

NINETY-FIFTH DAY

St. Paul, Minnesota, Thursday, April 9, 1992

The Senate met at 1:00 p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Neville 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. Gary Gilbertson.

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	Neville	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 and referred to the committee indicated.

March 30, 1992

The Honorable Jerome Hughes
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as requested by law:

COMMISSIONER, PUBLIC UTILITIES COMMISSION

Thomas A. Burton, 822 Sierra Lane Northeast, Rochester, Olmsted County, Minnesota, has been appointed by me, effective April 3, 1992, for a term expiring on the first Monday in January, 1993.

(Referred to the Committee on Energy and Public Utilities.)

Warmest regards,
Arne H. Carlson, Governor

April 9, 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
2421		405	9:10 a.m. April 7	April 8
2117		406	9:14 a.m. April 7	April 8
	1249	407	4:57 p.m. April 7	April 8
	2704	408	1:48 p.m. April 7	April 8
	2377	409	2:50 p.m. April 7	April 8
	2465	410	2:52 p.m. April 7	April 8
	1969	411	2:54 p.m. April 7	April 8
	1862	412	2:55 p.m. April 7	April 8
1997		413	2:53 p.m. April 7	April 8
2001		414	2:57 p.m. April 7	April 8
2301		415	2:58 p.m. April 7	April 8
1671		416	2:59 p.m. April 7	April 8
2124		417	2:59 p.m. April 7	April 8

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1252, 1558, 2311, 2383, 1985, 2177, 2382, 2392, 2299 and 2352.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. President:

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

S.F. No. 1722: A bill for an act relating to state lands; providing for the release of a state interest in certain property in the city of Minneapolis.

Senate File No. 1722 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. Kroening moved that the Senate do not concur in the amendments by the House to S.F. No. 1722, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 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.

Senate File No. 1856 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. Moe, R.D. moved that S.F. No. 1856 be laid on the table. The motion prevailed.

Mr. President:

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

S.F. No. 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 to prescribe procedures for the use of these documents; amending Minnesota Statutes 1990, section 179A.04, subdivision 3.

Senate File No. 2037 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

CONCURRENCE AND REPASSAGE

Mr. Price moved that the Senate concur in the amendments by the House to S.F. No. 2037 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2037 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2247: A bill for an act relating to human services; prohibiting the commissioner from adopting rules requiring counties to separate their public guardianship function from their case management function, unless state funding is provided to cover county costs; requiring a report.

Senate File No. 2247 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

CONCURRENCE AND REPASSAGE

Mr. Kroening moved that the Senate concur in the amendments by the House to S.F. No. 2247 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2247: A bill for an act relating to human services; defining supported employment services; prohibiting the commissioner from adopting rules requiring counties to separate their public guardianship function from their case management function, unless state funding is provided to cover county costs; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 252.

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

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2136: A bill for an act relating to labor; protecting interests of employees following railroad acquisitions; imposing a penalty; amending Minnesota Statutes 1990, sections 222.86, subdivision 3; 222.87, by adding a subdivision; and 222.88.

Senate File No. 2136 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. Mondale moved that the Senate do not concur in the amendments by the House to S.F. No. 2136, and that a Conference Committee of 3 members

be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 2257: A bill for an act relating to agricultural development; redefining agricultural business enterprise for purposes of the Minnesota agricultural development act; amending Minnesota Statutes 1991 Supplement, section 41C.02, subdivision 2.

Senate File No. 2257 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. Sams moved that the Senate do not concur in the amendments by the House to S.F. No. 2257, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 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.

Senate File No. 2234 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

CONCURRENCE AND REPASSAGE

Mr. Finn moved that the Senate concur in the amendments by the House to S.F. No. 2234 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2234 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2368: A bill for an act relating to probate; enacting the uniform transfer on death security registration act; providing for rights of creditors and revocation of beneficiary designation by will; proposing coding for new law in Minnesota Statutes, chapter 524.

Senate File No. 2368 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

CONCURRENCE AND REPASSAGE

Mr. Finn moved that the Senate concur in the amendments by the House to S.F. No. 2368 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2368 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 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
Belanger	Finn	Kelly	Mondale	Sams
Benson, D.D.	Flynn	Knaak	Morse	Samuelson
Benson, J.E.	Frank	Kroening	Neuville	Solon
Berg	Frederickson, D.J.	Langseth	Novak	Spear
Bernhagen	Frederickson, D.R.	Larson	Olson	Stumpf
Bertram	Gustafson	Lessard	Pappas	Terwilliger
Brataas	Halberg	Luther	Pariseau	Traub
Chmielewski	Hottinger	Marty	Piper	Vickerman
Cohen	Hughes	McGowan	Price	Waldorf
Dahl	Johnson, D.E.	Mehrkens	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2389: A bill for an act relating to natural resources; allowing use of alternative rulemaking procedures for certain rules of the commissioner of natural resources; regulating activities relating to stromatolites; changing definitions; modifying provisions relating to game refuges, scientific and natural areas, experimental waters, and special management waters; expanding certain authorities relating to deer licenses; exempting certain rules of the commissioner from the administrative procedure act; allowing nonmetal tags for fish nets; authorizing rulemaking; amending Minnesota Statutes 1990, sections 86A.05, subdivision 5; 97A.015, subdivisions 15 and 40; 97A.085, subdivisions 2, 3, 4, 5, 8, and by adding a subdivision; 97A.411, subdivision 3; 97A.485, subdivision 9; 97C.001; 97C.005; 97C.351; and 103G.615, subdivision 3; Minnesota Statutes 1991 Supplement, sections 14.29, subdivision 4; and 97A.093; and Laws 1991, chapter 259, section 25, as amended; proposing coding for new law in Minnesota Statutes, chapter 84.

Senate File No. 2389 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S.F. No. 2389 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2389 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2728: 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.

Senate File No. 2728 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. Sams moved that the Senate concur in the amendments by the House to S.F. No. 2728 and that the bill be placed on its repassage as amended.

Mr. Knaak moved that the Senate do not concur in the amendments by the House to S.F. No. 2728, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 2430: A bill for an act relating to the environment; adding sanctions and procedures relating to petroleum tank release consultants and contractors; amending Minnesota Statutes 1990, sections 115C.02, by adding subdivisions; 115C.03, by adding a subdivision; 116.48, by adding a subdivision; Minnesota Statutes 1991 Supplement, section 115C.09, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 115C.

Senate File No. 2430 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 8, 1992

Mr. Sams moved that the Senate do not concur in the amendments by the House to S.F. No. 2430, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2768, 2159, 2884, 699, 2269, 1960, 2280 and 2586.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 8, 1992

FIRST READING OF HOUSE BILLS

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

H.F. No. 2768: A bill for an act relating to education; transferring functions of the higher education coordinating board; changing the membership, terms, and functions of the higher education board; allowing the merger of certain technical colleges by agreement; amending Minnesota Statutes 1991 Supplement, sections 15A.081, subdivision 7b; 136E.01; 136E.02; 179A.10, subdivision 2; Laws 1991, chapter 356, article 9, section 8, subdivisions 1 and 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136E; repealing Minnesota Statutes 1990, sections 136A.01; 136A.02; 136A.03; and 136A.04, subdivision 2; Minnesota Statutes 1991 Supplement, sections 135A.061; 135A.50; 136A.04, subdivision 1; 136E.03; 136E.04; and 136E.05; Laws 1991, chapter 356, article 9, section 8, subdivisions 3 to 9; and sections 9 to 16.

Referred to the Committee on Education.

H.F. No. 2159: A bill for an act relating to local governments; reimbursing costs incurred by peace officers in defending civilian complaints; amending Minnesota Statutes 1990, section 471.44.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2702, now on General Orders.

H.F. No. 2884: A bill for an act relating to bond allocation; changing procedures for allocating bonding authority; amending Minnesota Statutes 1991 Supplement, sections 462A.073, subdivision 1; 474A.03, subdivision 4; 474A.04, subdivision 1a; 474A.061, subdivisions 1 and 3; and 474A.091, subdivisions 2 and 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2648, now on General Orders.

H.F. No. 699: A bill for an act relating to retirement; judges retirement fund; eliminating the offset for a portion of social security benefits; amending Minnesota Statutes 1991 Supplement, section 490.123, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 355; repealing Minnesota Statutes 1990, section 490.129.

Referred to the Committee on Finance.

H.F. No. 2269: A bill for an act relating to metropolitan government; requiring the metropolitan airports commission to budget for noise mitigation; requiring a recommendation to the legislature; amending Minnesota Statutes 1990, section 473.661, subdivision 1, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2271, now on General Orders.

H.F. No. 1960: 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1910, now on General Orders.

H.F. No. 2280: A bill for an act relating to state lands; authorizing a conveyance of state lands to the city of Biwabik; authorizing the sale of certain land in the Chisago county.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2193, now on General Orders.

H.F. No. 2586: A bill for an act providing for a study of the civic and cultural functions of downtown Saint Paul.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2323, now on General Orders.

REPORTS OF COMMITTEES

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

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

S.F. No. 1292: 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.

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

Page 8, line 27, after “[FEES.]” insert “(a)”

Page 8, line 28, delete the new language and insert “*for audits, arbitrage accounting, and payment of fees charged by the state board of investment. The authority may also set and collect fees for costs incurred by the commissioner and the*”

Page 8, line 35, after the period, insert “*The disposition of fees collected for costs incurred by the authority is governed by section 446A.11, subdivision 13.*” and before “*must*” insert “*for costs incurred by the commissioner or the pollution control agency*”

Page 8, line 36, delete "*deposited in the state treasury and*"

Page 9, after line 1, insert:

"(b) The authority shall annually report to the chairs of the finance and appropriations committees of the legislature on:

(1) the amount of fees collected under this subdivision for costs incurred by the authority;

(2) the purposes for which the fee proceeds have been spent; and

(3) the amount of any remaining balance of fee proceeds.

Sec. 4. Minnesota Statutes 1990, section 446A.07, subdivision 8, is amended to read:

Subd. 8. [OTHER USES OF REVOLVING FUND.] The water pollution control revolving fund may be used as provided in title VI of the Federal Water Pollution Control Act, including the following uses:

(1) to buy or refinance the debt obligation of governmental units for treatment works where debt was incurred and construction begun after March 7, 1985, at or below market rates;

(2) to guarantee or purchase insurance for local obligations to improve credit market access or reduce interest rates;

(3) to provide a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the authority if the bond proceeds are deposited in the fund;

(4) to provide loan guarantees for similar revolving funds established by a governmental unit other than state agencies;

(5) to earn interest on fund accounts; and

(6) to pay the reasonable costs incurred by the authority and the agency of administering the fund and conducting activities required under the Federal Water Pollution Control Act, including water quality management planning under section 205(j) of the act and water quality standards continuing planning under section 303(e) of the act.

Amounts spent under clause (6) may not exceed the amount allowed under the Federal Water Pollution Control Act. ~~The authority may assess a service fee of up to five percent of revolving loan fund repayments for use by the agency and the authority for the purposes listed in clause (6).~~

Page 9, lines 31 and 33, before "agency" insert "*pollution control*"

Page 10, lines 5, 25, and 28, before "agency" insert "*pollution control*"

Page 10, line 24, after "*the*" insert "*commissioner of the pollution control*"

Page 10, line 27, delete "2" and insert "*116.182*"

Page 11, delete section 5 and insert:

"Sec. 6. Laws 1991, chapter 183, section 1, is amended to read:

Section 1. [FULLY DEVELOPED AREA; STUDY.]

The metropolitan council must conduct a study of the development patterns and needs in the council-defined fully developed area. The council must direct its staff to:

(1) examine both the development patterns and the migration patterns in the fully developed area that have occurred in the last 20 years with special attention to household composition;

(2) compare the relative public costs of redevelopment in the fully developed area with the costs of development within the council-defined developing area. This work should include, but is not limited to, transportation and transit, wastewater treatment, public safety services, housing, and education;

(3) examine the changing demographics of the fully developed area and other areas within the metropolitan region, and make projections regarding the economic and social condition of the fully developed area;

(4) examine the anticipated effects of a light rail transit system on the economic and social condition of the fully developed area; and

(5) recommend changes that would encourage the economic and social strengthening of the fully developed area.

In conducting its study, the council must use, along with other information, any available data from the 1990 census. The council must present ~~its the analysis, findings, and preliminary policy options and recommendations identified by council staff~~ to the legislature by ~~February 15, 1994~~ *January 1, 1993*. ~~The council must also present interim briefings to the legislature on work in progress at least annually between the effective date of this act and the completion of the study.~~ *The council shall present its policy recommendations to the legislature by July 1, 1993.*

Sec. 7. [METROPOLITAN DISPOSAL SYSTEM RATE STRUCTURE STUDY.]

Subdivision 1. [COUNCIL CONTRACT WITH THE UNIVERSITY.] The metropolitan council shall contract with the board of regents of the University of Minnesota to conduct the study described in this section. The contract amount may not exceed \$100,000. The council and the metropolitan waste control commission shall cooperate with and as requested by the university as it conducts the study. Council costs, including the contract costs incurred by the council, must be paid for by the metropolitan waste control commission under Minnesota Statutes, section 473.164.

Subd. 2. [STUDY.] The university shall study the allocation of current costs, as defined in Minnesota Statutes, section 473.517, subdivision 1, among local government units in the metropolitan area in order to examine the social, economic, and environmental effects resulting from: (1) the allocation of current costs to communities within service areas for which the costs are attributable, versus (2) the allocation of current costs to communities uniformly throughout the metropolitan area. The study may consider various configurations of service areas, and must consider service areas reasonably consistent with the council's geographic policy areas, as defined in the council's development and investment framework. The study must specifically address the effects of alternative cost allocation methods on the council-defined fully developed area. The study may consider effects arising from the location and placement of other infrastructure elements on the fully developed and developing areas.

Subd. 3. [REPORT TO THE LEGISLATURE.] The council shall submit the university's study report to the legislature along with the council's and the commission's comments on the report by January 4, 1993.

Sec. 8. [APPROPRIATION ALLOCATION.]

(a) \$100,000 remaining from the appropriation in Laws 1991, chapter 254, article 1, section 2, subdivision 2, is for grants to municipalities for the individual on-site treatment systems program under Minnesota Statutes, section 116.18, subdivision 3c. This amount must be transferred by the pollution control agency to the public facilities authority. Any unencumbered balance remaining in the first year does not cancel and is available for the second year of the biennium.

(b) Up to \$50,000 of the amount in paragraph (a) may be awarded to a municipality or sanitary district for advanced alternative on-site treatment system demonstration projects in sensitive groundwater areas. An amount awarded under this paragraph must be matched by an equal amount of local funds from the municipality or sanitary district.

Sec. 9. [EFFECTIVE DATE.]

Sections 6 and 7 are effective the day following final enactment and apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Section 8 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "requiring a study and report; allocating appropriations;"

Page 1, line 9, delete "and"

Page 1, line 10, after the semicolon, insert "and 446A.07, subdivision 8; Laws 1991, chapter 183, section 1;"

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

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

S.F. No. 2781: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Page 4, delete section 3

Renumber the sections in sequence

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

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

S.F. No. 2655: A bill for an act relating to agriculture; making certain political subdivisions of the state eligible for reimbursement from the agricultural chemical response and reimbursement account; amending Minnesota Statutes 1990, section 18E.02, subdivision 5.

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 18E.02, subdivision 5, is amended to read:

Subd. 5. [ELIGIBLE PERSON.] “Eligible person” means:

(1) a responsible party or an owner of real property, but does not include the state, a state agency, a political subdivision of the state, *except as provided in clause (2)*, the federal government, or an agency of the federal government; *or*

(2) *a political subdivision of the state when the political subdivision is the owner of an airport at which an incident occurs and a licensed aerial pesticide applicator has conducted storage, handling, or distribution operations for agricultural chemicals if (i) the commissioner determines that corrective action is necessary and (ii) the commissioner determines, and the agricultural chemical response compensation board concurs, that based on an affirmative showing made by the political subdivision, a responsible party cannot be identified or the identified responsible party is unable to comply with an order for corrective action.”*

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

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

S.F. No. 2012: A bill for an act relating to crimes; enforcing mandatory insurance requirement for vehicles; providing for penalties; providing for loss of driver’s license and motor vehicle registration; amending Minnesota Statutes 1990, sections 169.791; 169.792; 169.793; 169.796; and 171.19; Minnesota Statutes 1991 Supplement, sections 168.041, subdivision 4; 169.795; 171.29, subdivision 1; and 171.30, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, section 169.792, subdivision 9; and Minnesota Statutes 1991 Supplement, section 168.041, subdivision 1a.

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

Page 2, line 35, delete “169.7991” and insert “169.799”

Page 19, after line 36, insert:

“Sec. 15. [APPROPRIATION.]

\$66,000 is appropriated from the trunk highway fund to the commissioner of public safety to cover the additional expenditures required by this act, to be added to the appropriation in Laws 1991, chapter 233, section 5, subdivision 8, for fiscal year 1993.

The approved complement of the department of public safety is increased by one position.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert “appropriating money;”

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

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

S.F. No. 2662: A bill for an act relating to commerce; regulating the real estate, education, research, and recovery fund; amending Minnesota Statutes 1990, sections 80A.14, subdivision 4; and 82.34, subdivisions 3, 4, 7, 9, 11, 13, and 14; repealing Minnesota Statutes 1990, section 82.34, subdivision 20.

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. [80A.041] [EXEMPTION.]

A real estate broker or agent licensed under chapter 82 who arranges for the sale of a contract for deed is exempt from the license requirement of section 80A.04 if the real estate broker or agent receives no compensation in addition to the brokerage commission or fee and represents the seller, buyer, lessor, or lessee in the sale, lease, or exchange of the subject property.

Sec. 2. Minnesota Statutes 1990, section 82.19, is amended by adding a subdivision to read:

Subd. 7. [SECURITIES SOLD BY BUSINESSES OUTSIDE SCOPE OF LICENSING.] A license issued under this chapter does not allow a licensee to engage in the business of buying, selling, negotiating, brokering, or otherwise dealing in contracts for deed, mortgages, or other evidence of indebtedness regarding real estate, except that a licensee may, if there is no compensation in addition to the brokerage commission or fee, and if the licensee represents the seller, buyer, lessor, or lessee in the sale, lease, or exchange of real estate, arrange for the sale of a contract, mortgage, or similar evidence of indebtedness for the subject property.”

Page 3, lines 25 and 27, reinstate the stricken “\$150,000” and delete “\$75,000”

Page 3, line 33, reinstate the stricken “\$250,000” and delete “\$150,000” and strike “per year”

Page 7, after line 10, insert:

“Sec. 11. [PENDING CLAIMS.]

The change in the per year limit contained in section 5 does not apply to a cause of action that was commenced before the effective date of this act.”

Page 7, line 15, delete “10” and insert “12”

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete “80A.14, subdivision 4” and insert “82.19, by adding a subdivision”

Page 1, line 5, after “14;” insert “proposing coding for new law in Minnesota Statutes, chapter 80A;”

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

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

S.F. No. 2505: A bill for an act relating to state government; ratifying labor agreements; providing for classification changes for certain employees; requiring a report to the legislature; amending Minnesota Statutes 1990, section 21.85, subdivision 2; Minnesota Statutes 1991 Supplement, sections 43A.08, subdivisions 1 and 1a; and 349A.02, subdivision 4.

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

Page 4, after line 33, insert:

“Section 1. Minnesota Statutes 1990, section 15A.083, subdivision 4, is amended to read:

Subd. 4. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. The supreme court shall set the salary of the state court administrator and the salaries of district court administrators. The salary of the state court administrator or a district court administrator may not exceed the salary of a district court judge. If district court administrators die, the amounts of their unpaid salaries for the months in which their deaths occur must be paid to their estates. The salaries of the district administrators of the second, fourth, and sixth judicial districts may be supplemented by the appropriate county board in an amount not to exceed \$10,000 per year. The salary supplement may be made effective only until January 1, 1988. The salary of the state public defender shall be 95 percent of the salary of the attorney general.

Salary or Range
Effective
July 1,
~~1987~~ 1992

Board on judicial standards
executive director

~~\$34,000-\$48,000~~
\$44,000-\$60,000”

Page 9, delete line 3

Page 9, after line 29, insert:

“Sec. 9. [APPROPRIATION.]

\$10,000 is appropriated from the general fund to the board of judicial standards, to be added to the appropriation in Laws 1991, chapter 345, article 1, section 6, for fiscal year 1993.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert “raising the salary range for the executive director of the board on judicial standards; appropriating money;” and delete “section” and insert “sections 15A.083, subdivision 4;”

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1292, 2781, 2655, 2012, 2662 and 2505 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Vickerman moved that the name of Mr. Frederickson, D.R. be added as a co-author to S.F. No. 2793. The motion prevailed.

Messrs. Solon and Metzen introduced—

Senate Resolution No. 142: A Senate resolution proclaiming the week of September 28 through October 4, 1992, as "Wine Appreciation Week" in the State of Minnesota and proclaiming the first week that encompasses the first full weekend in October of each year as "Minnesota Wine Appreciation Week."

Referred to the Committee on Rules and Administration.

Mr. Finn moved that S.F. No. 1856 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Finn moved that the Senate concur in the amendments by the House to S.F. No. 1856 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1856 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 65 and nays 0, 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
Berglin	Frank	Kroening	Morse	Samuelson
Bernhagen	Frederickson, D.J.	Laidig	Neuville	Solon
Bertram	Frederickson, D.R.	Langseth	Novak	Spear
Brataas	Gustafson	Larson	Olson	Stumpf
Chmielewski	Halberg	Lessard	Pappas	Terwilliger
Cohen	Hottinger	Luther	Pariseau	Traub
Dahl	Hughes	Marty	Piper	Vickerman
Davis	Johnson, D.E.	McGowan	Price	Waldorf

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Mr. Samuelson introduced—

S.F. No. 2794: A bill for an act relating to retirement; purchase of service credit in the public employees retirement association by an ex-school board member of independent school district No. 482.

Referred to the Committee on Governmental Operations.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

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

CALENDAR

H.F. No. 2623: A bill for an act relating to the Mississippi river headwaters area; updating and changing provisions relating to activities of the Mississippi headwaters board; amending Minnesota Statutes 1990, sections 103F.361, subdivision 2; 103F.363, subdivision 2; 103F.365, by adding a subdivision; 103F.367, subdivision 6; 103F.369, subdivisions 1 and 4; 103F.371; 103F.373, subdivisions 1 and 2; 103F.375, subdivision 1; and 103F.377; Minnesota Statutes 1991 Supplement, section 103F.369, 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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.	Mehrkens	Ranum	
Dahl	Johnson, D.J.	Merriam	Reichgott	
Davis	Johnson, J.B.	Metzen	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 2709: A bill for an act relating to alcoholic beverages; exempting liquor investigation vehicles from taxes and registration fees; defining certain terms; clarifying certain language; authorizing issuance of certain liquor licenses and operation of a liquor store; reversion of certain unused liquor licenses; amending Minnesota Statutes 1990, sections 168.012, subdivision 1; 340A.101, subdivision 15; and 340A.602.

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

So the bill passed and its title was agreed to.

H.F. No. 2647: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1990, sections 11A.23, subdivision 2; 13.791; 82B.20, subdivision 2; 86B.115; 86B.601, subdivision 1; 88.45; 103I.112; 115A.63, subdivision 3; 115A.82; 116J.70, subdivision 2a; 176.1041, subdivision 1; 176.361, subdivision 2; 177.23, subdivision 7; 183.38, subdivision 1; 214.01, subdivision 2; 268A.09, subdivision 7; 290.10; 297A.15, subdivision 5; 298.402; 298.405, subdivision 1; 326.405; 326.43; 348.13; 352.116, subdivision 3b; 352B.10, subdivision 5; 352B.105; 356.24; 356.82; 466.131; 504.02; 514.53; 517.08, subdivision 1c; and 609.0331;

Minnesota Statutes 1991 Supplement, sections 3.873, subdivision 6; 16B.122, subdivision 2; 60D.20, subdivision 1; 60G.01, subdivision 2; 116.072, subdivision 1; 116J.693, subdivision 2; 124.19, subdivision 1; 124.479; 169.983; 171.06, subdivision 3; 179A.10, subdivision 2; 256.969, subdivisions 2 and 3a; 256B.74, subdivision 2; 256H.03, subdivision 5; 272.01, subdivision 2; 272.02, subdivision 1; 275.50, subdivision 5; 340A.4055; 457A.01, subdivision 5; 473.845, subdivision 3; and 611A.02, subdivision 2; reenacting Minnesota Statutes 1991 Supplement, section 256B.431, subdivision 3f; repealing Minnesota Statutes 1990, section 326.01, subdivision 20; Laws 1989, chapter 282, article 2, section 188; Laws 1991, chapters 182, section 1; and 305, section 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	Davis	Johnson, D.J.	Merriam	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	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	Halberg	Marty	Piper	Traub
Cohen	Hottinger	McGowan	Pogemiller	Vickerman
Dahl	Hughes	Mehrkens	Price	Waldorf

So the bill passed and its title was agreed to.

H.F. No. 2551: 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.

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	Davis	Johnson, J.B.	Metzen	Renneke
Beckman	Day	Johnston	Moe, R.D.	Riveness
Belanger	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.J.	Larson	Pappas	Terwilliger
Bertram	Frederickson, D.R.	Lessard	Piper	Traub
Brataas	Halberg	Luther	Pogemiller	Vickerman
Chmielewski	Hottinger	Marty	Price	Waldorf
Cohen	Hughes	McGowan	Ranum	
Dahl	Johnson, D.J.	Mehrkens	Reichgott	

So the bill passed and its title was agreed to.

H.F. No. 2756: A bill for an act relating to the city of Virginia; authorizing annual increases in survivor benefits payable by the Virginia firefighters relief association.

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	Gustafson	Lessard	Pariseau	Terwilliger
Chmielewski	Halberg	Luther	Piper	Traub
Cohen	Hottinger	Marty	Pogemiller	Vickerman
Dahl	Hughes	McGowan	Price	Waldorf

So the bill passed and its title was agreed to.

H.F. No. 2211: A bill for an act relating to crime; clarifying certain law enforcement powers; creating a permissive inference of possession with respect to a firearm in an automobile; making technical corrections to the eligibility criteria and transfer process applicable to permits to possess a pistol; amending Minnesota Statutes 1990, sections 169.98, subdivision 1a; 299D.06; 624.713, subdivision 1; 624.7131, subdivision 10; and 624.7132, subdivisions 4 and 8; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Dicklich moved that the following members be excused for a Conference Committee on H.F. No. 2121 at 3:00 p.m.:

Messrs. Dahl, Decramer, Dicklich, Laidig and Ms. Pappas. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R. D. moved that the Senate 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. 1934, 2699 and 2565, which the committee recommends to pass.

S.F. No. 2199, which the committee recommends to pass, subject to the following motions:

Mr. Stumpf moved to amend S.F. No. 2199 as follows:

Page 18, line 12, after "fuel" insert "*is manufactured and sold in compliance with permits issued by the agency and*"

Page 18, line 30, after "by" insert "*state*" and after "*statute*" insert "*or federal law*"

Page 18, line 32, delete "*. if any*"

The motion prevailed. So the amendment was adopted.

Mr. Morse moved to amend S.F. No. 2199 as follows:

Page 25, after line 14, insert:

"Sec. 46. [ASSESSMENT OF LAND DISPOSAL FACILITIES.]

(a) For the purposes of this section, "facility" means a permitted mixed municipal solid waste disposal facility, as defined in Minnesota Statutes, section 115A.03.

(b) By October 9, 1994, the commissioner of the pollution control agency shall inspect all facilities and portions of facilities that have stopped accepting waste by October 9, 1993, to determine the status of closure activities and to evaluate the environmental and public health threats posed by the facility. The commissioner may undertake activities necessary to:

(1) evaluate the adequacy of final cover, slopes, vegetation, and erosion control;

(2) determine the presence and concentration of hazardous substances, pollutants or contaminants, and decomposition gases; and

(3) determine the boundaries of the fill areas.

(c) The commissioner of the pollution control agency shall identify actions that are necessary to achieve compliance with the following closure requirements at facilities inspected under paragraph (b):

(1) for a facility or portion of a facility that stopped accepting waste before November 15, 1988, the closure requirements in rules of the pollution control agency in effect on the effective date of this section; and

(2) for a facility or portion of a facility that stopped accepting waste after

November 15, 1988, the closure requirements in the facility's permit and the rules of the pollution control agency in effect on the effective date of this section.

Actions identified by the commissioner under this paragraph may include moving or consolidating waste from facilities.

(d) The commissioner of the pollution control agency shall establish a proposed priority list of the evaluated facilities based on the relative risk or danger to public health or welfare or the environment, taking into consideration to the extent possible the population at risk, the hazardous potential of substances at the facility, the potential for contamination of drinking water supplies, the potential for direct human contact, the potential for destruction of sensitive ecosystems, and other appropriate factors."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Johnson, J.B. moved to amend S.F. No. 2199 as follows:

Page 3, after line 20, insert:

"(d) Notwithstanding section 16B.09, subdivision 1, a public entity may pay a premium of up to ten percent above the lowest responsible bid to purchase paper products manufactured without the use of chlorine."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 30, as follows:

Those who voted in the affirmative were:

Adkins	Frederickson, D.J.	Johnson, J.B.	Mondale	Pogemiller
Cohen	Frederickson, D.R.	Kelly	Morse	Ranum
Davis	Halberg	Knaak	Novak	Reichgott
Dicklich	Hottinger	Luther	Olson	Riveness
Flynn	Hughes	Marty	Pappas	Sams
Frank	Johnson, D.J.	Merriam	Piper	Traub

Those who voted in the negative were:

Beckman	Bertram	Gustafson	Mehrkens	Samuelson
Belanger	Brataas	Johnson, D.E.	Metzen	Solon
Benson, D.D.	Chmielewski	Johnston	Neuville	Stumpf
Benson, J.E.	Dahl	Langseth	Pariseau	Terwilliger
Berg	Day	Larson	Price	Vickerman
Bernhagen	Finn	Lessard	Renneke	Waldorf

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

Mr. Bernhagen moved to amend S.F. No. 2199 as follows:

Page 23, after line 18, insert:

"Sec. 41. [INTERIM ORGANIZED SOLID WASTE COLLECTION.]

(a) A city with a population, according to the 1990 federal census, of more than 10,000 and less than 12,000 that, before the effective date of this section, has begun the process of organizing solid waste collection under Minnesota Statutes, section 115A.94, and that is a party to an exclusive contract for collection of solid waste that will expire before the new organized collection system will be effective, may:

(1) negotiate an extension of the existing exclusive contract to the date the new organized collection system will be effective;

(2) negotiate one or more separate waste collection contracts for the period between the expiration of the existing exclusive contract and the date the new organized collection system will be effective; or

(3) otherwise negotiate, with or without competitive bids, an interim waste collection system that may not be extended beyond the date the new organized collection system will be effective.

(b) This section does not affect the applicability of Minnesota Statutes, section 115A.94, to the city's new organized collection system."

Page 26, line 5, delete "and" and after "36" insert ", and 41"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Morse moved to amend S.F. No. 2199 as follows:

Page 21, line 4, after "records" insert "*of the charges collected under clause (1) and the amount of waste collected only to the extent necessary*"

Page 21, line 5, after "charges" insert "*required to be*"

Page 21, after line 5, insert:

"Data received under clause (2) are private or nonpublic data as defined in section 13.02, subdivision 9 or 12."

The motion prevailed. So the amendment was adopted.

Mr. Dahl moved to amend the Dahl amendment to S.F. No. 2199, adopted by the Senate April 8, 1992, as follows:

Page 1, delete lines 2 and 3 and insert:

"Page 9, line 6, delete everything after the first "the" and insert "minimum percentage of postconsumer material in the product or package:"

Page 1, delete line 8

Page 1, line 9, delete everything before the quotation mark

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

Mr. Dahl then moved to amend S.F. No. 2199 as follows:

Page 5, line 6, delete "*sections 115.071 and*" and insert "*section*"

Page 19, line 19, delete "*Sections*"

Page 19, delete line 20

Pages 19 and 20, delete section 33

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 36, delete "*325E.1251, subdivision 2;*"

The motion prevailed. So the amendment was adopted.

Mr. Morse moved to amend S.F. No. 2199 as follows:

Page 17, after line 14, insert:

"Sec. 29. Minnesota Statutes 1990, section 116.12, subdivision 2, is amended to read:

Subd. 2. [HAZARDOUS WASTE GENERATOR FEE.] (a) Each generator of hazardous waste shall pay a fee on the hazardous waste generated by that generator. The agency shall compute the amount of the fee due based on the hazardous waste disclosures submitted by the generators and other information available to the agency. The agency shall annually prepare a statement of the amount of the fee due from each generator. The fee shall be paid annually commencing with the first day of the calendar quarter after the date of the statement.

(b) The agency may exempt generators of small quantities of hazardous wastes otherwise subject to the fee if it finds that the cost of administering a fee on those generators is excessive relative to the proceeds of the fee. The fee shall consist of a minimum fee for each generator not exempted by the agency and an additional fee based on the quantity of wastes generated by the generator.

(c) If any metropolitan counties recover the costs of administering county hazardous waste regulations by charging fees, the fees charged by the agency outside of those counties shall not exceed the fees charged by those counties. The agency shall not charge a fee in any metropolitan county which charges such a fee. The agency shall impose a fee calculated as a surcharge on the fees charged by the metropolitan counties and by the agency to reflect the agency's expenses in carrying out its statewide hazardous waste regulatory responsibilities. The surcharge imposed on the fees charged by the metropolitan counties shall be collected by the metropolitan counties in the manner in which the counties collect their generator fees. Metropolitan counties shall remit the proceeds of the surcharge to the agency by the last day of the month following the month in which they were collected.

(d) *The agency may not impose a fee under this section on hazardous waste that is reused at the facility where the waste is generated.*"

Page 21, after line 19, insert:

"Sec. 38. Minnesota Statutes 1990, section 400.161, is amended to read:

400.161 [HAZARDOUS WASTE REGULATIONS.]

(a) The county may by ordinance establish and revise rules, regulations, and standards relating to: ~~(a)~~ (1) identification of hazardous waste, ~~(b)~~ (2) the labeling and classification of hazardous waste, ~~(c)~~ (3) the collection, transportation, processing, disposal, and storage of hazardous waste, ~~(d)~~ and (4) other matters as may be determined necessary for the public health, welfare and safety. The county may issue permits or licenses for hazardous waste generation and may require the generators be registered with a county office. The ordinance may require appropriate procedures for the payment by the generator of any costs incurred by the county in completing such procedures. If the generator fails to complete such procedures, the county may recover the costs of completion in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be certified to the county auditor as a special tax against the land as other taxes are collected. The ordinance may be enforced by injunction, action to compel performance, or other action in district court. County hazardous waste

ordinances shall embody and be consistent with agency hazardous waste rules. Counties shall submit adopted ordinances to the agency for review. In the event that agency rules are modified, each county shall modify its ordinances accordingly and shall submit the modification to the agency for review within 120 days. Issuing, denying, modifying, imposing conditions upon, or revoking permits or licenses and county hazardous waste regulations and ordinances shall be subject to review, denial, suspension, modification, and reversal by the pollution control agency. The pollution control agency shall after written notification have 15 days in the case of hazardous waste permits and licenses and 30 days in the case of hazardous waste ordinances to review, deny, suspend, modify, or reverse the action of the county. After this period, the action of the county board shall be final subject to appeal to the district court as provided in section 115.05.

(b) A county may not impose a fee on hazardous waste that is reused at the facility where the waste is generated.

Sec. 39. Minnesota Statutes 1990, section 473.811, subdivision 5b, is amended to read:

Subd. 5b. [ORDINANCES; HAZARDOUS WASTE MANAGEMENT.]
 (a) Each metropolitan county shall by ordinance establish and revise rules, regulations, and standards relating to: ~~(a)~~ (1) the identification of hazardous waste, ~~(b)~~ (2) the labeling and classification of hazardous waste, ~~(c)~~ (3) the collection, storage, transportation, processing, and disposal of hazardous waste, and ~~(d)~~ (4) other matters necessary for the public health, welfare and safety. The county shall require permits or licenses for the generation, collection, processing, and disposal of hazardous waste and shall require registration with a county office. County hazardous waste ordinances shall embody and be consistent with agency hazardous waste rules. Counties shall submit adopted ordinances to the agency for review. In the event that agency rules are modified, each county shall modify its ordinances accordingly and shall submit the modification to the agency for review within 120 days. Issuing, denying, suspending, modifying, imposing conditions upon, or revoking hazardous waste permits or licenses, and county hazardous waste regulations and ordinances, shall be subject to review, denial, suspension, modification, and reversal by the agency. The agency shall after written notification have 15 days in the case of hazardous waste permits and licenses and 30 days in the case of hazardous waste ordinances to review, suspend, modify, or reverse the action of the county. After this period, the action of the county board shall be final subject to appeal to the district court in the manner provided in chapter 14.

(b) A metropolitan county may not impose a fee on hazardous waste that is reused at the facility where the waste is generated."

Page 26, line 5, delete "29, 30, 35, and 36" and insert "30, 31, and 36 to 39"

Renumber the sections in sequence and correct the internal references
 Amend the title as follows:

Page 1, line 18, after the semicolon, insert "prohibiting the imposition of fees on the generation of certain hazardous wastes that are reused or recycled;"

Page 1, line 29, after "115A.981;" insert "116.12, subdivision 2;"

Page 1, line 30, after "5;" insert "400.161; 473.811, subdivision 5b;"

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend S.F. No. 2199 as follows:

Page 9, line 7, after the period, insert "*For purposes of this section, 'product' includes advertising material and campaign material as defined in section 211B.01, subdivision 2.*"

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the amendment was adopted.

H.F. No. 1873, which the committee recommends to pass with the following amendments offered by Messrs. Pogemiller and Kroening:

Mr. Pogemiller moved to amend H.F. No. 1873 as follows:

Page 3, line 27, delete everything after "(j)"

Page 3, delete lines 28 to 31 and insert "*Unless otherwise provided by a collective bargaining agreement, if retired employees were not permitted to remain in the active employee group prior to the effective date of sections 1 and 2, a public employer may assess active employees through payroll deduction for all or part of the additional premium costs from the inclusion of retired employees in the active employee group. This paragraph does not apply to employees covered by section 179A.03, subdivision 7.*"

(k) Notwithstanding section 179A.20, subdivision 2a, insurance continuation under this subdivision may be provided for in a collective bargaining agreement or personnel policy."

Page 3, line 35, after "for" insert "*each bargaining unit of*"

Page 3, line 36, after the period, insert "*Coverage may be delayed until the beginning of the next contract year of the employer-sponsored hospital, medical, and dental insurance plan.*"

The motion prevailed. So the amendment was adopted.

Mr. Kroening moved to amend H.F. No. 1873 as follows:

Page 2, after line 11, insert:

"Sec. 2. Minnesota Statutes 1990, section 43A.316, is amended by adding a subdivision to read:

Subd. 6a. [CHIROPRACTIC SERVICES.] All benefits provided by the plan or a successor plan relating to expenses incurred for medical treatment or services of a physician must also include chiropractic treatment and services of a chiropractor to the extent that the chiropractic services and

treatment are within the scope of chiropractic licensure.

This subdivision is intended to provide equal access to benefits for plan members who choose to obtain treatment for illness or injury from a doctor of chiropractic, as long as the treatment falls within the chiropractor's scope of practice. This subdivision is not intended to change or add to the benefits provided for in the plan."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2106, which the committee recommends to pass with the following amendment offered by Mr. Kelly:

Amend H.F. No. 2106, as amended pursuant to Rule 49, adopted by the Senate March 31, 1992, as follows:

(The text of the amended House File is identical to S.F. No. 1836.)

Page 3, line 29, after the period, insert "*As part of the background investigation, the bureau of criminal apprehension shall conduct criminal history checks of Minnesota records and is authorized to exchange fingerprints with the Federal Bureau of Investigation for the purpose of a criminal background check of the national files.*"

Page 3, after line 30, insert:

"(d) For purposes of this section, "applicant" includes an employee who exercises management or policy control over the company, a director, an officer, a limited or general partner, a manager, or a shareholder holding more than ten percent of the outstanding stock of the corporation."

Page 4, line 35, after "NAME" insert ", OWNERSHIP,"

Page 4, line 36, before "If" insert "*Subdivision 1. [NAME OR LOCATION.]*"

Page 5, after line 9, insert:

"Subd. 2. [OWNERSHIP.] The licensee shall notify the commissioner 30 business days in advance of any change in ownership of the currency exchange. The commissioner may revoke the currency exchange license if the new ownership would have resulted in a denial of the initial license under the provisions of chapter 53A."

Page 5, line 29, after the period, insert "*In determining the additional amount of the bond which may be required, the commissioner may require the licensee to file its financial records, including all bank statements, pertaining to the sale of money orders for the preceding 12-month period."*

Page 6, after line 8, insert:

"Subd. 3. [FEES AND EXPENSES.] The licensee shall pay the costs of an examination or investigation in the manner provided under section 60A.03, subdivision 5."

Page 6, line 13, delete "*subdivision*" and insert "*subdivisions*" and after the second "2" insert "*and 3*" and delete "*applies*" and insert "*apply*"

The motion prevailed. So the amendment was adopted.

S.F. No. 2411, which the committee recommends to pass with the following amendment offered by Mr. Finn:

Page 107, after line 21, insert:

“ARTICLE 5

BURIAL OF INDIGENTS

Section 1. [149.10] [CREMATION; UNCLAIMED REMAINS.]

Any funeral director, or other person or establishment licensed under this chapter, may arrange for proper disposal after one year of cremains unclaimed by family or next of kin.

Sec. 2. Minnesota Statutes 1991 Supplement, section 256.935, subdivision 1, is amended to read:

Subdivision 1. On the death of any person receiving public assistance through aid to dependent children, the county agency shall pay an amount for funeral expenses not exceeding ~~\$370~~ and the amount paid for comparable services under section 261.035 plus actual cemetery charges. No funeral expenses shall be paid if the estate of the deceased is sufficient to pay such expenses or if the ~~children, or spouse, who were~~ *was* legally responsible for the support of the deceased while living, ~~are~~ *is* able to pay such expenses; provided, that the additional payment or donation of the cost of cemetery lot, interment, religious service, or for the transportation of the body into or out of the community in which the deceased resided, shall not limit payment by the county agency as herein authorized. Freedom of choice in the selection of a funeral director shall be granted to persons lawfully authorized to make arrangements for the burial of any such deceased recipient. In determining the sufficiency of such estate, due regard shall be had for the nature and marketability of the assets of the estate. The county agency may grant funeral expenses where the sale would cause undue loss to the estate. Any amount paid for funeral expenses shall be a prior claim against the estate, as provided in section 524.3-805, and any amount recovered shall be reimbursed to the agency which paid the expenses. The commissioner shall specify requirements for reports, including fiscal reports, according to section 256.01, subdivision 2, paragraph (17). The state share of county agency expenditures shall be 50 percent and the county share shall be 50 percent. Benefits shall be issued to recipients by the state or county and funded according to section 256.025, subdivision 3, subject to provisions of section 256.017.

Beginning July 1, 1991, the state will reimburse counties according to the payment schedule set forth in section 256.025 for the county share of county agency expenditures made under this subdivision from January 1, 1991, on. Payment under this subdivision is subject to the provisions of section 256.017.

Sec. 3. Minnesota Statutes 1991 Supplement, section 261.035, is amended to read:

261.035 [BURIAL FUNERALS AT EXPENSE OF COUNTY.]

When a person dies in any county without apparent means to provide for ~~burial and without relatives of sufficient ability to procure the burial that~~ *person's funeral or final disposition*, the county board shall first investigate to determine whether ~~the that~~ *that* person ~~who has died has had~~ *has had* contracted for any prepaid ~~burial funeral~~ *funeral* arrangements. If ~~such~~ arrangements have been

made, the county shall authorize ~~burial~~ *arrangements to be implemented* in accord with the ~~written~~ instructions of the deceased. If it is determined that the person did not leave sufficient means to defray the necessary expenses of ~~burial a funeral and final disposition~~, nor any ~~relatives therein~~ spouse of sufficient ability to procure the burial, the county board shall ~~cause provide for a decent burial or cremation~~ *funeral and final disposition* of the person's remains to be made at the expense of the county. ~~Cremation shall not be used for persons who are known to be opposed to cremation because of religious affiliation or belief.~~ *Any funeral and final disposition provided at the expense of the county shall be in accordance with religious and moral beliefs of the decedent or the decedent's spouse or the decedent's next of kin. If the wishes of the decedent are not known and the county has no information about the existence of or location of any next of kin, the county may determine the method of final disposition."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 419, which the committee recommends to pass with the following amendments offered by Mr. Morse:

Amend H.F. No. 419, as amended pursuant to Rule 49, adopted by the Senate April 1, 1992, as follows:

(The text of the amended House File is identical to S.F. No. 410.)

Page 3, line 7, delete everything after the period

Page 3, delete lines 8 and 9 and insert "*The state board of investment shall establish policies and procedures under section 11A.04, clause (2), to carry out this paragraph.*"

Page 3, line 12, after "*under*" insert "*paragraph (b).*" and after "*(4)*" insert a comma

The motion prevailed. So the amendment was adopted.

Mr. Morse then moved to amend H.F. No. 419, as amended pursuant to Rule 49, adopted by the Senate April 1, 1992, as follows:

(The text of the amended House File is identical to S.F. No. 410.)

Page 1, after line 7, insert:

"Section 1. [60A.152] [INSURANCE PREMIUM TAX EQUIVALENT PAYMENT BY AUTOMOBILE RISK SELF-INSURERS.]

Subdivision 1. [DEFINITIONS.] (a) [APPLICATION.] For purposes of this section, the definitions in paragraphs (b) to (f) apply.

(b) [AUTOMOBILE RISKS.] "Automobile risks" means the risk of providing no-fault insurance under sections 65B.41 to 65B.71.

(c) [MOTOR VEHICLE.] "Motor vehicle" has the meaning given in section 65B.43, subdivision 2.

(d) [PERSON.] "Person" means an owner, as defined in section 65B.43, subdivision 4, but does not mean a political subdivision as defined in section 65B.43, subdivision 20.

(e) [SELF-INSURANCE.] "Self-insurance" means the condition of qualifying as a self-insurer by complying with section 65B.48, subdivisions 3 and 3a.

(f) [SELF-INSURER.] "Self-insurer" means a person who has arranged self-insurance for the automobile risks associated with the person's motor vehicle.

Subd. 2. [PREMIUM TAX AMOUNT.] Every self-insurer who owns, leases, or operates a motor vehicle required to be registered or licensed in this state or principally garaged in this state for at least two months in the applicable calendar year shall pay an annual amount for each vehicle of:

(1) \$15 for a private passenger vehicle as defined in section 65B.001, subdivision 3, or a utility vehicle as defined in section 65B.001, subdivision 4, not including a taxi; or

(2) \$25 for a taxi or any other self-insured vehicle not covered by clause (1).

The amount required under this subdivision is payable no later than July 1, annually, to the commissioner of revenue. A late payment penalty of \$10 a vehicle is assessed if the amount is not paid on or before July 1, and an additional amount equal to the original payment amount if the total amount is not paid until after December 1 of the same year. A self-insurer who is more than six months delinquent in paying the amount due must be referred to the commissioner of commerce for action, which may include revocation of the self-insured's self-insurer status.

Subd. 3. [DEPOSIT OF PAYMENT AMOUNT.] The amounts paid under subdivision 2 must be deposited in the general fund to the credit of the account from which the police state aid provided for in sections 69.011 to 69.051 is payable.

Subd. 4. [RULES AUTHORIZED.] The commissioner of revenue and the commissioner of commerce are authorized to make rules to permit the administration of this section.

Sec. 2. Minnesota Statutes 1991 Supplement, section 69.021, subdivision 5, is amended to read:

Subd. 5. [CALCULATION OF STATE AID.] (a) The amount of fire state aid available for apportionment shall be two percent of the fire, lightning, sprinkler leakage, and extended coverage premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report and two percent of the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report. This amount shall be reduced by the amount required to pay the state auditor's costs and expenses of the audits or exams of the firefighters relief associations.

(b) The total amount for apportionment in respect to police state aid shall not be greater or lesser than is the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report after subtracting, plus the payment amounts received under section 1 since the last aid apportionment, and reduced by the amount required to pay the state auditor's costs and expenses of the audits or exams of the police relief associations. The total amount for apportionment in respect to firefighters state aid shall not be greater or lesser than the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report after subtracting the amount required to pay the state auditor's costs and expenses of the audits or exams of the firefighters relief associations. The amount for apportionment in respect to police state aid shall be

distributed to the municipalities maintaining police departments and to the county on the basis of the number of active peace officers, as certified pursuant to section 69.011, subdivision 2, clause (b). The commissioner shall calculate the percentage of increase or decrease reflected in the apportionment over or under the previous year's available state aid using the same premiums as a basis for comparison.

Sec. 3. Minnesota Statutes 1991 Supplement, section 69.021, subdivision 6, is amended to read:

Subd. 6. [CALCULATION OF APPORTIONMENT OF STATE PEACE OFFICERS AID TO COUNTIES.] The *police* state aid available in respect to peace officers shall not exceed the amount of tax collected and shall be distributed to the counties in proportion to the total number of active peace officers, as defined in section 69.011, subdivision 1, clause (g), in each county who are employed either by municipalities maintaining police departments or by the county. Any necessary adjustments shall be made to subsequent apportionments."

Page 3, after line 19, insert:

"Sec. 5. [EFFECTIVE DATE.]

Section 1 is effective January 1, 1992. Sections 2 and 3 are effective July 1, 1992."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "police state aid program; requiring payments equivalent to automobile insurance premium taxes by self-insurers;"

Page 1, line 6, before the period, insert "; Minnesota Statutes 1991 Supplement, section 69.021, subdivisions 5 and 6; proposing coding for new law in Minnesota Statutes, chapter 60A"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S. F. No. 1399 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1399

A bill for an act relating to utilities; determining when reconciliation of actual assessments to public utilities and telephone companies must be completed; amending Minnesota Statutes 1990, sections 216B.62, subdivision 3; and 237.295, subdivision 2.

April 2, 1992

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Dee Long
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1399, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate concur in the House amendment.

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Joanne Benson, Steven G. Novak, Gene Waldorf

House Conferees: (Signed) Joel Jacobs, Rich O'Connor, Ben Boo

Mrs. Benson, J.E. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1399 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1399 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1849:

H.F. No. 1849: A bill for an act relating to crime; anti-violence education, prevention and treatment; increasing penalties for repeat sex offenders; providing for life imprisonment for certain repeat sex offenders; providing for life imprisonment without parole for certain persons convicted of first degree murder; increasing penalties for other violent crimes and crimes committed against children; increasing supervision of sex offenders; providing a fund for sex offender treatment; eliminating the "good time"

reduction in prison sentences; allowing the extension of prison terms for disciplinary violations in prison; authorizing the commissioner of corrections to establish a "boot camp" program; authorizing the imposition of fees for local correctional services on offenders; requiring the imposition of minimum fines on convicted offenders; providing for HIV testing of certain sex offenders; expanding certain crime victim rights; providing programs for victim-offender mediation; enhancing protection of domestic abuse victims; authorizing secure confinement of dangerous juvenile offenders; creating a civil cause of action for minors used in a sexual performance; providing for a variety of anti-violence education, prevention, and treatment programs; authorizing the issuance of state bonds for a variety of projects; appropriating money; amending Minnesota Statutes 1990, sections 13.87, subdivision 2; 72A.20, by adding a subdivision; 121.882, by adding a subdivision; 127.46; 135A.15; 241.021, by adding a subdivision; 241.67, subdivisions 1, 2, 3, 6, and by adding a subdivision; 242.19, subdivision 2; 242.195, subdivision 1; 243.53; 244.01, subdivision 8; 244.03; 244.04, subdivisions 1 and 3; 244.05, subdivisions 1, 3, 4, 5, and by adding subdivisions; 245.4871, by adding a subdivision; 254A.14, by adding a subdivision; 254A.17, subdivision 1, and by adding a subdivision; 259.11; 260.151, subdivision 1; 260.155, subdivision 1, and by adding a subdivision; 260.172, by adding a subdivision; 260.181, by adding a subdivision; 260.185, subdivisions 1 and 4; 260.311, by adding a subdivision; 270A.03, subdivision 5; 299A.37; 299A.40, subdivision 3; 332.51, subdivisions 1 and 5; 401.02, subdivision 4; 485.018, subdivision 5; 518B.01, subdivisions 7 and 13; 546.27, subdivision 1; 595.02, subdivision 4; 609.02, by adding a subdivision; 609.10; 609.101, by adding a subdivision; 609.115, subdivision 1a; 609.125; 609.135, subdivision 5, and by adding subdivisions; 609.1352, subdivisions 1 and 5; 609.152, subdivisions 2 and 3; 609.184, subdivision 2; 609.19; 609.2231, by adding a subdivision; 609.224, subdivision 2; 609.322; 609.323; 609.342; 609.343; 609.344, subdivisions 1 and 3; 609.345, subdivisions 1 and 3; 609.346, subdivisions 2, 2a, and by adding subdivisions; 609.3471; 609.378, subdivision 1, and by adding a subdivision; 609.40, subdivision 1; 609.605, by adding a subdivision; 609.747, subdivision 2; 611A.03, subdivision 1; 611A.52, subdivision 8; 626.843, subdivision 1; 626.8451; 626.8465, subdivision 1; 629.72, by adding a subdivision; 630.36, subdivision 1, and by adding a subdivision; Minnesota Statutes 1991 Supplement, sections 3.873, subdivisions 1, 5, 7, and by adding a subdivision; 8.15; 121.882, subdivision 2; 124A.29, subdivision 1; 126.70, subdivisions 1 and 2a; 243.166, subdivisions 1, 2, and 3; 244.05, subdivision 6; 244.12, subdivision 3; 245.484; 245.4884, subdivision 1; 299A.30; 299A.31, subdivision 1; 299A.32, subdivisions 2 and 2a; 299A.36; 518B.01, subdivisions 3a, 6, and 14; 609.135, subdivision 2; Laws 1991, chapter 232, section 5; proposing coding for new law in Minnesota Statutes, chapters 126; 145; 145A; 169; 241; 244; 256; 256F; 260; 299A; 609; 611A; 617; and 629.

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

Vellenga, Solberg, Seaberg, Wagenius and Pugh have been appointed as such committee on the part of the House.

House File No. 1849 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 9, 1992

Mr. Spear moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1849, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Reichgott moved that H.F. No. 57 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Finance. The motion prevailed.

RECESS

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

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

APPOINTMENTS

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

S.F. No. 2136: Messrs. Mondale, Solon and Halberg.

S.F. No. 2257: Messrs. Sams, Davis and Renneke.

S.F. No. 2728: Messrs. Sams, Waldorf and Renneke.

S.F. No. 2430: Messrs. Sams, Finn and Novak.

S.F. No. 1722: Messrs. Kroening, Merriam and Gustafson.

H.F. No. 1849: Messrs. Spear, Kelly, McGowan, Ms. Ranum and Mr. Marty.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Reichgott moved that her name be stricken as chief author, shown as a co-author, and the name of Mr. Johnson, D.J. be shown as chief author to S.F. No. 60. The motion prevailed.

MEMBERS EXCUSED

Mr. Mondale was excused from the Session of today from 1:30 to 1:40 p.m. Mr. Laidig was excused from the Session of today from 1:45 to 2:15 p.m. Ms. Reichgott was excused from the Session of today from 3:30 to 5:00 p.m. Mr. Halberg was excused from the Session of today at 5:00 p.m. Mr. Lessard was excused from the Session of today at 5:40 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Friday, April 10, 1992. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate