

NINETIETH DAY

St. Paul, Minnesota, Thursday, April 14, 1994

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by Senator Pat Piper.

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

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1741, 2491 and 2422.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1994

Mr. President:

I have the honor to announce the passage by the House of the following

Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1806: A bill for an act relating to nursing; allowing certified clinical specialists in psychiatric or mental health nursing to prescribe and administer drugs; amending Minnesota Statutes 1992, section 148.235, by adding subdivisions; Minnesota Statutes 1993 Supplement, section 148.235, subdivision 2.

Senate File No. 1806 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1994

CONCURRENCE AND REPASSAGE

Mr. Finn moved that the Senate concur in the amendments by the House to S.F. No. 1806 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1806: A bill for an act relating to nursing; allowing certified clinical specialists in psychiatric or mental health nursing to prescribe and administer drugs; appropriating money; amending Minnesota Statutes 1992, section 148.235, by adding subdivisions; Minnesota Statutes 1993 Supplement, section 148.235, subdivision 2.

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

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

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

Those who voted in the affirmative were:

Adkins	Cohen	Kelly	Merriam	Ranum
Anderson	Dille	Kiscaden	Metzen	Reichgott Junge
Beckman	Finn	Knutson	Moe, R.D.	Robertson
Belanger	Flynn	Krentz	Morse	Runbeck
Benson, D.D.	Frederickson	Kroening	Murphy	Solon
Benson, J.E.	Hottinger	Laidig	Neuville	Spear
Berg	Janezich	Langseth	Oliver	Stumpf
Berglin	Johnson, D.E.	Lesewski	Olson	Terwilliger
Bertram	Johnson, D.J.	Lessard	Pappas	Vickerman
Betzold	Johnson, J.B.	Luther	Pariseau	
Chandler	Johnston	Marty	Piper	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

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

S.F. No. 2551: A bill for an act relating to the city of Duluth; establishing the powers and duties of the board of directors of trusts of Miller-Dwan

Hospital in the establishment, administration, management, maintenance, improvement, and financing of the hospital; amending Laws 1969, chapter 224, sections 1, 2, and 3.

Senate File No. 2551 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 13, 1994

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S.F. No. 2551 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2551: A bill for an act relating to the city of Duluth; establishing the powers and duties of the board of directors of trusts of the city of Duluth in the establishment, administration, management, maintenance, improvement, and financing of Miller Dwan hospital; amending Laws 1969, chapter 224, sections 1, 2, and 3.

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

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

The roll was called, and there were yeas 57 and nays 0; as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2234, 553, 2925 and 2893.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 13, 1994

FIRST READING OF HOUSE BILLS

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

H.F. No. 2234: A bill for an act relating to natural resources; personnel working on certain projects; terms and conditions of certain 1993 appropriations; appropriating money; amending Minnesota Statutes 1992, sections 116P.05, subdivision 2; 116P.08, subdivisions 6 and 7; and 116P.09, subdivision 4; Minnesota Statutes 1993 Supplement, section 116P.11; Laws 1993, chapter 172, section 14, subdivisions 4 and 11.

Referred to the Committee on Finance.

H.F. No. 553: A bill for an act relating to children; expanding the crime of child neglect and the child abuse reporting act to include children who are neglected due to reliance by a parent, guardian, or other caretaker on spiritual health care; amending Minnesota Statutes 1992, section 626.556, subdivision 10e; Minnesota Statutes 1993 Supplement, sections 609.378, subdivision 1; and 626.556, subdivision 2.

Referred to the Committee on Crime Prevention.

H.F. No. 2925: A bill for an act relating to state lands; requiring that certain leased lakeshore lots in Cook county be reoffered for public sale.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2608, now on General Orders.

H.F. No. 2893: A bill for an act relating to unemployment compensation; extending benefits for certain employees; providing for a shared work plan; requiring a study; amending Minnesota Statutes 1992, section 268.073, subdivisions 1, 5, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1992, section 268.073, subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2699, 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. 2478 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.
2478	2251				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2478 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2478 and insert the language after the enacting clause of S.F. No. 2251, the first engrossment; further, delete the title of H.F. No. 2478 and insert the title of S.F. No. 2251, the first engrossment.

And when so amended H.F. No. 2478 will be identical to S.F. No. 2251, and further recommends that H.F. No. 2478 be given its second reading and substituted for S.F. No. 2251, 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. 2124 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.
2124	1860				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2124 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2124 and insert the language after the enacting clause of S.F. No. 1860, the first engrossment; further, delete the title of H.F. No. 2124 and insert the title of S.F. No. 1860, the first engrossment.

And when so amended H.F. No. 2124 will be identical to S.F. No. 1860, and further recommends that H.F. No. 2124 be given its second reading and substituted for S.F. No. 1860, 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. 2023 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.
2023	1895				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2023 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2023 and insert the language after the enacting clause of S.F. No. 1895, the first engrossment; further, delete the title of H.F. No. 2023 and insert the title of S.F. No. 1895, the first engrossment.

And when so amended H.F. No. 2023 will be identical to S.F. No. 1895, and further recommends that H.F. No. 2023 be given its second reading and substituted for S.F. No. 1895, 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. 2478, 2124 and 2023 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Belanger introduced—

Senate Resolution No. 78: A Senate resolution congratulating the Bloomington Jefferson High School boys swim team for winning the 1994 State High School Class AA 1994 Boys Swimming Tournament.

Referred to the Committee on Rules and Administration.

Mr. Hottinger introduced—

Senate Resolution No. 79: A Senate resolution congratulating the Mankato West High School Academic Decathlon team for winning the Class AA state competition.

Referred to the Committee on Rules and Administration.

Messrs. Beckman and Hottinger introduced—

Senate Resolution No. 80: A Senate resolution congratulating the Lake Crystal Wellcome Memorial High School Academic Decathlon team for winning the Class A state competition.

Referred to the Committee on Rules and Administration.

Mr. Betzold moved that his name be stricken as a co-author to S.F. No. 1758. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S.F. No. 2031: A bill for an act relating to civil actions; authorizing enforcement of commitments for debts related to lawful gambling activities; amending Minnesota Statutes 1992, section 541.21.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 17, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Kroening	Murphy	Samuelson
Beckman	Finn	Laidig	Neuville	Solon
Belanger	Frederickson	Langseth	Oliver	Stevens
Benson, D.D.	Hanson	Larson	Olson	Stumpf
Benson, J.E.	Janezich	Lesewski	Pappas	Terwilliger
Berg	Johnson, D.E.	Lessard	Pariseau	Vickerman
Bertram	Johnson, D.J.	McGowan	Pogemiller	Wiener
Chmielewski	Johnson, J.B.	Metzen	Riveness	
Cohen	Johnston	Moe, R.D.	Runbeck	
Day	Knutson	Morse	Sams	

Those who voted in the negative were:

Anderson	Flynn	Krentz	Piper	Spear
Berglin	Hottinger	Luther	Ranum	
Betzold	Kelly	Marty	Reichgott Junge	
Chandler	Kiscaden	Merriam	Robertson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2232: A bill for an act relating to counties; providing for the filling by appointment of certain offices in counties previously elective; providing for conforming changes; amending Minnesota Statutes 1992, sections 375A.10, subdivision 2; and 375A.12, subdivision 2.

Ms. Pappas moved to amend S.F. No. 2232 as follows:

Page 2, lines 18 and 19, delete "*the term of office would expire*" and insert "*regular election of the office would be held*"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Ms. Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 2232. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 2232 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.

Ms. Pappas moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 35 and nays 31, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Kiscaden	Mondale	Ranum
Anderson	Flynn	Krentz	Neuville	Reichgott Junge
Belanger	Hanson	Larson	Oliver	Riveness
Benson, J.E.	Hottinger	Luther	Pappas	Robertson
Berglin	Janezich	Marty	Pariseau	Runbeck
Betzold	Johnson, D.J.	Merriam	Piper	Spear
Chandler	Kelly	Metzen	Pogemiller	Wiener

Those who voted in the negative were:

Beckman	Finn	Laidig	Murphy	Stumpf
Benson, D.D.	Frederickson	Langseth	Novak	Terwilliger
Berg	Johnson, D.E.	Lesewski	Olson	Vickerman
Bertram	Johnson, J.B.	Lessard	Sams	
Chmielewski	Johnston	McGowan	Samuelson	
Day	Knutson	Moe, R.D.	Solon	
Dille	Kroening	Morse	Stevens	

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

SPECIAL ORDER

H.F. No. 2626: A bill for an act relating to retirement; authorizing purchase of prior service credit from the teachers retirement association by a certain member.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 14, as follows:

Those who voted in the affirmative were:

Adkins	Frederickson	Krentz	Morse	Sams
Beckman	Hanson	Kroening	Murphy	Samuelson
Benson, D.D.	Hottinger	Laidig	Novak	Solon
Berg	Janezich	Langseth	Olson	Stumpf
Bertram	Johnson, D.J.	Lessard	Piper	Terwilliger
Chmielewski	Johnson, J.B.	Metzen	Pogemiller	Vickerman
Cohen	Kelly	Moe, R.D.	Reichgott Junge	Wiener
Day	Kiscaden	Mondale	Riveness	

Those who voted in the negative were:

Anderson	Finn	Luther	Oliver	Robertson
Betzold	Flynn	Marty	Pappas	Runbeck
Chandler	Johnston	Merriam	Ranum	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2411: A bill for an act relating to retirement; providing for coverage of employees of lessee of Itasca Medical Center facilities by the public employees retirement association.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Hanson	Laidig	Murphy	Robertson
Beckman	Hottinger	Langseth	Novak	Runbeck
Benson, D.D.	Janezich	Lessard	Oliver	Sams
Berg	Johnson, D.J.	Luther	Olson	Samuelson
Bertram	Johnson, J.B.	Marty	Piper	Solon
Chmielewski	Kelly	Metzen	Pogemiller	Spear
Cohen	Kiscaden	Moe, R.D.	Ranum	Stumpf
Day	Krentz	Mondale	Reichgott Junge	Vickerman
Finn	Kroening	Morse	Riveness	

Those who voted in the negative were:

Anderson Betzold	Chandler Flynn	Johnston Merriam	Pappas	Wiener
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So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2617: A bill for an act relating to transportation; establishing and providing for appointments to an advisory council on major transportation projects.

Mr. Belanger moved to amend S.F. No. 2617 as follows:

Page 1, line 23, delete "17" and insert "15"

Page 1, line 25, delete "eight" and insert "six" and delete "four" and insert "three"

Page 2, line 2, delete "two of which shall be members of the minority"

Page 2, line 3, delete "party," and delete "four" and insert "three"

Page 2, lines 4 and 5, delete "two of which shall be members of the minority party"

Page 2, line 12, delete "council member" and insert "legislative appointee"

Page 2, line 19, before "fund" insert "account of the trunk highway"

Page 2, after line 25, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and is repealed June 30, 1995."

The motion prevailed. So the amendment was adopted.

S.F. No. 2617 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Krentz	Mondale	Robertson
Anderson	Flynn	Kroening	Morse	Solon
Beckman	Frederickson	Laidig	Murphy	Spear
Berg	Hanson	Langseth	Novak	Stumpf
Berglin	Hottinger	Lessard	Piper	Vickerman
Bertram	Janezich	Luther	Pogemiller	Wiener
Betzold	Johnson, D.J.	Marty	Price	
Chandler	Johnson, J.B.	Merriam	Ranum	
Cohen	Johnston	Metzen	Reichgott Junge	
Day	Kelly	Moe, R.D.	Riveness	

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

SPECIAL ORDER

H.F. No. 2426: A bill for an act relating to traffic regulations; allowing any

city to establish citizen enforcement programs to enforce vehicle parking laws relating to the physically disabled; specifying that citizen volunteers are agents of the city for liability purposes; amending Minnesota Statutes 1993 Supplement, section 169.346, subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Krentz	Morse	Sams
Anderson	Flynn	Kroening	Murphy	Samuelson
Beckman	Frederickson	Laidig	Novak	Solon
Berg	Hanson	Langseth	Pappas	Spear
Berglin	Hottinger	Lessard	Piper	Stumpf
Bertram	Janezich	Luther	Pogemiller	Vickerman
Betzold	Johnson, D.J.	Marty	Price	Wiener
Chandler	Johnson, J.B.	Merriam	Ranum	
Cohen	Johnston	Metzen	Reichgott Junge	
Day	Kelly	Moe, R.D.	Riveness	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2210: A bill for an act relating to health; Ramsey Health Care, Inc.; authorizing the public corporation to incorporate as a nonprofit corporation; terminating its status as a public corporation; providing for the care of the indigent of Ramsey county and other counties; providing for certain of its powers and duties; repealing Minnesota Statutes 1992, sections 246A.01; 246A.02; 246A.03; 246A.04; 246A.05; 246A.06; 246A.07; 246A.08; 246A.09; 246A.10; 246A.11; 246A.12; 246A.13; 246A.14; 246A.15; 246A.16; 246A.17; 246A.18; 246A.19; 246A.20; 246A.21; 246A.22; 246A.23; 246A.24; 246A.25; 246A.26; and 246A.27.

Pursuant to Rule 22, Mr. Novak moved to be excused from voting on S.F. No. 2210. The motion prevailed.

S.F. No. 2210 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Johnston	Metzen	Reichgott Junge
Anderson	Finn	Kelly	Mondale	Riveness
Beckman	Flynn	Krentz	Morse	Sams
Berg	Frederickson	Kroening	Murphy	Samuelson
Berglin	Hanson	Laidig	Pappas	Solon
Bertram	Hottinger	Langseth	Piper	Spear
Betzold	Janezich	Luther	Pogemiller	Stevens
Chandler	Johnson, D.J.	Marty	Price	Vickerman
Chmielewski	Johnson, J.B.	Merriam	Ranum	Wiener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2617: A bill for an act relating to alcoholic beverages; defining

terms; regulating agreements between brewers and wholesalers; providing for amounts of malt liquor that may be brewed in a brewery-restaurant; providing exemption from law regulating nondiscrimination in liquor wholesaling; prohibiting certain solicitations by wholesalers; allowing only owner of a brand of distilled spirits to register that brand; denying registration to certain brand labels; requiring reports by certain brewers; requiring permits for transporters of distilled spirits and wine; removing requirements that retail licensees be citizens or resident aliens; allowing counties to issue on-sale licenses to hotels; allowing political committees to obtain temporary on-sale licenses; restricting issuance of off-sale licenses to drugstores; allowing counties to issue exclusive liquor store licenses in certain towns; allowing counties to issue wine auction licenses; restricting issuance of temporary on-sale licenses to one organization or for one location; imposing new restrictions on issuance of more than one off-sale license to any person in a municipality; regulating wine tastings; allowing on-sales of intoxicating liquor after 8 p.m. on Christmas eve; allowing certain sales by off-sale retailers to on-sale retailers' restricting use of coupons by retailers, wholesalers, and manufacturers; providing for inspection of premises of temporary on-sale licensees; authorizing issuance of licenses by certain cities and counties; amending Minnesota Statutes 1992, sections 325B.02; 325B.04; 325B.05; 325B.12; 340A.101, subdivision 13; 340A.301, subdivisions 6, 7, and by adding a subdivision; 340A.307, subdivision 4; 340A.308; 340A.311; 340A.404, subdivisions 6 and 10; 340A.405, subdivisions 1, 2, and 4; 340A.410, by adding a subdivision; 340A.412, subdivision 3; 340A.416, subdivision 3; 340A.505; and 340A.907; Minnesota Statutes 1993 Supplement, sections 340A.402; and 340A.415; proposing coding for new law in Minnesota Statutes, chapters 325B; and 340A.

Ms. Berglin moved to amend H.F. No. 2617, as amended pursuant to Rule 49, adopted by the Senate April 11, 1994, as follows:

(The text of the amended House File is identical to S.F. No. 2161.)

Page 11, after line 16, insert:

“Sec. 14. Minnesota Statutes 1992, section 340A.311, is amended to read:
340A.311 [BRAND REGISTRATION.]

(a) A brand of intoxicating liquor or 3.2 percent malt liquor may not be manufactured, imported into, or sold in the state unless the brand label has been registered with and approved by the commissioner. A brand registration must be renewed every three years in order to remain in effect. The fee for an initial brand registration is \$30. The fee for brand registration renewal is \$20. The brand label of a brand of intoxicating liquor or 3.2 percent malt liquor for which the brand registration has expired, is conclusively deemed abandoned by the manufacturer or importer.

(b) In this section “brand” and “brand label” include trademarks and designs used in connection with labels.

(c) The label of any brand of wine or intoxicating or nonintoxicating malt beverage may be registered only by the brand owner or authorized agent. No such brand may be imported into the state for sale without the consent of the brand owner or authorized agent. This section does not limit the provisions of section 340A.307.

(d) The commissioner shall refuse to register a malt liquor brand label, and shall revoke the registration of a malt liquor brand label already registered,

if the brand label states or implies in a false or misleading manner a connection with an actual living or dead American Indian leader. This paragraph does not apply to a brand label registered for the first time in Minnesota before January 1, 1992."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2617 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 45 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Krentz	Morse	Riveness
Anderson	Flynn	Kroening	Murphy	Sams
Beckman	Frederickson	Langseth	Novak	Samuelson
Berg	Hanson	Lessard	Pappas	Solon
Berglin	Hottinger	Luther	Piper	Spear
Bertram	Janezich	Marty	Pogemiller	Stevens
Chandler	Johnson, D.J.	Metzen	Price	Terwilliger
Chmielewski	Johnson, J.B.	Moe, R.D.	Ranum	Vickerman
Cohen	Kelly	Mondale	Reichgott Junge	Wiener

Mr. Dille, Ms. Johnston and Mr. Merriam voted in the negative.

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

SPECIAL ORDER

H.F. No. 2670: A bill for an act relating to retirement; adding Hennepin county paramedics and emergency medical technicians to membership in the public employees police and fire fund; amending Minnesota Statutes 1992, section 353.64, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Kelly	Mondale	Riveness
Anderson	Flynn	Krentz	Morse	Sams
Beckman	Frederickson	Kroening	Murphy	Samuelson
Berg	Hanson	Langseth	Pappas	Solon
Berglin	Hottinger	Lessard	Piper	Spear
Bertram	Janezich	Luther	Pogemiller	Stevens
Chandler	Johnson, D.J.	Marty	Price	Stumpf
Chmielewski	Johnson, J.B.	Merriam	Ranum	Vickerman
Cohen	Johnston	Metzen	Reichgott Junge	Wiener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2512: A bill for an act relating to retirement; providing for level benefits for the Minneapolis police relief association; changing the definition

of surviving spouses eligible for benefits; amending Minnesota Statutes 1992, sections 353B.11, subdivision 1; and 423B.09, subdivision 1; Minnesota Statutes 1993 Supplement, sections 353B.07, subdivision 3; and 423B.10, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Flynn	Kroening	Novak	Samuelson
Anderson	Frederickson	Langseth	Pappas	Solon
Beckman	Hanson	Lessard	Pariseau	Spear
Benson, D.D.	Hottinger	Luther	Piper	Stevens
Berg	Janezich	Marty	Pogemiller	Stumpf
Berglin	Johnson, D.J.	Metzen	Price	Vickerman
Bertram	Johnson, J.B.	Mondale	Ranum	Wiener
Betzold	Johnston	Morse	Reichgott Junge	
Chandler	Kelly	Murphy	Riveness	
Finn	Krentz	Neuville	Sams	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1659: A bill for an act relating to probate; updating article 2 on intestacy, wills, and donative transfers; correcting a reference; recodifying the Minnesota multiparty accounts act; amending Minnesota Statutes 1992, sections 524.1-201; 524.2-101; 524.2-102; 524.2-103; 524.2-104; 524.2-105; 524.2-106; 524.2-108; 524.2-109; 524.2-110; 524.2-111; 524.2-113; 524.2-114; 524.2-301; 524.2-302; 524.2-502; 524.2-504; 524.2-505; 524.2-507; 524.2-508; 524.2-509; 524.2-512; 524.2-602; 524.2-603; 524.2-604; 524.2-605; 524.2-606; 524.2-607; 524.2-608; 524.2-609; and 524.2-701; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 1992, sections 524.2-112; 524.2-201; 524.2-202; 524.2-203; 524.2-204; 524.2-205; 524.2-206; 524.2-207; 524.2-503; 524.2-610; 524.2-612; 524.3-905; 525.15; 525.151; 525.22; 525.221; and 525.223.

Mr. Chandler moved to amend H.F. No. 1659 as follows:

Page 1, after line 18, insert:

“ARTICLE 1

UNIFORM PROBATE CODE”

Page 57, lines 16, 17, 18, 21, 25, 28, and 29, delete “act” and insert “article”

Page 57, after line 30, insert:

“ARTICLE 2

GUARDIANSHIPS AND CONSERVATORSHIPS

Section 1. Minnesota Statutes 1992, section 525.539, subdivision 7, is amended to read:

Subd. 7. [BEST INTERESTS OF THE WARD OR CONSERVATEE.]

“Best interests of the ward or conservatee” means all relevant factors to be considered or evaluated by the court in nominating a guardian or conservator, including but not limited to:

(1) the reasonable preference of the ward or conservatee, if the court determines the ward or conservatee has sufficient capacity to express a preference;

(2) the interaction between the proposed guardian or conservator and the ward or conservatee; and

(3) the interest and commitment of the proposed guardian or conservator in promoting the welfare of the ward or conservatee and the proposed guardian's or conservator's ability to maintain a current understanding of the ward's or conservatee's physical and mental status and needs. In the case of a ward or a conservatorship of the person, welfare includes:

(i) food, clothing, shelter, and appropriate medical care;

(ii) social, emotional, religious, and recreational requirements; and

(iii) training, education, and rehabilitation; and

(4) the ability of the proposed guardian or conservator to manage the financial affairs of the proposed ward or conservatee, in the case of a guardianship or conservatorship of the estate.

Kinship is not a conclusive factor in determining the best interests of the ward or conservatee but should be considered to the extent that it is relevant to the other factors contained in this subdivision.

Sec. 2. Minnesota Statutes 1992, section 525.55, subdivision 2, is amended to read:

Subd. 2. [FORM; SERVICE.] (a) The notice shall be written in language which can be easily understood. Included with the notice shall be a copy of the petition. The notice shall contain information regarding the nature, purpose and legal effects of the guardianship or conservatorship proceedings on the proposed ward or conservatee. The notice shall state that the person may be adjudged incapable of self care for person or property, and by reason thereof, a guardian or conservator may be appointed, and that the adjudication may transfer to the appointed guardian or conservator certain rights, including the right to manage and control property, to enter into contracts and to determine residence.

(b) The notice shall further contain information regarding the rights of the proposed ward or conservatee in the proceeding, including the right to attend the hearing, to be represented by an attorney, to oppose the proceeding, and to present evidence. The notice shall state that if the proposed ward or conservatee wishes to exercise the right to be represented by an attorney, that person must either obtain counsel of choice, or ask the court to appoint an attorney to represent that person, and that the county shall pay a reasonable attorney's fee if that person is indigent. The procedure for requesting a court appointed attorney shall be described in the notice.

(c) The process server shall inquire whether the proposed ward or conservatee desires the notice and petition to be read to that person, and shall read the notice and petition if requested to do so. In place of a process server,

the court may appoint a visitor to deliver the notice and petition and explain them to the proposed ward or conservatee.

(d) The notice must inform family members that they may be represented by an attorney if they choose to retain one in order to represent their rights and interests.

Sec. 3. Minnesota Statutes 1992, section 525.551, subdivision 5, is amended to read:

Subd. 5. [FINDINGS.] In all cases the court shall make specific written findings of fact, state separately its conclusions of law, and direct the entry of an appropriate judgment or order.

If upon completion of the hearing and consideration of the record the court finds: (a) that the requirements for the voluntary appointment of a conservator or guardian have been met, or (b)(1) that the proposed ward or conservatee is incapacitated as defined in section 525.54; and (2) in need of the supervision and protection of a guardian or conservator; and (3) that no appropriate alternatives to the guardianship or conservatorship exist which are less restrictive of the person's civil rights and liberties, such as those set forth in section 525.54, subdivision 7; it shall enter its order or judgment granting all of the powers set out in section 525.56, subdivision 3, in the case of a guardian of the person, and section 525.56, subdivision 4, in the case of a guardian of the estate, or specifying the powers of the conservator pursuant to section 525.56. The court shall make a finding that appointment of the person chosen as guardian or conservator is in the best interests of the ward or conservatee *and shall address its reasons for not appointing a family member as a guardian or conservator, if one is available.* Except as provided in section 525.544, subdivision 1, if more than one person has petitioned the court to serve as guardian or conservator, or if the petition is contested, the court shall make a finding that the person to be appointed as guardian or conservator is the most suitable and best qualified person among those who are available before making the appointment. The court's finding as to the best available guardian must specifically address the reasons for the court's determination that the appointment of that person is in the best interests of the ward or conservatee.

The court may enumerate in its findings which legal rights the proposed ward or conservatee is incapable of exercising.

Sec. 4. Minnesota Statutes 1992, section 525.56, subdivision 3, is amended to read:

Subd. 3. The court may appoint a guardian of the person if it determines that all the powers and duties listed in this subdivision are needed to provide for the needs of the incapacitated person. The court may appoint a conservator of the person if it determines that a conservator is needed to provide for the needs of the incapacitated person through the exercise of some, but not all, of the powers and duties listed in this subdivision. The duties and powers of a guardian or those which the court may grant to a conservator of the person include, but are not limited to:

(1) The power to have custody of the ward or conservatee and the power to establish a place of abode within or without the state, except as otherwise provided in this clause. The ward or conservatee or any person interested in the ward's or conservatee's welfare may petition the court to prevent or to

initiate a change in abode. *The guardian or conservator must give notice in the manner required and to those persons specified in section 525.55 at least 14 days before making a change in the place of abode of the ward or conservatee. The notice must inform the person of the right to petition the court to prevent or to initiate a change in abode.* A ward or conservatee may not be admitted to a regional treatment center by the guardian or conservator except (1) after a hearing pursuant to chapter 253B; (2) for outpatient services; or (3) for the purpose of receiving temporary care for a specific period of time not to exceed 90 days in any calendar year.

(2) The duty to provide for the ward's or conservatee's care, comfort and maintenance needs, including food, clothing, shelter, health care, social and recreational requirements, and, whenever appropriate, training, education, and habilitation or rehabilitation. The guardian or conservator has no duty to pay for these requirements out of personal funds. Whenever possible and appropriate, the guardian or conservator should meet these requirements through governmental benefits or services to which the ward or conservatee is entitled, rather than from the ward's or conservatee's estate. Failure to satisfy the needs and requirements of this clause shall be grounds for removal of a private guardian or conservator, but the guardian or conservator shall have no personal or monetary liability.

(3) The duty to take reasonable care of the ward's or conservatee's clothing, furniture, vehicles, and other personal effects, and, if other property requires protection, the power to seek appointment of a guardian or conservator of the estate. The guardian or conservator must give notice in the manner required and to those persons specified in section 525.55 prior to the disposition of the ward's or conservatee's clothing, furniture, vehicles, or other personal effects. The notice must inform the person of the right to object to the disposition of the property within ten days and to petition the court for a review of the guardian's or conservator's proposed actions. Notice of the objection must be served by mail or personal service on the guardian or conservator and the ward or conservatee unless the ward or conservatee be the objector. The guardian or conservator served with notice of an objection to the disposition of the property may not dispose of the property unless the court approves the disposition after a hearing.

(4)(a) The power to give any necessary consent to enable the ward or conservatee to receive necessary medical or other professional care, counsel, treatment or service, except that no guardian or conservator may give consent for psychosurgery, electroshock, sterilization, or experimental treatment of any kind unless the procedure is first approved by order of the court as provided in this clause. The guardian or conservator shall not consent to any medical care for the ward or conservatee which violates the known conscientious, religious, or moral belief of the ward or conservatee.

(b) A guardian or conservator who believes a procedure described in clause (4)(a) requiring prior court approval to be necessary for the proper care of the ward or conservatee shall petition the court for an order and, in the case of a public guardianship or conservatorship under chapter 252A, obtain the written recommendation of the commissioner of human services. The court shall fix the time and place for the hearing and shall give notice to the ward or conservatee and to the other persons specified in section 525.55, subdivision 1. The notice shall comply with the requirements of, and be served in the manner provided in section 525.55, subdivision 2. The court shall appoint an attorney to represent the ward or conservatee who is not represented by

counsel. In every case the court shall determine if the procedure is in the best interests of the ward or conservatee. In making its determination, the court shall consider a written medical report which specifically considers the medical risks of the procedure, whether alternative, less restrictive methods of treatment could be used to protect the best interests of the ward or conservatee, and any recommendation of the commissioner of human services for a public ward or conservatee. The standard of proof is that of clear and convincing evidence.

(c) In the case of a petition for sterilization of a mentally retarded ward or conservatee, the court shall appoint a licensed physician, a psychologist who is qualified in the diagnosis and treatment of mental retardation, and a social worker who is familiar with the ward's or conservatee's social history and adjustment or the case manager for the ward or conservatee to examine or evaluate the ward or conservatee and to provide written reports to the court. The reports shall indicate why sterilization is being proposed, whether sterilization is necessary and is the least intrusive method for alleviating the problem presented, and whether it is in the best interests of the ward or conservatee. The medical report shall specifically consider the medical risks of sterilization, the consequences of not performing the sterilization, and whether alternative methods of contraception could be used to protect the best interests of the ward or conservatee.

(d) Any conservatee whose right to consent to a sterilization has not been restricted under this section or section 252A.101, may be sterilized only if the conservatee consents in writing or there is a sworn acknowledgment by an interested person of a nonwritten consent by the conservatee. The consent must certify that the conservatee has received a full explanation from a physician or registered nurse of the nature and irreversible consequences of the sterilization operation.

(e) A guardian or conservator or the public guardian's designee who acts within the scope of authority conferred by letters of guardianship under section 252A.101, subdivision 7, and according to the standards established in this chapter or in chapter 252A shall not be civilly or criminally liable for the provision of any necessary medical care, including but not limited to, the administration of psychotropic medication or the implementation of aversive and deprivation procedures to which the guardian or conservator or the public guardian's designee has consented.

(5) The power to approve or withhold approval of any contract, except for necessities, which the ward or conservatee may make or wish to make.

(6) The duty and power to exercise supervisory authority over the ward or conservatee in a manner which limits civil rights and restricts personal freedom only to the extent necessary to provide needed care and services.

Sec. 5. Minnesota Statutes 1992, section 525.56, subdivision 4, is amended to read:

Subd. 4. [DUTIES OF GUARDIAN OR CONSERVATOR OF THE ESTATE.] The court may appoint a guardian of the estate if it determines that all the powers and duties listed in this subdivision are needed to provide for the needs of the incapacitated person. The court may appoint a conservator of the estate if it determines that a conservator is necessary to provide for the needs of the incapacitated person through the exercise of some, but not all, of the powers and duties listed in this subdivision. The duties and powers of a

guardian or those which the court may grant to a conservator include, but are not limited to:

(1) The duty to pay the reasonable charges for the support, maintenance, and education of the ward or conservatee in a manner suitable to the ward's or conservatee's station in life and the value of estate. Nothing herein contained shall release parents from obligations imposed by law for the support, maintenance, and education of their children. The guardian or conservator has no duty to pay for these requirements out of personal funds. Wherever possible and appropriate, the guardian or conservator should meet these requirements through governmental benefits or services to which the ward or conservatee is entitled, rather than from the ward's or conservatee's estate. Failure to satisfy the needs and requirements of this clause shall be grounds for removal, but the guardian or conservator shall have no personal or monetary liability;

(2) The duty to pay out of the ward's or conservatee's estate all just and lawful debts of the ward or conservatee and the reasonable charges incurred for the support, maintenance, and education of the ward's or conservatee's spouse and dependent children and, upon order of the court, pay such sum as the court may fix as reasonable for the support of any person unable to earn a livelihood who is legally entitled to support from the ward or conservatee;

(3) The duty to possess and manage the estate, collect all debts and claims in favor of the ward or conservatee, or, with the approval of the court, compromise them, institute suit on behalf of the ward or conservatee and represent the ward or conservatee in any court proceedings, and invest all funds not currently needed for the debts and charges named in clauses (1) and (2) and the management of the estate, in accordance with the provisions of sections 48.84 and 501B.10, subdivision 1, or as otherwise ordered by the court. The standard of a fiduciary shall be applicable to all investments by a guardian or conservator. A guardian or conservator shall also have the power to purchase certain contracts of insurance as provided in section 50.14, subdivision 14, clause (b). *The court may require a guardian or conservator to consult with a financial advisor or family members before taking certain investment actions or disposing of funds;*

(4) *The duty to maintain any real estate owned by the ward or conservatee.* Where a ward or conservatee has inherited an undivided interest in real estate, the court, on a showing that it is for the best interest of the ward or conservatee, may authorize an exchange or sale of the ward's or conservatee's interest or a purchase by the ward or conservatee of any interest other heirs may have in the real estate.

Sec. 6. Minnesota Statutes 1992, section 525.58, subdivision 1, is amended to read:

Subdivision 1. [ANNUAL ACCOUNT.] (a) Except where expressly waived or modified by the court, every guardian or conservator of the estate annually shall file with the court within 30 days of the anniversary date of the guardian's or conservator's appointment a verified account covering the period from the date of appointment or the last account. *The court may not waive the accounting requirements or require less than an annual account over the objection of a family member entitled to notice under section 525.55.* The guardian or conservator of the estate shall give a copy of the annual account to:

(1) the ward or conservatee, except where expressly waived by the court after a finding that the ward or conservatee is so incapacitated as to be unable to understand the account or there is a serious likelihood of harm to the ward or conservatee; and

(2) to a family member entitled to notice under section 525.55 who has requested a copy of the account.

(b) The court or its designee shall annually review the court file to insure that the account has been filed and that the account contains the information required by this section. If an account has not been filed or if the account does not contain the information required by this section the court shall order the guardian or conservator to file an appropriate account. The examination and acceptance shall not constitute an adjudication or determination of the merits of the account filed nor shall it constitute the court's approval of the account.

(c) At the termination of the guardianship or conservatorship, or upon the guardian's or conservator's removal or resignation, the guardian or conservator or the surety, or in the event of death or disability, the guardian's or conservator's representative or surety shall file a verified final account with a petition for the settlement and allowance thereof.

(d) Every account shall show in detail all property received and disbursed, the property on hand, the present address of the ward or conservatee and of the guardian or conservator, and unless the guardian or conservator be a corporation, the amount of the bond, the names and addresses of all sureties thereon, that each unincorporated surety is a resident of this state, is not under disability, and is worth the amount in which the surety justified.

Sec. 7. Minnesota Statutes 1992, section 525.64, is amended to read:

525.64 [PETITION, NOTICE, HEARING.]

A guardian or conservator may file a petition to sell, mortgage, or lease alleging briefly the facts constituting the reasons for the application and describing the real estate involved therein. The petition may include all the real estate of the ward or conservatee or any part or parts thereof. It may apply for different authority as to separate parcels. It may apply in the alternative for authority to sell, mortgage, or lease. Upon the filing of such petition, the court shall fix the time and place for the hearing thereof. Notice of the hearing shall state briefly the nature of the application made by the petition and shall be given pursuant to section 525.83 except that no publication is required unless otherwise ordered. *Notice must also be given to the family members specified in section 525.55.* Upon the hearing, the court shall have full power to direct the sale, mortgage, or lease of all the real estate described in the petition, or to direct the sale, mortgage, or lease of any one or more parcels thereof, provided that any such direction shall be within the terms of the application made by the petition.

Sec. 8. Minnesota Statutes 1993 Supplement, section 525.703, subdivision 3, is amended to read:

Subd. 3. [GUARDIAN OR CONSERVATOR.] (a) When the court determines that a guardian or conservator of the person or the estate has rendered necessary services or has incurred necessary expenses for the benefit of the ward or conservatee, the court may order reimbursement or reasonable compensation to be paid from the estate of the ward or conservatee or from the county having jurisdiction over the guardianship or conservatorship if the

ward or conservatee is indigent. *The guardian or conservator shall provide an itemization of the services or expenses for which reimbursement is sought and the basis for the charges.* The court may not deny an award of fees solely because the ward or conservatee is a recipient of medical assistance. In determining reasonable compensation for a guardian or conservator of an indigent person, the court shall consider a fee schedule recommended by the board of county commissioners. The fee schedule may also include a maximum compensation based on the living arrangements of the ward or conservatee. If these services are provided by a public or private agency, the county may contract on a fee for service basis with that agency. *In other cases, the court shall consider the expertise and training of the guardian or conservator and the nature of the services provided in determining reasonable compensation.*

(b) The court shall order reimbursement or reasonable compensation if the guardian or conservator requests payment and the guardian or conservator was nominated by the court or by the county adult protection unit because no suitable relative or other person was available to provide guardianship or conservatorship services necessary to prevent abuse or neglect of a vulnerable adult, as defined in section 626.557. In determining reasonable compensation for a guardian or conservator of an indigent person, the court shall consider a fee schedule recommended by the board of county commissioners. The fee schedule may also include a maximum compensation based on the living arrangements of the ward or conservatee. If these services are provided by a public or private agency, the county may contract on a fee for service basis with that agency.

(c) When a county employee serves as a guardian or conservator as part of employment duties, the court shall order reasonable compensation if the guardian or conservator performs necessary services that are not compensated by the county. The court may order reimbursement to the county from the ward's or conservatee's estate for reasonable compensation paid by the county for services rendered by a guardian or conservator who is a county employee but only if the county shows that after a diligent effort it was unable to arrange for an independent guardian or conservator."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "modifying provisions governing guardianships and conservatorships;"

Page 1, line 11, delete "and"

Page 1, line 12, after the semicolon, insert "525.539, subdivision 7; 525.55, subdivision 2; 525.551, subdivision 5; 525.56, subdivisions 3 and 4; 525.58, subdivision 1; and 525.64; Minnesota Statutes 1993 Supplement, section 525.703, subdivision 3;"

Mr. Knutson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

H.F. No. 1659 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1735: A bill for an act relating to children; modifying certain provisions concerning foster care and adoption; amending Minnesota Statutes 1992, section 260.141, subdivision 1; Minnesota Statutes 1993 Supplement, sections 245A.03, subdivisions 2 and 2a; 257.071, subdivision 3; 257.072, subdivision 9; 259.255; and 260.191, subdivision 3b.

Mr. Betzold moved to amend S.F. No. 1735 as follows:

Page 4, line 5, after "license" insert "*or approve*"

Page 4, line 7, after the stricken comma, insert "*in order*"

Page 4, line 8, strike "such a" and insert "*the*" and after "license" insert "*or approval*"

Page 4, line 12, after "license" insert "*or approval*"

Page 4, line 13, after "license" insert "*or approval*"

Page 4, line 19, before the period, insert "*in licensing or approving an individual related to a child*"

Page 5, line 7, after "9" insert "*, in licensing or approving an individual related to a child*"

Page 8, line 12, after "and" insert "*reasonable efforts by the responsible social service agency have failed to locate an adoptive family for the child and the child*"

Page 8, line 13, delete "*who has reached age*"

Page 8, line 14, delete "*12 determined not adoptable*" and insert "*described in clause (i)*"

Page 8, line 29, delete "*continuing*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1735 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kroening	Morse	Robertson
Beckman	Frederickson	Laidig	Murphy	Runbeck
Belanger	Hottinger	Larson	Novak	Sams
Berg	Janezich	Lessard	Olson	Spear
Berglin	Johnson, D.E.	Luther	Pappas	Stevens
Bertram	Johnson, D.J.	Marty	Pariseau	Vickerman
Betzold	Johnson, J.B.	McGowan	Piper	Wiener
Chandler	Kelly	Merriam	Pogemiller	
Day	Kiscaden	Metzen	Price	
Dille	Knutson	Moe, R.D.	Ranum	
Finn	Krentz	Mondale	Reichgott Junge	

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

SPECIAL ORDER

H.F. No. 2311: A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 103G.625, subdivision 3; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 449.09; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivision 7; 469.188; 471.191, subdivision 2; 471.24; 471.57, subdivision 1; 471.61, subdivisions 1 and 2a; 473.711, subdivision 2; Minnesota Statutes 1993 Supplement, section 88.04, subdivision 3; Laws 1933, chapter 423, section 2; Laws 1943, chapters 196, section 6, as amended; 367, section 1, as amended; 510, section 1; Laws 1947, chapters 224, section 1; 340, section 4; Laws 1949, chapters 215, section 2; 252, section 1; 668, section 1; Laws 1953, chapters 154, section 3; 545, section 2; Laws 1957, chapter 213, section 1; Laws 1959, chapters 298, section 2; 520, section 1; 556, section 1, as amended; Laws 1961, chapters 80, section 1; 81, section 1; 82, section 1; 151, section 1; 209, section 4; 317, section 1; 352, section 1, as amended; 616, section 1, subdivision 1; 643, section 1; Laws 1961, extra session chapter 33, section 3; Laws 1963, chapters 29, section 1; 56, section 1; 103, section 1; Laws 1965, chapters 6, section 2, as amended; 442, section 1; 451, section 2; 512, section 1, subdivision 1; 527, section 1; 617, section 1; Laws 1967, chapters 501, section 1; 526, section 1, subdivision 3; 611, section 1; 660, section 2, subdivision 2; 758, section 1; Laws 1969, chapters 192, section 1, as amended; 534, section 2; 538, section 6, as amended; 602, section 1, subdivision 2; 652, section 1; 659, section 3; 730, section 1; Laws 1971, chapters 404, section 1; 424, section 1; 573, section 1; 876, section 3; Laws 1973, chapter 81, section 1; Laws 1977, chapter 61, section 8; Laws 1979, chapters 1, section 3; 253, section 3; 303, article 10, section 15, subdivision 2, as amended; Laws 1981, chapter 281, section 1; Laws 1983, chapter 326, section 17, subdivision 1; Laws 1984, chapters 380, section 1; 502, article 13, section 8; Laws 1985, chapters 181, section 1; 289, sections 1, 3, 5, subdivision 1, and 6, subdivision 1; Laws 1986, chapters 392, section 1; 399, article 1, section 1, as amended; Laws 1988, chapters 517, section 1; 640, section 3; repealing Minnesota Statutes 1992, sections 373.40, subdivision 6; 471.1921; and 471.63, subdivision 2; Laws 1915, chapter 316, section 1, as amended; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1961, chapters 30, section 1; 119, section 1; 276, section 1; 439, section 1; Laws 1963, chapter 228,

section 1; Laws 1967, chapter 542, section 1, subdivision 3; Laws 1971, chapters 168; 356, section 2; 515, section 1; 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1977, chapter 246; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990, chapter 604, article 3, sections 50 and 55; and Laws 1991, chapters 3, section 2, subdivision 3; and 291, article 4, section 21.

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:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2500: A bill for an act relating to retirement; St. Paul teachers retirement fund association; requiring proportional representation for various membership groups on the association board of trustees; proposing coding for new law in Minnesota Statutes, chapter 354A.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2666: A bill for an act relating to local government; prohibiting the

adoption of certain zoning ordinances by municipalities, counties, and towns; amending Minnesota Statutes 1992, sections 394.25, by adding a subdivision; and 462.357, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 366.

Mr. Hottinger moved that the amendment made to H.F. No. 2666 by the Committee on Rules and Administration in the report adopted April 13, 1994, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2666 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2577: A bill for an act relating to the human rights act; expanding and clarifying scope of business discrimination protections; amending Minnesota Statutes 1993 Supplement, section 363.03, subdivision 8a.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1496: A bill for an act relating to health; clarifying the scope of

confidentiality of records of review organizations; including preferred provider organizations in definition of review organizations; amending Minnesota Statutes 1992, sections 145.61, subdivision 5, and by adding a subdivision; and 145.64, subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2420: A bill for an act relating to retirement; providing for terms on which surviving spouse benefits are granted to members of the Minneapolis fire department relief association; amending Minnesota Statutes 1992, section 353B.11, subdivision 1; and Laws 1965, chapter 519, section 1, as amended.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2299: A bill for an act relating to retirement; the Duluth joint police and firefighters consolidation account; clarifying certain language

relating to calculation of pension benefits contained in the bylaws of the Duluth firefighters relief association; amending Minnesota Statutes 1993 Supplement, section 353B.02, subdivision 10.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2882: A bill for an act relating to motor carriers; exempt carriers; providing an exemption for transportation of potatoes; amending Minnesota Statutes 1993 Supplement, section 221.025.

Mr. Moe, R.D. moved to amend H.F. No. 2882, as amended pursuant to Rule 49, adopted by the Senate April 7, 1994, as follows:

(The text of the amended House File is identical to S.F. No. 2706.)

Page 3, after line 15, insert:

“Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.”

The motion prevailed. So the amendment was adopted.

Ms. Krentz moved to amend H.F. No. 2882, as amended pursuant to Rule 49, adopted by the Senate April 7, 1994, as follows:

(The text of the amended House File is identical to S.F. No. 2706.)

Page 1, after line 5, insert:

“Section 1. Minnesota Statutes 1993 Supplement, section 168.011, subdivision 36, is amended to read:

Subd. 36. [PERSONAL TRANSPORTATION SERVICE VEHICLE.] “Personal transportation service vehicle” is a means an unmarked passenger vehicle, other than a taxicab, licensed by a municipality or other vehicle equipped with a meter, that has a seating capacity of up to six persons excluding the driver, or a van or station wagon with a seating capacity of up to 12-14 persons excluding the driver, that provides personal transportation service as defined in section 221.011, subdivision 34. For purposes of this

subdivision, "unmarked" means without visible numbers, letters, symbols, graphic representations, or advertising, but does not include any means of identification required by federal law or rules adopted by the commissioner of transportation under section 221.85.

Sec. 2. Minnesota Statutes 1992, section 168.1281, subdivision 1, is amended to read:

Subdivision 1. [LICENSE PLATES.] A person who operates a personal transportation service vehicle shall apply to register the vehicle as provided in this section. The registrar shall issue personal transportation service plates *after determining that the vehicle meets the definition in section 168.011, subdivision 36, and on the applicant's compliance with laws relating to registration and licensing of motor vehicles and drivers, and certification by the owner that an insurance policy meeting the requirements of subdivision 2 is in effect for the entire period of registration. After the effective date of rules adopted by the commissioner of transportation under section 221.85, subdivision 1, personal transportation service plates shall be issued only after the applicant obtains a valid permit to provide personal transportation service issued under section 221.85 and presentation of a valid safety certificate, described under section 221.85, subdivision 1.* The applicant must provide the registrar with proof that the passenger automobile license tax and a \$10 fee have been paid for each vehicle receiving personal transportation service license plates. The registrar shall design personal transportation service license plates so that the plates identify the vehicle as a personal transportation service vehicle, and clearly display the letters "LS." Personal transportation service license plates issued to a vehicle may not be transferred to another vehicle, except that they may be transferred to another personal transportation service vehicle owned by the same owner on notification to the registrar, *presentation of a valid safety certificate, described under section 221.85, subdivision 1, and payment of a \$5 transfer fee.*

Sec. 3. Minnesota Statutes 1992, section 168.1281, subdivision 2, is amended to read:

Subd. 2. [INSURANCE.] An application under subdivision 1 must include a certificate of insurance that (1) verifies that a valid commercial *for-hire* insurance policy is in effect, and (2) gives the name of the insurance company and the number of the policy. The policy must provide stated limits of liability, exclusive of interest and costs, with respect to each vehicle for which coverage is granted, of (1) not less than ~~\$100,000~~ \$250,000 because of bodily injury to one person in any one accident, (2) subject to the limit for one person, not less than ~~\$300,000~~ \$500,000 because of injury to two or more persons in any one accident, and (3) not less than \$100,000 because of injury to or destruction of property. *The certificate of insurance, or attached policy endorsement must require the named insurance company must to notify the commissioner if the policy is canceled or if the policy no longer provides the coverage required by this subdivision.*

Sec. 4. Minnesota Statutes 1992, section 168.1281, is amended by adding a subdivision to read:

Subd. 5. [RECALL OF LICENSE PLATES.] *Upon determining that personal transportation service license plates have been issued to a vehicle that does not meet the definition in section 168.011, subdivision 36, that a personal transportation service vehicle is no longer covered by a valid insurance policy as required by subdivision 2, or that the operator of the*

personal transportation vehicle does not possess a valid permit issued under section 221.85, subdivision 3, the commissioner shall immediately notify the registered owner of the vehicle that the license plates must be surrendered. The owner shall then immediately surrender the license plates to the commissioner. Upon surrender of the license plates, the registrar shall issue appropriate alternate license plates to the vehicle's registered owner without cost.

Sec. 5. Minnesota Statutes 1992, section 221.011, subdivision 34, is amended to read:

Subd. 34. [PERSONAL TRANSPORTATION SERVICE.] "Personal transportation service" means service that:

- (1) is not provided on a regular route;
- (2) is provided in a personal transportation service vehicle as defined in section 168.011, subdivision 36; *and*
- (3) ~~is not metered for the purpose of determining fares;~~
- (4) ~~provides is prearranged pickup of passengers;~~
- (5) ~~charges more than a taxicab fare for a comparable trip at the initiation and request of a passenger or passenger's representative before pickup."~~

Page 3, after line 15, insert:

"Sec. 7. Minnesota Statutes 1992, section 221.85, subdivision 1, is amended to read:

Subdivision 1. [PERMIT REQUIRED; RULES.] No person may provide personal transportation service for hire without having obtained a personal transportation service permit from the commissioner. The commissioner shall adopt rules governing the issuance of permits and furnishing of personal transportation service. The rules must provide for:

- (1) annual inspections of vehicles, *including the designation of authorized inspection facilities throughout the state for the purposes of conducting periodic vehicle safety inspections; on behalf of the state and at the expense of the applicant, and the issuance of safety certificates which shall be required before issuance or renewal of a license plate under section 168.1281, subdivision 1;*
- (2) driver qualifications including requiring a criminal history check of drivers;
- (3) insurance requirements;
- (4) advertising regulations, including requiring a copy of the permit to be carried in the personal transportation service vehicle and the use of the words "licensed and insured";
- (5) agreements with political subdivisions for sharing enforcement costs with the state;
- (6) issuance of temporary permits and fees therefor; and
- (7) other requirements the commissioner deems necessary to carry out the purposes of this section.

Sec. 8. Minnesota Statutes 1992, section 221.85, is amended by adding a subdivision to read:

Subd. 1a. [GENERAL REQUIREMENTS.] A personal transportation service provider:

(1) may not solicit an individual, or individuals to form a group, for the purpose of transporting them;

(2) must keep a written log of reservations for personal transportation service and actual services provided, including the times and locations of the reservations and services; and

(3) must keep the logs on file, and available for inspection by the commissioner, for a period of two years.

Sec. 9. Minnesota Statutes 1992, section 221.85, subdivision 3, is amended to read:

Subd. 3. [PERMITS; DECALS.] (a) The commissioner shall design a distinctive decal to be issued to permit holders under this section. A decal is valid for one year from the date of issuance. No person may provide personal transportation service in a personal transportation service vehicle that does not conspicuously display a decal issued under this subdivision.

(b) ~~From August 1, 1992, to June 30, 1993, the fee for each decal issued under this section is \$150. On and after July 1, 1993, the fee for each decal issued under this section is \$80.~~ The fee for each permit issued under this section is ~~\$150~~ \$500. The commissioner shall deposit all fees under this subdivision in the trunk highway fund.

Sec. 10. Laws 1993, chapter 323, section 5, is amended to read:

Sec. 5. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment. ~~Sections 3 and 4 are effective August 1, 1994.~~

Sec. 11. [TRANSITION.]

A person providing personal transportation service as defined in section 5, in a personal transportation service vehicle as defined in section 1, on the day following final enactment may continue to provide personal transportation service in the vehicle without a permit under Minnesota Statutes, section 221.85, subdivision 1, until the effective date of the final rules adopted by the commissioner under that section, except that 30 days following final enactment personal transportation vehicles must be covered by a valid commercial for-hire insurance policy in the amounts specified in section 3.

Sec. 12. [REPEALER.]

(a) Minnesota Statutes 1993 Supplement, section 168.1281, subdivision 4, is repealed.

(b) Laws 1992, chapter 578, section 56, is repealed.

(c) Laws 1993, chapter 323, sections 3 and 4, are repealed.

Sec. 13. [EFFECTIVE DATE.]

Sections 1, 2, 4, 5, 7, 8, 9, 10, 11, and 12 are effective the day following final enactment. Section 3 is effective 30 days following the date of final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Ms. Flynn questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question recurred on the Krentz amendment. The motion prevailed. So the amendment was adopted.

RECONSIDERATION

Having voted on the prevailing side, Mr. Pogemiller moved that the vote whereby the Krentz amendment to H.F. No. 2882 was adopted on April 14, 1994, be now reconsidered. The motion prevailed. So the vote was reconsidered.

The question recurred on the Krentz amendment. The motion prevailed. So the amendment was adopted.

H.F. No. 2882 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 56 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Flynn	Metzen	Piper	Ranum
Berglin	Kroening	Mondale	Pogemiller	Spear

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

MOTIONS AND RESOLUTIONS - CONTINUED

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.

Mr. Samuelson moved that S.F. No. 1758 be taken from the table. The motion prevailed.

S.F. No. 1758: A bill for an act relating to welfare reform; requiring pregnant and parenting minors to live with their parents in order to receive aid

to families with dependent children (AFDC); providing an exception to the AFDC overpayment statute; allowing start work offset to AFDC recipients in the first month of work; broadening the scope of the employment and training statute by requiring more AFDC recipients to participate in job search; allowing vendor emergency assistance payments for damage deposit; providing required workers' compensation insurance for community work experience program workers; expanding cost-neutral fraud prevention programs; allowing emergency assistance damage deposit be returned to the county; allowing the county to pay monthly general assistance differently; making general assistance and work readiness lump-sum criteria the same as the AFDC lump-sum criteria, with some exceptions; requiring a study to expand the parent's fair share pilot project statewide; requiring the departments of human services and revenue to design and implement a plan which supports working families; directing the commissioner of human services to seek several waivers from the federal government which support and promote moving off welfare and becoming self-sufficient; expanding the parent's fair share pilot project into Ramsey county; expanding state support for basic sliding fee day care program; appropriating money; amending Minnesota Statutes 1992, sections 256.73, by adding subdivisions; 256.737, by adding a subdivision; 256.81; 256.979, by adding a subdivision; 256.983, subdivision 1; 256D.05, subdivision 6; 256D.09, by adding a subdivision; 256H.05, subdivision 1b; and 268.672, subdivision 6; Minnesota Statutes 1993 Supplement, sections 256.031, subdivision 3; 256.73, subdivision 8; and 256.736, subdivisions 10 and 14; proposing coding for new law in Minnesota Statutes, chapters 256; and 256D; repealing Minnesota Statutes 1993 Supplement, section 256.734.

CONCURRENCE AND REPASSAGE

Mr. Samuelson moved that the Senate concur in the amendments by the House to S.F. No. 1758 and that the bill be placed on its repassage as amended.

Mr. Betzold moved that the Senate do not concur in the amendments by the House to S.F. No. 1758, 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 to be appointed on the part of the House.

The question was taken on the adoption of the motion of Mr. Betzold.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Metzen	Pappas	Robertson
Berglin	Janezich	Moe, R.D.	Piper	Solon
Betzold	Johnson, J.B.	Mondale	Pogemiller	Spear
Chandler	Kiscaden	Morse	Price	Terwilliger
Cohen	Krentz	Murphy	Ranum	Wiener
Finn	Luther	Novak	Reichgott Junge	
Flynn	Marty	Oliver	Riveness	

Those who voted in the negative were:

Adkins	Chmielewski	Johnston	Lesewski	Runbeck
Beckman	Day	Kelly	Lessard	Sams
Belanger	Dille	Knutson	McGowan	Samuelson
Benson, D.D.	Frederickson	Kroening	Merriam	Stevens
Benson, J.E.	Hanson	Laidig	Neuville	Stumpf
Berg	Johnson, D.E.	Langseth	Olson	Vickerman
Bertram	Johnson, D.J.	Larson	Pariseau	

The motion did not prevail.

The question recurred on the adoption of the Samuelson motion.

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Johnston	Lesewski	Runbeck
Beckman	Day	Kelly	Lessard	Sams
Belanger	Dille	Knutson	McGowan	Samuelson
Benson, D.D.	Frederickson	Kroening	Merriam	Stevens
Benson, J.E.	Hanson	Laidig	Neuville	Stumpf
Berg	Johnson, D.E.	Langseth	Olson	Vickerman
Bertram	Johnson, D.J.	Larson	Pariseau	

Those who voted in the negative were:

Anderson	Hottinger	Metzen	Pappas	Robertson
Berglin	Janezich	Moe, R.D.	Piper	Solon
Betzold	Johnson, J.B.	Mondale	Pogemiller	Spear
Chandler	Kiscaden	Morse	Price	Terwilliger
Cohen	Krentz	Murphy	Ranum	Wiener
Finn	Luther	Novak	Reichgott Junge	
Flynn	Marty	Oliver	Riveness	

The motion prevailed.

S.F. No. 1758 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Johnston	Lesewski	Runbeck
Beckman	Day	Kelly	Lessard	Sams
Belanger	Dille	Knutson	McGowan	Samuelson
Benson, D.D.	Frederickson	Kroening	Merriam	Stevens
Benson, J.E.	Hanson	Laidig	Neuville	Stumpf
Berg	Johnson, D.E.	Langseth	Olson	Vickerman
Bertram	Johnson, D.J.	Larson	Pariseau	

Those who voted in the negative were:

Anderson	Hottinger	Metzen	Pappas	Robertson
Berglin	Janezich	Moe, R.D.	Piper	Solon
Betzold	Johnson, J.B.	Mondale	Pogemiller	Spear
Chandler	Kiscaden	Morse	Price	Terwilliger
Cohen	Krentz	Murphy	Ranum	Wiener
Finn	Luther	Novak	Reichgott Junge	
Flynn	Marty	Oliver	Riveness	

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

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Moe, R.D.; Merriam; Lessard and Johnson, D.E. introduced—

S.F. No. 2918: A bill for an act relating to the legislature; limiting regular sessions to the first year of a biennium; authorizing the president of the senate and the speaker of the house to jointly call special sessions on extraordinary occasions; proposing an amendment to the Minnesota Constitution, article IV, section 12.

Referred to the Committee on Rules and Administration.

NOTICE OF RECONSIDERATION

Ms. Runbeck gave notice of intention to move for reconsideration of S.F. No. 1758.

MEMBERS EXCUSED

Mr. Larson was excused from the Session of today from 8:00 to 8:35 a.m. Mr. Novak and Ms. Wiener were excused from the Session of today from 8:00 to 8:50 a.m. Mr. Pogemiller was excused from the Session of today from 8:00 to 8:45 a.m. Mr. Mondale was excused from the Session of today from 8:00 to 9:00 a.m. Mr. Price was excused from the Session of today from 8:00 to 9:50 a.m. Ms. Kiscaden was excused from the Session of today from 10:00 to 10:20 a.m. Ms. Runbeck was excused from the Session of today from 10:00 to 11:00 a.m. Ms. Johnston was excused from the Session of today from 10:40 to 11:10 a.m. Mr. Oliver was excused from the Session of today from 11:00 to 11:10 a.m. Mr. Lessard was excused from the Session of today from 11:00 to 11:15 a.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Friday, April 15, 1994. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate