

## FIFTIETH DAY

St. Paul, Minnesota, Tuesday, May 4, 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 the Chaplain, Rev. L. Douglas Throckmorton.

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

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

The President declared a quorum present.

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 30, 1993

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 270, 483 and 568.

Warmest regards,  
Arne H. Carlson, Governor

May 3, 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
	846	60	3:23 p.m. April 30	April 30
	801	61	3:24 p.m. April 30	April 30
	79	62	3:45 p.m. April 30	April 30
	461	63	3:27 p.m. April 30	April 30
	70	64	3:28 p.m. April 30	April 30
	661	65	3:03 p.m. April 30	April 30
	806	66	3:32 p.m. April 30	April 30
	1423	67	3:35 p.m. April 30	April 30
270		68	3:25 p.m. April 30	April 30
483		69	3:05 p.m. April 30	April 30
568		70	3:22 p.m. April 30	April 30

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

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, subdi-

vision 2; 326.63; 326.78, subdivisions 4, 6, 7, and 8; 326.79; 326.80; 327.18; and 327.24, subdivisions 1 and 2.

There has been appointed as such committee on the part of the House:

Asch, Pugh and Davids.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1993

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 546:

H.F. No. 546: A bill for an act relating to outdoor recreation; prohibiting motor sports areas within the Dorer Memorial Hardwood Forest without county and township board approval.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Waltman, Munger and Pauly have been appointed as such committee on the part of the House.

House File No. 546 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1993

Mr. Murphy moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 546, 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 appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 287:

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.

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

Wagenius, Ozment, Rukavina, Hausman and Pauly have been appointed as such committee on the part of the House.

House File No. 287 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 3, 1993

Ms. Johnson, J.B. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 287, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 299, 1445, 1133, 1225, 10, 1114 and 571.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 3, 1993

**FIRST READING OF HOUSE BILLS**

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

H.F. No. 299: A bill for an act relating to elections; changing requirements and procedures for maintaining precinct boundary data; appropriating money; amending Minnesota Statutes 1992, sections 204B.14, subdivisions 5 and 6; and 204B.146.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 410, now on General Orders.

H.F. No. 1445: A bill for an act relating to industrial development; authorizing a grant to a nonprofit organization to promote expanding flexible collaborative manufacturing networks statewide.

Referred to the Committee on Jobs, Energy and Community Development.

H.F. No. 1133: A bill for an act relating to energy; directing the public service department to evaluate and implement a policy to promote the use of motor vehicles powered by alternate fuels; appropriating money; amending Minnesota Statutes 1992, section 216C.01, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 216B; and 216C.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 834, now on General Orders.

H.F. No. 1225: A bill for an act relating to agriculture; authorizing use of money in the agricultural chemical response and reimbursement account for administrative costs; exempting certain pesticides from the ACRRA surcharge; requiring a report; appropriating money; repealing the hazardous substance labeling act; amending Minnesota Statutes 1992, sections 18B.01, by adding subdivisions; 18B.135; 18B.14, subdivision 2; 18B.26, subdivision 3; 18B.31, subdivision 1; 18B.36, subdivision 2; 18B.37, subdivision 2; 18C.005, subdivisions 13 and 35; 18C.115, subdivision 2; 18C.211, subdivision 1; 18C.215, subdivision 2; 18C.305, subdivision 2; 18E.03, subdivisions 2 and 5; 21.85, subdivision 10; 325F.19, subdivision 7; repealing Minnesota Statutes 1992, sections 18B.07, subdivision 3; 18C.211, subdivision 3; 18C.215, subdivision 3; 24.32; 24.33; 24.34; 24.35; 24.36; 24.37; 24.38; 24.39; 24.40; 24.41; 24.42; 25.46; and 25.47.

Referred to the Committee on Finance.

H.F. No. 10: A bill for an act relating to education; establishing a youth apprenticeship program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Finance.

H.F. No. 1114: A bill for an act relating to game and fish; stamp design; training of hunting dogs; clothing requirements; raccoon season; rough fish taking by nonresidents; muskie size limits; taking of mussels; advance of matching funds; financing waterfowl development; defining "undressed bird"; regulating the taking of deer; regulating seasons on muskrat, mink, otter, and beaver; required license to take and condition of fish brought into the state from Canada; authorizing suspension of requirements upon action by Canadian authorities; amending Minnesota Statutes 1992, sections 84.085, by adding a subdivision; 97A.015, subdivision 49, and by adding a subdivision;

97A.045, subdivision 7; 97A.091, subdivision 2; 97A.531; 97B.005, subdivisions 2 and 3; 97B.041; 97B.071; 97B.621, subdivision 1; 97B.911; 97B.915; 97B.921; 97S.925; 97C.375; 97C.405; and 97C.701, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 97A; repealing Minnesota Statutes 1992, sections 97A.541; 97C.701, subdivisions 3, 4, and 5; 97C.705; and 97C.711.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 669.

H.F. No. 571: A bill for an act relating to education; extending dates for per pupil revenue option; authorizing certain contracts with school board members and with the spouses of school district employees; amending Minnesota Statutes 1992, sections 124A.029, subdivision 4; 127.15; and 471.88, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 511, 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. 1402 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.
1402	1363				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1402 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1402 and insert the language after the enacting clause of S.F. No. 1363, the second engrossment; further, delete the title of H.F. No. 1402 and insert the title of S.F. No. 1363, the second engrossment.

And when so amended H.F. No. 1402 will be identical to S.F. No. 1363, and further recommends that H.F. No. 1402 be given its second reading and substituted for S.F. No. 1363, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1107 for comparison with companion Senate File, reports the

following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1107	1467				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1107 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1107 and insert the language after the enacting clause of S.F. No. 1467, the first engrossment; further, delete the title of H.F. No. 1107 and insert the title of S.F. No. 1467, the first engrossment.

And when so amended H.F. No. 1107 will be identical to S.F. No. 1467, and further recommends that H.F. No. 1107 be given its second reading and substituted for S.F. No. 1467, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 988 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
988	878				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 988 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 988 and insert the language after the enacting clause of S.F. No. 878, the first engrossment; further, delete the title of H.F. No. 988 and insert the title of S.F. No. 878, the first engrossment.

And when so amended H.F. No. 988 will be identical to S.F. No. 878, and further recommends that H.F. No. 988 be given its second reading and substituted for S.F. No. 878, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1524 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.
1524	1419				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1524 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1524 and insert the language after the enacting clause of S.F. No. 1419, the first engrossment; further, delete the title of H.F. No. 1524 and insert the title of S.F. No. 1419, the first engrossment.

And when so amended H.F. No. 1524 will be identical to S.F. No. 1419, and further recommends that H.F. No. 1524 be given its second reading and substituted for S.F. No. 1419, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 962 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.
962	814				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 962 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 962 and insert the language after the enacting clause of S.F. No. 814, the first engrossment; further, delete the title of H.F. No. 962 and insert the title of S.F. No. 814, the first engrossment.

And when so amended H.F. No. 962 will be identical to S.F. No. 814, and further recommends that H.F. No. 962 be given its second reading and substituted for S.F. No. 814, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1579 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.
1579	1487				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1579 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1579 and insert the language after the enacting clause of S.F. No. 1487, the second engrossment; further, delete the title of H.F. No. 1579 and insert the title of S.F. No. 1487, the second engrossment.

And when so amended H.F. No. 1579 will be identical to S.F. No. 1487, and further recommends that H.F. No. 1579 be given its second reading and substituted for S.F. No. 1487, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1094 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.
1094	1134				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1094 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1094 and insert the language after the enacting clause of S.F. No. 1134, the first engrossment; further, delete the title of H.F. No. 1094 and insert the title of S.F. No. 1134, the first engrossment.

And when so amended H.F. No. 1094 will be identical to S.F. No. 1134, and further recommends that H.F. No. 1094 be given its second reading and substituted for S.F. No. 1134, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 978 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be

given its second reading and substituted for its companion Senate File as follows:

<b>GENERAL ORDERS</b>	<b>CONSENT CALENDAR</b>	<b>CALENDAR</b>
H.F. No.     S.F. No.	H.F. No.     S.F. No.	H.F. No.     S.F. No.
978            910		

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 1058 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>	<b>CONSENT CALENDAR</b>	<b>CALENDAR</b>
H.F. No.     S.F. No.	H.F. No.     S.F. No.	H.F. No.     S.F. No.
1058            1532		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1058 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1058 and insert the language after the enacting clause of S.F. No. 1532, the second engrossment; further, delete the title of H.F. No. 1058 and insert the title of S.F. No. 1532, the second engrossment.

And when so amended H.F. No. 1058 will be identical to S.F. No. 1532, and further recommends that H.F. No. 1058 be given its second reading and substituted for S.F. No. 1532, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 735 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>	<b>CONSENT CALENDAR</b>	<b>CALENDAR</b>
H.F. No.     S.F. No.	H.F. No.     S.F. No.	H.F. No.     S.F. No.
735            551		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 735 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 735 and insert the language after the enacting clause of S.F. No. 551, the second engrossment; further, delete the title of H.F. No. 735 and insert the title of S.F. No. 551, the second engrossment.

And when so amended H.F. No. 735 will be identical to S.F. No. 551, and further recommends that H.F. No. 735 be given its second reading and substituted for S.F. No. 551, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 574 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.
574	519				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 574 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 574 and insert the language after the enacting clause of S.F. No. 519, the first engrossment; further, delete the title of H.F. No. 574 and insert the title of S.F. No. 519, the first engrossment.

And when so amended H.F. No. 574 will be identical to S.F. No. 519, and further recommends that H.F. No. 574 be given its second reading and substituted for S.F. No. 519, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1151 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.
1151	1193				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1151 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1151 and insert the language after the enacting clause of S.F. No. 1193; further, delete the title of H.F. No. 1151 and insert the title of S.F. No. 1193, as introduced.

And when so amended H.F. No. 1151 will be identical to S.F. No. 1193, and further recommends that H.F. No. 1151 be given its second reading and substituted for S.F. No. 1193, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 931 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.
931	771				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 931 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 931 and insert the language after the enacting clause of S.F. No. 771, the fifth engrossment; further, delete the title of H.F. No. 931 and insert the title of S.F. No. 771, the fifth engrossment.

And when so amended H.F. No. 931 will be identical to S.F. No. 771, and further recommends that H.F. No. 931 be given its second reading and substituted for S.F. No. 771, 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. Nos. 1402, 1107, 988, 1524, 962, 1579, 1094, 978, 1058, 735, 574, 1151 and 931 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Bertram moved that the name of Mr. Mondale be added as a co-author to S.F. No. 771. The motion prevailed.

Mr. Hottinger moved that the name of Mr. Mondale be added as a co-author to S.F. No. 832. The motion prevailed.

Mr. Cohen moved that the name of Mr. Mondale be added as a co-author to S.F. No. 859. The motion prevailed.

Mr. Price introduced—

Senate Resolution No. 44: A Senate resolution congratulating Park High School, ISD 833, of Cottage Grove, Minnesota, for being honored by the Governor's Youth Service Recognition

Referred to the Committee on Rules and Administration.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 521 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 521: A bill for an act relating to health; permitting minors to give consent for a hepatitis B vaccination; establishing procedures and programs relating to tuberculosis; proposing coding for new law in Minnesota Statutes, chapter 144.

Mr. Hottinger moved to amend S.F. No. 521 as follows:

Pages 5 to 8, delete sections 3 to 6 and insert:

“Sec. 3. [144.442] [TESTING IN SCHOOL CLINICS.]

*Subdivision 1. [ADMINISTRATION; NOTIFICATION.] In the event that the commissioner designates a school or school district under section 2, subdivision 2, the school or school district or board of health may administer Mantoux screening tests to some or all persons enrolled in or employed by the designated school or school district. Any Mantoux screening provided under this section shall be under the direction of a licensed physician.*

*Prior to administering the Mantoux test to such persons, the school or school district or board of health shall inform in writing such persons and parents or guardians of minor children to whom the test may be administered, of the following:*

*(1) that there has been an occurrence of active tuberculosis or evidence of a higher than expected prevalence of tuberculosis infection in that school or school district;*

*(2) that screening is necessary to avoid the spread of tuberculosis;*

*(3) the manner by which tuberculosis is transmitted;*

*(4) the risks and possible side effects of the Mantoux test;*

*(5) the risks from untreated tuberculosis to the infected person and others;*

*(6) the ordinary course of further diagnosis and treatment if the Mantoux test is positive;*

*(7) that screening has been scheduled; and*

*(8) that no person will be required to submit to the screening if he or she submits a statement of objection due to the conscientiously held beliefs of the person employed or of the parent or guardian of a minor child.*

*Subd. 2. [CONSENT OF MINORS.] Minors may give consent for testing as set forth in sections 144.341 to 144.347.*

*Subd. 3. [SCREENING OF MINORS.] Prior to administering a Mantoux test to a minor, the school or school district or board of health shall prepare a form for signature in which the parent or guardian shall consent or submit a statement of objection to the test. The parent or guardian of a minor child shall return a signed form to the school or school district or board of health which is conducting the screening indicating receipt of the notice and consent or objection to the administration of the test. In the event that the form with a signed consent or objection is not returned, the school or school district or board of health may undertake such steps as are reasonable to secure such consent or objection. If after such steps the school or school district or board of health chooses to screen the minor without consent, it shall send a notice of intent to test by certified mail, restricted delivery with return receipt, to the address given to the school or school district by the parent or guardian for emergency contact of the parent or guardian. The accuracy of the address shall be checked with the person enrolled, if possible. Placing notice as specified in this subdivision shall constitute service. Reasonable efforts shall be made to provide this notice in a language understood by the parent or guardian. If this notice cannot be delivered or a form with a signed consent or objection is not returned, the school or school district or board of health shall check the permanent medical record required by section 144.29 to determine if the parent or guardian previously withheld consent to immunizations or other medical treatment because of conscientiously held beliefs. If there is such a statement on file or if the school district otherwise has notice of such a statement, the school or school district or board of health shall not administer the Mantoux test unless the consent of the parent or guardian is obtained. If there is no such statement in the permanent medical record or known to exist otherwise, the school or school district or board of health may administer the Mantoux test at the time and place specified in the notice unless medically contraindicated. The school or school district or board of health shall document in the permanent medical record its efforts to notify the parent or guardian of the minor child, and its efforts to check the permanent medical records.*

*Subd. 4. [CONSENT FOR SUBSEQUENT TESTING OR TREATMENT.] In the event the Mantoux test is positive, no further diagnosis of or treatment for tuberculosis in a minor child shall be undertaken without the signed consent of the parent or guardian of the minor child.*

**Sec. 4. [144.443] [TUBERCULOSIS HEALTH THREAT TO OTHERS.]**

*A "health threat to others" as defined in section 144.4172, subdivision 8, includes a person who, although not currently infectious, has failed to complete a previously prescribed course of tuberculosis therapy, demonstrates an inability or unwillingness to initiate or complete, or shows an intent to fail to complete, a prescribed course of tuberculosis drug therapy, if that failure could lead to future infectiousness.*

**Sec. 5. [144.444] [TUBERCULOSIS EMERGENCY HOLD.]**

*A temporary emergency hold under section 144.4182 may be placed on a person who is a health threat to others when there is reasonable cause to believe that the person may be unlocatable for the purposes of applying the procedures described in sections 144.4171 to 144.4186, or when medical or epidemiologic evidence suggests that the person is or may become infectious before the conclusion of court proceedings and appeals.*

Sec. 6. [144.445] [TUBERCULOSIS SCREENING IN CORRECTIONAL INSTITUTIONS AND FACILITIES.]

*Subdivision 1. [SCREENING OF INMATES.] All persons detained or confined for seven consecutive days or more in facilities operated, licensed, or inspected by the department of corrections shall be screened for tuberculosis with either a Mantoux test or a chest roentgenogram (X-ray) as consistent with screening and follow-up practices recommended by the United States Public Health Service or the department of health, as determined by the commissioner of health. Administration of the Mantoux test or chest roentgenogram (X-ray) must take place on or before the seventh day of detention or confinement.*

*Subd. 2. [SCREENING OF EMPLOYEES.] All employees of facilities operated, licensed, or inspected by the department of corrections shall be screened for tuberculosis before employment in the facility and annually thereafter, with either a Mantoux test or a chest roentgenogram (X-ray) as consistent with screening and follow-up practices recommended by the United States Public Health Service or the department of health, as determined by the commissioner of health.*

*Subd. 3. [EXCEPTIONS.] Subdivisions 1 and 2 do not apply to:*

*(1) a person who is detained or confined in a juvenile temporary holdover facility, provided that the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis;*

*(2) a person who is detained or confined in a facility operated, licensed, or inspected by the department of corrections where the facility holds a written record of a negative Mantoux test performed on the person (i) within three months prior to intake into the facility; or (ii) within 12 months prior to intake into the facility if the person has remained under the continuing jurisdiction of a correctional facility since the negative Mantoux test, provided that the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis;*

*(3) a person who is detained or confined in a facility operated, licensed, or inspected by the department of corrections where the facility has a written record of (i) a history of adequately treated active tuberculosis; (ii) compliance with currently prescribed tuberculosis therapy or preventive therapy; or (iii) completion of a course of preventive therapy, provided the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) to rule out active tuberculosis;*

*(4) a person who is detained or confined in a facility operated, licensed, or inspected by the department of corrections where the facility holds a written record of a negative chest roentgenogram (X-ray) (i) within six months; or (ii) within 12 months prior to intake in the facility if the person has remained under the continuing jurisdiction of a correctional facility since the negative chest roentgenogram (X-ray), provided that the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis,*

or other health condition that may require a new chest roentgenogram (X-ray) to rule out active tuberculosis;

(5) an employee with a record of either a past positive Mantoux test reaction or active tuberculosis who is currently completing or has a documented history of completing a course of tuberculosis therapy or preventive therapy, provided the employee has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis;

(6) an employee with a positive or significant Mantoux test reaction in preemployment screening who does not complete a course of preventive therapy may be exempt from annual Mantoux testing or other screening. This determination shall be made by the commissioner of health based on currently accepted public health standards and the person's health status; and

(7) the commissioner may exempt additional employees or persons detained or confined in facilities operated, licensed, or inspected by the department of corrections based on currently accepted public health standards or the person's health status.

Subd. 4. [REPORTS.] The administrator or other person having general control and supervision of a facility operated, licensed, or inspected by the department of corrections shall provide the commissioner with any reports determined by the commissioner of health to be necessary to evaluate the need for further tuberculosis screening or control efforts in a facility or facilities.

Subd. 5. [WAIVER.] The commissioner may waive any portion of the requirements of subdivisions 1 to 4 if the commissioner of health determines that it is not necessary to protect the public health or if the screening may have a detrimental effect on a person's health status.

#### Sec. 7. [REPORT.]

The commissioner, after consulting with representatives of local health departments, affected school districts, corrections, and medical providers shall determine the costs associated with tuberculosis control measures, and recommend to the legislature by February 1, 1994, mechanisms to provide adequate ongoing funding for tuberculosis control activities.

#### Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 5 and 7 are effective the day following final enactment. Section 6 is effective January 1, 1994."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 521 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 55 and nays 0, as follows:



Those who voted in the affirmative were:

Adkins	Day	Knutson	Moe, R.D.	Riveness
Anderson	Dille	Krentz	Mondale	Robertson
Beckman	Finn	Kroening	Morse	Runbeck
Belanger	Flynn	Langseth	Murphy	Sams
Benson, D.D.	Frederickson	Larson	Oliver	Samuelson
Benson, J.E.	Hanson	Lesewski	Olson	Solon
Berg	Hottinger	Lessard	Pappas	Spear
Bertram	Johnson, D.E.	Luther	Pariseau	Stevens
Betzold	Johnson, J.B.	Marty	Piper	Terwilliger
Chandler	Johnston	McGowan	Price	Vickerman
Cohen	Kiscaden	Metzen	Ranum	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. 1297 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 1297: A bill for an act relating to occupations and professions; board of architecture, engineering, land surveying, landscape architecture, and certified interior designer; establishing a procedure for issuance, denial, revocation, and suspension of licenses; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 326.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 1114 a Special Order to be heard immediately.

### SPECIAL ORDER

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

Mr. Luther moved to amend S.F. No. 1114 as follows:

Page 1, line 21, delete "*the effective date*" and insert "*August 1, 1993*" and delete "*July 1, 1993,*" and insert "*that date*"

Page 1, line 22, delete "*the effective date*" and insert "*August 1, 1993,*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1114 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Kiscaden	Metzen	Riveness
Anderson	Day	Knutson	Moe, R.D.	Robertson
Beckman	Dille	Krentz	Mondale	Runbeck
Belanger	Finn	Kroening	Morse	Sams
Benson, D.D.	Flynn	Langseth	Murphy	Samuelson
Benson, J.E.	Frederickson	Larson	Oliver	Solon
Berg	Hanson	Lesewski	Olson	Stevens
Bertram	Hottinger	Lessard	Pappas	Stumpf
Betzold	Johnson, D.E.	Luther	Pariseau	Terwilliger
Chandler	Johnson, J.B.	Marty	Price	Vickerman
Chmielewski	Johnston	McGowan	Ranum	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. 157 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 157: A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees police and fire fund by two employees of the city of Minneapolis.

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 0, as follows:

Those who voted in the affirmative were:

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

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. 751 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 751: A bill for an act relating to local government; regulating tanning facilities; requiring warning notices; establishing record keeping

requirements; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 461.

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 28 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Luther	Murphy	Riveness
Betzold	Janezich	Marty	Novak	Solon
Cohen	Johnson, J.B.	Merriam	Pappas	Spear
Finn	Krentz	Metzen	Piper	Wiener
Flynn	Kroening	Moe, R.D.	Price	
Hanson	Larson	Mondale	Ranum	

Those who voted in the negative were:

Adkins	Chandler	Kiscaden	Oliver	Stevens
Beckman	Chmielewski	Knutson	Olson	Stumpf
Belanger	Day	Langseth	Pariseau	Terwilliger
Benson, D.D.	Dille	Lesewski	Robertson	Vickerman
Benson, J.E.	Frederickson	Lessard	Runbeck	
Berg	Johnson, D.E.	McGowan	Sams	
Bertram	Johnston	Morse	Samuelson	

So the bill failed to pass.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 20 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 20: A resolution memorializing the United States Secretary of Agriculture to establish higher price supports for grain commodities.

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

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 50 and nays 7, as follows:

Those who voted in the affirmative were:

Adkins	Day	Krentz	Mondale	Robertson
Beckman	Dille	Kroening	Morse	Runbeck
Belanger	Finn	Larson	Murphy	Sams
Benson, D.D.	Frederickson	Lesewski	Novak	Samuelson
Benson, J.E.	Hanson	Lessard	Olson	Solon
Berg	Hottinger	Luther	Pappas	Stevens
Bertram	Janezich	Marty	Piper	Stumpf
Betzold	Johnson, D.E.	McGowan	Price	Terwilliger
Chmielewski	Johnson, J.B.	Metzen	Ranum	Vickerman
Cohen	Knutson	Moe, R.D.	Riveness	Wiener

Those who voted in the negative were:

Anderson	Johnston	Merriam	Oliver	Spear
Chandler	Kiscaden			

So the resolution 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. 1398 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 1398: A bill for an act relating to traffic regulations; directing commissioner of transportation to study and report on traffic safety improvement measures in residential neighborhoods.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Knutson	Moe, R.D.	Sams
Anderson	Day	Krentz	Morse	Samuelson
Beckman	Dille	Kroening	Murphy	Solon
Belanger	Finn	Langseth	Novak	Spear
Benson, D.D.	Flynn	Larson	Oliver	Stevens
Benson, J.E.	Frederickson	Lessard	Pappas	Stumpf
Berg	Hottinger	Luther	Piper	Vickerman
Bertram	Johnson, D.E.	Marty	Ranum	Wiener
Betzold	Johnson, J.B.	McGowan	Riveness	
Chandler	Johnston	Merriam	Robertson	
Chmielewski	Kiscaden	Metzen	Runbeck	

Mses. Lesewski, Olson and Mrs. Pariseau voted in the negative.

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. 253 a Special Order to be heard immediately.

**SPECIAL ORDER**

S.F. No. 253: A bill for an act relating to occupations and professions; clarifying the training requirements for private detectives and security guards; amending Minnesota Statutes 1992, section 326.3361, subdivisions 1, 2, and 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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. 168 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 168: A bill for an act relating to state government; authorizing state agencies to enter into contracts with regional organizations; proposing coding for new law in Minnesota Statutes, chapter 15.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Day	Krentz	Morse	Runbeck
Anderson	Dille	Kroening	Murphy	Sams
Beckman	Finn	Langseth	Novak	Samuelson
Belanger	Flynn	Lesewski	Oliver	Solon
Benson, D.D.	Frederickson	Lessard	Olson	Spear
Benson, J.E.	Hanson	Luther	Pappas	Stevens
Berg	Hottinger	Marty	Pariseau	Stumpf
Bertram	Janezich	McGowan	Piper	Terwilliger
Betzold	Johnson, J.B.	Merriam	Price	Vickerman
Chandler	Johnston	Metzen	Ranum	Wiener
Chmielewski	Kiscaden	Moe, R.D.	Riveness	
Cohen	Knutson	Mondale	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. 732 a Special Order to be heard immediately.

**SPECIAL ORDER**

H.F. No. 732: A bill for an act relating to law enforcement; exempting law enforcement agencies from the requirements of the criminal offender rehabilitation employment law; amending Minnesota Statutes 1992, section 364.09.

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	Moe, R.D.	Riveness
Anderson	Dille	Krentz	Mondale	Robertson
Beckman	Finn	Kroening	Morse	Runbeck
Belanger	Flynn	Langseth	Murphy	Samuelson
Benson, D.D.	Frederickson	Larson	Novak	Solon
Benson, J.E.	Hanson	Lesewski	Oliver	Spear
Berg	Hottinger	Lessard	Olson	Stevens
Bertram	Janezich	Luther	Pariseau	Stumpf
Betzold	Johnson, D.E.	Marty	Piper	Terwilliger
Chandler	Johnson, J.B.	McGowan	Pogemiller	Vickerman
Chmielewski	Johnston	Merriam	Price	Wiener
Cohen	Kiscaden	Metzen	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. 103 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 103: A bill for an act relating to lawful gambling; regulating the conduct of lawful gambling; prescribing the powers and duties of licensees and the board; giving the gambling control board director cease and desist authority for violations of board rules; adding restrictions for bingo halls, distributors, and manufacturers; providing more flexibility in denying a license application to ensure the integrity of the lawful gambling industry; strengthening the gambling control board's enforcement ability by increasing licensing requirements; establishing the combined receipts tax as a lawful purpose expenditure; expanding definition of lawful purpose to include certain senior citizen activities, certain real estate taxes and assessments, and wildlife management projects; prohibiting the use of lawful purpose contributions by local governmental units in pension or retirement funds; exempting organizations with gross receipts of \$50,000 or less from the annual audit; expanding the definition of a class C license; making class C licensee reporting requirements quarterly; modifying the definition of allowable expense to include some advertising costs; eliminating additional compensation for the state lottery director; clarifying and strengthening the regulation of the conduct of bingo; prohibiting certain forms of gambling by persons under 18; modifying the definition of net profits for local assessments; prescribing penalties; amending Minnesota Statutes 1992, sections 240.13, subdivision 8; 240.25, by adding a subdivision; 240.26, subdivision 3; 299L.03, subdivisions 1 and 2; 299L.07, by adding a subdivision; 349.12, subdivisions 1, 3a, 4, 8, 11, 18, 19, 21, 23, 25, 30, 32, 34, and by adding a subdivision; 349.151, subdivision 4; 349.152, subdivisions 2 and 3; 349.153; 349.154, subdivision 2; 349.16, subdivisions 6 and 8; 349.161, subdivisions 1, 3, and 5; 349.162, subdivisions 1, 2, 4, and 5; 349.163, subdivisions 1, 1a, 3, 5, and 6; 349.164, subdivisions 1, 3, and 6; 349.1641; 349.166, subdivisions 1, 2, and 3; 349.167, subdivisions 1 and 4; 349.168, subdivisions 3 and 6; 349.169, subdivision 1; 349.17, subdivisions 2, 4, 5, and by adding a subdivision; 349.174; 349.18, subdivisions 1, 1a, and 2; 349.19, subdivisions 2, 5, 6, 8, and 9; 349.191, subdivisions 1, 4, and by adding a subdivision; 349.211, subdivisions 1 and 2; 349.2122; 349.2125, subdivisions 1 and 3; 349.2127, subdivisions 2, 4, and by adding a subdivision; 349.213, subdivision 1; 349A.03, subdivision 2; 349A.12, subdivisions 1, 2, 5, and 6; and 609.755; proposing coding for new law in Minnesota Statutes, chapters 471; and 609; repealing Minnesota Statutes 1992, sections 349A.03, subdivision 3; and 349A.08, subdivision 3.

Mr. Dille moved to amend S.F. No. 103 as follows:

Page 2, after line 9, insert:

"Section 1. Minnesota Statutes 1992, section 10A.01, subdivision 18, is amended to read:

Subd. 18. "Public official" means any:

(a) member of the legislature;

(b) constitutional officer in the executive branch and the officer's chief administrative deputy;

(c) member, chief administrative officer or deputy chief administrative officer of a state board or commission which has at least one of the following powers: (i) the power to adopt, amend or repeal rules, or (ii) the power to adjudicate contested cases or appeals;

(d) commissioner, deputy commissioner, or assistant commissioner of any state department as designated pursuant to section 15.01;

(e) individual employed in the executive branch who is authorized to adopt, amend or repeal rules or adjudicate contested cases;

(f) executive director of the state board of investment;

(g) executive director of the Indian affairs intertribal board;

(h) commissioner of the iron range resources and rehabilitation board;

(i) commissioner of mediation services;

(j) deputy of any official listed in clauses (e) to (i);

(k) judge of the workers' compensation court of appeals;

(l) administrative law judge or compensation judge in the state office of administrative hearings or referee in the of jobs and training;

(m) solicitor general or deputy, assistant or special assistant attorney general;

(n) individual employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or attorney in the office of senate counsel and research or house research;

(o) member or chief administrative officer of the metropolitan council, regional transit board, metropolitan transit commission, metropolitan waste control commission, metropolitan parks and open spaces commission, metropolitan airports commission or metropolitan sports facilities commission;

(p) ~~the commissioner of gaming and director of each division in the department of gaming and the deputy director of the state lottery board director of the Minnesota racing commission and the director of the gambling control board;~~

(q) director of the division of gambling enforcement in the department of public safety;

(r) member or executive director of the higher education facilities authority;  
or

(s) member of the board of directors or president of the Minnesota world trade center corporation.

Sec. 2. Minnesota Statutes 1992, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. [SALARY RANGES.] The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

## Salary Range

Effective

July 1, 1987

\$57,500-\$78,500

Commissioner of finance;  
Commissioner of education;  
Commissioner of transportation;  
Commissioner of human services;  
Commissioner of revenue;  
Commissioner of public safety;  
Executive director, state board of investment;  
Director of the state lottery;

\$50,000-\$67,500

Commissioner of administration;  
Commissioner of agriculture;  
Commissioner of commerce;  
Commissioner of corrections;  
Commissioner of jobs and training;  
Commissioner of employee relations;  
Commissioner of health;  
Commissioner of labor and industry;  
Commissioner of natural resources;  
Commissioner of trade and economic development;  
Chief administrative law judge; office of administrative  
hearings;  
Commissioner, pollution control agency;  
Director, office of waste management;  
Commissioner, housing finance agency;  
Executive director, public employees retirement  
association;  
Executive director, teacher's retirement association;  
Executive director, state retirement system;  
Chair, metropolitan council;



Chair, regional transit board;

\$42,500-\$60,000

Commissioner of human rights;

Commissioner, department of public service;

Commissioner of veterans affairs;

Commissioner, bureau of mediation services;

Commissioner, public utilities commission;

Member, transportation regulation board;

Ombudsman for corrections;

Ombudsman for mental health and retardation."

Page 2, after line 31, insert:

"Sec. 6. Minnesota Statutes 1992, section 270A.03, subdivision 7, is amended to read:

Subd. 7. [REFUND.] "Refund" means an individual income tax refund or political contribution refund, pursuant to chapter 290, or a property tax credit or refund, pursuant to chapter 290A.

~~For purposes of this chapter, lottery prizes, as set forth in section 349A.08, subdivision 8, shall be treated as refunds."~~

Page 3, after line 26, insert:

"Sec. 10. Minnesota Statutes 1992, section 340A.410, subdivision 5, is amended to read:

Subd. 5. [GAMBLING PROHIBITED.] (a) No retail establishment licensed to sell alcoholic beverages may keep, possess, or operate, or permit the keeping, possession, or operation on the licensed premises of dice or any gambling device as defined in section 349.30, or permit gambling therein except as provided in this subdivision.

(b) Gambling equipment may be kept or operated and raffles conducted on licensed premises and adjoining rooms when the use of the gambling equipment is authorized by (1) chapter 349, (2) a tribal ordinance in conformity with the Indian Gaming Regulatory Act, Public Law Number 100-497, or (3) a tribal-state compact authorized under section 3.9221.

~~(c) Lottery tickets may be purchased and sold within the licensed premises as authorized by the director of the lottery under chapter 349A."~~

Page 47 after line 33, insert:

"Sec. 86. [349A.16] [LOTTERY ABOLISHED.]

*Subdivision 1. [ABOLITION; SUCCESSOR AGENCY.] The lottery, the office of director, and all other positions created under section 349A.02, are abolished. The commissioner of public safety is the successor of the director for purposes of completing any proceeding, court action, prosecution, or other business undertaken by the director before June 30, 1995. Except as provided in subdivision 2, the commissioner may exercise the powers assigned*

*to the director under this chapter for the purpose of completing those actions. The commissioner shall assume the authority of the director over all funds established under section 349A.10 and shall make payments from those funds until all obligations of the state under this chapter have been satisfied. When all obligations of the state under this chapter have been satisfied, the commissioner shall pay all remaining money in all funds established under section 349A.10 to the state treasury for deposit as provided under section 349A.10, subdivision 5.*

*Subd. 2. [SALE OF LOTTERY TICKETS.] The commissioner shall not sell, or make available for sale through lottery retailers, any tickets for the state lottery."*

Page 48, after line 4, insert:

"Sec. 88. Minnesota Statutes 1992, section 541.20, is amended to read:

**541.20 [RECOVERY OF MONEY LOST.]**

Every person who, by playing at cards, dice, or other game, or by betting on the hands or sides of such as are gambling, shall lose to any person so playing or betting any sum of money or any goods, and pays or delivers the same, or any part thereof, to the winner, may sue for and recover such money by a civil action, before any court of competent jurisdiction. For purposes of this section, gambling shall not include pari-mutuel wagering conducted under a license issued pursuant to chapter 240, ~~purchase or sale of tickets in the state lottery~~, or gambling authorized under ~~chapters~~ chapter 349 and 349A.

Sec. 89. Minnesota Statutes 1992, section 541.21, is amended to read:

**541.21 [COMMITMENTS FOR GAMBLING DEBT VOID.]**

Every note, bill, bond, mortgage, or other security or conveyance in which the whole or any part of the consideration shall be for any money or goods won by gambling or playing at cards, dice, or any other game whatever, or by betting on the sides or hands of any person gambling, or for reimbursing or repaying any money knowingly lent or advanced at the time and place of such gambling or betting, or lent and advanced for any gambling or betting to any persons so gambling or betting, shall be void and of no effect as between the parties to the same, and as to all persons except such as hold or claim under them in good faith, without notice of the illegality of the consideration of such contract or conveyance. The provisions of this section shall not apply to pari-mutuel wagering conducted under a license issued pursuant to chapters 240 and 349 ~~or purchase of tickets in the state lottery under chapter 349A~~, or to gaming activities conducted pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. 2701 et seq.

Sec. 90. Minnesota Statutes 1992, section 609.75, subdivision 3, is amended to read:

Subd. 3. [WHAT ARE NOT BETS.] The following are not bets:

(1) A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.

(2) A contract for the purchase or sale at a future date of securities or other commodities.

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo when conducted in compliance with sections 349.11 to 349.23.

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

(6) The operation of equipment or the conduct of a raffle under sections 349.11 to 349.22, by an organization licensed by the gambling control board or an organization exempt from licensing under section 349.166.

(7) Pari-mutuel betting on horse racing when the betting is conducted under chapter 240.

(8) The purchase and sale of state lottery tickets under chapter 349A."

Page 48, delete lines 31 and 32

Page 48, line 33, delete "(3)" and insert "(2)"

Page 49, line 1, delete "(4)" and insert "(3)"

Page 49, line 3, delete "(5)" and insert "(4)"

Page 49, after line 4, insert:

"Sec. 93. Minnesota Statutes 1992, section 609.762, subdivision 1, is amended to read:

Subdivision 1. [FORFEITURE.] The following are subject to forfeiture:

(a) Devices used or intended for use, including those defined in section 349.30, subdivision 2, as a gambling device, except as authorized in sections 349.11 to 349.23 and section 349.40;

(b) All moneys, materials, and other property used or intended for use as payment to participate in gambling or a prize or receipt for gambling;

(c) Books, records, and research products and materials, including formulas, microfilm, tapes, and data used or intended for use in gambling; and

(d) Property used or intended to be used to illegally influence the outcome of a horse race."

Page 49, after line 9, insert:

"(c) Minnesota Statutes 1992, sections 270B.14, subdivision 7; 349A.01; 349A.02; 349A.03; 349A.04; 349A.05; 349A.06; 349A.07; 349A.08; 349A.09; 349A.10; 349A.11; 349A.12; 349A.13; 349A.14; and 349A.15, are repealed, except to the extent that those sections contain powers and duties that are transferred to the commissioner of public safety under section 86."

Page 49, line 35, after the period, insert "Section 94, paragraph (c), is effective July 1, 1995."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Mr. Berg imposed a call of the Senate for the balance of the proceedings on S.F. No. 103. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 30 and nays 31, as follows:

Those who voted in the affirmative were:

Beckman	Dille	Knutson	Merriam	Robertson
Belanger	Finn	Krentz	Mondale	Runbeck
Benson, D.D.	Flynn	Laidig	Murphy	Sams
Benson, J.E.	Frederickson	Lesewski	Oliver	Spear
Chandler	Johnston	Luther	Olson	Stevens
Day	Kiscaden	Marty	Pariseau	Terwilliger

Those who voted in the negative were:

Adkins	Hanson	Larson	Pappas	Stumpf
Anderson	Hottinger	Lessard	Piper	Vickerman
Berg	Janezich	McGowan	Pogemiller	Wiener
Bertram	Johnson, D.E.	Metzen	Price	
Betzold	Johnson, J.B.	Moe, R.D.	Ranum	
Chmielewski	Kroening	Morse	Riveness	
Cohen	Langseth	Novak	Samuelson	

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

S.F. No. 103 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

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. 1054 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 1054: A bill for an act relating to state departments and agencies; providing for reports on advisory task forces committees and councils; providing for their expirations; eliminating certain advisory bodies; amending Minnesota Statutes 1992, sections 6.65; 15.059, subdivision 5; 16B.39, subdivision 1a; 41A.02, subdivision 1; 41A.04, subdivisions 2 and 4; 116J.975; 125.188, subdivision 3; 125.1885, subdivision 3; 129D.16;

148.235, subdivision 2; 246.017, subdivision 2; 246.56, subdivision 2; 256B.0629, subdivision 4; and 256B.433, subdivision 1; 299F.093, subdivision 1; repealing Minnesota Statutes 1992, sections 41.54; 41A.07; 43A.31, subdivision 4; 82.30, subdivision 1; 84.524, subdivisions 1 and 2; 85A.02, subdivision 4; 86A.10, subdivision 1; 116J.645; 116J.984, subdivision 11; 116N.05; 120.064, subdivision 6; 121.87; 145.93, subdivision 2; 148B.20, subdivision 2; 152.02, subdivision 11; 175.008; 184.23; 206.57, subdivision 3; 245.476, subdivision 4; 245.4885, subdivision 4; 256.9745; 256B.0629, subdivisions 1, 2, and 3; 256B.433, subdivision 4; 257.072, subdivision 6; 299F.092, subdivision 9; 299F.097; and 626.5592.

Ms. Wiener moved to amend S.F. No. 1054 as follows:

Page 2, line 13, reinstate the stricken language and delete "1994"

The motion prevailed. So the amendment was adopted.

S.F. No. 1054 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 55 and nays 1, as follows:

Those who voted in the affirmative were:

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

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 H.F. No. 947 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 947: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited lands that border public water in Sherburne and Stearns counties.

Mr. Finn moved to amend H.F. No. 947, 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. 896.)

Page 1, after line 18, insert:

"Sec. 2. [SALE OF TAX-FORFEITED LAND; HUBBARD COUNTY.]

(a) *Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Hubbard county may sell the tax-forfeited land bordering*

public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be conveyed is located in Hubbard county and is described as:

(1) That part of Government Lot 4, Section 31, Township 139, Range 34, described as follows: Commencing at the Southwest corner of Lot 4, Section 31, Township 139, Range 34, thence along the westerly boundary line of said Lot 4, 170 feet North to the point of beginning; thence continuing North 175 feet to a point which will be the Northwest corner of this lot; thence at right angle East to the shore of North Twin Lake; thence southerly along the shoreline to a point due East of the point of beginning; thence due West to the point of beginning. This tract forfeited to the state for nonpayment of taxes on October 24, 1990; and

(2) That portion of the South 100 feet of the North 400 feet of Government Lot 6, Section 3, Township 142 North, Range 32 West of the Fifth Principal Meridian, lying East of the Blue Trail, as it existed on November 15, 1991. This tract forfeited for nonpayment of taxes on November 15, 1991.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Page 1, line 19, delete "2" and insert "3"

Page 1, line 20, delete "Section 1 is" and insert "Sections 1 and 2 are"

Amend the title as follows:

Page 1, line 4, delete "county" and insert "and Hubbard counties"

The motion prevailed. So the amendment was adopted.

Mr. Bertram moved to amend H.F. No. 947, 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. 896.)

Page 1, after line 18, insert:

"Sec. 2. [SALE OF TAX-FORFEITED LAND; STEARNS COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Stearns county may sell tax-forfeited land bordering public water that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be sold is located in Stearns county and is described as Lots 15 and 16, Block 1, Jody Estates Addition to Wakefield Township.

(d) The county has determined that the county's land management interests would best be served if the land is returned to private ownership."

Page 1, line 19, delete "2" and insert "3"

Page 1, line 20, delete "Section 1 is" and insert "Sections 1 and 2 are"

Amend the title as follows:

Page 1, line 3, delete "land that borders" and insert "lands that border"

Page 1, line 4, delete "county" and insert "and Stearns counties"

### CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate for the balance of the proceedings on the Bertram amendment to H.F. No. 947. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Stevens moved that H.F. No. 947 be laid on the table. The motion prevailed.

Mr. Luther moved that H.F. No. 854 be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H.F. No. 854: A bill for an act relating to drivers' licenses; eliminating driver's license endorsement requirement for special transportation service drivers; amending Minnesota Statutes 1992, sections 171.02, subdivision 2; 171.10, subdivision 2; and 171.13, subdivision 5; repealing Minnesota Statutes 1992, sections 171.01, subdivision 24; and 171.323.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Mr. Luther moved that H.F. No. 622 be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H.F. No. 622: A bill for an act relating to metropolitan government; providing long-term protection of agricultural land in the metropolitan area; amending Minnesota Statutes 1992, sections 473H.11; and 473H.12.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Stevens moved that H.F. No. 947 be taken from the table. The motion prevailed.

H.F. No. 947: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited lands that border public water in Sherburne and Stearns counties.

Mr. Bertram withdrew his amendment.

H.F. No. 947 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, 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. 974 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 974: A bill for an act relating to the capitol area architectural and planning board; clarifying certain duties and powers of the board; amending Minnesota Statutes 1992, section 15.50, subdivision 2, and by adding a subdivision.

Ms. Pappas moved to amend H.F. No. 974, 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. 1013.)



Pages 1 to 8, delete sections 1 and 2 and insert:

"Section 1. Minnesota Statutes 1992, section 15.50, subdivision 2, is amended to read:

Subd. 2. [CAPITOL AREA PLAN.] (a) The board shall prepare, prescribe, and from time to time, *after a public hearing*, amend a comprehensive use plan for the capitol area, ~~herein~~ called the area *in this subdivision*, which ~~shall initially consist~~ *consists* of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street extended to a point 50 feet south of the south line of Concordia Avenue, thence southeasterly along a line extending 50 feet from the south line of Concordia Avenue to a point 125 feet from the west line of John Ireland Boulevard, thence southwesterly along a line extending 125 feet from the west line of John Ireland Boulevard to the south line of Dayton Avenue, thence northeasterly from the south line of Dayton Avenue to the west line of John Ireland Boulevard, thence northeasterly to the centerline of the intersection of Old Kellogg Boulevard and Summit Avenue, thence northeasterly along the centerline of Summit Avenue to the south line of the right-of-way of the Fifth Street ramp, thence southeasterly along the right-of-way of the Fifth Street ramp to the east line of the right-of-way of Interstate Highway 35-E, thence northeasterly along the east line of the right-of-way of Interstate Highway 35-E to the south line of the right-of-way of Interstate Highway 94, thence easterly along the south line of the right-of-way of Interstate Highway 94 to the west line of St. Peter Street, thence southerly to the south line of Eleventh Street, thence easterly along the south line of Eleventh Street to the west line of Cedar Street, thence southeasterly along the west line of Cedar Street to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin.

~~Pursuant to~~ Under the comprehensive plan, or ~~any a portion thereof of it~~, the board may regulate, by means of zoning rules adopted ~~pursuant to under~~ the administrative procedure act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. To protect and enhance the dignity, beauty, and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area significantly affecting the dignity, beauty, and architectural integrity of the area. No person ~~shall may~~ undertake these construction activities as defined in the board's rules in the capitol area without first submitting construction plans to the board, obtaining a zoning permit from the board, and receiving a written certification from the board specifying that the person has complied with all design review procedures and standards. Violation of the zoning rules is a misdemeanor. The board may, at its option, proceed to abate any violation by injunction. The board and the city of St. Paul shall cooperate

in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. The commissioner shall make studies and report the results to the board when ~~they request~~ *it requests* reports for ~~their~~ *its* planning purpose.

(c) No public building, street, parking lot, or monument, or other construction ~~shall may~~ be built or altered on any public lands within the area unless the plans for the ~~same conforms~~ *project conform* to the comprehensive use plan as specified in ~~elause~~ *paragraph* (d) and to the requirement for competitive plans as specified in ~~elause~~ *paragraph* (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or the exterior or interior design of any proposed new public building the plans for which were secured by competition under ~~elause~~ *paragraph* (e), may be made without the prior consent of the board. The commissioner of administration shall consult with the board regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan ~~shall must~~ show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas ~~and~~, open spaces, ~~monuments, and other memorials~~; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement ~~shall may~~ be made to public lands or buildings in the area ~~save with~~ *without* the written approval of the board.

(e) The board shall secure by competitions, plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition, ~~which that~~ may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. ~~Such~~ *A* competition ~~shall must~~ be conducted under rules prescribed by the board and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected ~~shall~~ become the property of the state of Minnesota, and the board may award one or more premiums in each ~~such~~ competition and may pay ~~such the~~ costs and fees ~~as that~~ may be required for ~~the its~~ conduct thereof. At the option of the board, plans for projects estimated to cost less than \$1,000,000 may be approved without competition provided ~~such the~~ plans have been considered by the advisory committee described in ~~elause~~ *(f)* *paragraph (h)*. Plans for projects estimated to cost less than \$400,000 and for construction of streets need not be considered by the advisory committee if in conformity with the comprehensive plan.

(f) *Notwithstanding paragraph (e), an architectural competition is not required for the design of any light rail transit station and alignment within the capitol area. The board and its advisory committee shall select a preliminary design for any transit station in the capitol area. Each stage of any station's design through working drawings must be reviewed by the board's advisory committee and approved by the board to ensure that the station's design is compatible with the comprehensive plan for the capitol area and the board's*

*design criteria. The guideway and track design of any light rail transit alignment within the capitol area must also be reviewed by the board's advisory committee and approved by the board.*

*(g) Of the amount available for the light rail transit design, adequate funds must be available to the board for design framework studies and review of preliminary plans for light rail transit alignment and stations in the capitol area.*

~~(f)~~ *(h)* The board ~~shall~~ *may* not adopt any plan under ~~clause paragraph~~ *paragraph* (e) unless it first receives the comments and criticism of an advisory committee of three persons, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. Members of the committee ~~shall may~~ *may* not be contestants under ~~clause paragraph~~ *paragraph* (e). The comments and criticism ~~shall must~~ *must* be a matter of public information. The committee shall advise the board on all architectural and planning matters. For that purpose:

(1) the committee ~~shall must~~ *must* be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the ~~same data~~ *same data* are developed or in the process of preparation, whether by the commissioner of administration, the commissioner of trade and economic development, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the board or not retained and engaged in any work or planning relating to the area, *and* a copy of any ~~such~~ *such* data prepared by any public employee or agency ~~shall must~~ *must* be filed with the board promptly upon completion;

(2) the board may employ ~~such~~ *such* stenographic or technical help ~~as that may~~ *as that may* be reasonable to assist the committee to perform its duties;

(3) when so directed by the board, the committee may serve as, and any member or members ~~thereof of the committee~~ *thereof of the committee* may serve on, the jury or as professional advisor for any architectural competition, *and* the board shall select the architectural advisor and jurors for any competition with the advice of the committee; and

(4) the city of Saint Paul shall advise the board.

~~(g)~~ *(i)* The comprehensive plan for the area ~~shall must~~ *must* be developed and maintained in close cooperation with the commissioner of trade and economic development ~~and~~ *and*, the planning department and the council for the city of Saint Paul, and the board of the arts, and no ~~such~~ *such* plan or amendment ~~thereof~~ *shall of a plan may* be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts *and without a public hearing with opportunity for public testimony.*

~~(h)~~ *(j)* The board and the commissioner of administration, jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. ~~Pursuant to this power,~~ The board shall consult with and receive advice from the director of the Minnesota state historical society regarding the historic fidelity of plans for the capitol building. The standards and policies developed ~~as herein provided~~

shall be under this paragraph are binding upon the commissioner of administration. The provisions of sections 14.02, 14.04 to 14.36, 14.38, and 14.44 to 14.45 shall do not apply to this clause.

(+) (k) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program. *The board shall report any changes to the comprehensive plan adopted by the board to the committee on governmental operations and gambling of the house of representatives and the committee on governmental operations and reform of the senate and upon request shall provide testimony concerning the changes. The board shall also provide testimony to the legislature on proposals for memorials in the capitol area as to their compatibility with the standards, policies, and objectives of the comprehensive plan.*

(+) (l) The state shall, by the attorney general upon the recommendation of the board and within appropriations available for that purpose, acquire by gift, purchase, or eminent domain proceedings any real property situated in the area described in this section, and it shall ~~may also have the power to~~ acquire an interest less than a fee simple interest in the property, if it finds that ~~the property~~ is needed for future expansion or beautification of the area.

(+) (m) The board is the successor of the state veterans' service building commission, and as such may adopt rules and may reenact the rules adopted by its predecessor under Laws 1945, chapter 315, and ~~acts amendatory thereof amendments to it.~~

(+) (n) The board shall meet at the call of the chair and at such other times as it may prescribe.

(+) (o) The commissioner of administration shall assign quarters in the state veterans service building to (1) the department of veterans affairs, of which ~~such a part as that~~ the commissioner of administration and commissioner of veterans affairs may mutually determine shall ~~must~~ be on the first floor above the ground, and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available, to ~~such~~ other state departments and agencies as the commissioner may deem desirable."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 974 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 868 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 868: A bill for an act relating to human services; adding conditions on availability of funds; changing conditions on adoption assistance agreement; changing reimbursement of costs; determining program funding; amending Minnesota Statutes 1992, section 259.40, subdivisions 1, 2, 3, 4, 5, 7, 8, and 9.

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 0, as follows:

Those who voted in the affirmative were:

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

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. 882 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 882: A bill for an act relating to outdoor recreation; creating the Lake Superior water trail; proposing coding for new law in Minnesota Statutes, chapter 85.

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 0, as follows:

Those who voted in the affirmative were:

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

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. 34 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 34: A bill for an act relating to student exchange programs; regulating student exchange programs; imposing a penalty; amending Minnesota Statutes 1992, section 299C.61, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 5A.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Laidig	Murphy	Rivness
Anderson	Finn	Langseth	Novak	Robertson
Beckman	Frederickson	Larson	Oliver	Runbeck
Belanger	Hanson	Lesewski	Olson	Sams
Benson, J.E.	Janezich	Lessard	Pappas	Samuelson
Berg	Johnson, D.E.	Luther	Pariseau	Stevens
Bertram	Johnson, J.B.	Marty	Piper	Stumpf
Betzold	Johnston	McGowan	Pogemiller	Terwilliger
Chandler	Kiscaden	Merriam	Price	Wiener
Chmielewski	Knutson	Metzen	Ranum	
Day	Krentz	Morse	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. 129 a Special Order to be heard immediately.

### SPECIAL ORDER

H.F. No. 129: A bill for an act relating to marriage dissolution; maintenance; applying child support enforcement actions to actions to enforce maintenance; expanding notice of rights of parties in dissolution or separation proceeding; requiring child support order to assign responsibility for child's medical coverage; clarifying visitation rights; requiring dissolution judgment or decree to provide notice about principal residence; amending Minnesota

Statutes 1992, sections 214.101, subdivisions 1 and 4; 518.17, subdivision 3; 518.171, subdivision 1; 518.175, subdivision 6; 518.177; 518.55; 518.551, subdivision 12; 518.583; 518.611, subdivision 2; and 518.641, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

Mr. Luther moved to amend H.F. No. 129, the unofficial engrossment, as follows:

Page 2, after line 23, insert:

“Sec. 3. Minnesota Statutes 1992, section 257.022, subdivision 2b, is amended to read:

Subd. 2b. ~~[WHEN CHILD HAS RESIDED WITH OTHER PERSON OTHER VISITATION RIGHTS.]~~ If an ~~unmarried minor~~ a person other than a foster parent has resided in a household with a ~~person, other than a foster parent,~~ an unmarried minor for two years or more and no longer resides with the ~~person~~ minor; or if a person other than a foster parent has had any other significant relationship with an unmarried minor for two or more years, the person may petition the district court for an order granting the person reasonable visitation rights to the child during the child's minority. The court shall grant the petition if it finds that:

- (1) visitation rights would be in the best interests of the child;
- (2) the petitioner and child had established emotional ties creating a parent and child relationship *or similar significant emotional relationship*; and
- (3) visitation rights would not interfere with the relationship between the custodial parent and the child.

The court shall consider the reasonable preference of the child, if the court considers the child to be of sufficient age to express a preference.”

Page 3, after line 1, insert:

“Sec. 6. Minnesota Statutes 1992, section 257.57, subdivision 1, is amended to read:

Subdivision 1. A child, the child's biological mother, or a man presumed to be the child's father under section 257.55, subdivision 1, clause (a), (b), or (c) may bring an action:

(a) At any time for the purpose of declaring the existence of the father and child relationship presumed under section 257.55, subdivision 1, clause (a), (b), or (c); or

(b) ~~Within three years after the child's birth~~ For the purpose of declaring the nonexistence of the father and child relationship presumed under section 257.55, subdivision 1, clause (a), (b), or (c), *only if the action is brought within a reasonable time after the person bringing the action has obtained knowledge of the relevant facts, but in no event later than three years after the child's birth.* However, if the presumed father was divorced from the child's mother and if, on or before the 280th day after the judgment and decree of divorce or dissolution became final, he did not know that the child was born during the marriage or within 280 days after the marriage was terminated, the action is not barred until one year after the child reaches the age of majority or one year after the presumed father knows or reasonably should have known of the birth of the child, whichever is earlier. After the presumption has been

rebutted, paternity of the child by another man may be determined in the same action, if he has been made a party."

Page 22, after line 20, insert:

"Sec. 25. [EFFECTIVE DATE; APPLICATION.]

*Section 6 is effective January 1, 1994, and applies to actions commenced on or after that date."*

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Luther then moved to amend the Luther amendment to H.F. No. 129 as follows:

Page 1, delete lines 3 to 26

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

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

H.F. No. 129 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:

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

Those who voted in the negative were:

Adkins	Day	Lessard	Metzen	Stevens
Chmielewski	Larson	Merriam	Samuelson	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. 796 a Special Order to be heard immediately.

### SPECIAL ORDER

S.F. No. 796: A bill for an act relating to transportation; exempting public bodies from regulations on all-terrain vehicles; allowing commissioner of transportation to transfer certain real property acquired for highway purposes to former owner through negotiated settlement; providing for bridge inspection frequency and reports; delaying required revision of state transportation plan; authorizing expenditure of rail service maintenance account money for maintenance of rail lines and rights-of-way in the rail bank; providing funding



sources for rail bank maintenance account; authorizing sale of certain tax-forfeited land that borders public water in New Scandia township in Washington county, and an exchange of that land for land located in Stillwater township in Washington county between the state of Minnesota and the United States Department of Interior, National Park Service; repealing identification display requirements for highway advertising signs; amending Minnesota Statutes 1992, sections 84.928, subdivision 1; 165.03; 174.03, subdivision 1a; 222.50; subdivision 7; 222.63, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 1992, section 173.14; and Minnesota Rules, part 8810.1300, subpart 6.

Mr. Langseth moved to amend S.F. No. 796 as follows:

Page 3, after line 1; insert:

“Sec. 3. Minnesota Statutes 1992, section 162.02, subdivision 7, is amended to read:

Subd. 7. [ESTABLISHMENT IN NEW LOCATION OR OVER ESTABLISHED ROADS.] The county board of any county may establish and locate any county state-aid highway on new location where there is no existing road, or it may establish and locate the highway upon or over any established road or street or a specified portion thereof within its limits; ~~provided, that.~~ *Except as provided in subdivision 8a,* no county state-aid highway shall be established or located within the corporate limits of any city without the approval of the governing body of the city, except that when a county state-aid highway is relocated the approval of the plans by the governing body shall be deemed to be a transfer of the previous location of the highway to the jurisdiction of the city. The approval shall be in the manner and form required by the commissioner.

Sec. 4. Minnesota Statutes 1992, section 162.02, subdivision 8, is amended to read:

Subd. 8. [APPROVAL BY CITY.] *Except as provided in subdivision 8a,* no portion of the county state-aid highway system lying within the corporate limits of any city shall be constructed, reconstructed, or improved nor the grade thereof changed without the prior approval of the plans by the governing body of such city and the approval shall be in the manner and form required by the commissioner.

Sec. 5. Minnesota Statutes 1992, section 162.02, is amended by adding a subdivision to read:

Subd. 8a. [DISPUTE RESOLUTION BOARD.] *If a city has failed to approve establishment, construction, reconstruction, or improvement of a county state-aid highway within its corporate limits under subdivision 7 or 8, the county board may, by resolution, request the commissioner to appoint a dispute resolution board consisting of one county commissioner, one county engineer, one city council member or city mayor, one city engineer, and one representative of the department of transportation. The board shall review the proposed change and make a recommendation to the commissioner. Notwithstanding any other law, the commissioner may approve the establishment, construction, reconstruction, or improvement of a county state-aid highway recommended by the board.*

Sec. 6. Minnesota Statutes 1992, section 162.07, subdivision 1, is amended to read:

Subdivision 1. [FORMULA.] After deducting for administrative costs and for the disaster account and research account and state park roads as heretofore provided, the remainder of the total sum provided for in section 162.06, subdivision 1, shall be identified as the apportionment sum and shall be apportioned by the commissioner to the several counties on the basis of the needs of the counties as determined in accordance with the following formula:

(1) An amount equal to ~~ten~~ five percent of the apportionment sum shall be apportioned equally among the 87 counties.

(2) An amount equal to ~~ten~~ 20 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its motor vehicle registration for the calendar year preceding the one last past, determined by residence of registrants, bears to the total statewide motor vehicle registration.

(3) An amount equal to ~~30~~ 35 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its total ~~miles existing lane miles~~ of approved county state-aid highways bears to the total ~~miles existing lane miles~~ of approved statewide county state-aid highways.

(4) An amount equal to ~~50~~ 40 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its money needs bears to the sum of the money needs of all of the individual counties; ~~provided, that the percentage of such amount that each county is to receive shall be adjusted so that each county shall receive in 1958 a total apportionment at least ten percent greater than its total 1956 apportionments from the state road and bridge fund; and provided further that those counties whose money needs are thus adjusted shall never receive a percentage of the apportionment sum less than the percentage that such county received in 1958.~~

*In 1994 and thereafter, no county shall receive more than its apportionment for the previous year plus 39.5 percent, and in 1994 and thereafter no county shall receive less than its apportionment for 1993 plus three percent. The three percent may be decreased proportionately among the counties if the total apportionment sum is insufficient.*

Sec. 7. Minnesota Statutes 1992, section 162.07, subdivision 3, is amended to read:

Subd. 3. [COMPUTATIONS FOR RURAL COUNTIES.] An amount equal to a levy of 0.01596 percent on each rural county's total taxable market value for the last preceding calendar year shall be computed and shall be subtracted from the county's total estimated construction costs. The result thereof shall be the money needs of the county. ~~For the purpose of this section, "rural counties" means all counties having a population of less than 175,000.~~

Sec. 8. Minnesota Statutes 1992, section 162.07, subdivision 5, is amended to read:

Subd. 5. [SCREENING BOARD.] On or before September 1 of each year the county engineer of each county shall forward to the commissioner, on forms prepared by the commissioner, all information relating to the mileage *in lane miles* of the county state-aid highway system in the county, and the money needs of the county that the commissioner deems necessary in order to apportion the county state-aid highway fund in accordance with the formula

heretofore set forth. Upon receipt of the information the commissioner shall appoint a board consisting of ~~nine county engineers~~. The board shall be so selected that each one county engineer appointed shall be from a different from each of the seven state highway construction district districts outside the department's metropolitan division and five county engineers from the department's metropolitan division. No county engineer shall be appointed so as to serve consecutively for more than ~~two~~ four years. The board shall investigate and review the information submitted by each county and shall on or before the first day of November of each year submit its findings and recommendations in writing as to each county's lane mileage and money needs to the commissioner on a form prepared by the commissioner. Final determination of the lane mileage of each system and the money needs of each county shall be made by the commissioner.

Sec. 9. Minnesota Statutes 1992, section 162.07, subdivision 6, is amended to read:

Subd. 6. [ESTIMATES TO BE MADE IF INFORMATION NOT PROVIDED.] In the event that any county shall fail to submit the information provided for herein, the commissioner shall estimate the lane mileage and the money needs of the county. The estimate shall be used in determining the apportionment formula. The commissioner may withhold payment of the amount apportioned to the county until the information is submitted."

Page 5, after line 5, insert:

"Sec. 11. Minnesota Statutes 1992, section 171.06, subdivision 2, is amended to read:

Subd. 2. [FEES.] (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver License	<del>C-\$15</del>	<del>CC-\$19</del>	<del>B-\$26</del>	<del>A-\$34</del>
	C-\$18.50	CC-\$22.50	B-\$29.50	A-\$37.50
Classified Under 21 D.L.	<del>C-\$15</del>	<del>CC-\$19</del>	<del>B-\$26</del>	<del>A-\$14</del>
	C-\$18.50	CC-\$22.50	B-\$29.50	A-\$17.50
Instruction Permit				\$ 6 9.50
Duplicate Driver or Under 21 License				\$ 4.50
				\$ 8.00
Minnesota identification card, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$ 9
				\$12.50

(b) For the 1994-1995 biennium, \$2,900,000 of the additional fee shall be paid into the state treasury and credited to the transit assistance fund.

Sec. 12. Minnesota Statutes 1992, section 171.26, is amended to read:

#### 171.26 [MONEY CREDITED TO FUNDS.]

All money received under the provisions of this chapter shall be paid into the state treasury with ~~90~~ 70 percent of such money credited to the trunk highway fund, 20 percent credited to the transit assistance fund, and ten percent credited to the general fund, except as provided in sections 171.06, ~~subdivision~~ subdivisions 2 and 2a; and 171.29, subdivision 2. The percent

*credited to the transit assistance fund is in addition to the amount credited under section 171.06, subdivision 2."*

Page 5, after line 18, insert:

"Sec. 14. Minnesota Statutes 1992, section 174.32, subdivision 2, is amended to read:

Subd. 2. [TRANSIT ASSISTANCE FUND; DISTRIBUTION.] (a) The transit assistance fund receives money distributed under section 297B.09. ~~Eighty percent of~~ *As appropriated from time to time by law*, the receipts of the fund must be placed into a metropolitan account for distribution to recipients located in the metropolitan area and ~~20 percent~~ into a separate account for distribution to recipients located outside of the metropolitan area. *Money not so appropriated cancels to the general fund.* Except as otherwise provided in this subdivision, the regional transit board created by section 473.373 is responsible for distributing assistance from the metropolitan account, and the commissioner is responsible for distributing assistance from the other account. Money placed in the metropolitan account is available for distribution to regional railroad authorities established under chapter 398A in the metropolitan area, by the commissioner of transportation as provided in paragraph (b).

(b) The commissioner shall request applications from all eligible regional railroad authorities. The commissioner shall establish a reasonable deadline for submittal of applications. The commissioner may not distribute more than 60 percent of the available funds to a single recipient. Before distributing money to any regional railroad authority, the commissioner shall submit the applications to the regional transit board for approval. The commissioner may distribute funds only with the approval of the board. Before approving any application for funds for construction, the board shall report to the legislature on the use and planned distribution of construction funds."

Page 6, after line 36, insert:

"Sec. 17. Minnesota Statutes 1992, section 296.02, subdivision 1b, is amended to read:

Subd. 1b. [RATES IMPOSED.] The gasoline excise tax is imposed at the following rate:

For the period ~~on and after May from June 1, 1988~~ 1993, to June 30, 1995, gasoline is taxed at the rate of ~~20~~ 25 cents per gallon.

Sec. 18. Minnesota Statutes 1992, section 297A.02, is amended by adding a subdivision to read:

Subd. 5. [MOTOR VEHICLE LEASES.] *Notwithstanding the provisions of subdivision 1, the rate of the excise tax imposed upon leases of motor vehicles is 6.5 percent.*

Sec. 19. Minnesota Statutes 1992, section 297B.02, subdivision 1, is amended to read:

Subdivision 1. [RATE.] There is imposed an excise tax at the rate ~~provided in chapter 297A~~ of seven percent on the purchase price of any motor vehicle purchased or acquired, either in or outside of the state of Minnesota, which is required to be registered under the laws of this state.

The excise tax is also imposed on the purchase price of motor vehicles purchased or acquired on Indian reservations when the tribal council has entered into a motor vehicle excise tax refund agreement with the state of Minnesota.

Sec. 20. Minnesota Statutes 1992, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. [GENERAL FUND SHARE.] (a) Money collected and received under this chapter must be deposited in the state treasury and credited to the general fund. The amounts collected and received shall be credited as provided in this subdivision, and transferred from the general fund on July 15 and February 15 of each fiscal year. The commissioner of finance must make each transfer based upon the actual receipts of the preceding six calendar months and include the interest earned during that six-month period. The commissioner of finance may establish a quarterly or other schedule providing for more frequent payments to the transit assistance fund if the commissioner determines it is necessary or desirable to provide for the cash flow needs of the recipients of money from the transit assistance fund.

(b) ~~Twenty-five~~ *Twenty-seven* percent of the money collected and received under this chapter after June 30, 1990, and before July 1, 1991, must be transferred to the highway user tax distribution fund and the transit assistance fund for apportionment as follows: 75 percent must be transferred to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund, and the remaining 25 percent of the money must be transferred to the transit assistance fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the regional transit board.

(c) The distributions under this subdivision to the highway user tax distribution fund until June 30, 1991, and to the trunk highway fund thereafter, must be reduced by the amount necessary to fund the appropriation under section 41A.09, subdivision 1. For the fiscal years ending June 30, 1988, and June 30, 1989, the commissioner of finance, before making the transfers required on July 15 and January 15 of each year, shall estimate the amount required to fund the appropriation under section 41A.09, subdivision 1, for the six-month period for which the transfer is being made. The commissioner shall then reduce the amount transferred to the highway user tax distribution fund by the amount of that estimate. The commissioner shall reduce the estimate for any six-month period by the amount by which the estimate for the previous six-month period exceeded the amount needed to fund the appropriation under section 41A.09, subdivision 1, for that previous six-month period. If at any time during a six-month period in those fiscal years the amount of reduction in the transfer to the highway user tax distribution fund is insufficient to fund the appropriation under section 41A.09, subdivision 1 for that period, the commissioner shall transfer to the general fund from the highway user tax distribution fund an additional amount sufficient to fund the appropriation for that period, but the additional amount so transferred to the general fund in a six-month period may not exceed the amount transferred to the highway user tax distribution fund for that six-month period.

Sec. 21. [HIGH-SPEED RAIL STUDY.]

(a) *The commissioner of transportation shall initiate a phase-II feasibility study of high-speed rail service in Minnesota, Wisconsin, and Illinois along the southern corridor identified in the tri-state study of high-speed rail*

service. The commissioner shall seek federal matching funds and contributions from nonpublic sources to finance the study. The commissioner may enter into agreements with the states of Wisconsin and Illinois to cooperate in financing and performing the study.

(b) The study outline shall be agreed upon by the participating states and federal government and should include:

- (1) collection of original and comprehensive origin-destination data;
- (2) a comprehensive assessment of alternative technologies;
- (3) engineering and environmental analysis, including route evaluations within the corridor, crossings, infrastructure needs, intermodal connections, and potential station locations;
- (4) comprehensive financial and economic analysis;
- (5) analysis of potential public-private partnerships; and
- (6) an implementation plan and program for design and construction of a high-speed rail system."

Page 9, after line 5, insert:

**"Sec. 25. [LIGHT RAIL TRANSIT FUNDING PROPOSAL.]**

If federal funds are available, the commissioner of transportation shall submit a proposal for federal matching funds for preliminary design, final design, and land acquisition for light rail transit in the central corridor.

**Sec. 26. [APPROPRIATION.]**

(a) \$7,600,000 for fiscal year 1994 and \$7,600,000 for fiscal year 1995 is appropriated from the funds indicated to the commissioner of transportation for the sole purpose of matching federal funds for preliminary design, final design, and land acquisition for light rail transit in the central corridor. This amount is available only if federal matching funds are available and if Hennepin county provides \$400,000 and Ramsey county provides \$200,000 to the commissioner of transportation for this purpose:

- (1) from the transit assistance fund \$11,900,000; and
- (2) from the general fund \$3,300,000.

The unencumbered balance in the first year does not cancel but is available for the second year. Any amounts not expended or obligated by June 30, 1995, cancel to the trunk highway fund.

(b) \$45,400,000 for fiscal year 1994 and \$45,400,000 for fiscal year 1995 is appropriated to the commissioner of transportation for local roads. Of this amount:

- (1) \$35,200,000 each year is from the county state-aid highway fund; and
- (2) \$10,200,000 each year is from the municipal state-aid street fund.

(c) \$59,300,000 for fiscal year 1994 and \$59,300,000 for fiscal year 1995 is appropriated to the commissioner of transportation from the trunk highway fund for state road construction.

(d) \$6,700,000 for fiscal year 1994 and \$6,700,000 for fiscal year 1995 is appropriated to the commissioner of transportation from the trunk highway fund for highway program delivery. Of this amount, \$2,800,000 each year is for design engineering and \$3,900,000 each year is for construction engineering.

(e) \$3,000,000 for fiscal year 1994 and \$3,000,000 for fiscal year 1995 is appropriated from the trunk highway fund to the commissioner of public safety for the state patrol.

(f) \$65,700,000 for fiscal year 1994 and \$67,100,000 for fiscal year 1995 is appropriated from the transit assistance fund for the following purposes:

(1) \$49,600,000 the first year and \$50,015,000 the second year to the regional transit board for transit in the metropolitan area; and

(2) \$16,100,000 the first year and \$16,223,000 the second year to the commissioner of transportation for greater Minnesota transit assistance.

(g) \$600,000 is appropriated from the general fund to the commissioner of transportation for the phase-II high-speed rail study, \$300,000 to be available for the fiscal year ending June 30, 1994, and \$300,000 to be available for the fiscal year ending June 30, 1995. The unencumbered balance in the first year does not cancel but is available for the second year. The complement of the department of transportation is increased by 1.5 positions.

*This appropriation is contingent upon the state of Wisconsin paying an equal amount and receipt of federal matching funds for the study.*

Page 9, line 8, after the period, insert "*Minnesota Statutes 1992, section 162.07, subdivision 4, is repealed. Sections 3 to 8, 10, 11, 16, 17, 18, and 19 expire June 30, 1995, and the laws in effect May 31, 1993, are reinstated.*"

Page 9, line 11, after the period, insert "*Sections 3 to 8 are effective for county state-aid fund apportionment payment in 1994 and thereafter. Section 16 is effective June 1, 1993, and applies to gasoline and special fuel in distributor storage on that date.*"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Ms. Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 796. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Berg moved to amend the Langseth amendment to S.F. No. 796 as follows:

Page 6, delete section 18

Page 6, line 27, reinstate the old language and delete the new language

Renumber the sections in sequence and correct the internal references

The question was taken on the adoption of the Berg amendment to the Langseth amendment.

The roll was called, and there were yeas 12 and nays 52, as follows:

Those who voted in the affirmative were:

Benson, D.D.	Johnston	Novak	Pariseau	Robertson
Benson, J.E.	Lesewski	Olson	Price	Stevens
Berg	McGowan			

Those who voted in the negative were:

Adkins	Finn	Krentz	Mondale	Sams
Anderson	Flynn	Kroening	Morse	Samuelson
Beckman	Frederickson	Laidig	Murphy	Solon
Belanger	Hanson	Langseth	Oliver	Spear
Bertram	Hottinger	Larson	Pappas	Stumpf
Betzold	Janezich	Lessard	Piper	Terwilliger
Chandler	Johnson, D.E.	Luther	Pogemiller	Vickerman
Chmielewski	Johnson, D.J.	Marty	Ranum	Wiener
Cohen	Johnson, J.B.	Merriam	Reichgott	
Day	Kiscaden	Metzen	Riveness	
Dille	Knutson	Moe, R.D.	Runbeck	

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

Mr. Novak moved to amend the Langseth amendment to S.F. No. 796 as follows:

Page 9, line 1, delete the quotation marks

Page 9, after line 1, insert:

“Sec. 22. [CONSTITUTIONAL AMENDMENT PROPOSED.]

*Subdivision 1. An amendment to the Minnesota Constitution, as provided by subdivisions 2 and 3, is proposed to the people.*

*Subd. 2. If the amendment is adopted, article XIV, section 5, will read as follows:*

*Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. For purposes of this article, highway purposes includes use for mass transit. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article. The net proceeds of the taxes shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Each apportionment under this section may be used for mass transit. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.*

Sec. 23. [SUBMISSION TO THE VOTERS.]

*The proposed amendment must be submitted to the people at the 1994 general election. The question submitted must be:*

*“Shall the Minnesota Constitution be amended to allow the use of the highway user distribution fund for mass transit?”*

Yes ....

No .....



*Election procedures must be as provided by law.*

Sec. 24. [EFFECT OF AMENDMENT.]

*If the amendment proposed by section 22 is approved by the people, it will govern fuel excise tax increases taking effect after December 31, 1994."*

Renumber the sections in sequence and correct the internal references

Mr. Frederickson questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the Novak amendment to the Langseth amendment.

The roll was called, and there were yeas 25 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, D.J.	Luther	Novak	Riveness
Benson, J.E.	Kelly	Marty	Oliver	Robertson
Betzold	Krentz	Merriam	Price	Runbeck
Chandler	Kroening	Metzen	Ranum	Solon
Cohen	Laidig	Mondale	Reichgott	Spear

Those who voted in the negative were:

Adkins	Dille	Johnson, J.B.	McGowan	Pogemiller
Beckman	Finn	Johnston	Moe, R.D.	Sams
Belanger	Flynn	Kiscaden	Morse	Samuelson
Benson, D.D.	Frederickson	Knutson	Murphy	Stevens
Berg	Hanson	Langseth	Olson	Stumpf
Bertram	Hottinger	Larson	Pappas	Terwilliger
Chmielewski	Janezich	Lesewski	Pariseau	Vickerman
Day	Johnson, D.E.	Lessard	Piper	Wiener

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

Mr. Chandler moved to amend the Langseth amendment to S.F. No. 796 as follows:

Page 3, delete section 7

Renumber the sections in sequence and correct the internal references

The question was taken on the adoption of the Chandler amendment to the Langseth amendment.

The roll was called, and there were yeas 22 and nays 42, as follows:

Those who voted in the affirmative were:

Anderson	Luther	Mondale	Price	Runbeck
Betzold	Marty	Novak	Ranum	Spear
Chandler	McGowan	Oliver	Reichgott	
Finn	Merriam	Pariseau	Riveness	
Johnston	Metzen	Pogemiller	Robertson	

Those who voted in the negative were:

Adkins	Berg	Dille	Janezich	Kiscaden
Beckman	Bertram	Flynn	Johnson, D.E.	Knutson
Belanger	Chmielewski	Frederickson	Johnson, D.J.	Krentz
Benson, D.D.	Cohen	Hanson	Johnson, J.B.	Laidig
Benson, J.E.	Day	Hottinger	Kelly	Langseth

Larson	Morse	Piper	Stevens	Wiener
Lesewski	Murphy	Sams	Stumpf	
Lessard	Olson	Samuelson	Terwilliger	
Moe, R.D.	Pappas	Solon	Vickerman	

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

Mr. Chmielewski moved to amend the Langseth amendment to S.F. No. 796 as follows:

Page 9, line 11, delete "sole" and after the second "of" insert "grants to regional railroads organized under chapter 398A outside the metropolitan area for preservation and improvement of local rail service for agriculture, industry, or passenger traffic and for the preservation and redevelopment of abandoned rail rights-of-way for future transportation uses and"

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

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

The roll was called, and there were yeas 48 and nays 17, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Knutson	Mondale	Sams
Anderson	Flynn	Krentz	Morse	Samuelson
Beckman	Frederickson	Laidig	Murphy	Spear
Belanger	Hanson	Langseth	Pappas	Stevens
Benson, D.D.	Hottinger	Larson	Piper	Stumpf
Bertram	Johnson, D.E.	Lesewski	Pogemiller	Terwilliger
Betzold	Johnson, J.B.	Lessard	Price	Vickerman
Chandler	Johnson	Luther	Ranum	Wiener
Chmielewski	Kelly	Marty	Reichgott	
Cohen	Kiscaden	Moe, R.D.	Riveness	

Those who voted in the negative were:

Benson, J.E.	Janezich	Merriam	Olson	Solon
Berg	Johnson, D.J.	Metzen	Pariseau	
Day	Kroening	Novak	Robertson	
Finn	McGowan	Oliver	Runbeck	

The motion prevailed. So the amendment was adopted.

Ms. Olson moved to amend S.F. No. 796 as follows:

Page 2, after line 24, insert:

"Sec. 2. Minnesota Statutes 1992, section 161.123, is amended to read:  
161.123 [HIGHWAY CONSTRUCTION; PROHIBITIONS.]

Following May 31, 1975 the department of transportation shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335; proposed I-394 between I-494 and the Hawthorne interchange; nor for any extension or connector of the Dartmouth interchange of the interstate route designated as I-94, except for a connection from Fulton Avenue and Huron Street to University Avenue Southeast and 25th Avenue Southeast generally via Huron Street and 25th Avenue Southeast; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, *except that existing available paved road surface and right-of-way may be utilized to provide additional lanes of travel*; provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes of travel on said highway.

(3) Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

(4) Preparation of any environmental impact statements, recreational and other land use reports, and other elements of the planning process required by federal and state law, utilizing the most reasonably recent available data, on the following:

Routes and corridors enumerated above and all feasible and prudent alternate routes and corridors, giving the fullest possible consideration to each, without regard to prior authorization or to whether legislative approval or other action is necessary. In the preparation of such environmental impact statements the commissioner shall analyze and evaluate:

(a) Design modifications which may mitigate any adverse environmental impact; and

(b) The recommendations of the metropolitan council, transportation advisory board, and interstate study committee as reported to the legislature pursuant to Laws 1975, chapter 203, section 16; and

(c) All other matters required of an environmental impact statement by applicable state and federal laws.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right-of-way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right-of-way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right-of-way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of transportation shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth."

Page 9, line 9, delete "3, 4, 7, 8, and 9" and insert "4, 5, 8, 9, and 10"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "removing highway construction restriction;"

Page 1, line 21, after the first semicolon, insert "161.123;"

Ms. Hanson moved that S.F. No. 796 be laid on the table. The motion prevailed.

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 and Introduction and First Reading of Senate Bills.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 236: A bill for an act relating to domestic abuse; requiring a report on victims of domestic abuse and eligibility for unemployment compensation benefits.

There has been appointed as such committee on the part of the House:

Sekhon; Johnson, A. and Rukavina.

Senate File No. 236 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1993

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 643:

H.F. No. 643: A bill for an act relating to commerce; making technical changes in the department's enforcement powers; regulating cosmetology; prescribing powers and duties; setting fees; amending Minnesota Statutes 1992, sections 45.011, subdivision 1, and by adding a subdivision; 45.027, subdivisions 1, 2, 5, 6, and 8; 155A.03, subdivision 1; 155A.05; 155A.06; 155A.07, subdivisions 2, 4, 7, and 8; 155A.08, subdivisions 2 and 5; 155A.09, subdivisions 2, 5, 6, and 9; 155A.10; 155A.14; 155A.15; and 155A.16; proposing coding for new law in Minnesota Statutes, chapter 155A; repealing Minnesota Statutes 1992, sections 155A.11; 155A.12; 155A.13; and 155A.18; Minnesota Rules, parts 2642.0310, subparts 3, 4, and 5; 2642.0330, subparts 3 and 4; 2642.0800; 2642.0810; 2644.0310, subparts 2, 3, and 4; 2644.0800; and 2644.0810.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Luther, Sarna and Ness have been appointed as such committee on the part of the House.

House File No. 643 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1993

Mr. Belanger moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 643, 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 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. 864, 1436, 50 and 1021.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1993

### FIRST READING OF HOUSE BILLS

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

H.F. No. 864: A bill for an act relating to waters; inspection of watercraft for exotic harmful species; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil citations and penalties; recommendations on milfoil control on White Bear Lake; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a; 86B.415, subdivision 7; and 103G.615, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Finance.

H.F. No. 1436: A bill for an act relating to the environment; appropriating money from the metropolitan landfill contingency trust fund to the commissioner of the pollution control agency for reimbursement to the city of Hopkins for remediation of methane at the city landfill; amending Laws 1991, chapter 182, section 7.

Referred to the Committee on Finance.

H.F. No. 50: A bill for an act relating to agriculture; changing the apiary laws; reducing an appropriation; amending Minnesota Statutes 1992, sections 19.50, by adding a subdivision; 19.52, subdivision 1; 19.55; 19.56; 19.58, subdivisions 1, 2, and 4; 19.59; 19.64, subdivisions 1 and 4a; and 19.65; proposing coding for new law in Minnesota Statutes, chapter 19; repealing Minnesota Statutes 1992, sections 19.51, subdivision 3; 19.54; 19.58, subdivisions 3, 7, and 8; 19.60; 19.61, subdivision 2; 19.62; and 19.64, subdivisions 2, 3, and 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 598, now on General Orders.

H.F. No. 1021: A bill for an act relating to state lands; exempting certain lakeshore lots from sale requirements; authorizing the commissioner of natural resources to acquire personal property; amending Minnesota Statutes 1992, section 92.67, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 842, now on General Orders.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Murphy introduced—

S.F. No. 1626: A bill for an act relating to human services; permitting local ordinances to exclude a convicted sex offender or violent offender whose victim was a child from a residential program located in the same community where the crime was committed; requiring the commissioner of corrections to notify county officials before placing a convicted sex offender in the same community where the crime was committed; amending Minnesota Statutes 1992, sections 245A.11, subdivision 1; 609.1352, by adding a subdivision; and 609.346, subdivision 5.

Referred to the Committee on Crime Prevention.

### **MOTIONS AND RESOLUTIONS – CONTINUED**

#### **NOTICE OF RECONSIDERATION**

Mr. Bertram gave notice of intention to move for reconsideration of H.F. No. 947.

#### **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:

H.F. No. 287: Ms. Johnson, J.B.; Messrs. Mondale, Merriam, Stevens and Chandler.

H.F. No. 546: Messrs. Murphy, Morse and Ms. Kiscaden.

H.F. No. 643: Messrs. Belanger, Solon and Metzen.

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

**MEMBERS EXCUSED**

Ms. Berglin and Mr. Neuville were excused from the Session of today. Mr. Novak was excused from the Session of today from 8:30 to 9:45 a.m. Mr. Pogemiller was excused from the Session of today from 8:30 to 9:50 a.m. Messrs. Kelly and Laidig were excused from the Session of today from 8:30 to 10:00 a.m. Ms. Reichgott was excused from the Session of today from 8:30 to 10:30 a.m. Ms. Flynn and Mr. Hottinger were excused from the Session of today from 10:35 to 11:20 a.m. Mr. Johnson, D.J. was excused from the Session of today from 8:30 a.m. to 12:20 p.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:30 a.m., Wednesday, May 5, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate