM BENEFIT.]**

*(a) Notwithstanding any provision of general law, special law, articles of incorporation, or bylaws to the contrary, if its articles of incorporation or bylaws so permit, the Austin fire department relief association may pay a health or medical insurance premium benefit to eligible pension recipients.*

*(b) The health or medical insurance premium benefit is an amount equal to the amount that the city of Austin would pay under the applicable collective bargaining agreement for medical or health insurance coverage for a firefighter who is employed by the city and who has no dependents.*

*(c) An eligible pension recipient is a person who receives a service pension or a disability pension from the relief association and who is under age 65 or who is not yet eligible for the receipt of federal Medicare benefits, whichever occurs first.*

*(d) The health or medical insurance premium benefit is payable monthly, in addition to any other pension amount received by the eligible pension recipient, and is not subject to any postretirement adjustments applicable to service pensions or disability pensions.*

**Sec. 3. [CHANGE IN MAJOR ECONOMIC ACTUARIAL ASSUMPTIONS.]**

*Notwithstanding any provision of Minnesota Statutes, section 69.77, 356.215, or 356.216, to the contrary, in preparing the actuarial valuations of the Austin fire department relief association, the following actuarial assumptions must be used:*

*(1) preretirement interest, six percent;*

*(2) postretirement interest, six percent; and*

*(3) salary increase, four percent.*

**Sec. 4. [EFFECTIVE DATE; LOCAL APPROVAL.]**

*(a) Section 1 is effective on the day following local approval. Sections 2 and 3 are effective on the December 31 next following local approval.*

*(b) Sections 1 to 3 are effective as indicated in paragraph (a) following approval by the city council of the city of Austin and compliance with Minnesota Statutes, section 645.021, subdivision 3."*

**Delete the title and insert:**

**"A bill for an act relating to retirement; Austin fire department relief association; authorizing an actuarial assumption change; providing various benefit increases; authorizing board member per diem payments."**

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

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

S.F. No. 1910: A bill for an act relating to retirement; changing the formula governing calculation of postretirement adjustments for certain public pension plans; amending Minnesota Statutes 1990, section 11A.18, subdivision 9.

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

Page 1, line 18, after "*workers*" insert "*all items index*" and after "*the*" insert "*Bureau of Labor Statistics of the*"

Page 3, line 10, after "*reserves*" insert "*, as adjusted for mortality gains and losses under subdivision 11,*"

Page 3, line 11, after "*eligible*" insert "*and ineligible*"

Page 3, lines 25 and 26, delete "*the next*"

Page 4, line 1, delete "*the sum of: (i)*"

Page 4, line 2, delete everything after "(2)" and insert a period

Page 4, delete lines 3 and 4

Page 5, line 33, before "*In*" insert "(a)"

Page 6, after line 13, insert:

*"(b) The state board of investment shall not add the transition adjustment to the Consumer Price Index based adjustment if the investment return based adjustment without the transition adjustment factored in is equal to or greater than the transition adjustment.*

*(c) If a transition adjustment is added to the Consumer Price Index based adjustment, an investment return based adjustment may not be paid.*

*(d) The transition adjustment is paragraph (a). The Consumer Price Index based adjustment is the adjustment under section 11A.18, subdivision 9, paragraph (b). The investment return based adjustment is the adjustment under section 11A.18, subdivision 9, paragraph (c)."*

Page 6, line 15, delete "1993" and insert "1992"

Page 6, line 19, after the period, insert "*The calculations made to determine the amount of a postretirement adjustment to be paid beginning January 1, 1993, and the payment of this adjustment, must be based on the law in effect on the day before the effective date of sections 1 and 2.*"

And when so amended the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2120: A bill for an act relating to public safety officer's survivor benefits; altering a definition; amending Minnesota Statutes 1990, section 299A.41, subdivision 3.

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

Page 1, lines 11 and 12, after “*vehicle*” insert a comma

Page 1, line 13, delete “*employment*” and insert “*duties*”

Page 1, after line 13, insert:

“Sec. 2. Minnesota Statutes 1990, section 299A.41, subdivision 4, is amended to read:

Subd. 4. [PUBLIC SAFETY OFFICER.] “Public safety officer” includes:

(1) a peace officer defined in section 626.84, *subdivision 1, paragraph (c) or (f)*;

(2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;

(3) a firefighter employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in the hazards of firefighting;

(4) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

(5) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

(6) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

(7) a driver or attendant with a licensed basic or advanced life support transportation service who is engaged in providing emergency care; and

(8) a first responder who is certified by the commissioner of health to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance.

Sec. 3. [299A.47] [CLAIMS LIMITATION; DATA CLASSIFICATION.]

*Claims for benefits from the public safety officer's death benefit account made by or on behalf of a survivor of a public safety officer must be filed within two years after the date of death of the officer.*

Sec. 4. [EFFECTIVE DATE.]

*Section 1 is effective the day following final enactment.”*

Amend the title as follows:

Page 1, line 3, after the semicolon, insert “providing a claim filing limitation and data classification;”

Page 1, line 4, delete “subdivision 3” and insert “subdivisions 3 and 4; proposing coding for new law in Minnesota Statutes, chapter 299A”

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

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

S.F. No. 1935: A bill for an act relating to retirement; making changes in laws governing the Minneapolis employees retirement fund; amending Minnesota Statutes 1990, sections 422A.14, subdivision 1; and 422A.23, by adding a subdivision; Minnesota Statutes 1991 Supplement, section 422A.17; repealing Minnesota Statutes 1990, section 422A.14, subdivision 2.

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

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1991 Supplement, section 422A.101, subdivision 1, is amended to read:

Subdivision 1. [FINANCIAL REQUIREMENTS OF FUND.] Prior to August 31 annually, the retirement board, in consultation with the commission-retained actuary, shall prepare an itemized statement of the financial requirements of the fund for the succeeding fiscal year. A copy of the statement shall be submitted to the city council, the board of estimate and taxation of the city, the managing board or chief administrative officer of each city owned public utility, improvement project or municipal activity supported in whole or in part by revenues other than real estate taxes, public corporation, or unit of metropolitan government employing members of the fund, the board of special school district No. 1, and the state commissioner of finance prior to September 15 annually. The statement shall be itemized and shall include the following:

(1) an estimate of the administrative expenses of the fund for the following year, which shall be determined by multiplying, *by the factor of 1.035*, the figure for administrative expenses as reported in the most recent actuarial valuation prepared by the commission-retained actuary, including ~~any amounts related to the amount necessary to amortize through June 30, 2020, the annual costs that are determined by the retirement board to be related to investment activities of the deposit accumulation fund other than actual investment transaction amounts; by the factor of 1.035;~~

(2) an estimate of the normal cost of the fund expressed as a dollar amount, which shall be determined by applying the normal cost of the fund as reported in the most recent actuarial valuation prepared by the commission-retained actuary and expressed as a percentage of covered payroll to the estimated total covered payroll of all employees covered by the fund for the following year;

(3) an estimate of the contribution required to amortize on a level annual dollar basis the unfunded actuarial accrued liability of the fund by June 30, 2020, using an interest rate of six percent compounded annually as reported in the most recent actuarial valuation, prepared by the commission-retained actuary expressed as a dollar amount. In determining the amount of the unfunded actuarial accrued liability of the fund, all assets other than the assets of the retirement benefit fund shall be valued as current assets as defined under section 356.215, subdivision 1, clause (6), and the assets of the retirement benefit fund shall be valued equal to the actuarially determined required reserves for benefits payable from that fund;

(4) the amount of any deficiency in the actual amount of any employer

contribution provided for in this section when compared to the required contribution amount certified for the previous year, plus interest on the amount at the rate of six percent per annum.

Sec. 2. Minnesota Statutes 1990, section 422A.12, subdivision 2, is amended to read:

Subd. 2. At the close of each fiscal year there shall be credited within the deposit accumulation fund to accounts representing contributions by the municipality and to accounts representing the accumulated amount of each contributing employee in proportion to the average *quarterly* balance in each such account during said fiscal year, ~~and computed on the balance at the end of each quarter,~~ the amount of income from investments earned on the accumulated funds in possession of the board, after having deducted from the total of such income (1) the amounts otherwise required as interest for various allowances or purposes specified in sections 422A.01 to 422A.25 and (2) an amount to be set aside to liquidate actual or to amortize prospective losses on investments in the accumulation account. The net balance of the investment earnings to be so distributed shall be distributed at the greatest multiple of one-tenth of one percent up to and including a maximum of the interest assumption rate provided for in section 422A.06, subdivision 5 of all such accounts. ~~Any excess then remaining from such investment earnings shall be credited to a reserve fund and be added to and distributed with the investment earnings of the next succeeding year. Any undistributed excess earnings or losses determined to be earnings or losses attributable to the employers' contributions shall be distributed or charged to the employers' reserve accounts in proportion to the employers' average quarterly balances. Any undistributed excess earnings or losses determined to be earnings or losses attributable to the employees' contributions shall be distributed or charged to the employers' reserve accounts in proportion to the number of covered employees employed by each employer. If income from investments is insufficient to enable the crediting of the maximum interest amount to the employee and employer accounts, the maximum interest will first be credited to the employee accounts. If income is insufficient to cover the amounts credited to the employee accounts, the insufficiency attributable to each employer group of employees' accounts will be made up by a charge against the reserve account of that employer. The amount that shall be set aside annually to liquidate past losses on investments or to create a reserve from which to liquidate future losses shall be such amount as the board may deem necessary for such purpose but not in excess of one mill on the dollar of the gross amount received as income on the cash and investments in the fund."~~

Page 3, after line 18, insert:

"Sec. 7. [EFFECTIVE DATE.]

*Sections 1 to 6 are effective the day following final enactment. Section 2 applies retroactively to the fiscal year ending June 30, 1991. Section 5 does not require payments for any period before the effective date of the section."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "sections" insert "422A.12, subdivision 2;"

Page 1, line 6, delete "section" and insert "sections 422A.101, subdivision 1; and"



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

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

S.F. No. 1015: A bill for an act relating to transportation; providing for and regulating bicycles to be operated on bikeways along or between the divided lanes of certain interstate highways and other highways and roads; providing for highway planning and rules for bikeways; amending Minnesota Statutes 1990, sections 160.262, subdivision 1; 161.174; 161.20, subdivision 2; 161.202, subdivision 2; 161.21, subdivision 1; 161.32, subdivision 4; 161.38, subdivision 7; 161.39, subdivision 1; 164.151; 167.50, subdivision 1; 169.18, subdivision 7; 169.19, subdivision 1; and 169.222, subdivisions 4, 8, and 10.

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

Pages 1 and 2, delete section 1 and insert:

“Section 1. [160.267] [BIKEWAY PILOT PROJECT.]

*Notwithstanding other law to the contrary, the commissioner, in consultation with the commissioner of public safety and bicyclist organizations, shall establish a pilot project to study and evaluate bikeways along streets and highways.*

*(a) The commissioner shall evaluate design and construction standards for state, county, and municipal streets and highways to determine the potential for constructing bikeways adjacent to the main motor vehicle lanes.*

*(b) The commissioner shall designate a paved bikeway of at least 100 miles in length along an interstate highway route within the state. The bikeway shall be designated on the highway shoulder as defined in section 169.01, subdivision 73, and no bicycle may be operated on the main traveled part of the highway used by motor vehicles except at a signal-controlled intersection or at the direction of an authorized flagger or a peace officer. The paved bikeway must be designated and open to bicycle use no later than one year after the effective date of this section. The commissioner shall study and evaluate the safety considerations of bicycle use on the shoulders of controlled access highways, including the possible need to separate bicycles on paved shoulders from motor vehicles on the main traveled lanes of the highway.*

*(c) The commissioner shall submit recommendations to the legislature by January 1, 1995.*

*(d) The project expires July 1, 1995.”*

Pages 10 and 11, delete sections 13 and 14

Page 12, after line 11, insert:

“Sec. 14. [EFFECTIVE DATE.]

*Section 1 is effective the day after final enactment.”*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "establishing a pilot program of paved bikeways along an interstate route;"

Page 1, line 7, delete everything after "sections"

Page 1, line 8, delete "1;"

Page 1, line 13, delete "subdivisions 4, 8, and" and insert "subdivision" and before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 160"

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

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

H.F. No. 1114: A bill for an act relating to state government; providing for gender balance in multimember agencies; amending Minnesota Statutes 1990, section 15.0597, by adding subdivisions.

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

Page 2, after line 11, insert:

*"The secretary of state's annual report on the open appointments act must include information on certifications under this subdivision."*

Page 2, line 18, delete "1995" and insert "1996"

Page 2, line 20, delete "January" and insert "July"

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

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

H.F. No. 2704: A bill for an act relating to state government: increasing the size of the council on Asian-Pacific Minnesotans; providing for representation of various Asian-Pacific communities on the council; amending Minnesota Statutes 1991 Supplement, section 3.9226, subdivision 1.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1991 Supplement, section 3.9225, subdivision 1, is amended to read:

Subdivision 1. [CREATION.] A state council on Black Minnesotans is ~~created to consist~~ *consists* of ~~seven~~ *11* members appointed by the governor. The members of the council ~~shall~~ *must* be broadly representative of the Black community of the state and include at least ~~three~~ *five* males and at least ~~three~~ *five* females. Membership terms, compensation, removal of members, and filling of vacancies for nonlegislative members are as provided in section 15.059. Two members of the house of representatives appointed by the speaker and two members of the senate appointed by the subcommittee on committees of the committee on rules and administration shall serve as ~~ex officio~~, nonvoting members of the council. The council shall annually

elect from its membership a chair and other officers it deems necessary."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "the" insert "council on Black Minnesotans and the"

Page 1, line 6, delete "section" and insert "sections 3.9225, subdivision 1; and"

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

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

S.F. No. 2424: A bill for an act relating to education; requiring the conveyance of certain land from the state of Minnesota to independent school district No. 656, Faribault; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. [CONVEYANCE PERMITTED.]

*(a) Notwithstanding Minnesota Statutes, chapters 94 and 103F, the state of Minnesota may convey the land described in paragraph (b) to independent school district No. 656, Faribault.*

*(b) The land which may be conveyed under paragraph (a) is legally described in general as follows:*

*"All that part of the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) and all that part of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4), all in Section 29, Township 110 North, Range 20 West, in the City of Faribault, Rice County, Minnesota, owned by the state of Minnesota or any department or division thereof."*

*or*

*"All that part of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) of Section 28, and of the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 29, all in Township 110 North, Range 20 West, Rice County, Minnesota, owned by the state of Minnesota or any department or division thereof."*

*(c) A more precise legal description in substantial conformance with the description in paragraph (b) must be provided by the grantee in the instruments of conveyance. Both the precise legal descriptions and the instruments of conveyance must be approved as to form by the attorney general.*

Sec. 2. [CONSIDERATION.]

*The consideration for the conveyance permitted by section 1 is the amount at which the parcel or parcels are appraised by a qualified state appraiser who is appointed by agreement of the parties.*

Sec. 3. [APPROPRIATION.]

*The proceeds of the sale are appropriated to the department of education*

*for the use of the state academies for whose account the sale is made and may be used for capital improvements at the academies.*

Sec. 4. [PURPOSE.]

*The land permitted to be conveyed under section 1 is to be used as part of a site for an elementary school."*

Delete the title and insert:

"A bill for an act relating to education; permitting the conveyance of certain land from the state of Minnesota to independent school district No. 656, Faribault; appropriating money."

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2323: A bill for an act providing for a study of the civic and cultural functions of downtown Saint Paul.

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

Page 2, line 6, delete "*and*" and after "*Center*" insert "*, and the historical and cultural attractions of the capitol area*"

Page 2, line 8, after the semicolon, insert "*and*"

Page 2, line 10, delete "*; and*" and insert a period

Page 2, delete lines 11 and 12

Page 2, line 28, delete everything after "*(6)*" and insert "*the chair of the capitol area architectural and planning board or designee;*"

Page 3, line 7, delete everything after the period

Page 3, delete lines 8 and 9

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2538: A bill for an act relating to nursing homes; regulating payments for nursing homes under receivership agreements; making various technical amendments; amending Minnesota Statutes 1990, sections 245A.13, subdivision 4; 256B.431, subdivision 4; 256B.432, by adding a subdivision; 256B.48, subdivisions 3, 4, and by adding a subdivision; 256B.495, subdivisions 1, 2, and by adding a subdivision; 256B.50, subdivisions 1b and 2; 256I.01; 256I.02; 256I.03, subdivisions 2 and 3; 256I.04, as amended; 256I.05, subdivisions 1, 3, 6, 8, and 9; and 256I.06; Minnesota Statutes 1991 Supplement, sections 252.46, subdivision 3; 256B.49, subdivision 4; and 256I.05, subdivisions 1a, 1b, 2, and 10;

proposing coding for new law in Minnesota Statutes, chapter 256B; repealing Minnesota Statutes 1990, section 256I.05, subdivision 7; Minnesota Statutes 1991 Supplement, section 256I.05, subdivision 7a.

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

Pages 1 and 2, delete section 2

Page 7, delete sections 5 and 6 and insert:

"Sec. 4. Minnesota Statutes 1990, section 256B.48, subdivision 2, is amended to read:

Subd. 2. [REPORTING REQUIREMENTS.] No later than December 31 of each year, a skilled nursing facility or intermediate care facility, including boarding care facilities, which receives medical assistance payments or other reimbursements from the state agency shall:

(a) Provide the state agency with a copy of its audited financial statements. The audited financial statements must include a balance sheet, income statement, statement of the rate or rates charged to private paying residents, statement of retained earnings, statement of cash flows, notes to the financial statements, audited applicable supplemental information, and the certified public accountant's or licensed public accountant's opinion. The examination by the certified public accountant or licensed public accountant shall be conducted in accordance with generally accepted auditing standards as promulgated and adopted by the American Institute of Certified Public Accountants;

(b) Provide the state agency with a statement of ownership for the facility;

(c) Provide the state agency with separate, audited financial statements as specified in clause (a) for every other facility owned in whole or part by an individual or entity which has an ownership interest in the facility;

(d) Upon request, provide the state agency with separate, audited financial statements as specified in clause (a) for every organization with which the facility conducts business and which is owned in whole or in part by an individual or entity which has an ownership interest in the facility;

(e) Provide the state agency with copies of leases, purchase agreements, and other documents related to the lease or purchase of the nursing facility;

(f) Upon request, provide the state agency with copies of leases, purchase agreements, and other documents related to the acquisition of equipment, goods, and services which are claimed as allowable costs; and

(g) Permit access by the state agency to the certified public accountant's and licensed public accountant's audit workpapers which support the audited financial statements required in clauses (a), (c), and (d).

Documents or information provided to the state agency pursuant to this subdivision shall be public. If the requirements of clauses (a) to (g) are not met, the reimbursement rate may be reduced to 80 percent of the rate in effect on the first day of the fourth calendar month after the close of the reporting year, and the reduction shall continue until the requirements are met.

*Both nursing facilities and intermediate care facilities for the mentally retarded must maintain statistical and accounting records in sufficient detail to support information contained in the facility's cost report for at least five*

years, including the year following the submission of the cost report. For computerized accounting systems, the records must include copies of electronically generated media such as magnetic discs and tapes."

Page 8, delete sections 9 and 10

Page 12, line 29, after the period, insert "*The commissioner shall review an appeal by a nursing facility, if the appeal was sent by certified mail and postmarked prior to August 1, 1991, and would have been received by the commissioner within the 60-day deadline if it had not been delayed due to an error by the postal service, and an appeal by an intermediate care facility for persons with mental retardation of a 1988 rate if it was postmarked but not received by the commissioner prior to November 1, 1988.*"

Page 15, line 22, delete "must be"

Page 15, delete line 23

Page 15, line 24, delete the new language

Pages 16 and 17, delete section 21

Page 17, line 27, delete "maximum"

Page 18, after line 6, insert:

"(c) Paragraph (b) does not apply to a facility that provides support services to persons with serious and persistent mental illness in individual apartment settings."

Page 22, delete section 31 and insert:

"Sec. 26. [SPECIAL RATE AND LICENSING EXCEPTION.]

*Notwithstanding contrary provisions of Minnesota Statutes, chapters 144, 157, 245A, and 256B, a facility that on August 1, 1987, was licensed by the commissioner of health as a boarding care facility with 11 or fewer beds and which had at least 75 percent of its licensed beds occupied by chronically, severely impaired, mentally ill individuals who were transferred to the facility from a regional treatment center may retain that license and must be reimbursed at a rate equal to its documented actual costs and known cost changes according to the rate formula in effect in 1980, or \$50 per resident per day, whichever is lower. This exemption from other rate-setting regulations or restrictions continues as long as the proportion of the facility's residents who are chronically, severely impaired, mentally ill individuals who were transferred to the facility from a regional treatment center remains at or above 75 percent."*

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 7, delete everything after "subdivisions" and insert "2, 3, and 4;"

Page 1, line 8, delete "a subdivision;"

Page 1, line 11, delete "1,"

Page 1, delete lines 13 to 19 and insert "Supplement, section 2561.05, subdivisions 1a, 1b, 2, and 10."

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

Mr. Moe, R.D. moved that Joint Rule 2.03 be suspended as to the Committee Report on S.F. No. 2538. The motion prevailed.

Mr. Moe, R.D. moved the adoption of the Committee Report on S.F. No. 2538. The motion prevailed. Amendments adopted. Report adopted.

Mr. Moe, R.D. moved that S.F. No. 2538 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Finance. The motion prevailed.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2728, 2746, 522, 1805, 2084, 2234, 1700, 2413, 2418, 2700, 2242, 2467, 2523, 2530, 2581, 2628, 2644, 2764, 2037, 2292, 2660, 2352, 1935 and 1015 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 1763, 1416, 1114 and 2704 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Spear moved that S.F. No. 2229, No. 68 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

## SUSPENSION OF RULES

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. 1801: A bill for an act relating to commerce; motor vehicle sale and distribution; regulating payments upon franchise termination, cancellation, or nonrenewal; amending Minnesota Statutes 1990, section 80E.09, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1729: A bill for an act relating to financial institutions; authorizing a banking institution that is a trustee to invest in certain investment companies and investment trusts; amending Minnesota Statutes 1990, sections 48.01, subdivisions 1 and 2; 48.38, subdivision 6; 48.84; and 501B.10, subdivision 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2159: A bill for an act relating to horse racing; authorizing distribution from the breeders' fund for other breeds; removing limitations on fair racing days; amending Minnesota Statutes 1990, section 240.14, subdivision 3; Minnesota Statutes 1991 Supplement, sections 240.13, subdivisions 5 and 6; 240.15, subdivision 6; and 240.18, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1948: A bill for an act relating to life insurance; authorizing policies for the benefit of a charity; proposing coding for new law in Minnesota Statutes, chapters 61A; and 309.

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



The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1803: A bill for an act relating to cemeteries; providing for burials in the winter season; proposing coding for new law in Minnesota Statutes, chapter 306.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 512: A bill for an act relating to agriculture; regulating noxious weeds; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 1990, sections 18.171 to 18.189; 18.192; 18.201; 18.211 to 18.315; and 18.321 to 18.323; Minnesota Statutes 1991 Supplement, section 18.191.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Finn, Luther and Spear voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1298: A bill for an act relating to cooperatives; providing for equal representation on the board from districts or units of certain cooperatives; proposing coding for new law in Minnesota Statutes, chapter 308A.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mrs. Pariseau voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1252: A bill for an act relating to state lands; authorizing the Minnesota veterans homes board to lease certain land adjacent to Minnehaha state park to the Minneapolis park and recreation board.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2013: A bill for an act relating to state government; adopting the square dance as the American folk dance of Minnesota; proposing coding for new law in Minnesota Statutes, chapter 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 53 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Flynn	Knaak	Morse	Spear	Waldorf
Johnson, D.J.	Merriam	Neuville		

So the bill passed and its title was agreed to.

S.F. No. 2208: A bill for an act relating to Olmsted county; permitting certain exemptions for the conveyance of certain county property.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Kroening, Lessard and Merriam voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2009: A bill for an act relating to the city of Cloquet; permitting the city to issue bonds for a water line.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1671: A bill for an act relating to statutes; providing for the numbering of session law chapters; amending Minnesota Statutes 1990, section 3C.04, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2293: A bill for an act relating to local government; prohibiting publication of pictures of officials in certain county and city publications; amending Minnesota Statutes 1990, section 471.68, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Dicklich; Johnson, D.J. and Pogemiller voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2171: A bill for an act relating to Kandiyohi and Chippewa counties; permitting the consolidation of the offices of auditor and treasurer.

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 52 and nays 13, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kelly	Mondale	Riveness
Benson, J.E.	Flynn	Knaak	Morse	Samuelson
Berg	Frank	Kroening	Neuville	Solon
Berglin	Frederickson, D.J.	Laidig	Olson	Spear
Bernhagen	Gustafson	Langseth	Pappas	Stumpf
Bertram	Hottinger	Larson	Pariseau	Terwilliger
Brataas	Hughes	Luther	Piper	Traub
Chmielewski	Johnson, D.E.	Marty	Pogemiller	Waldorf
Cohen	Johnson, D.J.	McGowan	Price	
Dahl	Johnson, J.B.	Mehrkens	Ranum	
Day	Johnston	Metzen	Reichgott	

Those who voted in the negative were:

Beckman	DeCramer	Lessard	Novak	Vickerman
Benson, D.D.	Finn	Merriam	Renneke	
Davis	Frederickson, D.R.	Moe, R.D.	Sams	

So the bill passed and its title was agreed to.

S.F. No. 2185: A bill for an act relating to game and fish; limiting the prohibition on the use of radio equipment to take protected wild animals to big game and small game; amending Minnesota Statutes 1990, section 97B.085, 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 59 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Finn	Luther	Morse	Spear
Dicklich				

So the bill passed and its title was agreed to.

S.F. No. 1767: A bill for an act relating to highways; changing description of a route in the state highway system.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1288: A bill for an act relating to traffic regulations; allowing use of studded tires on emergency vehicles; amending Minnesota Statutes 1990, section 169.72, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Knaak	Pogemiller	Riveness	Waldorf
Flynn	Pappas	Ranum	Spear	

So the bill passed and its title was agreed to.

S.F. No. 2336: A bill for an act relating to employment; providing that certain conduct by employers against employees for engaging in lawful activities during nonworking hours is an unfair labor practice; amending Minnesota Statutes 1991 Supplement, sections 179.12; and 179A.13, subdivision 2.

Mr. Chmielewski moved that S.F. No. 2336, No. 18 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

S.F. No. 2310: A bill for an act relating to waters; changing the composition of the board of water and soil resource's dispute resolution committee; amending Minnesota Statutes 1990, section 103B.101, subdivision 10.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1991: A bill for an act relating to education; authorizing a technical college to contract to provide services; proposing coding for new law in Minnesota Statutes, chapter 136C.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1567: A bill for an act relating to retirement; Falcon Heights volunteer firefighters relief associations; authorizing full vesting with five years of service.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2286: A bill for an act relating to armories; providing for a public hearing before the adjutant general closes an armory; amending Minnesota Statutes 1990, section 193.36, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Kroening and Terwilliger voted in the negative.



So the bill passed and its title was agreed to.

S.F. No. 1784: A bill for an act relating to motor vehicles; adding vehicles to classic car category for vehicle registration purposes; amending Minnesota Statutes 1991 Supplement, section 168.10, subdivision 1b.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2162: A bill for an act relating to natural resources; expanding circumstances under which game and fish licenses are void for violations of law; allowing possession, transportation, purchase, or sale of certain inedible portions of wild animals; requiring a report; authorizing rules; amending Minnesota Statutes 1990, sections 97A.421, subdivision 1; and 97A.425, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Mr. Stumpf voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2301: A bill for an act relating to water and soil resources; lands eligible for the reinvest in Minnesota program; amending Minnesota Statutes 1990, sections 103F.505; 103F.511, by adding a subdivision; and Minnesota Statutes 1991 Supplement, section 103F.515, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2117: A bill for an act relating to human services; modifying requirements for earned income savings accounts for residents of residential facilities; requiring the signature of a representative of the residential facility before money may be withdrawn; amending Minnesota Statutes 1991 Supplement, section 256D.06, subdivision 1b.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2475: A bill for an act relating to commerce; adding a penalty for the purchase of or an attempt to purchase tobacco by a child; amending Minnesota Statutes 1990, section 609.685, subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 878: A bill for an act relating to drivers' licenses; requiring a report on driver's license rules for persons with diabetes; amending Minnesota Statutes 1990, section 171.14.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2231: A bill for an act relating to natural resources; requiring establishment of aquatic management areas; amending Minnesota Statutes 1990, sections 86A.05, by adding a subdivision; and 86A.09, 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 63 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
Benson, D.D.	Dicklich	Kelly	Mondale	Sams
Benson, J.E.	Finn	Knaak	Morse	Samuelson
Berg	Flynn	Kroening	Neuville	Solon
Berglin	Frank	Laidig	Novak	Spear
Bernhagen	Frederickson, D.J.	Langseth	Olson	Stumpf
Bertram	Frederickson, D.R.	Larson	Pappas	Terwilliger
Brataas	Gustafson	Lessard	Piper	Traub
Chmielewski	Hottinger	Luther	Pogemiller	Vickerman
Cohen	Hughes	Marty	Price	Waldorf
Dahl	Johnson, D.E.	McGowan	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

So the bill passed and its title was agreed to.

S.F. No. 2311: A bill for an act relating to waters; authorizing agreements by soil and water conservation districts for enforcement of city or county controls; amending Minnesota Statutes 1990, section 103C.331, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 18, as follows:

Those who voted in the affirmative were:

Beckman	Flynn	Knaak	Mondale	Reichgott
Benson, D.D.	Frank	Kroening	Morse	Riveness
Berglin	Frederickson, D.J.	Langseth	Neuville	Sams
Brataas	Gustafson	Lessard	Olson	Solon
Cohen	Hottinger	Luther	Pappas	Spear
Dahl	Hughes	Marty	Pariseau	Stumpf
Day	Johnson, D.E.	McGowan	Piper	
DeCramer	Johnson, D.J.	Merriam	Pogemiller	
Dicklich	Johnson, J.B.	Metzen	Price	
Finn	Kelly	Moe, R.D.	Ranum	

Those who voted in the negative were:

Adkins	Bertram	Johnston	Renneke	Vickerman
Benson, J.E.	Chmielewski	Laidig	Samuelson	Waldorf
Berg	Davis	Larson	Terwilliger	
Bernhagen	Frederickson, D.R.	Mehrkins	Traub	

So the bill passed and its title was agreed to.

S.F. No. 2421: A bill for an act relating to natural resources; extending the term of certain timber permits.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Cohen, Kroening and Ms. Pappas voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2308: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Kandiyohi county.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2001: A bill for an act relating to the environment; changing and adding provisions relating to the liability of and reimbursement to mortgagees and holders of other security interests for petroleum tank releases; expanding the eligibility of political subdivisions for reimbursement from the petroleum tank release cleanup account; amending Minnesota Statutes 1990, sections 115C.02, subdivision 8; 115C.021, by adding a subdivision; and 115C.09, by adding a subdivision; Minnesota Statutes 1991 Supplement, section 115C.09, subdivision 3b.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2382: A bill for an act relating to retirement; providing for surviving spouse benefits for the Minneapolis Police Relief Association and the Minneapolis Fire Department Relief Association; amending Laws 1949, chapter 406, section 6, subdivision 1, as amended; and Laws 1965, chapter 519, section 1, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2182: A bill for an act relating to retirement; Duluth teachers retirement fund association; proposing coding for new law in Minnesota Statutes, chapter 354A; repealing Laws 1985, chapter 259, section 2; and Laws 1990, chapter 570, article 7, section 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2115: A bill for an act relating to state government; purchases; amending the definition of "manufactured in the United States"; amending Minnesota Statutes 1991 Supplement, section 16B.101, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1900: A bill for an act relating to health; allowing nursing homes to establish review organizations; including quality assurance under medical assistance and Medicare as an activity of a review organization; amending Minnesota Statutes 1991 Supplement, section 145.61, subdivisions 4a and 5.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2637: A bill for an act relating to motor carriers; regulating courier services carriers; amending Minnesota Statutes 1990, section 221.011, subdivision 25.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 6, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, D.J.	Metzen	Reichgott
Beckman	DeCramer	Johnson, J.B.	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	Olson	Spear
Bernhagen	Frederickson, D.J.	Langseth	Pappas	Stumpf
Bertram	Frederickson, D.R.	Larson	Pariseau	Terwilliger
Brataas	Gustafson	Luther	Piper	Traub
Chmielewski	Hottinger	Marty	Pogemiller	Vickerman
Cohen	Hughes	McGowan	Price	Waldorf
Dahl	Johnson, D.E.	Mehrkens	Ranum	

Those who voted in the negative were:

Day	Lessard	Merriam	Novak	Samuelson
Johnston				

So the bill passed and its title was agreed to.

S.F. No. 1997: A bill for an act relating to insurance; providing for automobile insurance policy coverage on the repair or replacement of motor vehicle glass; amending Minnesota Statutes 1991 Supplement, section 72A.201, subdivision 6.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2399: A bill for an act relating to natural resources; defining "substantially equal value" for purposes of state land exchanges; authorizing the Camp 97 Creek, Gold Mine, and Crane Lake Tower impoundments in St. Louis county; amending Minnesota Statutes 1990, section 94.344, 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	Day	Johnston	Metzen	Reichgott
Beckman	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	Stumpf
Brataas	Gustafson	Luther	Pariseau	Terwilliger
Chmielewski	Hottinger	Marty	Piper	Traub
Cohen	Johnson, D.E.	McGowan	Pogemiller	Vickerman
Dahl	Johnson, D.J.	Mehrkens	Price	Waldorf
Davis	Johnson, J.B.	Merriam	Ranum	

So the bill passed and its title was agreed to.

S.F. No. 2002: A bill for an act relating to public safety; providing a procedure for determining claims under the public safety officer's death benefit program; amending Minnesota Statutes 1990, section 299A.41, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2069: A bill for an act relating to agriculture; adding Roseau and Koochiching counties to the restricted seed potato growing area; amending Minnesota Statutes 1990, section 21.1196, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2186: A bill for an act relating to human services; providing for appointment of a member to the child abuse prevention advisory council by the commissioner of human services; amending Minnesota Statutes 1991 Supplement, section 299A.23, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

H.F. No. 1744: A bill for an act relating to retirement; public employees retirement association; providing entitlement for optional annuities to certain surviving spouses of certain deceased disabilitants; mandating a study of coordinated program survivorship benefit gaps.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1818: A bill for an act relating to local government; authorizing mail balloting for certain municipalities; amending Minnesota Statutes 1990, sections 204B.45, subdivisions 1 and 2; and 365.51, 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 61 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson, D.D.; Finn and Ms. Reichgott voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1013: A bill for an act repealing certain pipeline approval authority of the commissioner of natural resources; repealing Minnesota Statutes 1990, section 117.49.

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

So the bill passed and its title was agreed to.

H.F. No. 2744: A bill for an act relating to the department of employee relations; modifying expense account terms and uses; amending Minnesota Statutes 1991 Supplement, section 43A.48.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. Nos. 1794, 1770, 2328, 1898, 2257, 1985 and 1735, which the committee recommends to pass.

S.F. No. 1813, which the committee recommends to pass with the following amendment offered by Ms. Traub:

Page 3, after line 23, insert:

"Sec. 4. Minnesota Statutes 1991 Supplement, section 123.702, subdivision 3, is amended to read:

Subd. 3. The school board shall inform each resident family with a child eligible to participate in the developmental screening program about the availability of the program and the state's requirement that a child receive developmental screening ~~before enrolling in~~ *not later than 30 days after the first day of attending kindergarten or first grade in a public school.*"

Amend the title as follows:

Page 1, line 9, delete "and" and insert "1b, and 3."

Page 1, delete line 10

The motion prevailed. So the amendment was adopted.

S.F. No. 2177, which the committee recommends to pass with the following amendment offered by Mr. Neuville:

Page 1, after line 11, insert:

"Sec. 2. [CERTAIN CHALLENGES FOR CAUSE.]

*Nothing in section 1 restricts the right to strike an individual from being impaneled on a jury for cause based on a showing that a physical or sensory disability will impair the juror's ability to try a particular case."*

The motion prevailed. So the amendment was adopted.

S.F. No. 1644, which the committee recommends to pass with the following amendment offered by Mr. Luther:

Page 1, lines 20 to 23, delete the underscoring

Page 96, after line 9, insert:

"ARTICLE 2

CONSUMER ELECTRONIC FUND TRANSFERS

Section 1. [325G.55] [PROHIBITED ELECTRONIC FUND TRANSFERS.]

*Subdivision 1. [DEFINITIONS.] The definitions in United States Code, title 15, section 1693a, and chapter 336 apply to this section.*

*Subd. 2. [PROHIBITED TRANSFERS.] A preauthorized electronic fund transfer or any other electronic fund transfer from a consumer's account may not be made on the basis of an endorsement, deposit, transfer, or other form of negotiation of a check by the consumer. For purposes of this section, "check" means a check, draft, order of withdrawal, or similar negotiable or nonnegotiable instrument.*

*Subd. 3. [CHECK PROVISION.] No provision contained on a check that is received by a receiving bank, which is endorsed, deposited, transferred, or negotiated by a consumer, may be treated as authorization of the consumer to make an electronic fund transfer from the consumer's account.*

*Subd. 4. [PROHIBITED PRACTICE.] No person may request a consumer to authorize an electronic fund transfer that violates this section.*

*Subd. 5. [PENALTIES AND REMEDIES.] A person who violates this section is subject to the penalties and remedies provided in section 8.31."*

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "prohibiting certain methods of authorizing electronic fund transfers from consumer accounts;"

Page 1, line 17, delete "chapter" and insert "chapters 325G; and"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 18, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, J.B.	Morse	Spear
Berg	Finn	Kelly	Pappas	Stumpf
Berglin	Flynn	Kroening	Piper	Traub
Bertram	Frederickson, D.J.	Luther	Pogemiller	Vickerman
Chmielewski	Hottinger	Marty	Ranum	
Cohen	Hughes	Merriam	Reichgott	
Dahl	Johnson, D.J.	Metzen	Sams	

Those who voted in the negative were:

Belanger	Brataas	Johnston	McGowan	Renneke
Benson, D.D.	Day	Knaak	Mehrrens	Terwilliger
Benson, J.E.	Frederickson, D.R.	Laidig	Olson	
Bernhagen	Johnson, D.E.	Larson	Pariseau	

The motion prevailed. So the amendment was adopted.

S.F. No. 2338, which the committee recommends to pass, after the following motion:

Mr. Neuville moved to amend S.F. No. 2338 as follows:

Pages 8 and 9, delete section 9

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 24 and nays 25, as follows:

Those who voted in the affirmative were:

Adkins	Berg	Johnson, D.E.	McGowan	Sams
Beckman	Bernhagen	Johnston	Mehrrens	Stumpf
Belanger	Chmielewski	Knaak	Neuville	Terwilliger
Benson, D.D.	Day	Laidig	Olson	Vickerman
Benson, J.E.	Hottinger	Larson	Pariseau	

Those who voted in the negative were:

Berglin	Frederickson, D.J.	Marty	Pappas	Renneke
Bertram	Johnson, J.B.	Merriam	Piper	Riveness
Cohen	Kelly	Moe, R.D.	Price	Spear
Finn	Kroening	Mondale	Ranum	Traub
Flynn	Luther	Novak	Reichgott	Waldorf

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

S.F. No. 2316, which the committee reports progress, subject to the following motion:

Ms. Johnson, J.B. moved to amend S.F. No. 2316 as follows:

Page 5, line 13, delete "also" and insert "only"

The motion prevailed. So the amendment was adopted.

S.F. No. 2316 was then progressed.

S.F. No. 2392, which the committee recommends to pass with the following amendment offered by Ms. Johnson, J.B.:

Page 1, line 10, delete "*The following area is added to Cascade River*"

Page 1, delete lines 11 to 13

Page 1, line 14, delete the paragraph coding

The motion prevailed. So the amendment was adopted.

S.F. No. 1691, which the committee recommends to pass with the following amendments offered by Ms. Piper, Messrs. Knaak, Neuville and Kelly:

Ms. Piper moved to amend S.F. No. 1691 as follows:

Page 5, line 3, delete everything after the period

Page 5, delete lines 4 and 5

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend S.F. No. 1691 as follows:

Page 4, line 16, delete "\$5,000" and insert "\$10,000"

Page 5, line 7, delete "\$5,000" and insert "\$10,000"

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 1691 as follows:

Page 8, line 26, delete "five" and insert "one"

Page 12, line 15, delete "five" and insert "one"

Page 16, line 1, delete "five" and insert "one"

Mr. Kelly moved to amend the Neuville amendment to S.F. No. 1691 as follows:

Page 1, lines 2, 3, and 4, delete "one" and insert "two"

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

The question recurred on the Neuville amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 1787, which the committee recommends to pass with the following amendment offered by Mr. Mehrkens:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1991 Supplement, section 103F.535, subdivision 1, is amended to read:

Subdivision 1. [RESERVATION OF MARGINAL LAND AND WETLANDS.] (a) ~~Notwithstanding any other law,~~ Marginal land and wetlands are withdrawn from sale by the state or exchange unless use of the marginal land or wetland is restricted by a conservation easement as provided in this section:

(1) notice of the existence of the nonforested marginal land or wetlands, in a form prescribed by the board of water and soil resources, is provided to prospective purchasers; and

(2) the deed contains a restrictive covenant, in a form prescribed by the board of water and soil resources, that precludes enrollment of the land in a state-funded program providing compensation for conservation of marginal land or wetlands.

(b) This section does not apply to transfers of land by the board of water and soil resources to correct errors in legal descriptions under section 103F.515, subdivision 8, or to transfers by the commissioner of natural resources for:

(1) land that is currently in nonagricultural commercial use if a ~~conservation easement~~ restrictive covenant would interfere with the commercial use;

(2) land in platted subdivisions;

(3) conveyances of land to correct errors in legal descriptions under section 84.0273;

(4) exchanges of nonagricultural land with the federal government, or

exchanges of Class A, Class B, and Class C nonagricultural land with local units of government under sections 94.342, 94.343, 94.344, and 94.349;

(5) land transferred to political subdivisions for public purposes under sections 84.027, subdivision 10, and 94.10; and

(6) land not needed for trail purposes that is sold to adjacent property owners and lease holders under section 85.015, subdivision 1, paragraph (b).

(c) This section does not apply to transfers of land by the commissioner of administration or transportation or by the Minnesota housing finance agency, or to transfers of tax-forfeited land under chapter 282 if:

(1) the land is in platted subdivisions; or

(2) the conveyance is a transfer to correct errors in legal descriptions.

(d) This section does not apply to transfers of land by the commissioner of administration or by the Minnesota housing finance agency for:

(1) land that is currently in nonagricultural commercial use if a ~~conservation easement~~ *restrictive covenant* would interfere with the commercial use; or

(2) land transferred to political subdivisions for public purposes under sections 84.027, subdivision 10, and 94.10.

Sec. 2. [CITY OF MOUNTAIN LAKE: SURPLUS LAND FOR PUBLIC USE.]

*(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell the land described in paragraph (b) to the city of Mountain Lake in the manner prescribed by Minnesota Statutes, section 84.027, subdivision 10.*

*(b) The land that may be sold is located in Cottonwood county and described as:*

*A parcel of land in the southeast quarter of the southeast quarter (SE 1/4 SE 1/4), Section 29, Township 106 North, Range 34 West, in Cottonwood county, Minnesota, more particularly described as follows: Beginning at the southeast corner of said Section 29; thence West along the South line of said Section 29 to the southwest corner of said southeast quarter of the southeast quarter (SE 1/4 SE 1/4); thence northerly along the West line of said southeast quarter of the southeast quarter (SE 1/4 SE 1/4), 556 feet, more or less, to the 105 foot contour line as established from a Bench Mark (Elevation 100.00 Assumed Datum), being the top of the Concrete Abutment at its junction with the wing wall at the northwest corner of the Highway Bridge over Spring Creek in the southwest corner of the northwest quarter of the southwest quarter (NW 1/4 SW 1/4), Section 28, Township 106 North, Range 34 west, Cottonwood county, Minnesota, said contour line being shown on Sheet No. 2 of the Topographical Map of the Mountain Lake Dam, Park and Lake Project of the Emergency Relief Administration of the State of Minnesota, dated June 4th, 1985, which map is attached hereto, made a part hereof and marked "Exhibit A"; thence northeasterly along said 105 foot contour line to its intersection with the North line of said southeast quarter of the southeast quarter (SE 1/4 SE 1/4); thence east along said North line 240 feet, more or less, to the northeast corner of said southeast quarter of the southwest quarter (SE 1/4 SW 1/4); thence South along the east line of said Section 29, a distance of 1342 feet, more or less, to the*



point of beginning; containing 55.49 acres, more or less.

(c) *The land described in paragraph (b) consists of an island and surrounding submerged lands. The city wishes to improve an existing access to the island and add the island to the city park system for use as a natural area. The land is not needed for resource management and has been declared surplus. It will best serve the public interest if this property is sold and the proceeds used for acquisition of other land.*

(d) *If the submerged lands included in the legal description in paragraph (b) are held in custody by the state executive council, the council may authorize the commissioner of natural resources to convey the lands.*"

Page 1, after line 25, insert:

"Sec. 4. [REPEALER.]

*Minnesota Statutes 1990, section 103F.535, subdivisions 2 and 3, are repealed."*

Page 2, line 2, delete "Section 1" and insert "This act"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "changing provisions relating to withdrawal of certain lands from sale or exchange; authorizing the sale of surplus land bordering public waters for public use;"

Page 1, line 4, before the period, insert "; amending Minnesota Statutes 1991 Supplement, section 103F.535, subdivision 1; repealing Minnesota Statutes 1990, section 103F.535, subdivisions 2 and 3"

The motion prevailed. So the amendment was adopted.

S.F. No. 1605, which the committee recommends to pass with the following amendments offered by Messrs. Berg, Kelly, Mrs. Pariseau, Messrs. Johnson, D.E.; Dahl and Merriam:

Mr. Berg moved to amend S.F. No. 1605 as follows:

Page 8, line 12, delete "or"

Page 8, line 19, reinstate the stricken language

Page 8, line 20, reinstate the stricken "(6)"

Page 8, line 24, before the period, insert "*a contribution to a statutory or home rule charter city, county, or town by a licensed organization with the knowledge that the governmental unit intends to use the contribution for a pension fund*"

Page 38, after line 22, insert:

"Sec. 55. [471.6151] [CONTRIBUTIONS FROM LAWFUL GAMBLING ORGANIZATIONS.]

*Contributions of receipts derived from lawful gambling to a statutory or home rule charter city, county, or town made by an organization licensed to conduct lawful gambling under chapter 349 may not be used for the benefit of a pension or retirement fund."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Kelly moved to amend S.F. No. 1605 as follows:

Page 28, after line 5, insert:

"Sec. 38. Minnesota Statutes 1991 Supplement, section 349.17, subdivision 5, is amended to read:

Subd. 5. [BINGO CARD NUMBERING.] (a) The board shall by rule require that all licensed organizations: (1) conduct bingo only using liquid daubers on cards that bear an individual number recorded by the distributor; (2) sell all bingo cards only in the order of the numbers appearing on the cards; and (3) use each bingo card for no more than one bingo occasion. In lieu of the requirements of clauses (2) and (3), a licensed organization may electronically record the sale of each bingo card at each bingo occasion using an electronic recording system approved by the board.

(b) The requirements of paragraph (a) ~~do not~~ *shall only* apply to a licensed organization that ~~has never~~ received gross receipts from bingo in excess of \$150,000 in ~~any~~ *the organization's last fiscal year.*"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mrs. Pariseau moved to amend S.F. No. 1605 as follows:

Page 6, line 34, delete "*noncash gifts*" and insert "*food and beverages*"

Page 6, line 35, delete the comma

Page 6, delete line 36

Page 7, delete line 1

Page 7, line 2, delete everything before the semicolon

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.E. moved to amend S.F. No. 1605 as follows:

Page 10, line 26, strike "monthly" and insert "*quarterly*"

Page 30, after line 8, insert:

"Sec. 42. Minnesota Statutes 1991 Supplement, section 349.19, subdivision 5, is amended to read:

Subd. 5. [REPORTS.] A licensed organization must report to the board and to its membership ~~monthly, or quarterly in the case of a licensed organization which does not report more than \$1,000 in gross receipts from lawful gambling in any calendar quarter,~~ on its gross receipts, expenses, profits, and expenditure of profits from lawful gambling. The report must include a reconciliation of the organization's profit carryover with its cash balance on hand. If the organization conducts both bingo and other forms of lawful gambling, the figures for both must be reported separately. In addition, a licensed organization must report to the board ~~monthly~~ *quarterly* on its purchases of gambling equipment and must include the type, quantity, and dollar amount from each supplier separately. The reports must be on a form the board prescribes. Submission of the report required by section 349.154 satisfies the requirement for reporting ~~monthly~~ *quarterly* to the board on expenditure of net profits."

Page 38, after line 22, insert:

“Sec. 56. [EFFECTIVE DATE.]

*Section 42 is effective August 1, 1993.”*

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Dahl moved to amend S.F. No. 1605 as follows:

Page 5, line 24, after the third comma, insert “*educational*,”

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 1605 as follows:

Page 10, after line 22, insert:

*“(c) A distributor, manufacturer, or an organization licensed to conduct lawful gambling may not hire a former employee, director, or member of the gambling control board for one year after they have terminated employment with or left the gambling control board.”*

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend S.F. No. 1605 as follows:

Page 7, line 5, delete “*area*”

Page 7, line 6, delete everything before “*of*” and insert “*commissioner*”

The motion prevailed. So the amendment was adopted.

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

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Spear and Ms. Berglin introduced—

S.F. No. 2769: A bill for an act relating to the city of Minneapolis; permitting the city to extend the duration of a tax increment financing district.

Referred to the Committee on Economic Development and Housing.

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

S.F. No. 2770: A bill for an act relating to corrections; requiring the commissioner of corrections to establish a challenge incarceration program for young, nonviolent offenders with controlled substance abuse problems; providing that the program must provide strenuous physical exercise, manual labor, and military drill and ceremony; providing intensive supervised release for inmates who successfully complete the program; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Judiciary.

Messrs. McGowan and Merriam introduced—

S.F. No. 2771: A bill for an act relating to corrections; requiring the commissioner of corrections to establish a challenge incarceration program for young, nonviolent offenders with controlled substance abuse problems; providing that the program must provide strenuous physical exercise, manual labor, and military drill and ceremony; providing intensive supervised release for inmates who successfully complete the program; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Judiciary.

Mr. Marty, Ms. Piper, Mr. Sams, Ms. Johnson, J.B. and Mr. Beckman introduced—

S.F. No. 2772: A bill for an act relating to taxation; reducing the income tax deduction for personal exemptions; changing certain income tax rates; amending Minnesota Statutes 1990, section 290.01, subdivision 19b; Minnesota Statutes 1991 Supplement, section 290.01, subdivision 19a; 290.06, subdivision 2c; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Mr. Morse introduced—

S.F. No. 2773: A bill for an act relating to trade practices; regulating the sale of motor vehicle paint listed as hazardous waste; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

### MEMBERS EXCUSED

Mr. Halberg was excused from the Session of today. Mr. Lessard was excused from the Session of today from 2:15 to 2:45 p.m. Mr. Frank was excused from the Session of today at 1:45 p.m. Mr. Belanger was excused from the Session of today from 12:00 noon to 1:15 p.m.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, March 25, 1992. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate