

NINETIETH DAY

St. Paul, Minnesota, Thursday, April 2, 1992

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

CALL OF THE SENATE

Mr. Metzen 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. Donald S. Sheffield.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 31, 1992

The Honorable Jerome M. Hughes
President of the Senate

Dear President Hughes:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 764, 1633, 1666, 2307, 2385 and 2337.

Warmest regards.

Arne H. Carlson, Governor

April 2, 1992

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1992 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1992	Date Filed 1992
2385		378	6:00 p.m. March 31	April 1
1666		380	6:02 p.m. March 31	April 1
764		382	6:05 p.m. March 31	April 1
1633		384	6:07 p.m. March 31	April 1
	1763	387	6:10 p.m. March 31	April 1
2307		388	6:12 p.m. March 31	April 1
2337		391	5:58 p.m. March 31	April 1

Sincerely,
Joan Anderson Grove
Secretary of State

REPORTS OF COMMITTEES

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

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

H.F. No. 2849: A bill for an act relating to state parks: authorizing the commissioner of natural resources to negotiate a special fee structure for the Split Rock Lighthouse state historic site within Split Rock Lighthouse state park; amending Minnesota Statutes 1990, section 85.053, by adding a subdivision.

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

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

S.F. No. 2755: A bill for an act relating to the financing and operation of government in Minnesota; revising the operation of the local government trust fund; abolishing the advisory commission on intergovernmental relations; modifying the administration, computation, collection, and enforcement of taxes; imposing taxes; changing tax rates, bases, credits, exemptions, withholding, and payments; modifying aids to local governments; authorizing and modifying provisions relating to property tax classifications and levies; reducing the amount in the budget and cash flow reserve account; authorizing imposition of local taxes; updating references to the Internal

Revenue Code; modifying provisions relating to political campaign contribution refunds; changing certain bonding and local government finance provisions; changing definitions; making technical corrections and clarifications; enacting provisions relating to certain cities, counties, school districts, special taxing districts, and watershed districts; appropriating money; amending Minnesota Statutes 1990, sections 60A.15, subdivision 1; 60A.19, subdivision 6; 103B.241; 103B.255, by adding a subdivision; 103B.335; 216C.06, by adding a subdivision; 270.07, subdivision 3; 270.075, subdivision 1; 270.69, by adding a subdivision; 270A.05; 270A.07, subdivisions 1 and 2; 270A.11; 270B.01, subdivision 8; 273.1104, subdivision 1; 273.112, subdivisions 1, 2, 3, and 4; 273.135, subdivision 2; 273.1391, subdivision 2; 274.19, subdivision 8; 274.20, subdivisions 1 and 2; 275.065, subdivisions 1a and 4; 275.125, subdivision 10; 278.02; 279.37, subdivision 1; 281.23, subdivision 8; 282.016; 282.09, subdivision 1; 282.36; 289A.11, subdivision 3; 289A.26, subdivisions 3, 4, 7, and 9; 289A.50, subdivision 5; 290.05, subdivision 4; 290.091, subdivision 6; 290.9201, subdivision 11; 290.923, by adding a subdivision; 290A.03, subdivision 8; 290A.19; 290A.23; 297A.07; 297A.14, subdivision 1; 297A.15, subdivisions 5 and 6; 297A.25, subdivisions 11, 24, 34, 45, and by adding subdivisions; 298.24, subdivision 1; 298.28, by adding a subdivision; 299F.21, subdivision 1; 381.12, subdivision 2; 383.06; 401.02, subdivision 3; 401.05; 469.004, subdivision 1, and by adding a subdivision; 469.034; 469.153, subdivision 2; 469.177, subdivision 1a; 473.446, subdivision 1; 473.711, subdivision 2; 473.714; 473H.10, subdivision 3; 477A.015; 488A.20, subdivision 4; 541.07; and 641.24; Minnesota Statutes 1991 Supplement, sections 16A.15, subdivision 6; 16A.711, subdivisions 3, 4, and by adding a subdivision; 124A.23, subdivision 1; 256.025, subdivisions 3 and 4; 270A.04, subdivision 2; 270A.08, subdivision 2; 272.02, subdivision 1; 273.124, subdivisions 1 and 6; 273.13, subdivisions 22 and 25, as amended; 273.1398, subdivisions 6 and 7; 273.1399; 275.065, subdivisions 1, 3, 5a, and 6; 275.125, subdivision 5; 277.01, subdivision 1; 277.17; 278.01, subdivision 1; 279.03, subdivision 1a; 281.17; 289A.20, subdivisions 1 and 4; 289A.26, subdivisions 1 and 6; 289A.37, subdivision 1; 290.01, subdivision 19; 290.05, subdivision 3; 290.06, subdivision 3; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 8; 290.0922, subdivision 1; 290A.04, subdivision 2h; 297A.135, subdivision 1, and by adding a subdivision; 297A.14, subdivision 3; 297A.25, subdivision 12, as amended; 297A.44, subdivision 4; 375.192, subdivision 2; 423A.02, subdivision 1a; 477A.012, subdivision 6; 477A.013, subdivisions 1 and 3; 508.25; 508A.25; and 611.27, subdivision 7; Laws 1971, chapter 773, sections 1, subdivision 2, as amended; and 2, as amended; Laws 1991, chapter 291, articles 1, section 65; and 7, section 27; proposing coding for new law in Minnesota Statutes, chapters 8; 13; 16A; 273; 289A; 290; 297A; 298; and 477A; repealing Minnesota Statutes 1990, sections 60A.15, subdivision 6; 275.065, subdivision 1b; 278.01, subdivision 2; 289A.12, subdivision 1; 290.48, subdivision 7; 297.32, subdivision 7; and 298.24, subdivision 4; Minnesota Statutes 1991 Supplement, sections 3.862; 47.209; 273.124, subdivision 15; and 295.367; and Laws 1991, chapter 291, article 2, section 3.

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

Page 177, delete lines 12 to 21

Page 178, line 5, delete "\$260,000,000" and insert "\$240,000,000"

Page 183. delete section 9

Re-number the sections of article 9 in sequence

Amend the title as follows:

Page 2, line 16, delete "3" and insert "23"

Page 2, line 23, after the second semicolon, insert "and" and after the third semicolon, delete "and"

Page 2, line 24, delete "611.27, subdivision 7:"

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

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

H.F. No. 1980 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1980	1922				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1980 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1980 and insert the language after the enacting clause of S.F. No. 1922, the first engrossment; further, delete the title of H.F. No. 1980 and insert the title of S.F. No. 1922, the first engrossment.

And when so amended H.F. No. 1980 will be identical to S.F. No. 1922, and further recommends that H.F. No. 1980 be given its second reading and substituted for S.F. No. 1922, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2750 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2750	2468				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2750 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2750 and insert the language after the enacting clause of S.F. No. 2468, the first engrossment; further, delete the title of H.F. No. 2750 and insert the title of S.F. No. 2468, the first engrossment.

And when so amended H.F. No. 2750 will be identical to S.F. No. 2468, and further recommends that H.F. No. 2750 be given its second reading and substituted for S.F. No. 2468, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2257 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2257	2764				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2647 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2647	2622				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1873 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1873	1731				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1738 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1738	1700				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1738 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1738 and insert the language after the enacting clause of S.F. No. 1700, the first engrossment; further, delete the title of H.F. No. 1738 and insert the title of S.F. No. 1700, the first engrossment.

And when so amended H.F. No. 1738 will be identical to S.F. No. 1700, and further recommends that H.F. No. 1738 be given its second reading and substituted for S.F. No. 1700, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2211 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2211	1847				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2211 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2211 and insert the language after the enacting clause of S.F. No. 1847, the first engrossment; further, delete the title of H.F. No. 2211 and insert the title of S.F. No. 1847, the first engrossment.

And when so amended H.F. No. 2211 will be identical to S.F. No. 1847, and further recommends that H.F. No. 2211 be given its second reading

and substituted for S.F. No. 1847, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2000 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2000	1859				

and that the above Senate File be indefinitely postponed.

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-referred

S.F. No. 2605: A bill for an act relating to the emergency jobs program; modifying program conditions; instructions to revisor; appropriating money; amending Minnesota Statutes 1990, sections 268.676, subdivision 1; 268.77, subdivision 1; 268.681, subdivisions 1 and 2; and 268.682, subdivision 3; repealing Minnesota Statutes 1990, section 268.6751, 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 256D.05, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBILITY.] (a) Each person or family whose income and resources are less than the standard of assistance established by the commissioner and who is a resident of the state shall be eligible for and entitled to general assistance if the person or family is:

(1) a person who is suffering from a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue

for more than 30 days and which prevents the person from obtaining or retaining employment:

(2) a person whose presence in the home on a substantially continuous basis is required because of the professionally certified illness, injury, incapacity, or the age of another member of the household:

(3) a person who has been placed in, and is residing in, a licensed or certified facility for purposes of physical or mental health or rehabilitation, or in an approved chemical dependency domiciliary facility, if the placement is based on illness or incapacity and is pursuant to a plan developed or approved by the county agency through its director or designated representative:

(4) a person who resides in a shelter facility described in subdivision 3:

(5) a person not described in clause (1) or (3) who is diagnosed by a licensed physician, licensed psychologist, or other qualified professional, as mentally retarded or mentally ill, and that condition prevents the person from obtaining or retaining employment:

(6) a person who has an application pending for, or is appealing termination of benefits from, the social security disability program or the program of supplemental security income for the aged, blind, and disabled, provided the person has a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue for more than 30 days and which prevents the person from obtaining or retaining employment:

(7) a person who is unable to obtain or retain employment because advanced age significantly affects the person's ability to seek or engage in substantial work:

(8) a person who, following participation in the work readiness program, completion of an individualized employability assessment by the work readiness service provider, and consultation between the county agency and the work readiness service provider, the county agency determines is not employable. For purposes of this item, a person is considered employable if the county agency determines that there exist positions of employment in the local labor market, regardless of the current availability of openings for those positions, that the person is capable of performing. Eligibility under this category must be reassessed at least annually by the county agency and must be based upon the results of a new individualized employability assessment completed by the work readiness service provider. The recipient shall, if otherwise eligible, continue to receive general assistance while the annual individualized employability assessment is completed by the work readiness service provider, rather than receive work readiness payments under section 256D.051. Subsequent eligibility for general assistance is dependent upon the county agency determining, following consultation with the work readiness service provider, that the person is not employable, or the person meeting the requirements of another general assistance category of eligibility:

(9) a person who is determined by the county agency, in accordance with emergency and permanent rules adopted by the commissioner, to be learning disabled, provided that if a rehabilitation plan for the person is developed or approved by the county agency, the person is following the plan:

(10) a child under the age of 18 who is not living with a parent, stepparent, or legal custodian, but only if: the child is legally emancipated or living

with an adult with the consent of an agency acting as a legal custodian; the child is at least 16 years of age and the general assistance grant is approved by the director of the county agency or a designated representative as a component of a social services case plan for the child; or the child is living with an adult with the consent of the child's legal custodian and the county agency. For purposes of this clause, "legally emancipated" means a person under the age of 18 years who: (i) has been married; (ii) is on active duty in the uniformed services of the United States; (iii) has been emancipated by a court of competent jurisdiction; or (iv) is otherwise considered emancipated under Minnesota law, and for whom county social services has not determined that a social services case plan is necessary, for reasons other than that the child has failed or refuses to cooperate with the county agency in developing the plan:

(11) a woman in the last trimester of pregnancy who does not qualify for aid to families with dependent children. A woman who is in the last trimester of pregnancy who is currently receiving aid to families with dependent children may be granted emergency general assistance to meet emergency needs:

(12) a person who is eligible for displaced homemaker services, programs, or assistance under section 268.96, but only if that person is enrolled as a full-time student;

(13) a person who lives more than two hours round-trip traveling time from any potential suitable employment; and

(14) a person who is involved with protective or court-ordered services that prevent the applicant or recipient from working at least four hours per day; and

(15) a family as defined in section 256D.02, subdivision 5, which is ineligible for the aid to families with dependent children program. If all children in the family are six years of age or older, or if suitable child care is available for children under age six at no cost to the family, all the adult members of the family must register for and cooperate in the work readiness program under section 256D.051. If one or more of the children is under the age of six and suitable child care is not available without cost to the family, all the adult members except one adult member must register for and cooperate with the work readiness program under section 256D.051. The adult member who must participate in the work readiness program is the one having earned the greater of the incomes, excluding in-kind income, during the 24-month period immediately preceding the month of application for assistance. When there are no earnings or when earnings are identical for each adult, the applicant must designate the adult who must participate in work readiness and that designation must not be transferred or changed after program eligibility is determined as long as program eligibility continues without an interruption of 30 days or more. The adult members required to register for and cooperate with the work readiness program are not eligible for financial assistance under section 256D.051, except as provided in section 256D.051, subdivision 6, and shall be included in the general assistance grant. If an adult member fails to cooperate with requirements of section 256D.051, the local agency shall not take that member's needs into account in making the grant determination as provided by the termination provisions of section 256D.051, subdivision 1a, paragraph (b). ~~The time limits of section 256D.051, subdivision 1, do not apply to persons eligible under this clause.~~

(b) Persons or families who are not state residents but who are otherwise eligible for general assistance may receive emergency general assistance to meet emergency needs.

(c) As a condition of eligibility under paragraph (a), clauses (1), (3), (5), (8), and (9), the recipient must complete an interim assistance agreement and must apply for other maintenance benefits as specified in section 256D.06, subdivision 5, and must comply with efforts to determine the recipient's eligibility for those other maintenance benefits.

(d) The burden of providing documentation for a county agency to use to verify eligibility for general assistance or work readiness is upon the applicant or recipient. The county agency shall use documents already in its possession to verify eligibility, and shall help the applicant or recipient obtain other existing verification necessary to determine eligibility which the applicant or recipient does not have and is unable to obtain.

Sec. 2. Minnesota Statutes 1991 Supplement, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. [WORK REGISTRATION.] (a) Except as provided in this subdivision, persons who are residents of the state and whose income and resources are less than the standard of assistance established by the commissioner, but who are not categorically eligible under section 256D.05, subdivision 1, are eligible for the work readiness program for a maximum period of five consecutive calendar months during any 12 consecutive calendar month period, subject to the provisions of paragraph (d), subdivision 3, and section 256D.052, subdivision 4. The person's five-month eligibility period begins on the first day of the calendar month following the date of application for assistance or following the date all eligibility factors are met, whichever is later, and ends on the last day of the fifth consecutive calendar month, whether or not the person has received benefits for all five months. The person is not eligible to receive work readiness benefits during the seven calendar months immediately following the five-month eligibility period; however, the person may voluntarily continue to participate in work readiness services for up to three additional consecutive months immediately following the last month of benefits to complete the provisions of the person's employability development plan. Prior to terminating work readiness assistance the county agency must provide advice on the person's eligibility for general assistance medical care and must assess the person's eligibility for general assistance under section 256D.05 to the extent possible, using information in the case file, and determine the person's eligibility for general assistance. A determination that the person is not eligible for general assistance must be stated in the notice of termination of work readiness benefits.

(b) Persons, families, and married couples who are not state residents but who are otherwise eligible for work readiness assistance may receive emergency assistance to meet emergency needs.

(c) Except for family members who must participate in work readiness services under the provisions of section 256D.05, subdivision 1, clause (14), any person who would be defined for purposes of the food stamp program as being enrolled at least half-time in an institution of higher education is ineligible for the work readiness program.

(d) Notwithstanding the provisions of sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services shall not continue to a person who appeals the termination of benefits due to exhaustion

of the period of eligibility specified in paragraph (a) or (d).

Sec. 3. Minnesota Statutes 1991 Supplement, section 256D.051, subdivision 1a, is amended to read:

Subd. 1a. [WORK READINESS PAYMENTS.] (a) Except as provided in this subdivision, grants of work readiness shall be determined using the standards of assistance, exclusions, disregards, and procedures which are used in the general assistance program. Work readiness shall be granted in an amount that, when added to the nonexempt income actually available to the assistance unit, the total amount equals the applicable standard of assistance.

(b) Except as provided in section 256D.05, subdivision 6, work readiness assistance must be paid on the first day of each month.

At the time the county agency notifies the assistance unit that it is eligible for family general assistance or work readiness assistance and by the first day of each month of services, the county agency must inform all mandatory registrants in the assistance unit that they must comply with all work readiness requirements that month, and that work readiness eligibility will end at the end of the month unless the registrants comply with work readiness requirements specified in the notice. A registrant who fails, without good cause, to comply with requirements during this time period, including attendance at orientation, will lose family general assistance or work readiness eligibility without notice under section 256D.101, subdivision 1, paragraph (b). The registrant shall, however, be sent a notice no later than five days after eligibility ends, which informs the registrant that family general assistance or work readiness eligibility has ended in accordance with this section for failure to comply with work readiness requirements. The notice shall set forth the factual basis for such determination and advise the registrant of the right to reinstate eligibility upon a showing of good cause for the failure to meet the requirements. Subsequent assistance must not be issued unless the person completes an application, is determined eligible, and complies with the work readiness requirements that had not been complied with, or demonstrates that the person had good cause for failing to comply with the requirement. ~~The time during which the person is ineligible under these provisions is counted as part of the person's period of eligibility under subdivision 1.~~

~~(c) Notwithstanding the provisions of section 256D.01, subdivision 1a, paragraph (d), when one member of a married couple has exhausted the five months of work readiness eligibility in a 12-month period and the other member has one or more months of eligibility remaining within the same 12-month period, the standard of assistance applicable to the member who remains eligible is the first adult standard in the aid to families with dependent children program.~~

~~(d) Notwithstanding sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services shall not continue to a person who appeals the termination of benefits under paragraph (b).~~

Sec. 4. Minnesota Statutes 1991 Supplement, section 256D.052, subdivision 4, is amended to read:

Subd. 4. [PAYMENT OF WORK READINESS.] The county agency must provide assistance under section 256D.051 to persons who:

(1) participate in a literacy program assigned under subdivision 2. To

“participate” means to attend regular classes, complete assignments, and make progress toward literacy goals; or

(2) are not assigned to literacy training because there is no program available or accessible to them.

~~Notwithstanding contrary provisions of section 256D.051, subdivision 1, a person eligible for assistance under this section is eligible for assistance for a maximum period of seven consecutive calendar months during any 12 consecutive calendar month period, subject to section 256D.051, subdivision 1, paragraph (d). Work readiness payments may be terminated for persons who fail to attend the orientation and participate in the assessment and development of the employment development plan.~~

Sec. 5. Minnesota Statutes 1991 Supplement, section 268.551, subdivision 3, is amended to read:

Subd. 3. [ELIGIBLE APPLICANT.] “Eligible applicant” means a person who:

(1) has been a resident of this state for at least one month;

(2) is unemployed;

(3) is not receiving and is not eligible to receive unemployment compensation; and

(4) (i) is a targeted young person as defined in Laws 1990, chapter 562, article 4, section 12, between the ages of 14 and 21, who, because of a lack of personal resources and skills, needs assistance in setting and realizing education goals and in becoming a contributing member of the community;
or

(ii) belongs to a category of individuals that have a national unemployment rate that is determined by the Bureau of Labor Statistics to be at least twice that of the state unemployment rate for all individuals.

Sec. 6. Minnesota Statutes 1991 Supplement, section 268.552, is amended by adding a subdivision to read:

Subd. 1a. [CREATION OF ADDITIONAL PROGRAM.] The commissioner shall provide wage subsidies to eligible applicants described in section 268.551, subdivision 3, clause (4)(ii), for work with an employer in the manner and amount specified in this section.

Sec. 7. Minnesota Statutes 1991 Supplement, section 268.552, subdivision 2, is amended to read:

Subd. 2. [AMOUNT AND DURATION OF SUBSIDY.] The maximum subsidy is \$4 per hour for wages and \$1 per hour for fringe benefits for eligible applicants described in section 268.551, subdivision 3, clause (4)(i), and \$5 per hour for wages and \$1 per hour for fringe benefits for eligible applicants described in section 268.551, subdivision 3, clause (4)(ii). The subsidy for an eligible applicant may be paid for a maximum of 1,040 hours over a period of 26 weeks. Employers are encouraged to use money from other sources to provide increased wages to applicants they employ.”

Page 1, line 15, delete “have been” and insert “are”

Page 1, line 16, delete “for five months or longer”

Page 1, line 23, after “children” insert “and are not eligible for a federally subsidized jobs program”

Page 2, line 13, delete "\$6" and insert "\$5" and reinstate the stricken "and \$1 per"

Page 2, line 14, reinstate the stricken language

Page 4, lines 11 and 12, reinstate the stricken language

Page 5, after line 12, insert:

"Sec. 13. Minnesota Statutes 1991 Supplement, section 290.01, subdivision 19a, is amended to read:

Subd. 19a. [ADDITIONS TO FEDERAL TAXABLE INCOME.] For individuals, estates, and trusts, there shall be added to federal taxable income:

(1)(i) interest income on obligations of any state other than Minnesota or a political or governmental subdivision, municipality, or governmental agency or instrumentality of any state other than Minnesota exempt from federal income taxes under the Internal Revenue Code or any other federal statute, and

(ii) exempt-interest dividends as defined in section 852(b)(5) of the Internal Revenue Code, except the portion of the exempt-interest dividends derived from interest income on obligations of the state of Minnesota or its political or governmental subdivisions, municipalities, governmental agencies or instrumentalities, but only if the portion of the exempt-interest dividends from such Minnesota sources paid to all shareholders represents 95 percent or more of the exempt-interest dividends that are paid by the regulated investment company as defined in section 851(a) of the Internal Revenue Code, or the fund of the regulated investment company as defined in section 851(h) of the Internal Revenue Code, making the payment; and

(2) the amount of income taxes paid or accrued within the taxable year under this chapter and income taxes paid to any other state or to any province or territory of Canada, to the extent allowed as a deduction under section 63(d) of the Internal Revenue Code, but the addition may not be more than the amount by which the itemized deductions as allowed under section 63(d) of the Internal Revenue Code exceeds the amount of the standard deduction as defined in section 63(c) of the Internal Revenue Code. For the purpose of this paragraph, the disallowance of itemized deductions under section 68 of the Internal Revenue Code of 1986, income tax is the last itemized deduction disallowed; and

(3) the capital gain amount of a lump sum distribution to which the special tax under section 1122(h)(3)(B)(ii) of the Tax Reform Act of 1986, Public Law Number 99-514, applies; and

(4) the amount of income taxes paid or accrued within the taxable year under this chapter and income taxes paid to any other state or any province or territory of Canada, to the extent allowed as a deduction in determining federal adjusted gross income. For the purpose of this paragraph, income taxes do not include the taxes imposed by sections 290.0922, subdivision 1, paragraph (b), 290.9727, 290.9728, and 290.9729; and

(5) an amount equal to the exemptions allowed under section 151 of the Internal Revenue Code, deducted in computing federal taxable income, multiplied by the applicable disallowance percentage. The disallowance percentage equals one percentage point for each \$500 or part of \$500 of modified adjusted gross income in excess of \$100,000 for an individual

filing a married joint return, \$50,000 for a married person filing a separate return, \$85,170 for a head of household, or \$56,560 for all other filers. Modified adjusted gross income is the sum of the individual's adjusted gross income under section 62 of the Internal Revenue Code and interest received or accrued by the taxpayer that is exempt from federal tax. The amount of the addition under this clause may not exceed the exemption deducted in computing federal taxable income. This clause applies to taxable years beginning after December 31, 1991, and ending before January 1, 1993."

Page 5, after line 17, insert:

"\$7,000,000 is appropriated from the general fund to the commissioner of human services to meet the cost of extending eligibility for the work readiness program under sections 1 to 4.

\$2,000,000 is appropriated from the general fund to the commissioner of jobs and training for the biennium ending June 30, 1993, for the purposes of section 6."

Page 5, line 18, delete "\$" and insert "\$10,000,000"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "Minnesota Statutes 1991 Supplement, sections 256D.05, subdivision 1; 256D.051, subdivisions 1 and 1a; 256D.052, subdivision 4; 268.551, subdivision 3; 268.552, subdivision 2, and by adding a subdivision: 290.01, subdivision 19a:"

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

SECOND READING OF SENATE BILLS

S.F. No. 2755 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2849, 1980, 2750, 2257, 2647, 1873, 1738, 2211 and 2000 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Larson, Ms. Olson, Messrs. Dahl, Merriam and Ms. Pappas introduced—

Senate Resolution No. 138: A Senate resolution welcoming "home" Garrison Keillor.

Referred to the Committee on Rules and Administration.

Messrs. Laidig; Moe, R.D.; McGowan; Benson, D.D. and Johnson, D.E. introduced—

Senate Resolution No. 139: A Senate resolution congratulating Paula Laidig for being named the School Psychologist of the Year by the National Association of School Psychologists.

Referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

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

CALENDAR

S.F. No. 1590: A bill for an act relating to unemployment compensation; pertaining to treatment of American Indian tribal governments as employers for purposes of unemployment compensation insurance payments; amending Minnesota Statutes 1990, section 268.06, 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 63 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
Belanger	Dicklich	Kelly	Mondale	Riveness
Benson, D.D.	Finn	Knaak	Morse	Sams
Benson, J.E.	Flynn	Kroening	Neuville	Samuelson
Berglin	Frank	Laidig	Novak	Solon
Bernhagen	Frederickson, D.J.	Langseth	Olson	Spear
Bertram	Frederickson, D.R.	Larson	Pappas	Stumpf
Brataas	Halberg	Lessard	Pariseau	Terwilliger
Chmielewski	Hottinger	Luther	Piper	Traub
Cohen	Hughes	Marty	Pogemiller	Vickerman
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. 1230: A bill for an act relating to retirement; volunteer firefighters relief associations; increasing service pension maximums; establishing a fire state aid maximum apportionment; providing penalties for noncompliance with service pension maximums; specifying duties for the state auditor; ratifying certain prior nonconforming lump sum service pension payments; continuing certain nonconforming lump sum service pension amounts in force; modifying certain investment performance calculations; modifying certain local volunteer firefighters relief association provisions; amending Minnesota Statutes 1990, sections 11A.04; 356.218, subdivisions 2 and 3; and 424A.02, subdivisions 1, 3, and by adding a subdivision; Laws 1971, chapter 140, section 5, as amended; proposing coding for new law in Minnesota Statutes, chapter 69.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 522: A bill for an act relating to game and fish; specifying allowed methods for taking fish in certain designated trout streams; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 2369: 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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: regulating case management for persons with mental retardation or related conditions: 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: 299F.011, subdivision 4a: Minnesota Statutes 1991 Supplement, sections 245A.03, subdivision 2; 245A.04, subdivision 3; 245A.16, subdivision 1; and 256B.092, subdivision 7; 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 39 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Chmielewski	Johnston	McGowan	Samuelson
Benson, D.D.	Day	Knaak	Mehrrens	Stumpf
Benson, J.E.	Frederickson, D.R.	Laidig	Neuville	Terwilliger
Berg	Gustafson	Langseth	Olson	
Bernhagen	Halberg	Larson	Pariseau	
Brataas	Johnson, D.E.	Lessard	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 1889: A bill for an act relating to employment; modifying provisions related to access to employee personnel records; amending Minnesota Statutes 1990, sections 181.961, subdivision 2; and 181.962, 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 64 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Day	Johnson, J.B.	Merriam	Ranum
Beckman	DeCramer	Johnston	Metzen	Reichgott
Belanger	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	Halberg	Lessard	Pappas	Terwilliger
Chmielewski	Hottinger	Luther	Pariseau	Traub
Cohen	Hughes	Marty	Piper	Vickerman
Dahl	Johnson, D.E.	McGowan	Pogemiller	Waldorf
Davis	Johnson, D.J.	Mehrrens	Price	

Mrs. Brataas, Messrs. Gustafson and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1978: A bill for an act relating to health; regulating ionizing radiation; delaying the effective date of certain rules; requiring their review by the commissioner of health.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2137: A bill for an act relating to nursing homes: defining a residential hospice facility: modifying hospice program conditions: limiting the number of residential hospice facilities: requiring a report: amending Minnesota Statutes 1990, section 144A.48, subdivision 1, and 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2137: A bill for an act relating to retirement: the Minnesota state retirement system and the public employees retirement association: making various changes to administration, benefits, and investment practices: amending Minnesota Statutes 1990, sections 352.01, subdivision 2b; 352.029, subdivisions 1 and 2; 352.113, subdivisions 1, 3, 4, and 10; 352.12, subdivision 1; 352.22, subdivision 3; 352D.12; 353.01, subdivision 28; 353.27, subdivision 10; 353.29, subdivision 7; 353.33, subdivisions 1, 6, 6a, and 6b; 353.34, subdivision 2; 353.65, subdivision 1; 353.656, subdivision 5; 353.659; 353.68, subdivision 4; 353A.02, subdivision 12; 353A.04, subdivision 2; 353A.05, subdivision 3; 353A.07, subdivision 3; 353A.08, subdivision 6, and by adding a subdivision; 353A.09, subdivision 1; 353A.10, subdivision 4, and by adding a subdivision; 356.30, subdivision 1; 356.302, subdivision 6; 356.303, subdivision 3; 490.124, subdivision 11; Minnesota Statutes 1991 Supplement, sections 353.01, subdivisions 2b, 16, and 20; 353.27, subdivisions 12 and 12b; 353.31, subdivision 1; 353.32, subdivision 1a; 353.64, subdivision 5a; 353.657, subdivisions 1, 2, and 2a; 353A.03; 353A.06; 353D.01, subdivision 2; 353D.02; 353D.03:

353D.04, subdivision 1; 353D.05, subdivisions 2 and 3; 353D.07, subdivisions 2 and 3; 353D.12, subdivision 1; Laws 1990, chapter 570, article 8, section 14, subdivision 1, as amended; Laws 1991, chapter 269, article 2, section 13; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 1990, sections 352.029, subdivision 4; 353.656, subdivision 7; and 353.71, 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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Langseth voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1856: A bill for an act relating to real property; abolishing issuance of duplicate certificates of title and duplicate CPTs for use by lessees and mortgagees of registered land; providing for mortgage satisfaction or release by fewer than all mortgagees; regulating various notice, hearing, and other procedures and requirements for foreclosures and other involuntary transfers of real property; providing for new certificates of title or CPT to be issued for registered land adjoining a vacated street or alley; providing that purchase money mortgages are subject to rights or interest of nonmortgaging spouse; providing that marital property interest of non-titled spouse is not subject to levy, judgments, or tax liens; clarifying provisions relating to notice of termination of contract for deed; changing certain dates relating to validation of mortgage foreclosures; amending Minnesota Statutes 1990, sections 507.03; 508.44, subdivision 2; 508.45; 508.55; 508.56; 508.57; 508.58; 508.59; 508.67; 508.71, subdivision 6; 508.73; 508.835; 508A.11, subdivision 3; 508A.44, subdivision 2; 508A.45; 508A.55; 508A.56; 508A.57; 508A.58; 508A.59; 508A.71, subdivision 6; 508A.73; 508A.835; 508A.85, subdivision 3; 514.08, subdivision 2; 518.54, subdivision 5; 559.21, subdivisions 2a and 3; 580.15; 582.01, by adding a subdivision; and 582.27; Minnesota Statutes 1991 Supplement, sections 508.82; and 508A.82; proposing coding for new law in Minnesota Statutes, chapters 507; and 580.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2510: A bill for an act relating to transportation; providing procedures for design, approval, and construction of light rail transit; establishing corridor management committee; providing for resolution of disputes; changing membership and responsibilities of the light rail transit joint powers board; amending Minnesota Statutes 1990, sections 174.32, subdivision 2; 473.167, subdivision 1; 473.399, subdivision 1; 473.3994, subdivisions 2, 3, 4, 5, 6, 7, and by adding subdivisions; 473.3996; 473.4051; Minnesota Statutes 1991 Supplement, sections 473.3997; and 473.3998; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 1990, sections 473.399, subdivisions 2 and 3; 473.3991; and Laws 1991, chapter 291, article 4, section 20.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Chmielewski and Waldorf voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 651: A bill for an act relating to insurance; regulating utilization review services; providing standards and procedures; regulating appeals of determinations not to certify; regulating prior authorization of services; prescribing staff and program qualifications; proposing coding for new law as Minnesota Statutes, chapter 62M.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1993: A bill for an act relating to transportation; directing the regional transit board to establish a program to reduce traffic congestion; prohibiting right turns in front of buses; providing public transit operations priority in the event of an energy supply emergency; establishing a demonstration enforcement project for high occupancy vehicle lane use; amending Minnesota Statutes 1990, sections 169.01, by adding a subdivision: 169.19, subdivision 1; and 216C.15, subdivision 1; Minnesota Statutes 1991 Supplement, section 169.346, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 169; and 473.

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 57 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson, J.E.	Larson	Neuville	Sams	Samuelson
Chmielewski	Mehrkens	Renneke		

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

GENERAL ORDERS

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

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

S.F. Nos. 2196, 2017, 2599 and H.F. Nos. 2063, 2438, which the committee recommends to pass.

H.F. No. 2608, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 1, delete lines 15 to 18

The motion prevailed. So the amendment was adopted.

S.F. No. 2236, which the committee recommends to pass, with the following amendments offered by Messrs. Riveness and McGowan:

Mr. Riveness moved to amend S.F. No. 2236 as follows:

Page 1, line 16, after the semicolon, insert "or"

Page 1, line 18, delete "; or" and insert a period

Page 1, delete line 19

The motion prevailed. So the amendment was adopted.

Mr. McGowan moved to amend S.F. No. 2236 as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1990, section 3.055, subdivision 1, is amended to read:

Subdivision 1. [MEETINGS TO BE OPEN.] Meetings of the legislature shall be open to the public, including sessions of the senate, sessions of the house of representatives, joint sessions of the senate and the house of representatives, and meetings of a standing committee, committee division, subcommittee, conference committee, or legislative commission, but not including a caucus of the members of any of those bodies from the same house and political party nor a delegation of legislators representing a geographic area or political subdivision. For purposes of this section, a meeting occurs when a quorum is present and *either (1) discussion occurs among the members or (2) action is taken regarding a matter within the jurisdiction of the body.*"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2194, which the committee recommends to pass with the following amendments offered by Messrs. Knaak, Renneke and Luther:

Mr. Knaak moved to amend S.F. No. 2194 as follows:

Page 3, line 4, after the period, insert "*This subdivision does not apply to financial assistance sought from the iron range resources and rehabilitation board or from a political subdivision of the state, including home rule charter and statutory cities, towns, counties, and all agencies, commissions, and councils established under chapter 473, as well as any authority or agency of such a political subdivision.*"

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend S.F. No. 2194 as follows:

Page 8, after line 7, insert:

“Sec. 15. [AIRLINE TRAVEL CREDIT.]

Whenever public funds are used to pay for airline travel, any credits or other benefits issued by any airline must accrue to the benefit of the public body providing the funding. This policy applies to airline travel both within and without the state of Minnesota and wherever tickets are purchased. In the event the issuing airline will not honor a transfer or assignment of any credit or benefit, the individual passenger shall report receipt of the credit or benefit to the public body issuing the initial payment within 90 days of receipt. The credit or other benefit becomes the property of the issuing public body upon submission of the report, and it may not be converted to personal use.”

Renumber the sections in sequence and correct the internal references
Amend the title accordingly

The question was taken on the adoption of the Renneke amendment.

The roll was called, and there were yeas 48 and nays 9, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnston	Merriam	Price
Beckman	Day	Kelly	Metzen	Ranum
Benson, D.D.	Dicklich	Knaak	Mondale	Reichgott
Benson, J.E.	Finn	Langseth	Morse	Renneke
Berg	Frederickson, D.R.	Larson	Neuville	Riveness
Bernhagen	Gustafson	Lessard	Olson	Stumpf
Bertram	Hottinger	Luther	Pappas	Terwilliger
Brataas	Johnson, D.E.	Marty	Pariseau	Traub
Chmielewski	Johnson, D.J.	McGowan	Piper	
Cohen	Johnson, J.B.	Mehrkens	Pogemiller	

Those who voted in the negative were:

Belanger	Flynn	Hughes	Solon	Waldorf
Berglin	Frank	Kroening	Spear	

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S.F. No. 2194 as follows:

Page 5, after line 7, insert:

“Sec. 10. Minnesota Statutes 1990, section 471.68, is amended by adding a subdivision to read:

Subd. 3. [PICTURES PROHIBITED.] When a county or home rule charter or statutory city issues a report or other publication for public distribution to inform the general public of the activities of the county or city, the report or publication must not include pictures of elected officials nor any other pictorial or graphic device that would tend to attribute the publication to an individual or groups of individuals instead of the county or city. Directories of public services provided by the county or city are exempt from this subdivision.”

Renumber the sections in sequence and correct the internal references
Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend S.F. No. 2194 as follows:

Page 8, line 5, after "shall" insert ", except when to do so would knowingly impede or otherwise interfere with an ongoing criminal investigation."

The motion prevailed. So the amendment was adopted.

S.F. No. 2556, which the committee recommends to pass with the following amendment offered by Ms. Olson:

Page 2, line 10, after the period, insert "The school board is not required to pay for the costs of alternative instruction provided by a parent, guardian, or adult student."

The motion prevailed. So the amendment was adopted.

Ms. Pappas moved to amend S.F. No. 2556 as follows:

Page 2, line 4, delete everything after the first "student" and insert a period

Page 2, delete lines 5 to 14

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 41, as follows:

Those who voted in the affirmative were:

Berglin	Flynn	Luther	Morse	Price
Brataas	Johnson, J.B.	Marty	Pappas	Spear
Cohen	Kelly	Mondale	Piper	Traub
Finn				

Those who voted in the negative were:

Adkins	Dahl	Hughes	McGowan	Solon
Beckman	Davis	Johnson, D.E.	Mehrkens	Stumpf
Belanger	DeCramer	Johnston	Merriam	Terwilliger
Benson, D.D.	Dicklich	Knaak	Metzen	Vickerman
Benson, J.E.	Frank	Kroening	Neuville	Waldorf
Berg	Frederickson, D.J.	Laidig	Olson	
Bernhagen	Frederickson, D.R.	Langseth	Renneke	
Bertram	Gustafson	Larson	Sams	
Chmielewski	Hottinger	Lessard	Samuelson	

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

S.F. No. 304, which the committee recommends to pass, after the following motion:

Mr. Bertram moved to amend S.F. No. 304 as follows:

Page 2, line 18, delete "seven" and insert "three"

Page 2, line 20, delete "30-day" and insert "seven-day"

Page 2, line 22, delete "one-year" and insert "three-month"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 9 and nays 39, as follows:

Those who voted in the affirmative were:

Benson, J.E.	Brataas	Finn	Gustafson	Neuville
Bertram	Chmielewski	Frederickson, D.J.	Johnson, D.E.	

Those who voted in the negative were:

Adkins	Dicklich	Laidig	Moe, R. D.	Solon
Beckman	Flynn	Langseth	Mondale	Spear
Belanger	Frederickson, D.R.	Larson	Morse	Stumpf
Benson, D.D.	Hottinger	Luther	Novak	Terwilliger
Berglin	Hughes	Marty	Piper	Traub
Bernhagen	Johnson, J.B.	McGowan	Price	Vickerman
Cohen	Knaak	Merriam	Ranum	Waldorf
Dahl	Kroening	Metzen	Riveness	

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

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

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

REPORTS OF COMMITTEES

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

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

S.F. No. 2326: A bill for an act relating to education: providing for general education revenue, transportation, special programs, community services, facilities and equipment, education organization and cooperation, other aids and levies, other education programs, miscellaneous education matters, libraries, state education agencies; imposing a tax; modifying certain income tax provisions; modifying appropriations; appropriating money; amending Minnesota Statutes 1990, sections 120.17, subdivisions 2, 3a, and 16; 121.11, subdivision 7; 121.88, by adding a subdivision; 121.935, by adding subdivisions; 122.23, subdivisions 12, 13, and 13a; 122.241, subdivision 3; 122.247, subdivision 1; 122.531, subdivisions 1a, 2, 2a, 2b, 2c, and by adding subdivisions; 122.532, subdivision 2; 123.33, subdivision 7; 123.35, by adding a subdivision; 123.3514, subdivisions 6, as amended, as reenacted, 6b, as amended, as reenacted, and by adding subdivisions; 123.39, subdivision 8d; 123.58, subdivision 3, and by adding a subdivision; 123.78, by adding a subdivision; 124.155, subdivision 1; 124.17, by adding a subdivision; 124.19, subdivision 5; 124.243, subdivisions 2 and 6; 124.244, subdivision 1; 124.2725, subdivision 2; 124.6472, by adding subdivisions; 124.85, subdivision 4; 124A.22, subdivision 2a, and by adding subdivisions; 124A.23, subdivision 3; 124A.26, subdivision 2; 124A.29, as amended; 124C.61; 125.05, subdivision 2; 125.18, subdivision 1; 126.22, by adding a subdivision; 128A.09, subdivision 2, and by adding a subdivision; 134.34, subdivision 1, and by adding a subdivision; 136C.65, subdivision 1; 136D.22, subdivision 1; 136D.27, subdivision 2; 136D.74, subdivision 2a; 136D.82, subdivision 1; 136D.87, subdivision 2; 205A.10, subdivision 2; 270.101, subdivision 1; 275.125, subdivision 14a, and by adding subdivisions; 289A.02, subdivision 5; 289A.18, by adding a subdivision; 289A.19, by adding a subdivision; 289A.20, by adding a subdivision; 289A.56, subdivision 3; Minnesota Statutes 1991 Supplement, sections 13.40, subdivision 2; 120.062, subdivision 8a; 120.17, subdivisions 3b and 7a; 120.181; 121.904, subdivisions 4a and 4e; 121.912, subdivision 6; 121.915; 122.22, subdivision 9; 122.23, subdivision 2; 122.242, subdivision 9; 124.155, subdivision 2; 124.19, subdivision 1; 124.195, subdivisions 2 and 3a; 124.214, subdivisions 2 and 3; 124.2601, subdivision

6: 124.2605; 124.2615, subdivision 2; 124.2721, subdivision 5a; 124.2727, subdivision 6; 124.646, subdivision 4; 124.6472, subdivision 1; 124.84, subdivision 3; 124.95, subdivisions 1 and 2; 124A.03, subdivisions 1h, 2, and 2a; 124A.23, subdivision 4; 124A.24; 125.185, subdivision 4a; 125.62, subdivision 6; 126.23; 126.70, subdivision 2a; 128B.10, subdivision 2; 136D.72, subdivision 1; 275.065, subdivisions 1 and 6; 275.125, subdivisions 6j and 11g; 289A.01; 298.28, subdivision 4; 373.42, subdivision 2; Laws 1990, chapter 366, section 1, subdivision 2; Laws 1991, chapters 265, articles 3, section 39, subdivision 16; 4, section 30, subdivision 11; 5, sections 18 and 23; 7, sections 37, subdivision 6; and 41, subdivision 4; 8, sections 14 and 19, subdivision 6; 9, sections 75 and 76; 11, section 23, subdivision 1; and 356, article 9, section 12; proposing coding for new law in Minnesota Statutes, chapters 121; 122; 124; 124A; 124C; 126; 135A; 136C; 289A; proposing coding for new law as Minnesota Statutes, chapter 297E; repealing Minnesota Statutes 1990, sections 121.25; 121.26; 121.27; 121.28; 124A.02, subdivision 24; 124A.23, subdivisions 2, 2a, and 3; 126.071, subdivisions 2, 3, and 4; 128A.022, subdivisions 5 and 7; 128A.024, subdivision 1; 134.34, subdivision 2; Minnesota Statutes 1991 Supplement, sections 121.935, subdivision 7; 123.35, subdivision 19; 124.2721, subdivision 5b; 124.2727, subdivisions 1, 2, 3, 4, 5, and 6; 124.646, subdivision 2; 124A.02, subdivisions 16 and 23; 124A.03, subdivision 2; 124A.23, subdivisions 1, 4, and 5; 126.071, subdivision 1; 126.70; Laws 1990, chapter 604, article 8, section 12; and Laws 1991, chapter 265, articles 2, section 18; 3, section 36; 5, section 17; 6, sections 60 and 64; and 7, section 35.

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

Page 110, line 4, after the semicolon, insert "and"

Page 110, delete lines 5 to 8

Renumber the clauses in sequence

Amend the title as follows:

Page 1, line 8, delete everything after the first semicolon

Page 2, line 26, after the first semicolon, insert "124A.26, subdivisions 2 and 3; 124A.27; 124A.28; 124A.29, subdivision 2;"

Page 2, line 30, delete everything after the second semicolon

Page 2, line 31, delete "1, 2, 3, 4, 5, and 6;"

Page 2, line 32, delete "subdivision 2;" and insert "subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, and 1i; 124A.04; 124A.22, subdivisions 2, 3, 4, 4a, 4b, 8, and 9;"

Page 2, line 33, after the semicolon, insert "124A.24; 124A.26, subdivision 1; 124A.29, subdivision 1;"

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

SECOND READING OF SENATE BILLS

S.F. No. 2326 was read the second time.

MEMBERS EXCUSED

Mr. Day was excused from the Session of today at 3:00 p.m. Messrs. Kelly and Lessard were excused from the Session of today at 4:15 p.m. Mses. Johnston and Olson were excused from the Session of today at 4:20 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 1:00 p.m., Friday, April 3, 1992. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate