

## THIRTIETH DAY

St. Paul, Minnesota, Monday, April 5, 1993

The Senate met at 10:00 a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Luther 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. Ronald Huberty.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Adkins	Dille	Knutson	Moe, R.D.	Reichgott
Anderson	Finn	Krentz	Mondale	Riveness
Beckman	Flynn	Kroening	Morse	Robertson
Belanger	Frederickson	Laidig	Murphy	Runbeck
Benson, D.D.	Hanson	Langseth	Neuville	Sams
Benson, J.E.	Hottinger	Larson	Novak	Samuelson
Berg	Janezich	Lesewski	Oliver	Solon
Bertram	Johnson, D.E.	Lessard	Olson	Spear
Betzold	Johnson, D.J.	Luther	Pariseau	Stevens
Chandler	Johnson, J.B.	Marty	Piper	Stumpf
Chmielewski	Johnston	McGowan	Pogemiller	Terwilliger
Cohen	Kelly	Merriam	Price	Vickerman
Day	Kiscadeni	Metzen	Ranum	Wiener

The President declared a quorum present.

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 30, 1993

The Honorable Dee Long  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1993

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 1993	Date Filed 1993
19		11	4:52 p.m. March 29	March 29

Sincerely,  
Joan Anderson Growe  
Secretary of State

March 31, 1993

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 282.

Warmest regards,  
Arne H. Carlson, Governor

April 1, 1993

The Honorable Dee Long  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1993 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 1993	Date Filed 1993
	97	12	Approved w/o signature	March 31
	358	13	3:38 p.m. March 31	March 31
	29	14	3:34 p.m. March 31	March 31
282		20	3:36 p.m. March 31	March 31

Sincerely,  
Joan Anderson Growe  
Secretary of State

### REPORTS OF COMMITTEES

Mr. Luther moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S.F. No. 1333: A bill for an act relating to insurance; regulating minimum loss ratios for noncomprehensive policies; amending Minnesota Statutes 1992, section 62A.135.

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 1992, section 62A.135, is amended to read:

62A.135 [NONCOMPREHENSIVE POLICIES; MINIMUM LOSS RATIOS.]

(a) This section applies to individual or group policies, certificates, or other evidence of coverage ~~designed primarily in which 50 percent or more of the total benefits are intended to provide coverage for hospital or medical expenses on a per diem, fixed indemnity, or nonexpense incurred basis offered, issued, or renewed, to provide coverage to a Minnesota resident.~~

(b) Notwithstanding section 62A.02, subdivision 3, relating to loss ratios, policies must return to Minnesota policyholders in the form of aggregate benefits under the policy, for each year, on the basis of incurred claims experience and earned premiums in Minnesota and in accordance with accepted actuarial principles and practices:

(1) at least 75 percent of the aggregate amount of premiums earned in the case of group policies; and

(2) at least 65 60 percent of the aggregate amount of premiums earned in the case of individual policies.

(c) An insurer may only issue or renew an individual policy on a guaranteed renewable or noncancelable basis.

(d) Noncomprehensive policies, certificates, or other evidence of coverage subject to the provisions of this section are also subject to the requirements, penalties, and remedies applicable to medicare supplement policies, as set forth in section 62A.36, subdivisions 1a, 1b, and 2.

The first supplement to the annual statement required to be filed pursuant to this paragraph must be for the annual statement required to be submitted on or after January 1, 1993.”

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

Ms. Reichgott from the Committee on Judiciary, to which was re-referred

S.F. No. 296: A bill for an act relating to human services; requiring parent's social security numbers on birth certificates; modifying various child support provisions; amending Minnesota Statutes 1992, sections 144.215, by adding a subdivision; 518.551, subdivisions 5 and 7; 518.611, subdivisions 1, 2, 4, 6, and by adding a subdivision; and 518.613, subdivisions 2, 3, and 4.

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

Page 1, after line 9, insert:

“Section 1. Minnesota Statutes 1992, section 13.99, is amended by adding a subdivision to read:

*Subd. 29a. [BIRTH CERTIFICATES; SOCIAL SECURITY NUMBERS.] Social security numbers provided by parents to the office of vital statistics are classified under section 2.”*

Page 1, line 17, after “(b)” insert “*The social security numbers are private data on individuals, as defined in section 13.02, subdivision 12, but*”

Page 1, line 18, delete “*records of parent name and*” and delete “*only*”

Page 1, line 20, delete “*by the public authority*”

Pages 1 and 2, delete section 2 and insert:

“Sec. 3. Minnesota Statutes 1992, section 518.551, subdivision 7, is amended to read:

*Subd. 7. [SERVICE FEE.] When the public agency responsible for child support enforcement provides child support collection services either to a public assistance recipient or to a party who does not receive public assistance, the public agency may upon written notice to the obligor charge a monthly collection fee equivalent to the full monthly cost to the county of providing collection services, in addition to the amount of the child support which was ordered by the court. The fee shall be deposited in the county general fund. The service fee assessed is limited to ten percent of the monthly court ordered child support and shall not be assessed to obligors who are current in payment of the monthly court ordered child support. An application fee not to exceed \$25 shall be paid by ~~the person~~ *an obligee* who applies for child support and maintenance collection services, except ~~persons who transfer when the obligee transfers~~ *from public assistance to nonpublic assistance status. The fee must be added to the child support obligation of the obligor and paid to the obligee from the first child support payment recovered by the public authority. If automatic income withholding is implemented, the application fee must be added to the first withholding, in addition to the amount of child support or maintenance that is withheld.* Fees assessed by state and federal tax agencies for collection of overdue support owed to or on behalf of a person not receiving public assistance must be imposed on the person for whom these services are provided.*

However, the limitations of this subdivision on the assessment of fees shall not apply to the extent inconsistent with the requirements of federal law for receiving funds for the programs under Title IV-A and Title IV-D of the Social Security Act, United States Code, title 42, sections 601 to 613 and United States Code, title 42, sections 651 to 662.”

Page 8, line 26, delete “*from*”

Page 8, delete line 27

Page 8, line 28, delete “*family*”

Page 13, line 22, delete everything after “*court*”

Page 13, line 23, delete everything before the period

Page 13, line 27, delete “7” and insert “8”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "on" and insert "at" and delete "certificates"

Page 1, line 5, after "sections" insert "13.99, by adding a subdivision;"

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was re-referred

S.F. No. 697: A bill for an act relating to water; requiring criteria for water deficiency declarations; prohibiting the use of groundwater for surface water level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; amending Minnesota Statutes 1992, sections 103G.261; 103G.265, subdivision 3; 103G.271, subdivision 7, and by adding subdivisions; 103G.291, by adding a subdivision; 103G.301, subdivision 1; 115.03, subdivision 1; 473.156, subdivision 1; 473.175, subdivision 1; 473.851; and 473.859, subdivisions 3, 4, and by adding a subdivision.

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1167: A bill for an act relating to the city of Minneapolis; extending authority to guarantee certain loans; amending Laws 1988, chapter 594, section 6, as amended.

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1336: A bill for an act relating to the city of Duluth; authorizing the establishment of a special service district in the city; authorizing provision of special services in the district; providing for the levy and collection of special service charges.

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1400: A bill for an act relating to Nobles county; permitting the consolidation of the offices of auditor and treasurer.

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

Page 1, line 6, after "*county*" insert "*or Murray county*"

Page 1, line 7, after "*treasurer*" insert "*in its respective county*"

Page 1, line 15, after "*of*" insert "*Nobles county or Murray county*"

Page 1, line 21, after "*The*" insert "*Nobles county or Murray*"

Page 1, line 23, delete the second "*the*" and insert "*its respective*"

Page 2, line 4, delete "*15*" and insert "*10*"

Page 2, line 10, after "*effect*" insert "*in its respective county*"

Page 2, line 11, after "*board*" insert "*or the Murray county board*"

Amend the title as follows:

Page 1, line 2, delete "*county*" and insert "*and Murray counties*"

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 443: A bill for an act relating to housing; establishing a human services enterprise zone demonstration project; appropriating money.

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

Page 1; line 11, after "*must*" insert "*design a program to*"

Page 1, line 21, after the comma, insert "*school districts, post-secondary education institutions,*" and after "*providers*" insert "*including representatives of organized labor*"

Page 2, line 5, delete "*results*" and insert "*implementation*"

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 338: A bill for an act relating to economic development; creating Minnesota Business Finance, Inc. to provide capital for commercial borrowers through the Small Business Administration; providing for powers and duties of a board of directors and employees; transferring funds from the certified development company established under the department of trade and economic development to the new corporation; proposing coding for new law as Minnesota Statutes, chapter 116S; repealing Minnesota Statutes 1992, sections 41A.065 and 116J.985.

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

Page 2, line 22, after "*adopt*" insert "*bylaws and*"

Page 5, line 19, after "*is*" insert "*created*"

Page 6, line 20, delete "*Minnesota Business Finance, Inc.*" and insert "*the Minnesota business finance account*"

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 1403: A bill for an act relating to utilities; expanding duties of chair of public utilities commission; amending Minnesota Statutes 1992, section 216A.03, subdivision 3a.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations and Reform without recommendation. Report adopted.

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 1472: A bill for an act relating to economic development; limiting certain daily payments; amending Minnesota Statutes 1992, section 469.011, subdivision 4.

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 162: A bill for an act relating to retirement; increasing the individual retirement account plans employer contribution rate; permitting certain persons to have employer contributions transferred from the teachers retirement association to the individual retirement account plan; amending Minnesota Statutes 1992, sections 354B.04, subdivisions 1 and 2; and 354B.05, subdivision 1; and Laws 1990, chapter 570, article 3, section 11; proposing coding for new law in Minnesota Statutes; chapter 354B.

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

Page 2, delete sections 3 and 4

Page 3, delete section 6

Page 3, line 29, delete "5" and insert "3" and delete "*Section 6 is*"

Page 3, delete lines 30 to 35

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 4 to 6

Page 1, line 7, delete "sections" and insert "section"

Page 1, line 8, delete "and 354B.05, subdivision 1; and"

Page 1, delete line 9

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 1151: A bill for an act relating to retirement; public employees retirement association; authorizing repayment of refund and payment of contributions by members and retirees of the St. Paul supervisors' organization; mandating certain payment by the city of St. Paul.

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

Page 1, lines 11 and 12, delete "or any law to the contrary,"

Page 1, lines 13 and 20, after "1990" insert a comma

Page 1, line 24, after "1992" insert a comma

Page 1, line 25, delete "on that amount which is" and insert "must be based on an amount equal to"

Page 2, line 14, after "1990" insert a comma

Page 2, line 17, after "1992" insert a comma

Page 2, delete lines 21 to 24 and insert:

*"(b) Payment for the total amount under this subdivision, shall not exceed \$14,000 and must be made in a lump sum within 30 days after ratification by the city of St. Paul.*

Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective upon ratification by resolution of the city of St. Paul and compliance with Minnesota Statutes, section 645.021."*

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

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

H.F. No. 648 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
648	638				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 648 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 648 and insert the language after the enacting clause of S.F. No. 638; further, delete the title of H.F. No. 648 and insert the title of S.F. No. 638.

And when so amended H.F. No. 648 will be identical to S.F. No. 638, and



further recommends that H.F. No. 648 be given its second reading and substituted for S.F. No. 638, and that the Senate File be indefinitely postponed.

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 1333, 697, 1167, 1400 and 1472 were read the second time.

### SECOND READING OF HOUSE BILLS

H.F. No. 648 was read the second time.

### MOTIONS AND RESOLUTIONS

Mr. Spear moved that the name of Mr. Marty be added as a co-author to S.F. No. 1085. The motion prevailed.

Mr. Merriam moved that his name be stricken as chief author, shown as a co-author, and the name of Mr. Spear be shown as chief author to S.F. No. 1332. The motion prevailed.

Ms. Piper moved that the name of Mr. Finn be added as a co-author to S.F. No. 1468. The motion prevailed.

Mr. Morse moved that the name of Mr. Finn be added as a co-author to S.F. No. 1471. The motion prevailed.

Ms. Krentz moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 1520. The motion prevailed.

Ms. Krentz moved that the names of Messrs. Johnson, D.J. and Knutson be added as co-authors to S.F. No. 1521. The motion prevailed.

### CALENDAR

H.F. No. 233: A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Day	Johnston	Lessard	Novak
Anderson	Dille	Kelly	Luther	Oliver
Beckman	Finn	Kiscaden	Marty	Olson
Belanger	Flynn	Knutson	McGowan	Pariseau
Benson, D.D.	Frederickson	Krentz	Merriam	Piper
Benson, J.E.	Hanson	Kroening	Metzen	Pogemiller
Berg	Hottinger	Laidig	Mondale	Price
Bertram	Janezich	Langseth	Morse	Ranum
Betzold	Johnson, D.J.	Larson	Murphy	Reichgott
Chandler	Johnson, J.B.	Lesewski	Neuville	Riveness

Robertson	Samuelson	Spear	Stumpf	Vickerman
Runbeck	Solon	Stevens	Terwilliger	Wiener
Sams				

So the bill passed and its title was agreed to.

S.F. No. 568: A bill for an act relating to insurance; nonprofit health service plan corporations; regulating investments; amending Minnesota Statutes 1992, section 62C.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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Laidig	Neuville	Sams
Anderson	Flynn	Langseth	Novak	Samuelson
Beckman	Frederickson	Larson	Oliver	Solon
Belanger	Hanson	Lesewski	Olson	Spear
Benson, D.D.	Hottinger	Lessard	Pariseau	Stevens
Benson, J.E.	Janezich	Luther	Piper	Stumpf
Berg	Johnson, D.J.	Marty	Pogemiller	Terwilliger
Bertram	Johnson, J.B.	McGowan	Price	Vickerman
Betzold	Johnston	Merriam	Ranum	Wiener
Chandler	Kelly	Metzen	Reichgott	
Chmielewski	Kiscaden	Mondale	Riveness	
Day	Krentz	Morse	Robertson	
Dille	Kroening	Murphy	Runbeck	

So the bill passed and its title was agreed to.

S.F. No. 33: A bill for an act relating to crime prevention; clarifying and expanding the scope of harassment and stalking crimes; increasing penalties for harassment and stalking; increasing to a gross misdemeanor the penalty for subsequent violations of orders for protection issued because of harassment; regulating data on harassment offender for purpose of mental health assessment; requiring training for judges, prosecutors, and peace officers concerning harassment and stalking; providing for notice to harassment victims of release of alleged offender from incarceration; allowing arrest on probable cause of alleged harassment offenders; requiring prosecutors to notify harassment victims of decision not to prosecute; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; 480.30; 609.605; 609.713, by adding a subdivision; 609.748, subdivisions 6, 8, and by adding a subdivision; 609.79, subdivision 1; 609.795, subdivision 1; 611A.031; 611A.0315; 626.8451, subdivision 1a; 629.34, subdivision 1; and 629.342; proposing coding for new law in Minnesota Statutes, chapters 609; 611A; and 629; repealing Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Belanger	Berg	Chandler	Finn
Anderson	Benson, D.D.	Bertram	Day	Flynn
Beckman	Benson, J.E.	Betzold	Dille	Frederickson

Hanson	Kroening	Metzen	Pogemiller	Spear
Hottinger	Laidig	Mondale	Price	Stevens
Janezich	Langseth	Morse	Ranum	Stumpf
Johnson, D.J.	Larson	Murphy	Reichgott	Terwilliger
Johnson, J.B.	Lesewski	Neuville	Riveness	Vickerman
Johnston	Lessard	Novak	Robertson	Wiener
Kelly	Luther	Oliver	Runbeck	
Kiscaden	Marty	Olson	Sams	
Knutson	McGowan	Pariseau	Samuelson	
Krentz	Merriam	Piper	Solon	

So the bill passed and its title was agreed to.

S.F. No. 5: A bill for an act relating to game and fish; extending the permissible period for the open season on raccoon; amending Minnesota Statutes 1992, section 97B.621, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Krentz	Murphy	Runbeck
Anderson	Finn	Laidig	Neuville	Sams
Beckman	Flynn	Langseth	Novak	Samuelson
Belanger	Frederickson	Larson	Oliver	Solon
Benson, D.D.	Hanson	Lesewski	Olson	Spear
Benson, J.E.	Hottinger	Lessard	Pariseau	Stevens
Berg	Janezich	Luther	Piper	Stumpf
Bertram	Johnson, D.J.	Marty	Pogemiller	Terwilliger
Betzold	Johnson, J.B.	McGowan	Price	Vickerman
Chandler	Johnston	Merriam	Ranum	Wiener
Chmielewski	Kelly	Metzen	Reichgott	
Cohen	Kiscaden	Mondale	Riveness	
Day	Knutson	Morse	Robertson	

Mr. Kroening voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 484: A bill for an act allowing residents under the age of 16 to take deer of either sex until December 31, 1995; amending Minnesota Statutes 1992, section 97B.301, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Kroening	Murphy	Runbeck
Anderson	Finn	Laidig	Neuville	Sams
Beckman	Frederickson	Langseth	Novak	Samuelson
Belanger	Hanson	Larson	Oliver	Solon
Benson, D.D.	Hottinger	Lesewski	Olson	Spear
Benson, J.E.	Janezich	Lessard	Pariseau	Stevens
Berg	Johnson, D.J.	Luther	Piper	Stumpf
Bertram	Johnson, J.B.	Marty	Pogemiller	Terwilliger
Betzold	Johnston	McGowan	Price	Vickerman
Chandler	Kelly	Merriam	Ranum	Wiener
Chmielewski	Kiscaden	Metzen	Reichgott	
Cohen	Knutson	Mondale	Riveness	
Day	Krentz	Morse	Robertson	

Ms. Flynn voted in the negative.

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

S.F. No. 996: A bill for an act relating to weights and measures; correcting name of accountant's organization; amending Minnesota Statutes 1992, section 239.05, subdivision 2c.

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	Dille	Krentz	Morse	Robertson
Anderson	Finn	Kroening	Murphy	Runbeck
Beckman	Flynn	Laidig	Neuville	Sams
Belanger	Frederickson	Langseth	Novak	Samuelson
Benson, D.D.	Hanson	Larson	Oliver	Solon
Benson, J.E.	Hottinger	Lesewski	Olson	Spear
Berg	Janezich	Lessard	Pariseau	Stevens
Bertram	Johnson, D.J.	Luther	Piper	Stumpf
Betzold	Johnson, J.B.	Marty	Pogemiller	Terwilliger
Chandler	Johnston	McGowan	Price	Vickerman
Chmielewski	Kelly	Merriam	Ranum	Wiener
Cohen	Kiscaden	Metzen	Reichgott	
Day	Knutson	Mondale	Riveness	

So the bill passed and its title was agreed to.

S.F. No. 67: A bill for an act relating to crime; clarifying the application of the tolling provision in the law governing criminal statutes of limitations; amending Minnesota Statutes 1992, section 628.26.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Dille	Krentz	Murphy	Runbeck
Anderson	Finn	Kroening	Neuville	Sams
Beckman	Flynn	Laidig	Novak	Samuelson
Belanger	Frederickson	Langseth	Oliver	Solon
Benson, D.D.	Hanson	Lesewski	Olson	Spear
Benson, J.E.	Hottinger	Lessard	Pariseau	Stevens
Berg	Janezich	Luther	Piper	Stumpf
Bertram	Johnson, D.J.	Marty	Pogemiller	Terwilliger
Betzold	Johnson, J.B.	McGowan	Price	Vickerman
Chandler	Johnston	Merriam	Ranum	Wiener
Chmielewski	Kelly	Metzen	Reichgott	
Cohen	Kiscaden	Mondale	Riveness	
Day	Knutson	Morse	Robertson	

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. Nos. 270, 700, 250, 174, 748, 498, 670, 512, 589, 485, 394, 663, 582, 361, 409, 629, 821, 406, 452 and H.F. Nos. 111, 254, which the committee recommends to pass.

H.F. No. 399, which the committee recommends to pass, subject to the following motion:

Ms. Wiener moved that the amendment made to H.F. No. 399 by the Committee on Rules and Administration in the report adopted March 29, 1993, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S.F. No. 431, which the committee recommends to pass with the following amendment offered by Mr. Hottinger:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1992, section 15.17, subdivision 1, is amended to read:

Subdivision 1. [MUST BE KEPT.] All officers and agencies of the state, counties, cities, towns, school districts, municipal subdivisions or corporations, or other public authorities or political entities within the state, hereinafter “public officer,” shall make and preserve all records necessary to a full and accurate knowledge of their official activities. All government records shall be made on a physical medium of a quality to insure permanent records. Every public officer is empowered to reproduce records if the records are not deemed to be of permanent or archival value by the commissioner of administration and the records disposition panel under section 138.17. The public officer is empowered to reproduce these records by any photographic, photostatic, microphotographic, optical disk imaging system, microfilming, or other reproduction method that clearly and accurately reproduces the records. If a record is deemed to be of permanent or archival value, any reproduction of the record must meet archival standards specified by the Minnesota historical society *provided, however, that this section does not prohibit the use of non-erasable optical imaging systems for the preservation of archival records without the preservation of paper or microfilm copies.* Each public officer may order that those photographs, photostats, microphotographs, microfilms, optical disk images, or other reproductions, be substituted for the originals of them. The public officer may direct the destruction or sale for salvage or other disposition of the originals from which they were made, in accordance with the disposition requirements of section 138.17. Photographs, photostats, microphotographs, microfilms, optical disk images, or other reproductions are for all purposes deemed the original recording of the papers, books, documents, and records reproduced when so ordered by any public officer and are admissible as evidence in all courts and proceedings of every kind. A facsimile or exemplified or certified copy of a photograph, photostat, microphotograph, microfilm, optical disk image, or other reproduction, or an enlargement or reduction of it, has the same effect and weight as evidence as would a certified or exemplified copy of the original.

Sec. 2. Minnesota Statutes 1992, section 138.17, is amended by adding a subdivision to read:

*Subd. 10. [OPTICAL IMAGE STORAGE.] (a) Any government record, including a record with archival value, may be transferred to and stored on a non-erasable optical imaging system and retained only in that format, if the requirements of this section are met.*

*(b) All documents preserved on non-erasable optical imaging systems must meet standards for permanent records specified in section 15.17, subdivision 1, and must be kept available for retrieval so long as any law requires. Standards under section 15.17, subdivision 1, may not be inconsistent with efficient use of optical imaging systems.*

*(c) A government entity storing a record on an optical imaging system shall create and store a backup copy of the record at a site other than the site where the original is kept. The government entity shall retain the backup copy and operable retrieval equipment so long as any law requires the original to be retained. The backup copy required by this paragraph must be preserved either (1) on a non-erasable optical imaging system; or (2) by another reproduction method approved by the records disposition panel.*

*(d) A contract between the government entity responsible for preserving records and the vendor of the optical imaging system used to preserve records of that government entity must require the vendor to maintain a current copy of the vendor's source code for the imaging system in escrow, and to authorize the government entity to obtain the copy of the source code if the vendor is unable or unwilling to support the optical imaging system."*

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections"

The motion prevailed. So the amendment was adopted.

H.F. No. 552, which the committee recommends to pass with the following amendments offered by Mr. Spear:

Amend H.F. No. 552, as amended pursuant to Rule 49, adopted by the Senate March 31, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 440.)

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 1992, section 580.032, subdivision 1, as amended by Laws 1993, chapter 6, section 3, is amended to read:

Subdivision 1. [FILING REQUEST FOR NOTICE.] A person having a redeemable interest in real property under section 580.23 or 580.24, may file for record a request for notice of a mortgage foreclosure by advertisement with the county recorder or registrar of titles of the county where the property is located. To be effective for purposes of this section, a request for notice must be filed for record as a separate and distinct document, ~~or may be incorporated in~~ *except a mechanic's lien statement filed for record pursuant to section 514.08; also constitutes a request for notice if the mechanic's lien statement includes a request for notice and includes legal description of the real property and the name and mailing address of the person requesting notice mechanic's lien claimant."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Spear then moved to amend H.F. No. 552, as amended pursuant to Rule 49, adopted by the Senate March 31, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 440.)

Page 7, line 25, delete "*and until*"

Page 7, line 26, delete everything before "*time*" and insert "*including during the period of*" and delete "*or*"

Page 7, line 27, delete "*reinstatement*"

Page 8, after line 2, insert:

"Sec. 12. [EFFECTIVE DATE.]

*Section 10 is effective August 1, 1993, and applies to crimes committed on or after that date.*"

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying criminal liability for defeating security on realty;"

The motion prevailed. So the amendment was adopted.

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

#### MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

#### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 813. The motion prevailed.

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was re-referred

S.F. No. 867: A bill for an act relating to motor vehicles; establishing automobile theft prevention program and creating board; increasing penalty for falsely reporting crime; amending Minnesota Statutes 1992, section 609.505; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Page 1, delete section 1

Page 1, line 13, delete "CREATED" and insert "MEMBERSHIP"

Page 1, line 14, delete everything after "*board*"

Page 1, delete line 15 and insert "*consists*"

Page 1, line 21, delete everything after the period and insert "*The board is*

*governed by section 15.0575 except that the terms of the members are two years."*

Page 1, delete lines 22 to 25

Page 3, line 15, delete "*Beginning January 1, 1994,*"

Page 3, line 18, delete "*motor*"

Page 3, line 20, delete "*shall*" and insert "*may*"

Page 3, line 23, delete "*shall*" and insert "*must*"

Page 3, line 28, before the period, insert "*, except that no vehicle with a gross vehicle weight in excess of 10,000 pounds is included within this definition*"

Page 3, line 30, delete "*created*" and insert "*an account*"

Page 4, after line 6, insert:

"Sec. 3. [INITIAL TERMS.]

*Notwithstanding section 1, subdivision 1, in making the initial appointments to the board established by that subdivision the governor shall appoint four members to two-year terms and three members to one-year terms.*

Sec. 4. [COMMENCEMENT OF SURCHARGE.]

*Each insurer governed by section 1, subdivision 3, shall begin to collect and remit the surcharge required by that subdivision on January 1, 1994."*

Page 4, line 8, delete "2" and insert "1"

Page 4, line 10, delete "3" and insert "2"

Page 4, line 11, delete "*Section 2 is*" and insert "*Sections 1, 3, and 4 are*"

Renumber the sections in sequence

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1194: A bill for an act relating to taxation; property; providing that certain special taxing districts are subject to the truth in taxation provisions; amending Minnesota Statutes 1992, sections 275.065, subdivisions 3, 5a, and 6; and 276.04, subdivision 2.

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

Page 4, line 5, delete "*transit commissions*" and insert "*railroad authorities*"

Page 6, line 18, after the period, insert "*The hearing conducted by the metropolitan taxing districts shall be a joint hearing comprised of all of the taxing districts.*"

Page 10, after line 23, insert:



"Sec. 5. Minnesota Statutes 1992, section 473.13, subdivision 1, is amended to read:

Subdivision 1. [BUDGET.] On or before ~~October 4~~ *December 20* of each year the council, ~~after a~~ *at the public hearing required in section 275.065,* shall adopt a *final* budget covering its anticipated receipts and disbursements for the ensuing year and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget. The budget shall state in detail the expenditures for each program to be undertaken, including the expenses for salaries, consultant services, overhead, travel, printing, and other items. The budget shall state in detail the capital expenditures of the council for the budget year, based on a five-year capital program adopted by the council and transmitted to the legislature. After adoption of the budget, an increase of over \$10,000 in the council's budget, a program or department budget, or a budget item, must be approved by the council before the increase is allowed or the funds obligated. After adoption of the budget and no later than ~~October 4~~ *five working days after December 20,* the council shall certify to the auditor of each metropolitan county the share of the tax to be levied within that county, which must be an amount bearing the same proportion to the total levy agreed on by the council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area. The maximum amount of any levy made for the purpose of this chapter may not exceed the limits set by sections 473.167 and 473.249.

Sec. 6. Minnesota Statutes 1992, section 473.1623, subdivision 3, is amended to read:

Subd. 3. [FINANCIAL REPORT.] By ~~December~~ *February* 15 of even-numbered years, the council, in consultation with the advisory committee, shall publish a consolidated financial report for the council and all metropolitan agencies and their functions, services, and systems. The financial report must cover the calendar year in which the report is published and the ~~two~~ *three* years preceding and ~~three~~ *two* years succeeding that year. The financial report must contain the following information, for each agency, function, or system, respectively, and in the aggregate, in a consistent format that allows comparison over time and among agencies in expenditure and revenue categories:

- (1) financial policies, goals, and priorities;
- (2) levels and allocation of public expenditure, including capital, debt, operating, and pass-through funds, stated in the aggregate and by appropriate functional, programmatic, administrative, and geographic categories, and the changes in expenditure levels and allocations that the report represents;
- (3) the resources available under existing fiscal policy;
- (4) additional resources, if any, that are or may be required;
- (5) changes in council or agency policies on regional sources of revenue and in levels of debt, user charges, and taxes;
- (6) other changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that have been or may be recommended by the council or the respective agencies;
- (7) an analysis that links, as far as practicable, the uses of funds and the sources of funds, by appropriate categories and in the aggregate;

(8) a description of how the fiscal policies effectuate current policy and implementation plans of the council and agencies concerned; and

(9) a summary of significant changes in council and agency finance and an analysis of fiscal trends.

The council shall present the report for discussion and comment at a public meeting in the metropolitan area and request, in writing, an opportunity to make presentations on the report before appropriate committees of the legislature.

Sec. 7. Minnesota Statutes 1992, section 473.167, subdivision 4, is amended to read:

Subd. 4. [STATE REVIEW.] The council must certify its *proposed* property tax levy to the commissioner of revenue by ~~August 4~~ *September 15* of the levy year. The commissioner of revenue shall annually determine whether the property tax for the right-of-way acquisition loan fund certified by the metropolitan council for levy following the adoption of its *proposed* budget is within the levy limitation imposed by this section. The determination must be completed prior to ~~September~~ *November 1* of each year. If current information regarding market valuation in any county is not transmitted to the commissioner in a timely manner, the commissioner may estimate the current market valuation within that county for purposes of making the calculation.

Sec. 8. Minnesota Statutes 1992, section 473.249, subdivision 2, is amended to read:

Subd. 2. The council must certify its *proposed* property tax levy to the commissioner of revenue by ~~August 4~~ *September 15* of the levy year. The commissioner of revenue shall annually determine whether the ad valorem property tax certified by the metropolitan council for levy following the adoption of its *proposed* budget is within the levy limitation imposed by this section. The determination shall be completed prior to ~~September~~ *November 1* of each year. If current information regarding gross tax capacity in any county is not transmitted to the commissioner in a timely manner, the commissioner may estimate the current gross tax capacity within that county for purposes of making the calculation.

Sec. 9. [APPLICATION.]

*Sections 5 to 8 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "making metropolitan council budget and levy certification dates consistent with the truth in taxation provisions;"

Page 1, line 5, delete the second "and"

Page 1, line 6, before the period, insert "; 473.13, subdivision 1; 473.1623, subdivision 3; 473.167, subdivision 4; and 473.249, subdivision 2"

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

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

S.F. No. 813: A bill for an act relating to agriculture; redefining terms in the plant pest act; amending Minnesota Statutes 1992, section 18.46, subdivisions 3 and 9, and by adding a subdivision.

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

Pages 1 and 2, delete section 3

Amend the title as follows:

Page 1, line 4, delete "subdivisions 3 and 9" and insert "subdivision 3"

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

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

S.F. No. 709: A bill for an act relating to local government; specifying the prosecuting attorney for certain offenses; amending Minnesota Statutes 1992, section 487.25, subdivision 10.

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

Page 1, line 14, delete "1,000" and insert "500" in both places

Page 1, line 15, delete everything after the comma

Page 1, line 16, delete "misdemeanors to its city attorney or"

Page 1, line 17, after the comma, insert "*and with the approval of the board of county commissioners.*"

Page 2, delete section 2

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 1418: A bill for an act relating to state government; public employment; establishing a pilot project in certain entities; permitting the waiver of rules governing the classified and unclassified service of the state by joint committees.

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

Page 3, line 19, after the period, insert "*The commissioner shall report to the legislative commission on employee relations on the results of the pilot project at its conclusion.*"

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

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

S.F. No. 453: A bill for an act relating to local government; establishing a county option for sales of tax-forfeited lands; requiring reimbursement to county for administrative expenses of special assessments; modifying date for submission of rental statements by housing and redevelopment authority; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; 429.061, by adding a subdivision; and 469.040, subdivision 3.

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

Page 1, line 19, delete "*sealed bid or*"

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

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

S.F. No. 896: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Sherburne county.

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 814: A bill for an act relating to metropolitan government; requiring a classroom noise study.

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

Page 1, line 6, after "*commission*" insert "*in consultation with representatives of the school districts adjacent to the Minneapolis-St. Paul International Airport*"

Page 1, delete line 20

Page 1, line 21, delete "(3)" and insert "(2)"

Page 1, line 22, delete "(4)" and insert "(3)"

Page 1, line 23, delete "(5)" and insert "(4)"

Page 1, after line 24, insert:

*"The study shall include noise frequency measurements accomplished using A-weighted sound levels."*

Page 2, line 14, delete "*include at least*" and insert "*be located in at least two different public or private schools in each of the following cities: Eagan, Bloomington, Mendota Heights, Minneapolis, Richfield, and St. Paul. Not more than two of the schools tested may be located inside the 1996*"

Page 2, delete lines 15 to 18

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was re-referred

S.F. No. 529: A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

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

Page 2, line 33, delete "*households at income*"

Page 2, delete lines 34 and 35

Page 3, line 1, after the first comma, insert "*and*" and delete "*, and 100 percent*"

Page 3, line 14, delete "*OBJECTIVES;*"

Page 3, line 15, delete "*and objectives governing opportunities*"

Page 3, line 16, after "*for*" insert "*establishing*"

Page 3, line 25, delete "*and objectives*"

Page 4, line 34, after "*allotment*" insert "*. For the purpose of determining substantial compliance with choice housing allotment, full credit shall be given for current and past efforts to provide affordable housing*"

Page 5, line 13, delete "*to the*"

Page 5, line 14, delete "*extent of available resources*" and insert "*subject to its authority under sections 473.194 to 473.201*"

Page 5, line 26, delete "*procedures*" and insert "*rules*"

Page 5, line 32, delete "*shall*" and insert "*may*"

Page 5, line 33, delete "*. The counseling services must*" and insert "*to*"

Page 6, line 10, before the period, insert "*under subdivision 3, clause (2)*"

Page 7, delete sections 3 and 4 and insert:

"Sec. 3. [STATE ADVISORY COUNCIL.]

*Subdivision 1. [ESTABLISHMENT; PURPOSE.] A state advisory council on metropolitan governance is established to provide a forum at the state level for education, discussion, identification of emerging regional needs and appropriate responses, and advice to the legislature on the present and future role of the metropolitan council, metropolitan agencies, and the local governmental units as defined in Minnesota Statutes, section 473.121. The creation of the advisory council shall not affect any otherwise existing reporting relationships of the council, metropolitan agencies, or the local governmental units to the legislature.*

*Subd. 2. [AUTHORITY; DUTIES.] (a) The advisory council shall review and comment to the legislature on the duties and responsibilities of the council, metropolitan agencies, and the local governmental units.*

*(b) The advisory council may gather information, conduct research and analysis, and advise the legislature on matters related to the council's charge.*

*(c) The advisory council may conduct public hearings to inform the public and solicit opinion.*

*(d) The advisory council shall consult with local governmental units in making its recommendations.*

*Subd. 3. [MEMBERSHIP.] The advisory council shall consist of 15 members who serve at the pleasure of the appointing authority as follows:*

*(1) six legislators; three members of the senate appointed by the subcommittee on committees of the committee on rules and administration; and three members of the house of representatives appointed by the speaker; and*

*(2) nine public members who are residents of the metropolitan area; two appointed by the subcommittee on committees of the committee on rules and administration of the senate and two appointed by the speaker of the house of representatives; and five appointed by the governor.*

*Subd. 4. [CHAIRS.] The legislative appointing authorities shall each designate a legislative appointee to serve as co-chair of the advisory council.*

*Subd. 5. [ADMINISTRATION.] Legislative staff, the metropolitan council, and metropolitan agencies shall provide administrative and staff assistance when requested by the advisory council.*

#### Sec. 4. [EXPENSES.]

*The metropolitan council shall compensate the members of the advisory council. Public members are to be compensated in an amount provided by Minnesota Statutes, section 15.059, subdivision 3. Members of the legislature are to be paid per diem and expenses in an amount provided by Minnesota Statutes, section 3.099. The council shall adopt a budget of estimated expenses at its first meeting and provide a copy to the metropolitan council.*

#### Sec. 5. [APPLICATION.]

*Sections 1 to 4 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.*

#### Sec. 6. [EFFECTIVE DATE.]

*Sections 1 to 5 are effective the day following final enactment. Sections 3 and 4 are repealed June 30, 1994."*

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was re-referred

S.F. No. 1272: A bill for an act relating to education; changing educational effectiveness; creating school improvement grants; creating requirements for financial training for school boards; changing training and experience

revenue; creating cost-of-living revenue; creating school restructuring pilots and teacher compensation task forces; appropriating money; amending Minnesota Statutes 1992, sections 120.105; 121.918; 123.33, by adding a subdivision; 123.951; 124A.22, subdivisions 1, 4a, 4b, and by adding a subdivision; 124A.28, subdivision 1; 124A.29, subdivision 1; and 126.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 121.

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

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

S.F. No. 1367: A bill for an act relating to the environment; authorizing administrative penalty orders for violations of provisions relating to hazardous chemical reporting requirements; amending Minnesota Statutes 1992, section 299K.10; by adding a subdivision.

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

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

S.F. No. 1114: A bill for an act relating to commerce; franchises; regulating assignments, transfers, and sales; amending Minnesota Statutes 1992, sections 80C.14, subdivision 5; and 80C.17, subdivisions 1 and 5.

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

Pages 1 and 2, delete section 1

Page 2, delete lines 16 and 17

Page 2, line 18, delete "*after the effective date. Section 1 applies*" and insert:

*"Sections 1 and 2 apply"*

Page 2, line 19, delete the comma

Page 2, line 20, delete "*amended,*" and delete "*applies*" and insert "*apply*"

Page 2, line 22, delete everything after the period

Page 2, delete line 23

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 4 and insert "*Statutes 1992, section*"

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

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

S.F. No. 332: A bill for an act relating to privacy of communications; pen registers, trap and trace devices, and mobile tracking devices; providing for the admissibility of evidence obtained through or resulting from installation or use of these devices in violation of law; amending Minnesota Statutes 1992, section 626A.35, by adding a subdivision.

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

Page 1, line 24, delete "*pending or*"

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

Ms. Reichgott from the Committee on Judiciary, to which was referred

H.F. No. 79: A bill for an act relating to courts; grandparent visitation; clarifying that visitation may be sought after completion of proceedings for dissolution, custody, legal separation, annulment, or parentage; amending Minnesota Statutes 1992, sections 257.022, subdivision 2; and 518.175, subdivision 7.

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

Page 1, line 13, after the stricken "to" insert a comma

Page 1, line 15, strike "*thereafter*"

Page 2, line 4, delete "*thereafter*"

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

Ms. Reichgott from the Committee on Judiciary, to which was referred

S.F. No. 918: A bill for an act relating to civil actions; providing that the statute of limitations in section 541.051 governs materials incorporated into an improvement to real property; amending Minnesota Statutes 1992, section 336.2-725.

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

Page 2, line 19, delete "*filed*" and insert "*commenced*" and delete the second "*claims*" and insert "*causes of action*"

Page 2, line 20, delete "*pending on*" and insert "*arising before*"

Page 2, line 21, after "*Statutes*" insert "1992"

Page 2, line 24, delete "*filed*" and insert "*commenced*"

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

Mr. Bertram from the Committee on Agriculture and Rural Development, to which was re-referred

S.F. No. 551: A bill for an act relating to highway traffic regulations;



implements of husbandry; defining implements of husbandry; reducing the maximum speed limit for implements of husbandry to 25 miles per hour; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 169.01, subdivision 55; 169.145; 169.18, subdivision 5; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; and 171.13, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Page 1, lines 29 and 31, after "towed" insert "*, mounted, or semi-mounted*"

Page 2, delete section 2

Page 4, after line 2, insert:

"Sec. 4. Minnesota Statutes 1992, section 169.522, subdivision 1, is amended to read:

Subdivision 1. [DISPLAYING EMBLEM; RULES.] (a) All animal-drawn vehicles, motorized golf carts when operated on designated roadways pursuant to section 169.045, implements of husbandry *with load*, and other machinery, including all road construction machinery, which are designed for operation at a speed of 25 miles per hour or less shall display a triangular slow-moving vehicle emblem, except (1) when being used in actual construction and maintenance work and traveling within the limits of a construction area which is marked in accordance with requirements of the manual of uniform traffic control devices, as set forth in section 169.06, or (2) for a *towed implement of husbandry that is empty and that is not self-propelled, in which case it may be towed at lawful speeds greater than 25 miles per hour without removing the slow moving vehicle emblem*. The emblem shall consist of a fluorescent yellow-orange triangle with a dark red reflective border and be mounted so as to be visible from a distance of not less than 600 feet to the rear. When a primary power unit towing an implement of husbandry or other machinery displays a slow-moving vehicle emblem visible from a distance of 600 feet to the rear, it shall not be necessary to display a similar emblem on the secondary unit. After January 1, 1975, all slow-moving vehicle emblems sold in this state shall be so designed that when properly mounted they are visible from a distance of not less than 600 feet to the rear when directly in front of lawful lower beam of head lamps on a motor vehicle. The commissioner of public safety shall adopt standards and specifications for the design and position of mounting the slow-moving vehicle emblem. Such standards and specifications shall be adopted by rule in accordance with the administrative procedure act. A violation of this section shall not be admissible evidence in any civil cause of action arising prior to January 1, 1970.

(b) An alternate slow-moving vehicle emblem consisting of a dull black triangle with a white reflective border may be used after obtaining a permit from the commissioner under rules of the commissioner. A person with a permit to use an alternate slow-moving vehicle emblem must:

(1) carry in the vehicle a regular slow-moving vehicle emblem and display the emblem when operating a vehicle between sunset and sunrise, and at any other time when visibility is impaired by weather, smoke, fog, or other conditions; and

(2) permanently affix to the rear of the slow-moving vehicle at least 72 square inches of reflective tape that reflects the color red.

Sec. 5. Minnesota Statutes 1992, section 169.522, subdivision 2, is amended to read:

Subd. 2. [PROHIBITION ON USE.] The use of this emblem shall be restricted to the slow moving vehicles specified in subdivision 1 and its use on any other type of vehicle or stationary object on the highway is prohibited, *except that the emblem may be displayed on a towed implement of husbandry that is without load and not self-propelled, in which case it may be transported at lawful speeds greater than 25 miles per hour.*

Page 4, line 18, strike "a white or" and insert "an" and after "light" insert "or reflector" and delete "or"

Page 4, line 19, delete "amber" and after "light" insert "or reflector"

Page 4, line 22, after "reflectors" insert "*and a detachable flashing amber light approved by the commissioner of public safety*"

Page 6, line 29, delete "owned" and insert "used"

Page 6, line 31, delete "owner" and insert "user"

Page 13, line 2, delete everything after "farmer"

Page 13, delete lines 3 to 5

Page 13, line 6, delete everything before the period

Page 17, line 27, delete "(1)"

Page 17, line 28, delete ", and (2)" and insert a period

Page 17, delete line 29

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 3, delete from "reducing" through page 1, line 5, to "hour;"

Page 1, line 11, delete "169.145;"

Page 1, line 12, after the second semicolon, insert "169.522, subdivisions 1 and 2;"

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 709, 1418, 453, 896, 814, 1367, 1114, 332, 918 and 551 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. No. 79 was read the second time.

**MOTIONS AND RESOLUTIONS – CONTINUED**

Mr. Solon moved that H.F. No. 882, No. 102 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Neuville moved that S.F. No. 955, No. 116 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Betzold moved that S.F. No. 453 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Merriam introduced—

S.F. No. 1540: A bill for an act relating to state lands; correcting the legal description of state land to be sold to Anoka county; amending Laws 1989, chapter 150, section 6.

Referred to the Committee on Environment and Natural Resources.

Messrs. Vickerman, Beckman, Solon, Neuville and Benson, D.D. introduced—

S.F. No. 1541: A bill for an act relating to corrections; changing inmate classification in jails; amending Minnesota Statutes 1992, section 641.14.

Referred to the Committee on Crime Prevention.

Mr. Murphy introduced—

S.F. No. 1542: A bill for an act relating to Goodhue county; authorizing the county to establish a county redevelopment authority with certain powers.

Referred to the Committee on Metropolitan and Local Government.

Mr. Metzen introduced—

S.F. No. 1543: A bill for an act relating to insurance; automobile; regulating commercial automobile insurance coverage; prohibiting the use of certain information by insurers; amending Minnesota Statutes 1992, section 72A.20, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Samuelson, Pogemiller, Hottinger and Ms. Pappas introduced—

S.F. No. 1544: A bill for an act relating to human services; establishing an information center for traumatic injury; requiring a study of medical education and continuing medical education requirements related to treatment of persons with traumatic brain injury and traumatic spinal cord injury; appropriating money; amending Minnesota Statutes 1992, section 171.29, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268.

Referred to the Committee on Health Care.

Messrs. Mondale, Merriam and Morse introduced—

S.F. No. 1545: A bill for an act relating to the environment; appropriating money from the metropolitan landfill contingency trust fund to the commissioner of the pollution control agency for reimbursement to the city of Hopkins for remediation of methane at the city landfill; amending Laws 1991, chapter 182, section 7.

Referred to the Committee on Environment and Natural Resources.

Messrs. Chandler, Johnson, D.J.; Price; Meses. Pappas and Krentz introduced—

S.F. No. 1546: A bill for an act relating to financing and operation of government in Minnesota; changing property tax classifications and class rates; modifying the property tax refund for homeowners and renters; restructuring various state aids; changing the local government aid formula; providing state financing of court administrators; providing for three property tax installment payments; allowing cities to impose certain service charges on certain tax exempt property; eliminating the local government trust fund; appropriating money; amending Minnesota Statutes 1992, sections 43A.02, subdivision 25; 43A.24, subdivision 2; 97A.065, subdivision 2; 124.226, subdivision 1; 124A.23, subdivision 1; 145A.13, subdivision 2; 256E.06, subdivisions 5 and 12; 273.1316, subdivisions 1, 6, and 7; 273.1381; 273.1392; 274.19, subdivision 3; 275.065, subdivision 3; 275.07, subdivision 1; 275.08, subdivision 1b; 276.04, subdivision 3; 276.09; 276.10; 276.11; 276.111; 278.03; 278.05, subdivision 5; 279.01, by adding subdivisions; 289A.18, subdivision 5; 289A.56, subdivision 6; 290A.01; 290A.03, subdivisions 6 and 13; 290A.04, subdivision 2; 290A.07; 290A.23; 297A.44, subdivision 1; 299D.03, subdivision 5; 466.01, subdivision 6; 477A.011, subdivisions 1a, 20, 25, and by adding subdivisions; 477A.012, by adding a subdivision; 477A.013, subdivisions 1 and 2; 477A.014, subdivisions 1 and 3; 477A.03, subdivision 1; 480.181, subdivision 1; 485.01; 485.018, subdivisions 2a, 5, and 6; 485.021; 487.31, subdivision 1; 487.32, subdivision 3; and 574.34, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 257; 273; 275; 429; and 477A; repealing Minnesota Statutes 1992, sections 16A.711; 16A.712; 256E.06, subdivision 2; 273.124; 273.13; 273.1398; 275.07, subdivision 3; 275.08, subdivisions 1c and 1d; 279.01, subdivisions 1 and 3; 290A.04, subdivisions 2a, 2b, 2h, and 2i; 290A.23, subdivision 2; 297A.44, subdivision 4; 297B.09, subdivision 3; 477A.011, subdivisions 1b, 15, 16, 17, 18, 19, 22, 23, 28, and 29; 477A.012; 477A.013, subdivisions 3, 5, and 6; 477A.0132, subdivisions 1, 2, and 3; 477A.014, subdivision 1a; 485.018, subdivisions 1, 2, 4, and 8; 485.03; 485.05; and 485.11.

Referred to the Committee on Taxes and Tax Laws. Ms. Flynn questioned the reference thereon and; under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Lessard, Hottinger, Neuville, Day and Johnson, D.J. introduced—

S.F. No. 1547: A bill for an act relating to taxation; revising rebate, penalty, notification, and publication provisions in the unfair cigarette sales act; amending Minnesota Statutes 1992, sections 325D.33, subdivision 3, and by adding a subdivision; 325D.37, subdivision 3; proposing coding for new law

in Minnesota Statutes, chapter 325D; repealing Minnesota Statutes 1992, section 325D.33, subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin introduced—

S.F. No. 1548: A bill for an act relating to toxic lead cleanup funding; imposing a lead fee; establishing a lead fund; providing for a lead abatement credit; imposing a tax on the wholesale of paint; authorizing rulemaking; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 115C; and 290; proposing coding for new law as Minnesota Statutes, chapter 297E.

Referred to the Committee on Health Care.

Ms. Berglin introduced—

S.F. No. 1549: A bill for an act relating to chemical dependency services; authorizing an alternative services pilot project; setting standards; clarifying the extent of detoxification transportation services; authorizing a detoxification program; appropriating money; amending Minnesota Statutes 1992, sections 254A.17, subdivision 3; and 256I.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 254A.

Referred to the Committee on Health Care.

Ms. Berglin introduced—

S.F. No. 1550: A bill for an act relating to insurance; accident and health; requiring coverage for blood lead tests; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce and Consumer Protection.

Ms. Berglin introduced—

S.F. No. 1551: A bill for an act relating to lead waste disposal; regulating the disposal of residential lead paint waste; authorizing rulemaking; providing for revocation of licenses in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Ms. Berglin introduced—

S.F. No. 1552: A bill for an act relating to community social services; establishing a pilot project of social support services for persons living in certain public high-rise communities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256E.

Referred to the Committee on Family Services.

Ms. Berglin introduced—

S.F. No. 1553: A bill for an act relating to child care; establishing a pilot child care apprenticeship program through the department of human services;

appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256H.

Referred to the Committee on Family Services.

Mr. Pogemiller introduced—

S.F. No. 1554: A bill for an act relating to taxation; authorizing preliminary approval of leasehold cooperative treatment; providing a penalty; amending Minnesota Statutes 1992, section 273.124, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Ms. Anderson, Mr. Luther, Ms. Wiener and Mr. Oliver introduced—

S.F. No. 1555: A bill for an act relating to notaries public; making various technical changes; providing for the appointment and powers of notaries; prescribing penalties; amending Minnesota Statutes 1992, sections 359.01; 359.02; 359.03, subdivisions 1 and 3; 359.04; 359.05; 359.071; and 359.12.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Marty introduced—

S.F. No. 1556: A bill for an act relating to the financing and operation of state government; providing supplemental funding for programs relating to children and families; increasing the working family credit; reducing the amount of certain deductions; changing income tax rates and brackets; appropriating money; amending Minnesota Statutes 1992, sections 256.019; 256.74, subdivision 1; 256B.057, subdivisions 1 and 2; 260.152; 290.01, subdivisions 19a and 19b; 290.06, subdivisions 2c and 2d; 290.0671, subdivision 1; 290.091, subdivisions 1, 2, and 6; 462A.07, by adding a subdivision; and 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Family Services.

Mr. Luther introduced—

S.F. No. 1557: A bill for an act relating to data privacy; eliminating a classification of legislators' telephone records; amending Laws 1989, chapter 335, article 1, section 15, subdivision 3.

Referred to the Committee on Rules and Administration.

### MEMBERS EXCUSED

Mses. Berglin and Pappas were excused from the Session of today. Mrs. Pariseau was excused from the Session of today at 11:35 a.m. Messrs. Johnson, D.E. and Moe, R.D. were excused from the Session of today from 10:00 to 10:30 a.m.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:45 a.m., Wednesday, April 7, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate