

## FORTY-EIGHTH DAY

St. Paul, Minnesota, Saturday, May 1, 1993

The Senate met at 8:30 a.m. and was called to order by the President.

### CALL OF THE SENATE

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

Prayer was offered by Senator Pat Piper.

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

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	Pappas	Stevens
Berglin	Johnson, D.E.	Luther	Pariseau	Stumpf
Bertram	Johnson, D.J.	Marty	Piper	Terwilliger
Betzold	Johnson, J.B.	McGowan	Pogemiller	Vickerman
Chandler	Johnston	Merriam	Price	Wiener
Chmielewski	Kelly	Metzen	Ranum	
Cohen	Kiscaden	Moe, R.D.	Reichgott	
Day	Knutson	Mondale	Riveness	

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 communication was received.

April 29, 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
	507	54	2:58 p.m. April 28	April 28
	1296	55	3:00 p.m. April 28	April 28
	520	56	3:02 p.m. April 28	April 28
	469	57	3:04 p.m. April 28	April 28
	1089	58	3:05 p.m. April 28	April 28
	1074	59	3:07 p.m. April 28	April 28

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 House Files, herewith transmitted: H.F. Nos. 272 and 1178.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1993

### FIRST READING OF HOUSE BILLS

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

H.F. No. 272: A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.46; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.09; 297C.10, subdivision 1; 299A.02; 299A.30; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01; 299C.03; 299C.06; 299C.13; 299C.50; 299F.01; 299F.05, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; and 299A.01; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7.

Referred to the Committee on Finance.

H.F. No. 1178: A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and

regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for classification of certain tax data; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 43A.317, subdivision 5; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.05, subdivision 2, and by adding a subdivision; 62J.09, subdivisions 2, 5, 8, and by adding subdivisions; 62J.15, subdivision 1; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, 7, and 8; 62J.32, subdivision 4; 62J.33; 62J.34, subdivision 2; 62L.02, subdivisions 16, 19, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 2, 3, 4, and 6; 62L.08, subdivisions 4 and 8; 62L.09, subdivision 1; 62L.11, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2, 4, and 5; 136A.1357; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.147, subdivision 4; 144.1484, subdivisions 1 and 2; 144.335, by adding a subdivision; 144.581, subdivision 2; 151.47, subdivision 1; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9352, subdivision 3; 256.9353; 256.9354, subdivisions 1, 4, and 5; 256.9356, subdivisions 1 and 2; 256.9357, subdivision 1; 256.9657, subdivision 3, and by adding a subdivision; 256B.04, subdivision 1; 256B.057, subdivisions 1, 2, and 2a; 256B.0625, subdivision 13; 256D.03, subdivision 3; 270B.01, subdivision 8; 295.50, subdivisions 3, 4, 7, 14, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivisions 1, 3, and by adding a subdivision; 295.54; 295.55, subdivision 4; 295.57; 295.58; 295.59; Laws 1990, chapter 591, article 4, section 9; proposing coding for new law in Minnesota Statutes, chapters 16B; 43A; 62A; 62J; 136A; 144; 151; 256; and 295; proposing coding for new law as Minnesota Statutes, chapters 62N; and 62O; repealing Minnesota Statutes 1992, sections 62J.15, subdivision 2; 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; Laws 1992, chapter 549, article 9, section 19, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 900, 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1450 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.

1450

1476

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1450 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1450 and insert the language after the enacting clause of S.F. No. 1476, delete the title of H.F. No. 1450 and insert the title of S.F. No. 1476.

And when so amended H.F. No. 1450 will be identical to S.F. No. 1476, and further recommends that H.F. No. 1450 be given its second reading and substituted for S.F. No. 1476, and that the Senate File be indefinitely postponed.

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

## SECOND READING OF HOUSE BILLS

H.F. No. 1450 was read the second time.

## MOTIONS AND RESOLUTIONS

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 287 a Special Order to be heard immediately.

## SPECIAL ORDER

H.F. No. 287: A bill for an act relating to waste management; encouraging local government units to use purchasing techniques to reduce waste and develop markets for recycled products; prohibiting burning and burial of harmful materials on farms; defining packaging; prohibiting disposal of unprocessed mixed municipal solid waste; extending the time to construct certain projects with grant money; authorizing counties to count waste reduction toward 1996 recycling goals; providing for county management and service contracts; requiring local government units to separately account for all revenue and spending related to waste management; requiring collectors of commercial waste to disclose where the waste is deposited; prohibiting fluorescent and high intensity discharge lamps in solid waste; clarifying that organized waste collection is one of several tools for cities and counties to use to collect waste; requiring reporting of tipping fee schedules at all waste facilities; requiring owners or operators of waste facilities that are publicly financed to account for charges and expenditures related to the facilities; regulating lamp recycling facilities; requiring electric utilities to encourage use of fluorescent and high intensity discharge lamps and to collect spent lamps; requiring a study of such lamps; extending by one year the solid waste field citation pilot program; providing for the postponement of certain waste collection fees; requiring a certain number of base units for homesteaded multiunit dwellings; clarifying the effects of the repeal of the metropolitan landfill siting process; providing for reports; amending Minnesota Statutes 1992, sections 16B.121; 16B.122, by adding a subdivision; 17.135; 115.071, subdivision 1; 115A.03, by adding a subdivision; 115A.034; 115A.54, subdivision 2a; 115A.5501, subdivision 3; 115A.551, subdivisions 2a and 4; 115A.552, subdivision 2; 115A.557, subdivision 3; 115A.56; 115A.916; 115A.929; 115A.932, subdivision 1; 115A.94, subdivisions 5 and 6; 115A.941; 115A.9651; 115A.981; 116.78, by adding a subdivision; 116.92,

subdivision 7; 216B.241, by adding a subdivision; 325E.1151, subdivision 1; 325E.12; 325E.125, subdivision 1; 325E.1251; 400.04, subdivisions 3 and 4; 400.08, subdivision 3; 473.149, subdivision 6; 473.803, subdivision 3; 473.8441, subdivision 5; 473.846; and 473.848, subdivisions 2 and 3; Laws 1991, chapter 347, article 1, sections 15, subdivisions 1 and 6; and 20; Laws 1992, chapter 593, article 1, section 55; proposing coding for new law in Minnesota Statutes, chapters 115A and 116.

Ms. Johnson, J.B. moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 4, after line 26, insert:

"Sec. 3. Minnesota Statutes 1992, section 16B.123, is amended to read:  
16B.123 [PACKING MATERIALS.]

*Subdivision 1. [REQUIRED USE.] Whenever technically feasible, a public entity shall purchase and use degradable loose foam packing material manufactured from vegetable starches or other renewable resources, unless the cost of the packing material is more than ten percent greater than the cost of packing material made from nonrenewable resources.*

*Subd. 2. [DEFINITION; PACKING MATERIAL.] For the purposes of this section, "packing material" means loose foam material, other than an exterior packaging shell, that is used to stabilize, protect, cushion, or brace the contents of a package.*

*Subd. 3. [PURCHASE OF PACKAGED PRODUCTS.] Whenever practicable, a public entity shall specify use of degradable loose foam packing material in contracting for purchase of packaged products, unless the cost of a product packaged with loose foam packing material is more than ten percent greater than the cost of the product packaged with loose foam packing material made from nonrenewable resources."*

Page 23, after line 25, insert:

"Sec. 33. [116.94] [LOOSE FOAM PACKING MATERIAL; DIFFERENTIATION.]

*(a) By July 1, 1995, the commissioner shall adopt rules to implement a method for easily and visually differentiating between packing material that is manufactured using only vegetable starches or other renewable resources and packing material manufactured using petroleum and other nonrenewable resources.*

*(b) For the purposes of this section "packing material" has the meaning given in section 16B.123, subdivision 2.*

*(c) This section applies only if loose foam packing material manufacturers do not establish and implement a differentiation method that complies with paragraph (a) not later than July 1, 1994."*

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mrs. Pariseau moved to amend the Johnson, J.B. amendment to H.F. No. 287 as follows:

Page 1, delete lines 27 to 37

Page 2, delete lines 1 to 4

### CALL OF THE SENATE

Ms. Johnson, J.B. imposed a call of the Senate for the balance of the proceedings on H.F. No. 287. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Pariseau amendment to the Johnson, J.B. amendment.

The roll was called, and there were yeas 11 and nays 46, as follows:

Those who voted in the affirmative were:

Benson, D.D.	Larson	Oliver	Runbeck	Stevens
Benson, J.E.	Lessard	Pariseau	Samuelson	Terwilliger
Johnston				

Those who voted in the negative were:

Adkins	Dille	Knutson	Morse	Robertson
Anderson	Finn	Krentz	Murphy	Sams
Berg	Flynn	Langseth	Neuville	Spear
Berglin	Frederickson	Lesewski	Novak	Stumpf
Bertram	Hanson	Luther	Olson	Vickerman
Betzold	Hottinger	Marty	Pappas	Wiener
Chandler	Janezich	Merriam	Piper	
Chmielewski	Johnson, D.J.	Metzen	Price	
Cohen	Johnson, J.B.	Moe, R.D.	Ranum	
Day	Kiscaden	Mondale	Riveness	

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

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

Mr. Lessard moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 2, after line 2, insert:

“Section 1. [8.35] [USE OF STATE FUNDS TO INVESTIGATE ENVIRONMENTAL VIOLATIONS.]

*The attorney general may not use state funds to investigate violations of chapter 115 or 116 or section 609.671 unless:*

*(1) the attorney general has developed a written policy in consultation with the commissioner of the pollution control agency regarding how these investigations are to be conducted; and*

*(2) the investigation is conducted in accordance with the policy.”*

Page 27, after line 24, insert:

“Sec. 40. Minnesota Statutes 1992, section 609.671, subdivision 5, is amended to read:

Subd. 5. [HAZARDOUS WASTE; UNLAWFUL TREATMENT, STOR-

AGE, TRANSPORTATION, OR DELIVERY.] (a) *Except as provided in paragraph (b), a person is guilty of a felony who knowingly does any of the following:*

(1) delivers hazardous waste to any person other than a person who is authorized to receive the waste under rules adopted under section 116.07, subdivision 4, or under United States Code, title 42, sections 6921 to 6938;

(2) treats or stores hazardous waste without a permit if a permit is required, or in violation of a material term or condition of a permit held by the person, unless:

(i) the person notifies the agency prior to the time a permit would be required that the person will be treating or storing waste without a permit; or

(ii) for a violation of a material term or condition of a permit, the person immediately notifies the agency issuing the permit of the circumstances of the violation as soon as the person becomes aware of the violation;

(3) transports hazardous waste to any location other than a facility that is authorized to receive, treat, store, or dispose of the hazardous waste under rules adopted under section 116.07, subdivision 4, or under United States Code, title 42, sections 6921 to 6938;

(4) transports hazardous waste without a manifest as required by the rules under sections 116.07, subdivision 4, and 221.172; or

(5) transports hazardous waste without a license required for the transportation of hazardous waste by chapter 221.

(b) *Notwithstanding section 609.05, a person who generates hazardous waste and violates clause (4) or (5) of this subdivision by arranging for the transportation of the waste with a waste hauler who is not licensed for the transportation of hazardous waste or is transporting the waste without a manifest is guilty of a misdemeanor, unless:*

(1) *the person has previously been found guilty of violating this subdivision;*  
*or*

(2) *the violation results in damage to the environment or to public health.*

(c) *A person convicted of a felony under this subdivision may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$25,000, or both. A person convicted for a second or subsequent felony offense may be sentenced to imprisonment for not more than five years, or to payment of a fine of not more than \$50,000, or both."*

Page 31, line 17, before "Section" insert "Section 1 is effective December 31, 1993."

Page 31, line 23, after the period, insert "Section 40 is effective retroactively to August 1, 1992, and applies to violations occurring on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 41, delete the second "and" and after the second semicolon, insert "and 609.671, subdivision 5;"

Page 1, line 45, after "chapters" insert "8;"

The motion prevailed. So the amendment was adopted.

Mr. Stumpf moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 6, line 18, delete "1995" and insert "1996"

The motion prevailed. So the amendment was adopted.

Mr. Dille moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 31, after line 12, insert:

**"Sec. 48. [PENALTIES FOR ENVIRONMENTAL VIOLATIONS; LIST; REPORT.]**

*(a) The attorney general shall compile a complete list of existing civil and criminal penalties for violations of laws and rules administered by the pollution control agency.*

*(b) The commissioner of the pollution control agency shall prepare a report that includes:*

*(1) an evaluation of the appropriateness of the penalties listed under paragraph (a); and*

*(2) recommendations for changes, including proposed legislation.*

*(c) The list and report must be submitted by February 1, 1994, to the senate and house of representatives committees on environment and natural resources, the senate committee on crime prevention, and the house of representatives committee on judiciary."*

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 27, after the semicolon, insert "requiring a report on environmental violations;"

The motion prevailed. So the amendment was adopted.

Ms. Johnson, J.B. moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 23, line 21, after "recycling" insert "that is"

Page 24, delete lines 1 to 8

Page 24, line 9, delete "(c)" and insert "(b)"

Page 24, line 13, delete "(d)" and insert "(c)"

Page 24, line 23, delete "(e)" and insert "(d)"

Page 24, line 28, delete "(f)" and insert "(e)"



Page 31, line 18, delete everything after the period

Page 31, line 19, delete everything before "Section"

Page 31, line 21, delete ", 30,"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "expanding requirements for state purchases of products containing postconsumer material; expanding provisions relating to recycling;"

Page 1, line 5, after the semicolon, insert "requiring state recycling of fluorescent lamps;"

Page 1, line 16, delete "requiring"

Page 1, line 17, delete everything before "requiring"

Page 1, line 21, after the semicolon, insert "clarifying liability for generators of waste lamps; allowing insurance as proof of financial responsibility for solid waste disposal facilities; regulating lamp recycling facilities;"

Page 1, line 22, delete everything before "to" and insert "authorizing programs"

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 4, line 9, delete "weight" and insert "fiber content"

The motion prevailed. So the amendment was adopted.

Mr. Mondale moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 15, line 29, after the comma, insert "*hexavalent chromium in the form of chromine acid when processed at a temperature of at least 750 degrees Fahrenheit*,"

The motion prevailed. So the amendment was adopted.

Ms. Johnson, J.B. moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 6, after line 16, insert:

"Sec. 9. Minnesota Statutes 1992, section 115A.072, subdivision 2, is amended to read:

Subd. 2. [OFFICE DUTIES.] In addition to its general duties established in subdivision 1, the office shall:

(1) develop a statewide waste management public education campaign with materials that may be easily adapted by political subdivisions to meet their

program needs and that, in addition to general waste management concerns, addresses reduction, reuse, recycling, recycled content, composting, resource recovery, and disposal of packaging materials by consumers and others, including informing consumers of their right to remove unwanted packaging at the point of sale and to leave it with the seller, keeping in mind preservation of the safety and sanitation of the seller's establishment; and

(2) develop and make available to schools educational curricula on waste education for grades kindergarten to 12 to address at least waste reduction, reuse, recycling, litter, and proper management and disposal of problem materials; and

(3) inform consumers, after consultation with the commissioner of the agency and the department of natural resources, of the environmental consequences of burning solid waste materials outside of incinerators designed and permitted to burn solid waste and of on-site burial of solid waste.

Sec. 10. [115A.0721] [GOVERNOR'S AWARD; PACKAGING.]

*The governor may issue annual awards in the form of commendations for excellence in producing, selling, reusing, reducing, or recycling packaging in an environmentally sound manner.*

Sec. 11. Minnesota Statutes 1992, section 115A.12, subdivision 1, is amended to read:

Subdivision 1. [SOLID AND HAZARDOUS WASTE MANAGEMENT.]

(a) The director shall establish a solid waste management advisory council, a hazardous waste management planning council, and a market development coordinating council, and a packaging advisory council, that are broadly representative of the geographic areas and interests of the state.

(b) The solid waste council shall have not less than nine nor more than 21 members. The membership of the solid waste council shall consist of one-third citizen representatives, one-third representatives from local government units, and one-third representatives from private solid waste management firms. The solid waste council shall contain at least three members experienced in the private recycling industry and at least one member experienced in each of the following areas: state and municipal finance; solid waste collection, processing, and disposal; and solid waste reduction and resource recovery.

(c) The hazardous waste council shall have not less than nine nor more than 18 members. The membership of the hazardous waste advisory council shall consist of one-third citizen representatives, one-third representatives from local government units, and one-third representatives of hazardous waste generators and private hazardous waste management firms.

(d) The market development coordinating council shall have not less than nine nor more than 18 members and shall consist of one representative from the department of trade and economic development, the department of administration, the pollution control agency, Minnesota Technology, Inc., the metropolitan council, and the legislative commission on waste management. The other members shall represent local government units, private recycling markets, and private recycling collectors. The market development coordinating council expires June 30, 1994.

(e) *The packaging advisory council shall have not less than ten or more than 18 members. The membership of the packaging advisory council must consist of one-third representatives of environmental organizations, one-third representatives of the public sector, and one-third representatives of industry. Three members must have packaging expertise and three members must have technical solid waste expertise. The packaging advisory council expires June 30, 1998.*

(f) *The chairs of the advisory councils shall be appointed by the director. The director shall provide administrative and staff services for the advisory councils. The advisory councils shall have such duties as are assigned by law or the director. The solid waste advisory council shall make recommendations to the office on its solid waste management activities. The hazardous waste advisory council shall make recommendations to the office on its activities under sections 115A.08, 115A.09, 115A.10, 115A.11, 115A.20, 115A.21, and 115A.24. Members of the advisory councils shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the director. The solid waste management advisory council and the hazardous waste management planning council expire June 30, 1994.*

Sec. 12. Minnesota Statutes 1992, section 115A.12, is amended by adding a subdivision to read:

*Subd. 3. [PACKAGING ADVISORY COUNCIL; DUTIES; REPORTS.]*

(a) *The packaging advisory council shall:*

(1) *advise the director on a recommended system of classifications for packaging materials that contribute more than an insignificant amount to the waste stream;*

(2) *advise the director on standard procedures for measuring the amount of packaging in the waste stream, the environmental consequences of processing and disposal of the various classifications of packaging materials, and progress toward meeting the goal established in section 115A.5501;*

(3) *develop economic guidelines for counties, cities, and towns to indicate when a jurisdiction should add to its recycling program the collection and processing of a specific classification of packaging material or when an exemption is appropriate based on local conditions;*

(4) *advise the director, by December 1, 1993, on recommended recycling goals for each packaging classification, a schedule for achieving the goals, who should have responsibility for achieving the goals, methods to achieve the goals, including innovative collection and processing systems, how to pay the costs of achieving the goals, criteria and procedures for exemptions from the goals, and ways to balance the supply of and demand for recyclable packaging materials while minimizing public subsidization;*

(5) *advise the director on a recommended low recycling penalty for each packaging material classification that fails to meet its recycling goal, including structural details of the penalty; and*

(6) *report to the director a comprehensive range of additional public policies and private activities that might encourage maximum reduction in the amount of and environmental risks associated with the production and use of packaging.*

*(b) The director shall submit to the appropriate legislative committees the following reports:*

*(1) by January 15, 1994, an interim progress report on the packaging advisory council's activities; and*

*(2) by January 15, 1995, a final report on the results of the council's activities."*

Page 9, after line 4, insert:

"Sec. 16. Minnesota Statutes 1992, section 115A.5501, subdivision 4, is amended to read:

Subd. 4. [REPORT REPORTS.] (a) The director shall apply the statewide percentage determined under subdivision 2 to the aggregate amount of solid waste determined under subdivision 3 to determine the amount of packaging in the waste stream. By July 1, 1994, the director shall submit to the legislative commission on waste management an analysis of progress made toward meeting the packaging reduction goal in subdivision 1. By July 1, 1996, the director shall submit to the legislative commission on waste management an analysis of the extent to which the waste packaging reduction goal in subdivision 1 has been met. In determining whether the goal has been met, the margin of error must be applied in favor of meeting the goal.

*(b) By July 1 of each even-numbered year, the director shall report to the legislative commission on waste management on the progress made toward the production and use of environmentally sound packaging. In 1994 and 1996, this report must be combined with the reports required in paragraph (a)."*

Page 31, after line 12, insert:

"Sec. 53. [REPORT; TOXICS IN PACKAGING.]

*By August 1, 1994, the commissioner of the pollution control agency shall submit to the legislative commission on waste management a report that analyzes compliance with Minnesota Statutes, section 115A.965, and may recommend legislative action, including additions to the list of toxics prohibited from packaging under that section.*

Sec. 54. [ENVIRONMENTAL BURDEN FEE; REPORT.]

*By November 1, 1995, the director of the office of waste management, after consultation with the commissioners of revenue and the pollution control agency, the packaging advisory council established under Minnesota Statutes, section 115A.12, subdivision 1, and other interested parties, shall recommend to the legislative commission on waste management a mechanism for imposition and collection of a fee on packaging that poses significant harmful environmental consequences when it is processed or disposed as solid waste. The fee must be set at a level that will cover the costs of the harmful environmental consequences or the costs of separate management of the waste packaging."*

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. then moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 14, after line 35, insert:

“Sec. 23. [115A.9523] [HAZARDOUS PRODUCTS; LABELING.]

*Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.*

*(b) “Hazardous product” means a product that, as a product or when it becomes a waste, exhibits a hazardous characteristic of ignitability, corrosivity, reactivity, or toxicity, or any combination of these characteristics, as defined and listed under the criteria in Code of Federal Regulations, title 40, sections 261.20 to 261.24. “Hazardous product” does not include:*

*(1) a pesticide that is registered under chapter 18B;*

*(2) a product that is required to be labeled for proper waste management under other state or federal law;*

*(3) a battery that complies with sections 115A.961 and 325E.125 as applicable to the battery; or*

*(4) a prescription drug.*

*(c) “Product” means tangible personal property that is manufactured or imported for retail sale or use in this state. “Product” does not include a durable good with an expected useful life of three years or more.*

*Subd. 2. [UNIFORM LABEL.] The director shall adopt a rule to establish a uniform label for hazardous products that must include at least a warning that, as waste, the product contains a hazardous material that can harm the environment if not properly managed and information for proper management or disposal of the waste product.*

*Subd. 3. [LABEL; REQUIRED USE.] After January 1, 1996, a manufacturer may not knowingly offer a hazardous product for distribution, sale, or use in this state unless the product is labeled, on the product itself or on the container that remains with the product during its useful life, with the label adopted under subdivision 2. This subdivision is not effective if the federal government adopts and implements uniform labeling of hazardous products by January 1, 1996, and if the label required both warns of the presence of hazardous material and informs of proper management of the product as waste. For the purposes of this subdivision, a retailer or a distributor is not a manufacturer and is not subject to the requirements of this section.”*

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 16, after the semicolon, insert “requiring labeling of hazardous products;”

Mr. Merriam moved to amend the Johnson, J.B. amendment to H.F. No. 287 as follows:

Page 1, lines 35 and 36, delete “that remains with the product during its useful life”

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

Mr. Neuville moved to amend the Johnson, J.B. amendment to H.F. No. 287 as follows:

Page 1, line 32, delete "1996" and insert "2000"

Page 2, line 2, delete "1996" and insert "2000"

The question was taken on the adoption of the Neuville amendment to the Johnson, J.B. amendment.

The roll was called, and there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Laidig	Neuville	Samuelson
Beckman	Frederickson	Langseth	Novak	Solon
Belanger	Hanson	Larson	Oliver	Stevens
Benson, D.D.	Johnston	Lesewski	Olson	Stumpf
Benson, J.E.	Kelly	Lessard	Pariseau	Terwilliger
Berg	Kiscaden	McGowan	Robertson	Vickerman
Bertram	Knutson	Metzen	Runbeck	
Day	Kroening	Murphy	Sams	

Those who voted in the negative were:

Anderson	Finn	Krentz	Morse	Riveness
Berglin	Flynn	Luther	Pappas	Spear
Betzold	Hottinger	Marty	Piper	Wiener
Chandler	Janezich	Merriam	Price	
Chmielewski	Johnson, D.J.	Moe, R.D.	Ranum	
Cohen	Johnson, J.B.	Mondale	Reichgott	

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

The question recurred on the Johnson, J.B. amendment, as amended.

The roll was called, and there were yeas 42 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kroening	Murphy	Robertson
Benson, D.D.	Frederickson	Laidig	Neuville	Sams
Benson, J.E.	Hottinger	Luther	Novak	Samuelson
Berglin	Janezich	Marty	Pappas	Spear
Betzold	Johnson, D.J.	McGowan	Piper	Terwilliger
Chandler	Johnson, J.B.	Merriam	Price	Wiener
Chmielewski	Kelly	Moe, R.D.	Ranum	
Cohen	Kiscaden	Mondale	Reichgott	
Finn	Krentz	Morse	Riveness	

Those who voted in the negative were:

Adkins	Day	Langseth	Oliver	Stevens
Beckman	Dille	Larson	Olson	Stumpf
Belanger	Hanson	Lesewski	Pariseau	Vickerman
Berg	Johnston	Lessard	Runbeck	
Bertram	Knutson	Metzen	Solon	

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

Ms. Runbeck moved to amend the Johnson, J.B. amendment to H.F. No. 287, adopted by the Senate May 1, 1993, as follows:

Page 1, lines 32 and 34, after "manufactured" insert "in this state"

Page 2, line 2, after "manufacturers" insert "in this state"

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

Mr. Lessard moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 14, line 19, after "city" insert a comma and after "town" insert "*described in section 368.01,*"

Page 14, line 20, after "of" insert "*1,000 or more, and any other town with a population of*" and reinstate the stricken "*5,000*" and delete "*1,000*"

Page 14, line 27, strike "with a population of" and delete "*1,000*" and strike "or more" and insert "*described in paragraph (a)*"

The motion prevailed. So the amendment was adopted.

Ms. Runbeck moved to amend H.F. No. 287, as amended pursuant to Rule 49, adopted by the Senate April 29, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 271.)

Page 5, after line 18, insert:

"Sec. 5. [43A.325] [EARTH DAY ACTIVITIES.]

*Each agency shall allow up to ten percent of its employees time off from work, without penalty or deduction from salary or wages, to take part as representatives of the agency in earth day activities officially recognized by the local governmental unit in which the agency's owned or leased work facilities are located."*

ReNUMBER the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, after the first semicolon, insert "requiring state agencies to allow employees time off from work to take part in earth day activities;"

Page 1, line 45, after "chapters" insert "43A;"

The motion prevailed. So the amendment was adopted.

H.F. No. 287 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 60 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Berg, Day, Dille and Larson voted in the negative.

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1199 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 1199: A bill for an act relating to state government; the legislative commission on employee relations; modifying provisions relating to certain plans; ratifying certain salaries and a bargaining agreement; requiring certain documents; amending Minnesota Statutes 1992, sections 15A.083, subdivision 4; 43A.18, subdivision 4; and 179A.04, subdivision 3; repealing Minnesota Statutes 1992, section 43A.24, subdivision 3.

Mr. Metzen moved to amend H.F. No. 1199, as amended pursuant to Rule 49, adopted by the Senate April 30, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 1076.)

Page 6, delete section 7

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. 1199 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 53 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 53: A bill for an act relating to labor; regulating employment of children; establishing a child labor curfew; providing penalties; amending Minnesota Statutes 1992, sections 181A.04, by adding a subdivision; and 181A.12, subdivision 1.



## CALL OF THE SENATE

Mr. Price imposed a call of the Senate for the balance of the proceedings on S.F. No. 53. The Sergeant at Arms was instructed to bring in the absent members.

Ms. Olson moved to amend S.F. No. 53 as follows:

Page 1, line 11, delete "*unless the student has*"

Page 1, delete line 12

Page 1, line 13, delete everything before "*on*"

Page 1, line 16, after the period, insert "*This subdivision does not apply to a high school student who supplies the employer with a note from a parent or guardian of the student authorizing the student to work after 11:00 p.m. on an evening before a school day or before 5:00 a.m. on a school day.*"

Page 2, line 23, delete from "*unless*" through page 2, line 26, to "*p.m.*"

Page 2, line 28, after "*student*" insert "*who has supplied the employer with a note from a parent or guardian of the student authorizing the student to work after 11:00 p.m. on an evening before a school day or before 5:00 a.m. on a school day or a student*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

Belanger	Dille	Knutson	Neuville	Sams
Benson, D.D.	Finn	Laidig	Oliver	Solon
Benson, J.E.	Hottinger	Langseth	Olson	Stevens
Berg	Janezich	Larson	Pariseau	Stumpf
Bertram	Johnson, D.E.	Lesewski	Pogemiller	Terwilliger
Chmielewski	Johnston	Lessard	Robertson	Vickerman
Day	Kiscaden	McGowan	Runbeck	Wiener

Those who voted in the negative were:

Adkins	Cohen	Kroening	Mondale	Price
Anderson	Flynn	Luther	Morse	Ranum
Beckman	Johnson, D.J.	Marty	Murphy	Reichgott
Berglin	Johnson, J.B.	Merriam	Novak	Spear
Betzold	Kelly	Metzen	Pappas	
Chandler	Krentz	Moe, R.D.	Piper	

The motion prevailed. So the amendment was adopted.

Ms. Runbeck moved to amend S.F. No. 53 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1992, section 128C.02, is amended by adding a subdivision to read:

*Subd. 7. [RULES FOR STUDENT ACTIVITIES.] The league shall adopt rules ensuring that student participation in league events are consistent with the standards applied to other students under section 181A.04, subdivision 6."*

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Benson, D.D.	Flynn	Lesewski	Moe, R.D.	Pariseau
Benson, J.E.	Hanson	Luther	Neuville	Robertson
Berglin	Johnston	Marty	Oliver	Runbeck
Betzold	Kelly	McGowan	Olson	Spear
Dille	Kiscaden	Merriam	Pappas	Stevens

Those who voted in the negative were:

Adkins	Day	Krentz	Novak	Stumpf
Anderson	Finn	Kroening	Piper	Terwilliger
Beckman	Hottinger	Laidig	Pogemiller	Vickerman
Belanger	Janezich	Lessard	Price	Wiener
Bertram	Johnson, D.E.	Metzen	Ranum	
Chandler	Johnson, D.J.	Mondale	Reichgott	
Chmielewski	Johnson, J.B.	Morse	Sams	
Cohen	Knutson	Murphy	Solon	

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

Mr. Merriam moved to amend S.F. No. 53 as follows:

Page 1, line 19, delete everything after "education"

Page 1, line 20, delete everything before "or"

Page 2, line 30, delete everything after "education"

Page 2, line 31, delete everything before "or"

The motion prevailed. So the amendment was adopted.

S.F. No. 53 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 34 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kroening	Morse	Ranum
Beckman	Hanson	Lessard	Murphy	Reichgott
Belanger	Hottinger	Luther	Neuville	Solon
Berglin	Johnson, D.J.	Marty	Novak	Spear
Betzold	Johnson, J.B.	Merriam	Pappas	Stumpf
Chandler	Kelly	Metzen	Piper	Wiener
Cohen	Krentz	Mondale	Price	

Those who voted in the negative were:

Adkins	Day	Kiscaden	McGowan	Robertson
Benson, D.D.	Dille	Knutson	Moe, R.D.	Runbeck
Benson, J.E.	Finn	Laidig	Oliver	Sams
Berg	Janezich	Langseth	Olson	Stevens
Bertram	Johnson, D.E.	Larson	Pariseau	Terwilliger
Chmielewski	Johnston	Lesewski	Pogemiller	Vickerman

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 869 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 869: A bill for an act relating to natural resources; providing for the prevention and suppression of wildfires; providing penalties; amending Minnesota Statutes 1992, sections 88.01, subdivisions 2, 6, 8, 15, 23, and by adding subdivisions; 88.02; 88.03; 88.04; 88.041; 88.05; 88.06; 88.065; 88.067; 88.08; 88.09, subdivision 2; 88.10; 88.11, subdivision 2; 88.12; 88.14; 88.15; 88.16; 88.17, subdivision 1, and by adding a subdivision; 88.18; and 88.22; proposing coding for new law in Minnesota Statutes, chapter 88; repealing Minnesota Statutes 1992, sections 88.17, subdivision 2; and 88.19; and Laws 1992, chapter 556, sections 10 and 11.

Mr. Chmielewski moved to amend S.F. No. 869 as follows:

Page 18, line 14, before "A" insert "(a)"

Page 18, line 17, after "under" insert "paragraph (b) or"

Page 18, after line 18, insert:

*"(b) A county may allow a resident to conduct open burning of material described in paragraph (a) that is generated from the resident's household if the county board by resolution determines that regularly scheduled pickup of the material is not reasonably available to the resident."*

The motion prevailed. So the amendment was adopted.

S.F. No. 869 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 50 and nays 10, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Kiscaden	Metzen	Pariseau
Beckman	Finn	Knutson	Moe, R.D.	Pogemiller
Belanger	Flynn	Kroening	Mondale	Reichgott
Benson, D.D.	Hanson	Laidig	Morse	Robertson
Benson, J.E.	Hottinger	Langseth	Murphy	Runbeck
Berg	Janezich	Larson	Neuville	Sams
Bertram	Johnson, D.E.	Lesewski	Novak	Stevens
Chmielewski	Johnson, D.J.	Lessard	Oliver	Stumpf
Cohen	Johnston	Luther	Olson	Terwilliger
Day	Kelly	McGowan	Pappas	Vickerman

Those who voted in the negative were:

Anderson	Betzold	Johnson, J.B.	Marty	Ranum
Berglin	Chandler	Krentz	Merriam	Wiener

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 139 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 139: A bill for an act relating to the town of Santiago; authorizing the establishment of a detached banking facility.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 43 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 43: A bill for an act relating to transportation; allocating funding for town bridges replaced by culverts when replacement does not exceed \$20,000; amending Minnesota Statutes 1992, section 161.082, subdivision 2a.

Mr. Vickerman moved to amend H.F. No. 43, as amended pursuant to Rule 49, adopted by the Senate April 27, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 773.)

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 160.80, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER MAY ESTABLISH PROGRAM.] (a) The commissioner of transportation may establish a sign franchise program for the purpose of providing on the right-of-way of interstate and controlled-access trunk highways specific information on gas, food, camping, and lodging, for the benefit of the motoring public.

(b) *The sign franchise program must include urban interstate highways. The commissioner may implement policies that apply only to signs on interstate highways in urban areas, such as distance requirements from the interstate for eligible services, priority issues, and mixing of service logos.*"

Page 1, line 7, delete "Section 1" and insert "Sec. 2"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "regulating the sign franchise program;"

Page 1, line 5, delete "section" and insert "sections 160.80, subdivision 1; and"

The motion prevailed. So the amendment was adopted.

H.F. No. 43 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 131 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 131: A bill for an act relating to motor carriers; restricting authority of regular route common carriers of passengers to depart from their authorized routes; amending Minnesota Statutes 1992, section 221.051.

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 47 and nays 10, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Kroening	Oliver	Samuelson
Anderson	Flynn	Laidig	Olson	Solon
Beckman	Hanson	Langseth	Pappas	Stevens
Belanger	Hottinger	Larson	Pariseau	Stumpf
Benson, D.D.	Janezich	Lesewski	Piper	Terwilliger
Benson, J.E.	Johnson, D.J.	Lessard	Pogemiller	Vickerman
Berglin	Johnston	Metzen	Reichgott	Wiener
Bertram	Kiscaden	Moe, R.D.	Robertson	
Day	Knutson	Murphy	Runbeck	
Dille	Krentz	Neuville	Sams	

Those who voted in the negative were:

Betzold	Johnson, J.B.	Marty	Morse	Ranum
Chandler	Luther	Merriam	Price	Spear

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and

Administration, designated S.F. No. 1367 a Special Order to be heard immediately.

### SPECIAL ORDER

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.

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 41 and nays 19, as follows:

Those who voted in the affirmative were:

Adkins	Hanson	Kroening	Morse	Runbeck
Anderson	Hottinger	Laidig	Murphy	Samuelson
Belanger	Janezich	Langseth	Novak	Solon
Berglin	Johnson, D.E.	Luther	Pappas	Spear
Betzold	Johnson, D.J.	Marty	Pogemiller	Wiener
Chandler	Johnson, J.B.	Merriam	Price	
Cohen	Johnston	Metzen	Ranum	
Finn	Knutson	Moe, R.D.	Reichgott	
Flynn	Krentz	Mondale	Robertson	

Those who voted in the negative were:

Benson, D.D.	Chmielewski	Larson	Olson	Stumpf
Benson, J.E.	Day	Lesewski	Pariseau	Terwilliger
Berg	Dille	Neuville	Sams	Vickerman
Bertram	Kiscaden	Oliver	Stevens	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 693 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 693: A bill for an act relating to natural resources; clarifying, modifying, and expanding rulemaking authority and other powers and duties of the commissioner of natural resources relating to game and fish, wild rice, stromatolites, and cross-country ski passes; clarifying, modifying, and expanding provisions relating to the taking, purchase, sale, possession, and transportation of wild animals; regulating entry and uses on certain public lands and waters; providing for the expiration of certain commissioner's orders; providing an exemption from rulemaking requirements; authorizing emergency rules; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 84.14, subdivision 3; 84.1525, subdivision 2; 85.41, subdivision 2; 85.45; 97A.045, subdivision 4, and by adding a subdivision; 97A.055, by adding a subdivision; 97A.091, subdivisions 1 and 2; 97A.095, subdivision 2; 97A.105, subdivision 1, and by adding a subdivision; 97A.137; 97A.255, subdivision 2; 97A.401, subdivision 4; 97A.415, subdivision 2; 97A.431, subdivisions 1 and 4; 97A.433, subdivisions 1 and 4; 97A.435, subdivision 4; 97A.441, by adding a subdivision; 97A.475, by adding a subdivision; 97A.485, subdivision 6, and by adding a subdivision; 97A.505, subdivision 5, and by adding a subdivision; 97A.535,

subdivision 2; 97A.545, subdivisions 1, 2, 4, and by adding a subdivision; 97A.551, by adding a subdivision; 97B.425; 97B.671, subdivisions 1 and 2; 97B.711, subdivision 2, and by adding a subdivision; 97B.721; 97B.811, by adding a subdivision; 97C.025; 97C.051, subdivision 1; 97C.081, subdivisions 2, 3, and by adding a subdivision; 97C.205; 97C.311; 97C.331; 97C.345, subdivision 4, and by adding a subdivision; 97C.391, subdivision 1; 97C.405; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.805, subdivisions 1, 2, and 4; and 97C.865; Laws 1991, chapter 259, section 24; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; and 97C.

Mr. Merriam moved to amend S.F. No. 693 as follows:

Page 23, line 27, delete "..., pages ... to ..." and insert "17, pages 2550 to 2688"

The motion prevailed. So the amendment was adopted.

S.F. No. 693 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1081 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 1081: A bill for an act relating to the metropolitan council; redrawing the boundaries of council districts; amending Minnesota Statutes 1992, sections 473.123, subdivision 3a, and by adding a subdivision; 473.141, subdivisions 2 and 4a; 473.373, subdivision 4a; 473.604, subdivision 1; and 473.703, subdivisions 1 and 2; repealing Minnesota Statutes 1992, section 473.123, subdivision 3b.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Benson, J.E.	Johnston	Neuville	Oliver
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So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1228 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 1228: A bill for an act relating to retirement; public employees retirement association and Minneapolis employees retirement fund; providing for the retention of pension coverage for certain transferred employees.

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 785 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 785: A bill for an act relating to retirement; survivor benefits payable by the Minneapolis police relief association; amending Minnesota Statutes 1992, section 353B.11, subdivisions 4 and 5; and Laws 1992, chapters 454, section 3; and 471, article 1, section 10, subdivision 1; repealing Laws 1992, chapter 454, section 1.

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



The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 807 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 807: A bill for an act relating to retirement; the Minneapolis fire department relief association; setting service pension rates; amending Minnesota Statutes 1992, section 352B.07, subdivision 3; repealing Laws 1971, chapter 542.

Mr. Pogemiller moved to amend H.F. No. 807 as follows:

Page 2, delete section 2

Page 2, line 18, delete "Sections" and insert "Section" and delete "and 2 are" and insert "is"

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 807 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1187 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 1187: A bill for an act relating to health care; clarifying the uniform anatomical gift act; retroactively defining organ donation as the rendition of a service; amending Minnesota Statutes 1992, section 525.9221.

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	Hanson	Langseth	Novak	Samuelson
Benson, D.D.	Hottinger	Larson	Oliver	Solon
Benson, J.E.	Janezich	Lesewski	Olson	Spear
Berglin	Johnson, D.E.	Luther	Pappas	Stevens
Bertram	Johnson, D.J.	Marty	Pariseau	Stumpf
Betzold	Johnson, J.B.	McGowan	Piper	Terwilliger
Chandler	Johnston	Merriam	Pogemiller	Vickerman
Chmielewski	Kelly	Metzen	Price	Wiener
Cohen	Kiscaden	Moe, R.D.	Ranum	
Day	Knutson	Mondale	Reichgott	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 270 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 270: A bill for an act relating to the city of St. Paul; authorizing payment of refunds to the estates of certain deceased firefighters.

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	Hanson	Langseth	Novak	Samuelson
Benson, D.D.	Hottinger	Larson	Oliver	Solon
Benson, J.E.	Janezich	Lesewski	Olson	Spear
Berglin	Johnson, D.E.	Luther	Pappas	Stevens
Bertram	Johnson, D.J.	Marty	Pariseau	Stumpf
Betzold	Johnson, J.B.	McGowan	Piper	Terwilliger
Chandler	Johnston	Merriam	Pogemiller	Vickerman
Chmielewski	Kelly	Metzen	Price	Wiener
Cohen	Kiscaden	Moe, R.D.	Ranum	
Day	Knutson	Mondale	Reichgott	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 385 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 385: A bill for an act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, by adding a subdivision.

Mr. Morse moved to amend H.F. No. 385, 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. 346.)

Page 3, line 6, delete "*CLAIM*" and insert "*ACTION*" and after "*DAMAGES*" insert "*, EXCEPT FOR DAMAGES FOR FRAUD,*"

Page 3, line 7, delete "*TWO*" and insert "*THREE*"

Page 3, line 34, delete "*claim*" and insert "*action*" and after "*damages*" insert "*, except for damages for fraud,*"

Page 4, line 2, delete "*two*" and insert "*three*"

The motion prevailed. So the amendment was adopted.

H.F. No. 385 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1442 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 1442: A bill for an act relating to the city of Columbia Heights; exclusions from salary in computing police relief association retirement

benefits; permitting a contribution with interest by a member for past service with the city; amending Laws 1977, chapter 374, section 8, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 968 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 968: A bill for an act relating to human services; changing the distribution scheme for money appropriated for the foodshelf program; amending Minnesota Statutes 1992, section 268.55.

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

So the bill passed and its title was agreed to.

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

**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. 913, 561, 699, 754, 840, 1006, 1602, 240 and 1466.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

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. 1201: A bill for an act relating to health occupations and professions; board of psychology; extending deadline by which previously qualified persons may file a declaration of intent to seek licensure as a licensed psychologist without further examination; requiring the board to issue notices of extension; modifying reciprocity licensing requirement; providing for disciplinary actions; consolidating and modifying enforcement remedies; providing penalties; amending Minnesota Statutes 1992, sections 103I.345, subdivision 1; 116.75; 116.76, subdivision 1; 116.77; 116.82, subdivision 3; 144.71, subdivision 1; 145A.07, subdivision 1; 148.89, by adding a subdivision; 148.905, subdivision 1; 148.921, subdivisions 2 and 3; 148.925, subdivision 1; 148.98; 326.37, subdivision 1; 327.16, subdivision 6; and 327.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; and 148; repealing Minnesota Statutes 1992, sections 103I.701; 103I.705; 116.83; 144.1211; 144.386, subdivision 4; 144.73, subdivisions 2, 3, and 4; 144.76; 148.95; 157.081; 326.43; 326.53, subdivision 2; 326.63; 326.78, subdivisions 4, 6, 7, and 8; 326.79; 326.80; 327.18; and 327.24, subdivisions 1 and 2.

Senate File No. 1201 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

Mr. Finn moved that the Senate do not concur in the amendments by the House to S.F. No. 1201, 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. 980, 608, 874, 238 and 1164.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 1, 1993

### FIRST READING OF HOUSE BILLS

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

H.F. No. 980: A bill for an act relating to local government; enabling local government units to obtain waivers of state rules; providing grants to local government units to encourage cooperation, achieve specified outcomes, and design service budget management models; creating a board of local government innovation and cooperation; requiring the metropolitan council to review certain applications and plans; appropriating money; amending Minnesota Statutes 1992, sections 465.80, subdivisions 1, 2, 4, and 5; 465.81, subdivision 2; 465.82, subdivision 1; 465.83; and 465.87, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 465.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 734, now on General Orders.

H.F. No. 608: A bill for an act relating to agriculture; exempting certain nonprofit organizations from the requirement for a nursery stock dealer certificate; proposing coding for new law in Minnesota Statutes, chapter 18.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 708, now on General Orders.

H.F. No. 874: A bill for an act relating to traffic regulations; authorizing cities of the second class to establish programs for citizen enforcement of laws governing parking spaces for persons with disabilities; amending Minnesota Statutes 1992, section 169.346, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 837, now on General Orders.

H.F. No. 238: A bill for an act relating to towns; providing that metropolitan town elections may take place on the general election day; amending Minnesota Statutes 1992, sections 365.51, subdivision 1, and by adding a subdivision; and 365.59.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 421, now on General Orders.

H.F. No. 1164: A bill for an act relating to water law; making miscellaneous technical corrections to water law; amending Minnesota Statutes 1992, sections 103F.215, subdivision 1; 103F.221, subdivision 1; 103G.005, subdivisions 14, 15, and 18; 103G.105; 103G.111, subdivision 1; 103G.121, subdivision 1; 103G.135; 103G.261; 103G.271, subdivision 2; 103G.275, subdivision 1; 103G.295, subdivision 4; 103G.315, subdivisions 12 and 15; and 103G.611, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

### REPORTS OF COMMITTEES

Mr. Merriam requested that the report on S.F. No. 771 be divided out.

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. 771. The motion prevailed.

Mr. Moe, R.D. moved the adoption of the Committee Report on S.F. No. 771. The motion prevailed.

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

H.F. No. 1749: A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonding; appropriating money; amending Minnesota Statutes, section 16B.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124C; and 137.

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

Delete everything after the enacting clause and insert:

“Section 1. CAPITAL IMPROVEMENTS APPROPRIATIONS

The sums in the column under “APPROPRIATIONS” are appropriated from the bond proceeds fund, or other named fund, to the state agencies or officials indicated, to be spent to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this act.

SUMMARY

TECHNICAL COLLEGES	1,000,000
COMMUNITY COLLEGES	1,700,000
STATE UNIVERSITIES	1,695,000
UNIVERSITY OF MINNESOTA	2,000,000
EDUCATION	13,967,000
HUMAN SERVICES	17,500,000
CORRECTIONS	26,012,000
ADMINISTRATION	11,681,000
PUBLIC FACILITIES AUTHORITY	4,000,000
POLLUTION CONTROL AGENCY	13,700,000
NATURAL RESOURCES	190,000
BOARD OF WATER AND SOIL RESOURCES	2,000,000
TRANSPORTATION	25,982,000
BOND SALE EXPENSES	118,000
TOTAL	\$121,545,000
Bond Proceeds Fund	81,190,000
Transportation Fund	23,292,000
Maximum Effort School Loan Fund	13,967,000

General Fund	96,000
Trunk Highway Fund	3,000,000

## APPROPRIATIONS

\$

## Sec. 2. TECHNICAL COLLEGES

Subdivision 1. Capital Asset Preservation and Repair	1,000,000
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This appropriation is to the state board of technical colleges for health and life safety code compliance, roofs, parking lots, hazardous material abatement, electrical, mechanical, and other physical plant repairs and betterments.

## Subd. 2. Red Wing Technical College

Up to \$500,000 of proceeds from the sale of the Towerview campus is appropriated to the state board of technical colleges to remodel and improve the Red Wing campus.

## Sec. 3. COMMUNITY COLLEGES

Subdivision 1. To the state board for community colleges for the purposes specified in this section	1,700,000
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Subd. 2. Capital Asset Preservation and Repair	1,000,000
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This appropriation is for health and life safety code compliance, roofs, parking lots, hazardous material abatement, electrical, mechanical, and other physical plant repairs and betterments.

Subd. 3. University Center at Rochester - Capital Equipment	700,000
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## Sec. 4. STATE UNIVERSITIES

Subdivision 1. To the state university board for the purposes specified in this section	1,695,000
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Subd. 2. Capital Asset Preservation and Repair	1,000,000
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This appropriation is for health and life safety code compliance, roofs, parking lots, hazardous material abatement, electrical, mechanical, and other physical plant repairs and betterments.



## Subd. 3. Land Acquisition

695,000

To acquire land for the campuses of Metropolitan state university, Moorhead state university, and St. Cloud state university. The land acquisition at Metropolitan state university must be completed by October 1, 1993.

## Sec. 5. UNIVERSITY OF MINNESOTA

Subdivision 1. To the regents of the University of Minnesota for the purposes specified in this section

2,000,000

Subd. 2. Capital Asset Preservation and Repair

2,000,000

This appropriation is for health and life safety code compliance, roofs, parking lots, hazardous material abatement, electrical, mechanical, and other physical plant repairs and betterments.

## Subd. 3. Sale of Waseca Campus

The regents of the University of Minnesota may sell all or part of the land, buildings, and improvements at the Waseca campus to the city of Waseca or other political subdivision in which the campus is located for use for a public purpose, provided that the sale is subject to the terms and conditions that the commissioner of finance imposes to ensure that the transfer of the property will not affect the validity of or cause the interest on state general obligation bonds issued to finance improvements at the campus to become taxable under the federal tax code.

## Sec. 6. EDUCATION

Subdivision 1. To the commissioner of education for the purposes specified in this section

13,967,000

Subd. 2. Maximum Effort School Loans

7,967,000

To the commissioner of education from the maximum effort school loan fund to make capital loans to school districts as provided in Minnesota Statutes, sections 124.36 to 124.46.

The commissioner shall review the proposed plan and budget of the project and may reduce the amount of the loan to

ensure that the project will be economical. The commissioner may recover the cost incurred by the commissioner for any professional services associated with the final review by reducing the proceeds of the loan paid to the district.

\$7,967,000 is approved for a capital loan to independent school district No. 707, Nett Lake.

Subd. 3. School District Construction  
Grant – Grant County

6,000,000

This appropriation is from the bond proceeds fund for a cooperative secondary facilities grant under Minnesota Statutes, sections 124.491 to 124.494. Notwithstanding those sections, the commissioner of education shall award the grant to the group of districts that make up the Grant county project, consisting of independent school district Nos. 209, Kensington; 262, Barrett; 263, Elbow Lake-Wendell; and 265, Hoffman. The group of districts must enter into a joint powers agreement and must comply with Minnesota Statutes, section 124.494, subdivisions 5 and 6.

Sec. 7. HUMAN SERVICES

Subdivision 1. To the commissioner of administration for purposes specified in this section

17,500,000

Subd. 2. St. Peter Regional Treatment  
Center

7,500,000

To plan, design, equip, and construct a 50-bed addition on the Minnesota security hospital for mentally ill and dangerous clients.

Subd. 3. Moose Lake Regional  
Treatment Center

7,250,000

To plan, design, equip, and construct a new supervised living facility for 100 psychopathic personality clients adjacent to the Moose Lake regional treatment center.

The total cost for this project shall not exceed \$20,050,000. This appropriation shall be added to the appropriation under Laws of 1992, chapter 558, section 8, subdivision 6.

In accordance with Minnesota Statutes, section 15.16, the commissioners of human services and natural resources shall develop a recommendation by July 15, 1993, for transferring custodial control of state land necessary to properly site the new psychopathic personality facility at Moose Lake.

Subd. 4. Brainerd Regional Human Services Center

2,500,000

To plan, design, equip, and remodel the Brainerd regional human services center to accommodate 70 mentally ill patients to be transferred from the Moose Lake regional treatment center.

Subd. 5. Cambridge Regional Human Services Center

250,000

To remodel Boswell Hall so that services for clients at the Cambridge center can be consolidated and moved from older buildings, and to bring Boswell Hall into compliance with life safety building codes and program licensure standards.

This appropriation must not be used to prepare space for or to move clients from another regional treatment center to the Cambridge center.

Sec. 8. CORRECTIONS

Subdivision 1. To the commissioner of administration for purposes specified in this section

26,012,000

Subd. 2. Minnesota Correctional Facility at Willow River/Moose Lake

25,800,000

This appropriation is to the commissioner of administration to convert the Moose Lake regional treatment center to a medium security prison housing up to 620 inmates, to meet safety codes, and to construct a gym and industry building.

Subd. 3. Minnesota Correctional Facility - Red Wing

212,000

To plan to replace Dayton Cottage with a 30-bed residential facility for the secure detention of violent and predatory juvenile offenders until they are able to control their behavior in an open campus

environment. The total cost of the project must not exceed \$3,020,000.

#### Sec. 10. ADMINISTRATION

Subdivision 1. To the commissioner of administration for purposes specified in this section

11,681,000

##### Subd. 2. Judicial Center – Phase IIb

7,000,000

To complete the renovation of the old historical society building to meet the facility and program needs of the new judicial center.

##### Subd. 3. Transportation Building

3,000,000

This appropriation is from the trunk highway fund for partial renovation of the transportation building. Authorized expenditures include renovation of the seventh and eighth floors, purchase and installation of basic mechanical and electrical equipment for all floors, and removal of hazardous waste materials. Of this appropriation, \$80,000 is for relocation within the transportation building.

##### Subd. 4. Agency Relocation

96,000

This appropriation is from the general fund for relocation of the department of public safety, except the division of driver and vehicle services, from the transportation building.

##### Subd. 5. Sewer Separation

1,300,000

To separate the sanitary and storm sewers in the capitol area under state jurisdiction in conjunction with the combined sewer overflow program established by the 1985 legislature.

##### Subd. 6. Arden Hills State Facilities

285,000

To provide funding for new water, sewer, and fire safety service for the surplus property facility and public safety training center in Arden Hills.

#### Sec. 11. PUBLIC FACILITIES AUTHORITY

4,000,000

To the public facilities authority for the state match to federal grants to capitalize the state water pollution control revolving fund under Minnesota Statutes, section 446A.07.

**Sec. 12. POLLUTION CONTROL  
AGENCY**

13,700,000

To the commissioner of the pollution control agency for the state share of combined sewer overflow grants under Minnesota Statutes, section 116.162 for projects begun during fiscal years 1993 or 1994.

The city of St. Paul shall use all revenues derived from its clawback funding of sewer financing only for sewer separation projects that directly result in the elimination of combined sewer overflow.

**Sec. 13. NATURAL RESOURCES**

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section

190,000

Subd. 2. Dam Repair and Replacement

100,000

To the commissioner of natural resources for the emergency repair of the publicly-owned Stewartville dam under Minnesota Statutes, section 103G.511.

Subd. 3. Wildlife Management Areas

90,000

To the commissioner of natural resources to complete the acquisition of Byrne lake in Swift county so that it may be established as a wildlife management area.

**Sec. 14. BOARD OF WATER AND  
SOIL RESOURCES**

2,000,000

To the board of water and soil resources for the reinvest in Minnesota conservation reserve program under Minnesota Statutes, section 103F.515.

**Sec. 15. TRANSPORTATION**

Subdivision 1. To the commissioner of transportation for the purposes specified in this section

25,982,000

Subd. 2. Bloomington Ferry Bridge

20,292,000

This appropriation is from the state transportation fund as provided in Minnesota Statutes, section 174.50, to the commissioner of transportation to match federal funds to complete the Bloomington ferry bridge.

**Subd. 3. Local Bridge Replacement and Rehabilitation**

3,000,000

This appropriation is from the state transportation fund.

The commissioner of transportation shall make grants to political subdivisions for the construction and reconstruction of key bridges on highways and streets under their jurisdiction.

The grants may be used by a political subdivision to construct and reconstruct key bridges under their jurisdiction; match federal aid grants for construction and reconstruction of the bridges; pay the costs of preliminary engineering and environmental studies for the bridges; pay the costs of abandoning an existing bridge that is deficient and is in need of replacement, but where no replacement is made; and pay the cost of constructing a road or street that would facilitate the abandonment of an existing deficient bridge. The construction of the road or street must be judged by the commissioner to be more economical than the reconstruction or replacement of the existing bridge.

**Subd. 4. Replace State Airplane**

2,690,000

Debt service on the bonds sold to finance this appropriation must be paid out of the state airports fund in the manner provided in Minnesota Statutes, section 16A.643, and the amount needed is appropriated from the state airports fund.

**Sec. 16. BOND SALE EXPENSES**

118,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

**Sec. 17. BOND SALE SCHEDULE**

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 1995, no more than \$457,455,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of

finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold, the commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

#### Sec. 18. [BOND SALE AUTHORIZATION.]

*Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this act from the bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$81,190,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.*

*Subd. 2. [TRANSPORTATION FUND.] To provide the money appropriated in this act from the state transportation fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$23,292,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.*

*Subd. 3. [MAXIMUM EFFORT SCHOOL LOAN FUND.] To provide the money appropriated in this act from the maximum effort school loan fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$13,967,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the maximum effort school loan fund.*

#### Sec. 19. [CANCELLATIONS AND REDUCTIONS.]

*The unencumbered balance remaining at the end of fiscal year 1993 in the appropriation in Laws 1992, chapter 558, section 8, subdivision 2, is canceled. The bond authorization in Laws 1992, chapter 558, section 28, subdivision 1, is reduced by \$7,570,000.*

#### Sec. 20. [PROJECT CANCELLATIONS.]

*The commissioner of finance, after consultation with the commissioner of administration and affected agencies, shall cancel appropriations for capital improvement projects that have been completed or abandoned and shall recommend to the legislature for action at the 1994 session the cancellation of any excess bond authorizations for projects that have been completed or abandoned.*

## Sec. 21. [PROJECT REVISION.]

*With the mutual consent of the commissioner of trade and economic development, the seaway port authority of Duluth, the U.S. Army Corps of Engineers, and any private parties who have pledged private investment to match the \$6,100,000 appropriated in Laws 1989, chapter 300, article 1, section 19, item (a), to dredge the upper harbor area of Duluth harbor, the commissioner of finance shall reduce the appropriation to \$2,000,000. The appropriation is available to the extent it is matched, dollar for dollar, by federal money. No private match is required. The bond sale authorization in Laws 1989, chapter 300, article 1, section 23, subdivision 1, is reduced by \$4,100,000.*

Sec. 22. Laws 1990, chapter 610, article 1, section 12, subdivision 4, is amended to read:

Subd. 4. State-operated  
community-based residences

1,000,000

*This appropriation is to plan, and design, and to renovate or, construct, lease, or purchase two 15-bed state-operated community-based residences for people with mental illness. Each facility must be located in conformance with deconcentration requirements. One facility must be located in the Twin Cities metropolitan area, must have no more than 16 beds, and must serve adults. One facility must be located outside the Twin Cities metropolitan area, must have 10 beds, and must serve adolescents. Before beginning construction, the commissioner shall consult with the chairs of the Health and Human Services Finance Division of the House Appropriations Committee of Representatives and the Health Care and Human Family Services Division of the Senate Finance Committee.*

## Sec. 23. [EFFECTIVE DATE.]

*This act is effective the day after its final enactment."*

Delete the title and insert:

*"A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of bonds and canceling previous authorizations; appropriating money, with certain conditions and reducing certain appropriations; amending Laws 1990, chapter 610, article 1, section 12, subdivision 4."*

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

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



H.F. No. 994: A bill for an act relating to children; foster care and adoption placement; specifying time limits for compliance with placement preferences; setting standards for changing out-of-home placement; requiring notice of certain adoptions; clarifying certain language; requiring compliance with certain law; amending Minnesota Statutes 1992, sections 257.071, subdivisions 1 and 1a; 257.072, subdivision 7; 259.255; 259.28, subdivision 2, and by adding a subdivision; 259.455; 260.012; 260.181, subdivision 3; and 260.191, subdivisions 1a, 1d, and 1e; proposing coding for new law in Minnesota Statutes, chapters 257; and 259.

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

Delete everything after the enacting clause and insert:

“Section 1. [257.0651] [COMPLIANCE WITH INDIAN CHILD WELFARE ACT.]

*Sections 257.03 to 257.075 must be construed consistently with the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901 to 1963.*

Sec. 2. Minnesota Statutes 1992, section 257.071, is amended by adding a subdivision to read:

*Subd. 1b. [LIMIT ON MULTIPLE PLACEMENTS.] If a child has been placed out of the home of the parent or parents pursuant to a court order under section 260.191, the social service agency responsible for the residential facility placement for the child may not change the child's foster care placement more than one time unless the agency specifically documents that the current placement is unsuitable or another placement is in the best interests of the child. This subdivision does not apply if the new placement is in an adoptive home or other permanent placement.*

Sec. 3. Minnesota Statutes 1992, section 257.071, subdivision 3, is amended to read:

Subd. 3. [REVIEW OF VOLUNTARY PLACEMENTS.] Subject to the provisions of subdivisions 3 and 4, if the child has been placed in a residential facility pursuant to a voluntary release by the parent or parents, and is not returned home within 42 six months after initial placement in the residential facility, the social service agency responsible for the placement shall:

(a) Return the child to the home of the parent or parents; or

(b) File an appropriate petition pursuant to section 260.131, subdivision 1, or 260.231, and if the petition is dismissed, petition the court within two years, pursuant to section 260.131, ~~subdivision 1a, to determine if the placement is in the best interests of the child.~~

The case plan must be updated when a petition is filed and must include a specific plan for permanency.

Sec. 4. Minnesota Statutes 1992, section 257.071, is amended by adding a subdivision to read:

*Subd. 8. [RULES ON REMOVAL OF CHILDREN.] The commissioner shall adopt rules establishing criteria for removal of children from their homes.*

Sec. 5. Minnesota Statutes 1992, section 257.072, subdivision 1, is amended to read:

Subdivision 1. [RECRUITMENT OF FOSTER FAMILIES.] Each authorized child placing agency shall make special efforts to recruit a foster family from among the child's relatives, except as authorized in section 260.181, subdivision 3, and among families of the same minority racial or minority ethnic heritage. Special efforts include contacting and working with community organizations and religious organizations *and which may include contracting with these organizations*, utilizing local media and other local resources, conducting outreach activities, and increasing the number of minority recruitment staff employed by the agency. *The requirement of special efforts to recruit a foster family from among the child's relatives is satisfied if the efforts have continued for six months.* The agency may accept any gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

Sec. 6. Minnesota Statutes 1992, section 257.072, is amended by adding a subdivision to read:

Subd. 9. [RULES.] *The commissioner of human services shall adopt rules to establish standards for conducting relative searches and determining the suitability of proposed relative placements and for recruiting foster and adoptive families of the same racial or ethnic heritage as the child. The standards for relative placements need not impose on relatives all the requirements for foster care licensing but must ensure that the child's health, safety, and welfare are safeguarded.*

Sec. 7. Minnesota Statutes 1992, section 259.28, is amended by adding a subdivision to read:

Subd. 3. [COMPLIANCE WITH INDIAN CHILD WELFARE ACT.] *The provisions of this chapter must be construed consistently with the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901 to 1963.*

Sec. 8. Minnesota Statutes 1992, section 259.455, is amended to read:

259.455 [FAMILY RECRUITMENT.]

Each authorized child placing agency shall make special efforts to recruit an adoptive family from among the child's relatives, except as authorized in section 259.28, subdivision 2, and among families of the same racial or ethnic heritage. Special efforts include contacting and working with community organizations and religious organizations *and which may include contracting with these organizations*, utilizing local media and other local resources, and conducting outreach activities. *The requirement of special efforts to recruit an adoptive family from among the child's relatives is satisfied if the efforts have continued for six months.* The agency may accept any gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

Sec. 9. [260.157] [COMPLIANCE WITH INDIAN CHILD WELFARE ACT.]

*The provisions of this chapter must be construed consistently with the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901 to 1963.*

Sec. 10. Minnesota Statutes 1992, section 260.191, subdivision 1d, is amended to read:

Subd. 1d. ~~[PARENTAL VISITATION.]~~ If the court orders that the child be placed outside of the child's home or present residence, it shall set reasonable rules for supervised or unsupervised parental visitation that contribute to the objectives of the court order and the maintenance of the familial relationship. No parent may be denied visitation unless the court finds at the disposition hearing that the visitation would act to prevent the achievement of the order's objectives or that it would endanger the child's physical or emotional well-being. *The court shall set reasonable rules for visitation for any relatives as defined in section 260.181, subdivision 3, if visitation is consistent with the best interests of the child.*

Sec. 11. Minnesota Statutes 1992, section 260.191, subdivision 2, is amended to read:

Subd. 2. ~~[ORDER DURATION.]~~ *Subject to section 260.191, subdivision 3a, all orders under this section shall be for a specified length of time set by the court not to exceed one year. However, before the order has expired and upon its own motion or that of any interested party, the court shall, after notice to the parties and a hearing, renew the order for another year or make some other disposition of the case, until the individual is no longer a minor. Any person to whom legal custody is transferred shall report to the court in writing at such periods as the court may direct.*

Sec. 12. Minnesota Statutes 1992, section 260.191, is amended by adding a subdivision to read:

Subd. 3a. ~~[COURT REVIEW OF OUT-OF-HOME PLACEMENTS.]~~ *If the court places a child out of the home of the parent or parents pursuant to an order under this section, including a continuance under subdivision 4, the court shall review the out-of-home placement at least every six months to determine whether continued out-of-home placement is necessary and appropriate or whether the child should be returned to the parent. The court shall review agency efforts pursuant to section 257.072, subdivision 1, and order that the efforts continue if the agency has failed to perform the duties under that section. The court shall review the case plan and may modify the case plan as provided under subdivisions 1e and 2. If the court orders continued out-of-home placement, the court shall notify the parents of the provisions of section 260.191, subdivision 3b.*

Sec. 13. Minnesota Statutes 1992, section 260.191, is amended by adding a subdivision to read:

Subd. 3b. ~~[REVIEW OF COURT ORDERED PLACEMENTS; PERMANENT PLACEMENT DETERMINATION.]~~ *(a) For any child placed outside of the home pursuant to section 260.191, the court shall conduct a hearing to determine the future status of the child not later than 12 months after the order. The court shall determine whether the child is to be returned to the parent or, if not, whether the child should be placed permanently in the following order of priority, consistent with the child's best interests and subject to section 260.181, subdivision 3:*

- (1) with relatives either through an award of legal custody or adoption;*
- (2) with adoptive parent or parents; and*
- (3) long-term foster care.*

*(b) The court may extend the time period for determination of permanent placement to 18 months after the order when:*

*(1) there is a substantial probability that the child will be returned to the home of the parent or parents within the next six months; or*

*(2) the agency has not made reasonable, or in the case of an Indian child, active efforts to correct the conditions that form the basis of the out-of-home placement. The "best interests of the child" means all relevant factors to be considered and evaluated.*

Sec. 14. Minnesota Statutes 1992, section 260.192, is amended to read:

**260.192 [DISPOSITIONS; VOLUNTARY FOSTER CARE PLACEMENTS.]**

Upon a petition for review of the foster care status of a child, the court may:

(a) Find that the child's needs are being met ~~and, that the child's placement in foster care is in the best interests of the child and that the child will be returned to the parent's care in the next six months~~, in which case the court shall approve the voluntary arrangement and ~~continue the matter for six months to assure the child returns to the parent's home. The court shall order the social service agency responsible for the placement to bring a petition pursuant to either section 260.131, subdivision 1 or section 260.131, subdivision 1a, as appropriate, within two years if court review was pursuant to section 257.071, subdivision 3 or 4, or within one year if court review was pursuant to section 257.071, subdivision 2.~~

(b) Find that the child's needs are not being met, in which case the court shall order the social service agency or the parents to take whatever action is necessary and feasible to meet the child's needs, including, when appropriate, the provision by the social service agency of services to the parents which would enable the child to live at home, and shall order an administrative review of the case again within six months and a review by the court within one year.

(c) Find that the child has been abandoned by parents financially or emotionally, or that the developmentally disabled child does not require out-of-home care because of the handicapping condition, in which case the court shall order the social service agency to file an appropriate petition pursuant to sections 260.131, subdivision 1, or 260.231.

Nothing in this section shall be construed to prohibit bringing a petition pursuant to section 260.131, subdivision 1 or 2, sooner than required by court order pursuant to this section.

Sec. 15. Minnesota Statutes 1992, section 260.221, subdivision 1, is amended to read:

Subdivision 1. [VOLUNTARY AND INVOLUNTARY.] The juvenile court may upon petition, terminate all rights of a parent to a child in the following cases:

(a) With the written consent of a parent who for good cause desires to terminate parental rights; or

(b) If it finds that one or more of the following conditions exist:

(1) That the parent has abandoned the child. Abandonment is presumed when:

(i) the parent has had no contact ~~or merely incidental contact~~ with the child on a regular basis and no demonstrated, consistent interest in the child's well-being for six months in the case of a child under six years of age, or for 12 months in the case of a child ages six to 14; and

(ii) the social service agency has made reasonable efforts to facilitate contact, unless the parent establishes that an extreme financial or physical hardship or treatment for mental disability or chemical dependency or other good cause prevented the parent from making contact with the child. This presumption does not apply to children whose custody has been determined under chapter 257 or 518. The court is not prohibited from finding abandonment in the absence of this presumption; or

(2) That the parent has substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed upon that parent by the parent and child relationship, including but not limited to providing the child with necessary food, clothing, shelter, education, and other care and control necessary for the child's physical, mental, or emotional health and development, if the parent is physically and financially able, and reasonable efforts by the social service agency have failed to correct the conditions that formed the basis of the petition; or

(3) That a parent has been ordered to contribute to the support of the child or financially aid in the child's birth and has continuously failed to do so without good cause. This clause shall not be construed to state a grounds for termination of parental rights of a noncustodial parent if that parent has not been ordered to or cannot financially contribute to the support of the child or aid in the child's birth; or

(4) That a parent is palpably unfit to be a party to the parent and child relationship because of a consistent pattern of specific conduct before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental, or emotional needs of the child. It is presumed that a parent is palpably unfit to be a party to the parent and child relationship upon a showing that:

(i) the child was adjudicated in need of protection or services due to circumstances described in section 260.015, subdivision 2a, clause (1), (2), (3), (5), or (8); and

(ii) within the three-year period immediately prior to that adjudication, the parent's parental rights to one or more other children were involuntarily terminated under clause (1), (2), (4), or (7) of this paragraph, or under clause (5) of this paragraph if the child was initially determined to be in need of protection or services due to circumstances described in section 260.015, subdivision 2a, clause (1), (2), (3), (5), or (8); or

(5) That following upon a determination of neglect or dependency, or of a child's need for protection or services, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the determination. It is presumed that reasonable efforts under this clause have failed upon a showing that:

(i) a child under the age of 12 has resided out of the parental home under court order for more than one year following an adjudication of dependency, neglect, need for protection or services under section 260.015, subdivision 2a, clause (1), (2), (6), (8), or (9), or neglected and in foster care, and an order for disposition under section 260.191, including adoption of the case plan required by section 257.071;

(ii) conditions leading to the determination will not be corrected within the reasonably foreseeable future; and

(iii) reasonable efforts have been made by the social service agency to rehabilitate the parent and reunite the family.

This clause does not prohibit the termination of parental rights prior to one year after a child has been placed out of the home.

It is also presumed that reasonable efforts have failed under this clause upon a showing that:

(i) the parent has been diagnosed as chemically dependent by a professional certified to make the diagnosis;

(ii) the parent has been required by a case plan to participate in a chemical dependency treatment program;

(iii) the treatment programs offered to the parent were culturally, linguistically, and clinically appropriate;

(iv) the parent has either failed two or more times to successfully complete a treatment program or has refused at two or more separate meetings with a caseworker to participate in a treatment program; and

(v) the parent continues to abuse chemicals.

Provided, that this presumption applies only to parents required by a case plan to participate in a chemical dependency treatment program on or after July 1, 1990; or

(6) That the parent has been convicted of causing the death of another of the parent's children; or

(7) That in the case of a child born to a mother who was not married to the child's father when the child was conceived nor when the child was born the person is not entitled to notice of an adoption hearing under section 259.26 and either the person has not filed a notice of intent to retain parental rights under section 259.261 or that the notice has been successfully challenged; or

(8) That the child is neglected and in foster care.

In an action involving an American Indian child, sections 257.35 to 257.3579 and the Indian Child Welfare Act, United States Code, title 25, sections 1901 to 1923, control to the extent that the provisions of this section are inconsistent with those laws.

#### Sec. 16. [REPORT.]

*The commissioner of human services shall prepare a report for the legislature which includes a comprehensive plan to ensure compliance by county social services departments with the foster care and adoption*

*placement statutes and rules. This report shall provide both incentives and sanctions for county compliance and also address the feasibility of providing hearings for families affected by the foster care and adoption rules and statutes in the administrative process. The report is due by February 15, 1994.*

Sec. 17. [APPROPRIATION.]

*\$135,000 is appropriated from the general fund to the commissioner of human services to implement this act. \$73,000 is for fiscal year 1994 and \$62,000 is for fiscal year 1995."*

Delete the title and insert:

"A bill for an act relating to children; providing time periods for permanent dispositions involving children in need of protection or services; limiting multiple foster care placements; defining special efforts for relative searches; establishing standards for a finding of abandonment; appropriating money; amending Minnesota Statutes 1992, sections 257.071, subdivision 3, and by adding subdivisions; 257.072, subdivision 1, and by adding a subdivision; 259.28, by adding a subdivision; 259.455; 260.191, subdivisions 1d, 2, and by adding subdivisions; 260.192; and 260.221, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 257; and 260."

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

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

S.F. No. 1226: A bill for an act relating to insurance; the comprehensive health association; clarifying the duties of the association and the authority of the commissioner of commerce; increasing the cigarette and tobacco product taxes to defray the cost of claims made under coverages provided by the association; repealing obsolete language; appropriating money; amending Minnesota Statutes 1992, sections 62E.08; 62E.09; 62E.10, subdivision 9; 297.02, subdivision 1; 297.13, by adding a subdivision; and 297.32, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 62E; repealing Laws 1992, chapter 549, article 9, section 17.

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

Pages 7 to 10, delete sections 5 to 11

Amend the title as follows:

Page 1, delete lines 5 and 6

Page 1, line 7, delete everything before "repealing"

Page 1, line 8, delete "appropriating money;"

Page 1, line 10, delete from "297.02," through page 1, line 12, to "2;"

Page 1, line 13, delete everything after "62E" and insert a period

Page 1, delete line 14

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

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

S.F. No. 771: A bill for an act relating to motor fuels; changing the formula for payments made to producers of ethanol; increasing oxygenate level requirements for gasoline; authorizing the pollution control agency to contract to expedite permit process; eliminating certain LGA/HACA offsets for tax increment financing districts; amending Minnesota Statutes 1992, sections 239.791, subdivisions 1 and 2; and 273.1399, by adding a subdivision.

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

Page 1, line 22, reinstate the stricken language and delete the new language

Page 1, line 23, delete the new language and strike "two" and insert "2.7"

Page 1, line 25, reinstate the stricken "After" and delete "Beginning"

Page 1, line 26, delete the colon

Page 1, delete lines 27 and 28

Page 2, line 1, delete everything before "must" and strike "two" and insert "2.7"

Amend the title as follows:

Page 1, line 2, delete "changing the formula for"

Page 1, line 3, delete everything before "increasing"

Page 1, line 4, delete "authorizing"

Page 1, delete line 5

Page 1, line 6, delete "permit process;"

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

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

S.F. No. 1327: A bill for an act relating to taxation; property; providing for valuation of certain property that is not eligible for open space treatment; amending Minnesota Statutes 1992, section 273.112, by adding a subdivision.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 273.112, subdivision 3, is amended to read:

Subd. 3. Real estate shall be entitled to valuation and tax deferment under this section only if it is:

(a) actively and exclusively devoted to golf, skiing, or archery or firearms



range recreational use or uses and other recreational uses carried on at the establishment;

(b) five acres in size or more, except in the case of an archery or firearms range;

(c)(1) operated by private individuals and open to the public; or

(2) operated by firms or corporations for the benefit of employees or guests; or

(3) operated by private clubs having a membership of 50 or more, provided that the club does not discriminate in membership requirements or selection on the basis of sex or marital status; and

(d) made available, in the case of real estate devoted to golf, for use without discrimination on the basis of sex during the time when the facility is open to use by the public or by members, except that use for golf may be restricted on the basis of sex no more frequently than one, or part of one, weekend each calendar month for each sex and no more than two, or part of two, weekdays each week for each sex.

If a golf club membership allows use of golf course facilities by more than one adult per membership, the use must be equally available to all adults entitled to use of the golf course under the membership, except that use may be restricted on the basis of sex as permitted in this section. Memberships that permit play during restricted times may be allowed only if the restricted times apply to all adults using the membership. A golf club may not offer a membership or golfing privileges to a spouse of a member that provides greater or less access to the golf course than is provided to that person's spouse under the same or a separate membership in that club, except that the terms of a membership may provide that one spouse may have no right to use the golf course at any time while the other spouse may have either limited or unlimited access to the golf course.

A golf club may have or create an individual membership category which entitles a member for a reduced rate to play during restricted hours as established by the club. The club must have on record a written request by the member for such membership.

A golf club that has food or beverage facilities or services must allow equal access to those facilities and services for both men and women members in all membership categories at all times. Nothing in this paragraph shall be construed to require service or access to facilities to persons under the age of 21 years or require any act that would violate law or ordinance regarding sale, consumption, or regulation of alcoholic beverages.

For purposes of this subdivision and subdivision 7a, discrimination means a pattern or course of conduct and not linked to an isolated incident."

Page 1, after line 15, insert:

"Sec. 3. Minnesota Statutes 1992, section 363.03, subdivision 3, is amended to read:

Subd. 3. [PUBLIC ACCOMMODATIONS.] (a) It is an unfair discriminatory practice:

(1) to deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, creed, religion, disability, national origin, *marital status*, or sex, or for a taxicab company to discriminate in the access to, full utilization of, or benefit from service because of a person's disability; or

(2) for a place of public accommodation not to make reasonable accommodation to the known physical, sensory, or mental disability of a disabled person. In determining whether an accommodation is reasonable, the factors to be considered may include:

(i) the frequency and predictability with which members of the public will be served by the accommodation at that location;

(ii) the size of the business or organization at that location with respect to physical size, annual gross revenues, and the number of employees;

(iii) the extent to which disabled persons will be further served from the accommodation;

(iv) the type of operation;

(v) the nature and amount of both direct costs and legitimate indirect costs of making the accommodation and the reasonableness for that location to finance the accommodation; and

(vi) the extent to which any persons may be adversely affected by the accommodation.

State or local building codes control where applicable. Violations of state or local building codes are not violations of this chapter and must be enforced under normal building code procedures.

(b) This paragraph lists general prohibitions against discrimination on the basis of disability. For purposes of this paragraph "individual" or "class of individuals" refers to the clients or customers of the covered public accommodation that enter into the contractual, licensing, or other arrangement.

(1) It is discriminatory to:

(i) subject an individual or class of individuals on the basis of a disability of that individual or class, directly or through contractual, licensing, or other arrangements, to a denial of the opportunity of the individual or class to participate in or benefit from the goods, services, facilities, privileges, advantages, or accommodations of an entity;

(ii) afford an individual or class of individuals on the basis of the disability of that individual or class, directly or through contractual, licensing, or other arrangements, with the opportunity to participate in or benefit from the goods, services, facilities, privileges, advantages, or accommodations that are not equal to those afforded to other individuals; and

(iii) provide an individual or class of individuals, on the basis of a disability of that individual or class, directly or through contractual, licensing, or other arrangements, with goods, services, facilities, privileges, advantages, or accommodations that are different or separate from those provided to other individuals, unless the action is necessary to provide the individual or class of

individuals with goods, services, facilities, privileges, advantages, or accommodations, or other opportunities that are as effective as those provided to others.

(2) Goods, services, facilities, privileges, advantages, and accommodations must be afforded to an individual with a disability in the most integrated setting appropriate to the needs of the individual.

(3) Notwithstanding the existence of separate or different programs or activities provided in accordance with this section, the individual with a disability may not be denied the opportunity to participate in the programs or activities that are not separate or different.

(4) An individual or entity may not, directly or through contractual or other arrangements, use standards or criteria and methods of administration:

(i) that have the effect of discriminating on the basis of disability; or

(ii) that perpetuate the discrimination of others who are subject to common administrative control.

(c) This paragraph lists specific prohibitions against discrimination on the basis of disability. For purposes of this paragraph, discrimination includes:

(1) the imposition or application of eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless the criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations;

(2) failure to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to afford the goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making the modifications would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations;

(3) failure to take all necessary steps to ensure that no individual with a disability is excluded, denied services, segregated, or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless the entity can demonstrate that taking the steps would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations being offered and would result in an undue burden;

(4) failure to remove architectural barriers, and communication barriers that are structural in nature, in existing facilities, and transportation barriers in existing vehicles used by an establishment for transporting individuals, not including barriers that can only be removed through the retrofitting of vehicles by the installation of hydraulic or other lifts, if the removal is readily achievable; and

(5) if an entity can demonstrate that the removal of a barrier under clause (4) is not readily achievable or cannot be considered a reasonable accommodation, a failure to make the goods, services, facilities, privileges, advantages, or accommodations available through alternative means if the means are readily achievable.

(d) Nothing in this chapter requires an entity to permit an individual to participate in and benefit from the goods, services, facilities, privileges, advantages, and accommodations of the entity if the individual poses a direct threat to the health or safety of others. "Direct threat" means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures or by the provision of auxiliary aids or services.

(e) No individual may be discriminated against on the basis of disability in the full and equal enjoyment of specified public transportation services provided by a private entity that is primarily engaged in the business of transporting people and whose operations affect commerce. For purposes of this paragraph, it is an unfair discriminatory practice for a private entity providing public transportation to engage in one or more of the following practices:

(1) imposition or application of eligibility criteria that screen out, or tend to screen out, an individual with a disability or a class of individuals with disabilities from fully enjoying the specified public transportation services provided by the entity, unless the criteria can be shown to be necessary for the provision of the services being offered;

(2) failure to make reasonable modifications, provide auxiliary aids and services, and remove barriers, consistent with section 363.03, subdivision 3, paragraph (c);

(3) the purchase or lease of a new vehicle, other than an automobile or van with a seating capacity of fewer than eight passengers, including the driver, or an over-the-road bus, that is to be used to provide specified public transportation that is not readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, except that a new vehicle need not be readily accessible to and usable by individuals with disabilities if the vehicle is to be used solely in a demand responsive system and if the private entity can demonstrate that the system, when viewed in its entirety, provides a level of services to individuals with disabilities equivalent to the level of service provided to the general public;

(4) purchase or lease a new railroad passenger car that is to be used to provide specified public transportation if the car is not readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, or to manufacture railroad passenger cars or purchase used cars that have been remanufactured so as to extend their usable life by ten years or more, unless the remanufactured car, to the maximum extent feasible, is made readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, except that compliance with this clause is not required to the extent that compliance would significantly alter the historic or antiquated character of historic or antiquated railroad passenger cars or rail stations served exclusively by those cars;

(5) purchase or lease a new, used, or remanufactured vehicle with a seating capacity in excess of 16 passengers, including the driver, for use on a fixed route public transportation system, that is not readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. If a private entity that operates a fixed route public transportation system purchases or leases a new, used, or remanufactured vehicle with a seating capacity of 16 passengers or fewer, including the driver, for use on the system which is not readily accessible to and usable by individuals with disabilities,

it is an unfair discriminatory practice for the entity to fail to operate the system so that, when viewed in its entirety, the system ensures a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service provided to individuals without disabilities; or

(6) to fail to operate a demand responsive system so that, when viewed in its entirety, the system ensures a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service provided to individuals without disabilities. It is an unfair discriminatory practice for the entity to purchase or lease for use on a demand responsive system a new, used, or remanufactured vehicle with a seating capacity in excess of 16 passengers, including the driver, that is not readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the entity can demonstrate that the system, when viewed in its entirety, provides a level of service to individuals with disabilities equivalent to that provided to individuals without disabilities.

(f) It is an unfair discriminatory practice to construct a new facility or station to be used in the provision of public transportation services, unless the facilities or stations are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. It is an unfair discriminatory practice for a facility or station currently used for the provision of public transportation services defined in this subdivision to fail to make alterations necessary in order, to the maximum extent feasible, to make the altered portions of facilities or stations readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. If the private entity is undertaking an alteration that affects or could affect the usability of or access to an area of the facility containing a primary function, the entity shall make the alterations so that, to the maximum extent feasible, the path of travel to the altered area, and the bathrooms, drinking fountains, and telephones serving the altered area, are readily accessible to and usable by individuals with disabilities if the alterations to the path of travel or to the functions mentioned are not disproportionate to the overall alterations in terms of cost and scope. The entity raising this defense has the burden of proof, and the department shall review these cases on a case-by-case basis."

Page 1, line 17, delete "*Section 1 is*" and insert "*Sections 1 and 2 are*" and delete "*1993*" and insert "*1994*"

Page 1, line 18, delete "*1994*" and insert "*1995*"

Page 1, lines 21 and 25, delete "*1993*" and insert "*1994*"

Page 1, line 24, delete "*1992*" and insert "*1993*"

Page 2, line 3, delete "*1993*" and insert "*1994*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete ";" property" and insert "and human rights"

Page 1, line 4, after the semicolon, insert "prohibiting discrimination in public accommodations on the basis of marital status;"

Page 1, line 5, delete "section" and insert "sections" and after "273.112," insert "subdivision 3, and" and after "subdivision" insert "; and 363.03, subdivision 3"

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 1226, 771 and 1327 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 1749 and 994 were read the second time.

## MOTIONS AND RESOLUTIONS – CONTINUED

Ms. Ranum moved that S.F. No. 321 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Finance. The motion prevailed.

Ms. Berglin moved that S.F. No. 44 be taken from the table. The motion prevailed.

S.F. No. 44: A bill for an act relating to trusts; making certain trust provisions related to public assistance eligibility unenforceable as against public policy; clarifying availability of trusts in determining eligibility for medical assistance and other benefit programs; defining supplemental needs trusts; clarifying enforceability of supplemental needs trusts; amending Minnesota Statutes 1992, section 501B.89.

## CONCURRENCE AND REPASSAGE

Ms. Berglin moved that the Senate concur in the amendments by the House to S.F. No. 44 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 44 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	Knutson	Mondale	Reichgott
Anderson	Dille	Krentz	Morse	Robertson
Beckman	Finn	Kroening	Murphy	Runbeck
Belanger	Flynn	Laidig	Neuville	Sams
Benson, D.D.	Hanson	Langseth	Novak	Samuelson
Benson, J.E.	Hottinger	Larson	Oliver	Solon
Berg	Janezich	Lesewski	Olson	Spear
Berglin	Johnson, D.E.	Luther	Pappas	Stevens
Bertram	Johnson, D.J.	Marty	Pariseau	Stumpf
Betzold	Johnson, J.B.	McGowan	Piper	Terwilliger
Chandler	Johnston	Merriam	Pogemiller	Vickerman
Chmielewski	Kelly	Metzen	Price	Wiener
Cohen	Kiscaden	Moe, R.D.	Ranum	

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

## 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. 1201: Messrs. Finn, Betzold and Dille.

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

### MEMBERS EXCUSED

Mr. Novak was excused from the Session of today from 8:30 to 9:30 a.m. Mr. Pogemiller was excused from the Session of today from 8:30 to 11:10 a.m. Mr. Johnson, D.E. was excused from the Session of today from 8:30 a.m. to 12:15 p.m. Mr. McGowan was excused from the Session of today from 11:20 a.m. to 12:00 noon. Mr. Samuelson was excused from the Session of today from 12:00 noon to 1:00 p.m. Mr. Frederickson was excused from the Session of today at 11:20 a.m. Mr. Riveness was excused from the Session of today at 12:20 p.m. Mr. Lessard was excused from the Session of today at 1:30 p.m.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:30 a.m., Monday, May 3, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate