

FORTIETH DAY

St. Paul, Minnesota, Thursday, April 13, 1995

The Senate met at 9:00 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 the Chaplain, Rev. Kenneth Van DeGriend.

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

Anderson	Hanson	Laidig	Olson	Samuelson
Belanger	Hottinger	Langseth	Ourada	Scheevel
Berg	Johnson, D.E.	Larson	Pappas	Solon
Berglin	Johnson, D.J.	Lesewski	Pariseau	Spear
Bertram	Johnson, J.B.	Lessard	Piper	Stevens
Betzold	Johnston	Limmer	Pogemiller	Stumpf
Chandler	Kelly	Marty	Price	Terwilliger
Chmielewski	Kiscaden	Merriam	Ranum	Vickerman
Cohen	Kleis	Moe, R.D.	Reichgott Junge	Wiener
Dille	Knutson	Morse	Riveness	
Finn	Kramer	Murphy	Robertson	
Flynn	Krentz	Novak	Rumbeck	
Frederickson	Kroening	Oliver	Sams	

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. 348, 1255, 446, 687 and 172.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1995

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. 474: A bill for an act relating to insurance; accident and sickness; regulating policy reinstatement; amending Minnesota Statutes 1994, section 62A.04, subdivision 2.

Senate File No. 474 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1995

CONCURRENCE AND REPASSAGE

Ms. Johnson, J.B. moved that the Senate concur in the amendments by the House to S.F. No. 474 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 474 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Murphy	Sams
Belanger	Hanson	Kroening	Novak	Samuelson
Berg	Hottinger	Laidig	Olson	Scheevel
Berglin	Johnson, D.E.	Langseth	Ourada	Solon
Bertram	Johnson, D.J.	Larson	Pappas	Spear
Betzold	Johnson, J.B.	Lesewski	Piper	Stevens
Chandler	Johnston	Lessard	Pogemiller	Stumpf
Chmielewski	Kelly	Limmer	Price	Terwilliger
Cohen	Kiscaden	Marty	Ranum	Vickerman
Dille	Kleis	Merriam	Reichgott Junge	Wiener
Finn	Knutson	Moe, R.D.	Robertson	
Flynn	Kramer	Morse	Runbeck	

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. 445: A bill for an act relating to the environment; requiring the pollution control agency to permit the operation of certain waste combustors.

Senate File No. 445 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1995

Ms. Lesewski moved that the Senate do not concur in the amendments by the House to S.F. No. 445, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S.F. No. 566: A bill for an act relating to education; allowing the residential program operated by independent school district No. 518 to remain open until July 1, 1996; amending Laws 1994, chapter 643, section 14, subdivision 8.

Senate File No. 566 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1995

CONCURRENCE AND REPASSAGE

Mr. Vickerman moved that the Senate concur in the amendments by the House to S.F. No. 566 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 566 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 56 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Novak	Scheevel
Belanger	Hanson	Kroening	Olson	Solon
Berg	Hottinger	Laidig	Ourada	Spear
Berglin	Johnson, D.E.	Langseth	Pappas	Stevens
Bertram	Johnson, D.J.	Larson	Piper	Stumpf
Betzold	Johnson, J.B.	Lesewski	Pogemiller	Terwilliger
Chandler	Johnston	Lessard	Price	Vickerman
Chmielewski	Kelly	Limmer	Ranum	Wiener
Cohen	Kiscaden	Marty	Reichgott Junge	
Dille	Kleis	Moe, R.D.	Runbeck	
Finn	Knutson	Morse	Sams	
Flynn	Kramer	Murphy	Samuelson	

Mr. Merriam and Ms. Robertson voted in the negative.

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. 133: A bill for an act relating to state lands; authorizing the private sale of certain tax-forfeited lands bordering public waters in Cook county.

Senate File No. 133 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1995

CONCURRENCE AND REPASSAGE

Mr. Johnson, D.J. moved that the Senate concur in the amendments by the House to S.F. No. 133 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 133: A bill for an act relating to state lands; authorizing the private sale of certain tax-forfeited lands bordering public waters in Cook and St. Louis counties.

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:

Anderson	Frederickson	Krentz	Murphy	Samuelson
Belanger	Hanson	Kroening	Olson	Scheevel
Berg	Hottinger	Laidig	Ourada	Solon
Berglin	Johnson, D.E.	Langseth	Pappas	Spear
Bertram	Johnson, D.J.	Larson	Piper	Stevens
Betzold	Johnson, J.B.	Lesewski	Pogemiller	Stumpf
Chandler	Johnston	Lessard	Price	Terwilliger
Chmielewski	Kelly	Limmer	Ranum	Vickerman
Cohen	Kiscaden	Marty	Reichgott Junge	Wiener
Dille	Kleis	Merriam	Robertson	
Finn	Knutson	Moe, R.D.	Runbeck	
Flynn	Kramer	Morse	Sams	

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 adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 8: A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1995

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 266, 1207, 1485, 1678, 641, 1132, 1238 and 1246.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 12, 1995

FIRST READING OF HOUSE BILLS

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

H.F. No. 266: A bill for an act relating to peace officers; authorizing certain expenditures by a surviving spouse from a dependent child's share of a peace officer's survivor benefits; amending Minnesota Statutes 1994, section 299A.44.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 180, now on General Orders.

H.F. No. 1207: A bill for an act relating to traffic regulations; increasing maximum length of certain combinations of vehicles from 65 to 70 feet; amending Minnesota Statutes 1994, section 169.81, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 571, now on General Orders.

H.F. No. 1485: A bill for an act relating to occupations and professions; permitting protective agents to perform certain traffic control duties; amending Minnesota Statutes 1994, section 326.338, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1171, now on General Orders.

H.F. No. 1678: A bill for an act relating to drainage; allowing an outlet fee to be charged for use of an established drainage system in Red Lake county as an outlet for drainage originating in Polk county.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1472, now on General Orders.

H.F. No. 641: A bill for an act relating to public administration; providing a deadline for certain actions by local government agencies; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 647.

H.F. No. 1132: A bill for an act relating to alcoholic beverages; providing restrictions on brewers who have retail on-sale licenses; imposing licensing and permitting requirements; requiring a license for charging for possession of alcoholic beverages; requiring a permit to allow consumption and display of all alcoholic beverages; authorizing additional licenses in Minneapolis; authorizing Clay and St. Louis counties to issue on-sale licenses; requiring a study of application of primary source law; defining home brewing equipment; listing items that may be sold in exclusive liquor stores; repealing requirement for permit for transportation of alcoholic beverages; amending Minnesota Statutes 1994, sections 340A.101, subdivision 10, and by adding a subdivision; 340A.301, subdivisions 6 and 7; 340A.401; 340A.404, subdivision 2; 340A.408, subdivision 2; 340A.412, by adding a subdivision; and 340A.414, subdivision 1; repealing Minnesota Statutes 1994, sections 340A.301, subdivision 10; and 340A.32.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 936, now on General Orders.

H.F. No. 1238: A bill for an act relating to waters; planning, development, review, reporting, and coordination of surface and groundwater management in the metropolitan area; amending Minnesota Statutes 1994, sections 103B.205, by adding a subdivision; 103B.211, subdivision 1; 103B.231, subdivisions 3, 4, 6, 7, 8, 9, 11, and by adding a subdivision; 103B.235, subdivision 3; 103B.241, subdivision 1; 103B.245, subdivisions 1 and 4; 103B.251, subdivisions 3 and 7; 103B.255, subdivisions 6, 7, 8, 9, 10, and 12; 103B.311, subdivisions 4 and 6; 103B.3369, subdivisions 5 and 6; 103B.355; and 103B.611, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 103B; repealing Minnesota Statutes 1994, sections 103B.227, subdivision 6; 103B.231, subdivisions 5 and 12; and 103B.3365.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 897.

H.F. No. 1246: A bill for an act relating to child care; requiring child care for school age children not operated by a school to be licensed; changing the definition of toddler and preschooler for family day care programs serving siblings; amending Minnesota Statutes 1994, sections 245A.02, by adding subdivisions; 245A.03, subdivision 2; 245A.10; and 245A.14, subdivision 6.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 1186 and 885. The motion prevailed.

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

S.F. No. 1186: A bill for an act relating to housing; changing age limitations under the family homeless prevention and assistance program; modifying the rental housing program; correcting references to municipal housing plan reporting requirements; amending Minnesota Statutes 1994, sections 462A.204, subdivision 1; 462A.205, subdivision 4; 462A.21, by adding a subdivision; and 469.0171; proposing coding for new law in Minnesota Statutes, chapter 462A; repealing Minnesota Statutes 1994, section 462A.21, subdivision 8c.

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

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 1994, section 462A.05, subdivision 14, is amended to read:

Subd. 14. [REHABILITATION LOANS.] It may agree to purchase, make, or otherwise participate in the making, and may enter into commitments for the purchase, making, or participation in the making, of eligible loans for rehabilitation to persons and families of low and moderate income, and to owners of existing residential housing for occupancy by such persons and families, for the rehabilitation of existing residential housing owned by them. The loans may be insured or uninsured and may be made with security, or may be unsecured, as the agency deems advisable. The loans may be in addition to or in combination with long-term eligible mortgage loans under subdivision 3. They may be made in amounts sufficient to refinance existing indebtedness secured by the property, if refinancing is determined by the agency to be necessary to permit the owner to meet the owner's housing cost without expending an unreasonable portion of the owner's income thereon. No loan for rehabilitation shall be made unless the agency determines that the loan will be used primarily to make the housing more desirable to live in, to increase the market value of the housing, for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing, or to accomplish energy conservation related improvements. In unincorporated areas and municipalities not having codes and standards, the agency may, solely for the purpose of administering the provisions of this chapter, establish codes and standards. Except for accessibility improvements under this subdivision 14d and subdivisions 14a and 24, clause (1), no secured loan for rehabilitation of any property shall be made in an amount which, with all other existing indebtedness secured by the property, would exceed its market value, as determined by the agency. No loan under this subdivision shall be denied solely because the loan will not be used for placing the residential housing in full compliance with all state, county, or municipal building, housing maintenance, fire, health, or similar codes and standards applicable to housing. Rehabilitation loans shall be made only when the agency determines that financing is not otherwise available, in whole or in part, from private lenders upon equivalent terms and conditions. Accessibility rehabilitation loans authorized under this subdivision may be made to eligible persons and families without limitations relating to the maximum incomes of the borrowers if:

(1) the borrower or a member of the borrower's family requires a level of care provided in a hospital, skilled nursing facility, or intermediate care facility for persons with mental retardation or related conditions;

(2) home care is appropriate; and

(3) the improvement will enable the borrower or a member of the borrower's family to reside in the housing.

Sec. 2. Minnesota Statutes 1994, section 462A.05, subdivision 30, is amended to read:

Subd. 30. [AGENCY INVESTMENT IN CERTAIN NOTES AND MORTGAGES.] It may invest in, purchase, acquire, and take assignments of existing notes and mortgages not closed for the purpose of sale to the agency, from lenders that are nonprofit or nonprofit entities, as defined in the agency's rules, provided that: (1) the notes and mortgages evidence loans for the construction, rehabilitation, purchase, improvement, or refinancing of residential housing intended for occupancy and occupied by low- and moderate-income persons and families; and (2) the loan sellers utilize the funds derived from the purchases in accordance with the authority contained in section 462A.07, subdivision 12, for the purposes and objectives of sections 462A.02, 462A.03, 462A.05, 462A.07, and 462A.21; and (3) the purchases are subject to security and limitations on the costs and expenses of the loan sellers incidental to the utilization of the purchase proceeds as the agency may determine. The proceeds of the purchases authorized by this subdivision shall not be subject to the limitations of section 462A.21, subdivisions 4k, 6, 9, and 12. In addition, it may invest in, purchase, acquire, and take assignments of existing federally insured mortgages for multifamily housing, not closed for the purpose of sale to the agency, from any banking institution, savings and loan association, or other lender or financial intermediary approved by the members provided that the multifamily housing is benefited by contracts for federal housing assistance payments.

Sec. 3. Minnesota Statutes 1994, section 462A.202, subdivision 2, is amended to read:

Subd. 2. [TRANSITIONAL HOUSING.] The agency may make loans with or without interest to cities and counties to finance the acquisition, improvement, and rehabilitation of existing housing properties or the acquisition, site improvement, and development of new properties for the purposes of providing transitional housing, upon terms and conditions the agency determines. Preference must be given to cities that propose to acquire properties being sold by the resolution trust corporation or the department of housing and urban development. Loans under this subdivision are subject to the restrictions in subdivision 7.

Sec. 4. Minnesota Statutes 1994, section 462A.202, subdivision 6, is amended to read:

Subd. 6. [NEIGHBORHOOD LAND TRUSTS.] The agency may make loans with or without interest to cities and counties to finance the capital costs of a land trust project undertaken pursuant to sections 462A.30 and 462A.31. Loans under this subdivision are subject to the restrictions in subdivision 7."

Page 2, after line 35, insert:

"Sec. 8. Minnesota Statutes 1994, section 462A.21, subdivision 8, is amended to read:

Subd. 8. [HOME OWNERSHIP ASSISTANCE FUND.] It may establish a home ownership assistance fund, on terms and conditions it deems advisable, to assist persons and families of low and moderate income in the purchase of affordable residential housing and may use the funds to provide loans, additional security for eligible loans, or to pay costs associated with or provide additional security for bonds issued by the agency.

Sec. 9. Minnesota Statutes 1994, section 462A.21, subdivision 8b, is amended to read:

Subd. 8b. [FAMILY RENTAL HOUSING.] It may establish a family rental housing assistance program to provide loans or direct rental subsidies for housing for families with incomes of up to 80 percent of area state median income. Priority must be given to those developments with resident families with the lowest income. The development may be financed by the agency or other public or private lenders. Direct rental subsidies must be administered by the agency for the benefit of eligible families. Financial assistance provided under this subdivision to recipients of aid to families with dependent children must be in the form of vendor payments whenever possible. Loans and direct rental subsidies under this subdivision may be made only with specific appropriations by the legislature. The limitations on eligible mortgagors contained in section 462A.03, subdivision 13, do not apply to loans for the rehabilitation of existing housing under this subdivision.

Sec. 10. Minnesota Statutes 1994, section 462A.21, subdivision 13, is amended to read:

Subd. 13. [ACCESSIBILITY PROGRAMS.] It may spend money for the ~~purpose~~ purposes of section 462A.05, ~~subdivision~~ subdivisions 14, 14a, and 24, and may pay the costs and expenses necessary and incidental to the development and operation of the programs authorized in ~~that subdivision~~ those subdivisions."

Page 3, line 15, reinstate the stricken language

Page 3, line 19, delete the new language and insert a period

Page 3, line 20, delete "(4)" and insert "The authority must"

Page 3, line 23, delete "section" and insert "sections 462A.05, subdivision 14d; and"

Page 3, line 24, delete "is" and insert "are"

Page 3, line 26, delete "1 to 6" and insert "1, 5 to 7, and 11 to 13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "program" insert "and various other programs of the housing finance agency"

Page 1, line 7, after "sections" insert "462A.05, subdivisions 14 and 30; 462A.202, subdivisions 2 and 6;"

Page 1, line 8, after the comma, insert "subdivisions 8, 8b, 13, and"

Page 1, line 11, delete "section" and insert "sections 462A.05, subdivision 14d; and"

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 1152: A bill for an act relating to employment; requiring disclosure to recruited employees in the food processing industry; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Page 1, line 20, delete "travel" and insert "relocate"

Page 1, line 21, delete everything after "employment"

Page 1, line 22, delete "employment"

Page 2, line 8, delete everything after "work"

Page 2, line 9, delete "work is permanent"

Page 2, line 17, after "availability" insert "and description"

Page 2, line 18, after the semicolon, insert "and"

Page 2, delete lines 19 and 20

Page 2, line 21, delete "(11)" and insert "(10)"

Page 2, line 26, after the period, insert "The disclosure requirement does not apply to an exempt employee as defined in United States Code, title 29, section 213(a)(1)."

Page 2, line 27, delete "the primary language of the person"

Page 2, line 28, delete "recruited" and insert "English and Spanish"

Page 2, line 31, after the period, insert "The disclosure may not be construed as an employment contract."

Page 2, delete lines 32 to 36

Page 3, delete lines 1 and 2

Page 3, line 15, after "use" insert "at the employer's option"

Renumber the subdivisions in sequence

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

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

H.F. No. 1174 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.
1174S.F. No.
1091

H.F. No.

S.F. No.

H.F. No.

S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1174 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1174 and insert the language after the enacting clause of S.F. No. 1091, the first engrossment; further, delete the title of H.F. No. 1174 and insert the title of S.F. No. 1091, the first engrossment.

And when so amended H.F. No. 1174 will be identical to S.F. No. 1091, and further recommends that H.F. No. 1174 be given its second reading and substituted for S.F. No. 1091, 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. 1153 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:

GENERAL ORDERS**CONSENT CALENDAR****CALENDAR**H.F. No.
1153S.F. No.
1097

H.F. No.

S.F. No.

H.F. No.

S.F. No.

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. 586 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.
586S.F. No.
553

H.F. No.

S.F. No.

H.F. No.

S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 586 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 586 and insert the language after the enacting clause of S.F. No. 553, the first engrossment; further, delete the title of H.F. No. 586 and insert the title of S.F. No. 553, the first engrossment.

And when so amended H.F. No. 586 will be identical to S.F. No. 553, and further recommends that H.F. No. 586 be given its second reading and substituted for S.F. No. 553, 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. 96 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.
96 164

H.F. No. S.F. No.

H.F. No. S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 96 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 96 and insert the language after the enacting clause of S.F. No. 164, the second engrossment; further, delete the title of H.F. No. 96 and insert the title of S.F. No. 164, the second engrossment.

And when so amended H.F. No. 96 will be identical to S.F. No. 164, and further recommends that H.F. No. 96 be given its second reading and substituted for S.F. No. 164, 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. 1082 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.
1082 1407

H.F. No. S.F. No.

H.F. No. S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1082 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1082 and insert the language after the enacting clause of S.F. No. 1407, the first engrossment; further, delete the title of H.F. No. 1082 and insert the title of S.F. No. 1407, the first engrossment.

And when so amended H.F. No. 1082 will be identical to S.F. No. 1407, and further recommends that H.F. No. 1082 be given its second reading and substituted for S.F. No. 1407, 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.

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

S.F. No. 885: A bill for an act relating to public nuisance; modifying the grounds and procedure for proving a nuisance; providing for a meeting to attempt resolution of the issue; amending Minnesota Statutes 1994, sections 617.80, subdivisions 2, 4, 5, and 8, and by adding a subdivision; 617.81, subdivisions 1, 2, and 3; 617.82; 617.83; 617.84; 617.85; and 617.87; proposing coding for new law in Minnesota Statutes, chapter 617; repealing Minnesota Statutes 1994, section 617.81, subdivisions 2a and 3.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 617.80, subdivision 2, is amended to read:

Subd. 2. [BUILDING.] "Building" means a structure suitable for human shelter, a commercial

structure that is maintained for business activities that involve human occupation, ~~or any portion of such structures the structure, or the land surrounding the structure.~~ If the building is a multiunit dwelling, a hotel or motel, or a commercial or office building, the term "building," for purposes of sections 617.80 to 617.87, means only the portion of the building within or outside the structure in which a nuisance is maintained or permitted, such as a dwelling unit, room, suite of rooms, office, common area, storage area, garage, or parking area.

Sec. 2. Minnesota Statutes 1994, section 617.80, subdivision 4, is amended to read:

Subd. 4. [PROSTITUTION.] "Prostitution" or "prostitution-related offenses" means the conduct defined in sections 609.321 to 609.324.

Sec. 3. Minnesota Statutes 1994, section 617.80, subdivision 5, is amended to read:

Subd. 5. [GAMBLING.] "Gambling" or "gambling-related offenses" means the conduct described in sections 609.75 to 609.762.

Sec. 4. Minnesota Statutes 1994, section 617.80, subdivision 8, is amended to read:

Subd. 8. [INTERESTED PARTY.] "Interested party," for purposes of sections 617.80 to 617.87, means any known lessee or tenant of a building or affected portion of a building ~~and; any known agent of an owner, lessee, or tenant; or any other person who maintains or permits a nuisance and is known to the city attorney, county attorney, or attorney general.~~

Sec. 5. Minnesota Statutes 1994, section 617.80, is amended by adding a subdivision to read:

Subd. 9. [PROSECUTING ATTORNEY.] "Prosecuting attorney" means the attorney general, county attorney, city attorney, or attorney serving the jurisdiction where the nuisance is located.

Sec. 6. Minnesota Statutes 1994, section 617.81, subdivision 2, is amended to read:

Subd. 2. [ACTS CONSTITUTING A NUISANCE.] (a) For purposes of sections 617.80 to 617.87, a public nuisance exists upon proof of ~~three or more misdemeanor convictions or two or more convictions, of which at least one is a gross misdemeanor or felony, two or more separate convictions within the previous two five years for:~~

- (1) acts of prostitution or prostitution-related offenses committed within the building;
- (2) acts of gambling or gambling-related offenses committed within the building;
- (3) keeping or permitting a disorderly house within the building;
- (4) unlawful sale ~~or~~, possession, storage, delivery, giving, manufacture, cultivation, or use of controlled substances committed within the building;
- (5) unlicensed sales of alcoholic beverages committed within the building in violation of section 340A.401;
- (6) unlawful sales or gifts of alcoholic beverages by an unlicensed person committed within the building in violation of section 340A.503, subdivision 2, clause (1); or
- (7) unlawful use or possession of a firearm in violation of section 609.66, subdivision 1a, 609.67, or 624.713, committed within the building.

~~(b) A second or subsequent conviction under paragraph (a) may be used to prove the existence of a nuisance if the conduct on which the second or subsequent conviction is based occurred within two years following the first conviction, regardless of the date of the conviction for the second or subsequent offense.~~

Sec. 7. Minnesota Statutes 1994, section 617.82, is amended to read:

617.82 [TEMPORARY ORDER.]

Whenever a ~~city attorney, county attorney, or the attorney general~~ prosecuting attorney has cause to believe that a nuisance described in section 617.81, subdivision 2, exists within the

jurisdiction the attorney serves, that the prosecuting attorney may by verified petition seek a temporary injunction in district court in the county in which the alleged public nuisance exists. No temporary injunction may be issued without a prior show cause notice of hearing to the respondents named in the petition and an opportunity for the respondents to be heard. Upon proof of a nuisance described in section 617.81, subdivision 2, the court shall issue a temporary injunction. Any temporary injunction issued must describe the conduct to be enjoined.

Sec. 8. Minnesota Statutes 1994, section 617.85, is amended to read:

617.85 [NUISANCE; MOTION TO CANCEL LEASE.]

~~Where an abatement of a nuisance is sought and the circumstances that are the basis for the requested abatement involved the acts of a commercial or residential tenant or lessee of part or all of a building, the owner of the building that is subject to the abatement proceeding may file before the court that has jurisdiction over the abatement proceeding a motion to cancel the lease or otherwise secure restitution of the premises from the tenant or lessee who has maintained or conducted the nuisance. Upon recommendation of the prosecuting attorney, the owner of a building may file in the district court where the building is located, a motion to cancel a lease or otherwise secure restitution of premises from a commercial or residential tenant or lessee of all or part of a building if the tenant or lessee has maintained or conducted a nuisance. The owner may assign to the prosecuting attorney the right to file this motion. In addition to the grounds provided in chapter 566, the maintaining or conducting of a nuisance as defined in section 617.81, subdivision 2, by a tenant or lessee, is an additional ground authorized by law for seeking the cancellation of a lease or the restitution of the premises. It is no defense to a motion under this section by the owner or the prosecuting attorney that the lease or other agreement controlling the tenancy or leasehold does not provide for eviction or cancellation of the lease upon the ground provided in this section.~~

Upon a finding by the court that the tenant or lessee has maintained or conducted a nuisance in any portion of the building ~~under the control of the tenant or lessee~~, the court shall order cancellation of the lease or tenancy and grant restitution of the premises to the owner. The court must not order abatement of the premises if the court:

~~(a) upon the motion of the building owner cancels a lease or tenancy and grants restitution of that portion of the premises to the owner under section 617.83, or upon the motion of the building owner or prosecuting attorney under this section; and~~

~~(b) further finds that the acts constituting the nuisance as defined in section 617.81, subdivision 2, were committed in a portion of the building under the control of by the tenant or lessee whose lease or tenancy has been canceled pursuant to this section and the tenant or lessee was not committing the acts in conjunction with or under the control of the owner."~~

Delete the title and insert:

"A bill for an act relating to public nuisance; modifying the grounds and procedure for proving a nuisance; amending Minnesota Statutes 1994, sections 617.80, subdivisions 2, 4, 5, 8, and by adding a subdivision; 617.81, subdivision 2; 617.82; and 617.85."

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 47: A bill for an act relating to human services; changing the monthly allowance deduction for children of institutionalized patients on medical assistance; amending Minnesota Statutes 1994, section 256B.0575.

Reports the same back with the recommendation that the report from the Committee on Health Care, shown in the Journal for April 10, 1995, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 429: A bill for an act relating to agriculture; eliminating the sunset date for the farmer-lender mediation act; repealing Laws 1986, chapter 398, article 1, section 18, as amended.

Reports the same back with the recommendation that the report from the Committee on Agriculture and Rural Development, shown in the Journal for April 10, 1995, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 561: A bill for an act relating to retirement; teachers retirement association; making various changes in administrative and benefits practices; amending Minnesota Statutes 1994, sections 354.05, subdivisions 5, 35, and 40; 354.06, subdivision 4; and 354.52, subdivision 4a; repealing Minnesota Statutes 1994, section 354A.05, subdivision 4.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations and Veterans, shown in the Journal for April 12, 1995, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 503: A bill for an act relating to state government; providing for the Minnesota collection enterprise; imposing duties and providing powers; providing for the disclosure of certain data; imposing a collection penalty; appropriating money; amending Minnesota Statutes 1994, sections 8.16, by adding a subdivision; 16D.02, subdivision 6, and by adding a subdivision; 16D.04, subdivisions 1 and 3; 16D.06; and 16D.08, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16D.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for April 12, 1995, be adopted; that committee recommendation being:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 1314: A bill for an act relating to the environment; modifying provisions relating to the voluntary investigation and cleanup program; establishing the environmental improvement pilot program; amending Minnesota Statutes 1994, sections 115B.03, by adding a subdivision; 115B.175, subdivisions 2 and 3; and 115B.178, subdivision 1.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for April 7, 1995, be amended; that committee recommendation being:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 1089: A bill for an act relating to traffic regulations; allowing turn on red arrow traffic signal, under certain conditions; regulating speed limits in residential areas; providing for disposition of proceeds of fines collected for violation of work zone speed limits; making technical changes; amending Minnesota Statutes 1994, sections 169.06, subdivision 5; and 169.14, subdivisions 2 and 5d; repealing Minnesota Statutes 1994, section 169.01, subdivision 81.

Reports the same back with the recommendation that the report from the Committee on Transportation and Public Transit, shown in the Journal for April 11, 1995, be amended to read:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources". Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. No. 1152 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1174, 1153, 586, 96 and 1082 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Belanger moved that his name be stricken as a co-author to S.F. No. 1568. The motion prevailed.

Mr. Cohen introduced--

Senate Resolution No. 57: A Senate resolution congratulating Sheila Marie Smith, Legislative Staffer, upon completion of her work with the Senate.

Referred to the Committee on Rules and Administration.

Mr. Price moved that his name be stricken as chief author, shown as a co-author, and the name of Ms. Kiscaden be shown as chief author to S.F. No. 1080. The motion prevailed.

Mr. Stumpf moved that H.F. No. 617 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Finance. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 58 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 58: A bill for an act relating to insurance; extending eligibility for certain elective individual paid insurance and benefits; amending Minnesota Statutes 1994, section 43A.27, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Olson	Samuelson
Berg	Hottinger	Laidig	Ourada	Scheevel
Berglin	Johnson, D.E.	Langseth	Pappas	Spear
Bertram	Johnson, D.J.	Larson	Pariseau	Stevens
Betzold	Johnson, J.B.	Lesewski	Piper	Stumpf
Chandler	Johnston	Lessard	Pogemiller	Terwilliger
Chmielewski	Kelly	Limmer	Price	Vickerman
Cohen	Kiscaden	Marty	Ranum	Wiener
Dille	Kleis	Merriam	Reichgott Junge	
Finn	Knutson	Moe, R.D.	Riveness	
Flynn	Kramer	Morse	Robertson	
Frederickson	Krentz	Murphy	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 H.F. No. 1063 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1063: A bill for an act relating to the city of Duluth; making certain statutory provisions concerning public utilities applicable to the city of Duluth; authorizing a demonstration project to develop methods to prevent the infiltration and inflow of storm water into the city's sanitary sewer system.

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:

Anderson	Frederickson	Krentz	Oliver	Runbeck
Belanger	Hanson	Laidig	Olson	Sams
Berg	Hottinger	Langseth	Ourada	Samuelson
Berglin	Johnson, D.E.	Larson	Pappas	Scheevel
Bertram	Johnson, D.J.	Lesewski	Pariseau	Solon
Betzold	Johnson, J.B.	Lessard	Piper	Spear
Chandler	Johnston	Limmer	Pogemiller	Stevens
Chmielewski	Kelly	Marty	Price	Stumpf
Cohen	Kiscaden	Merriam	Ranum	Terwilliger
Dille	Kleis	Moe, R.D.	Reichgott Junge	Vickerman
Finn	Knutson	Morse	Riveness	Wiener
Flynn	Kramer	Murphy	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 S.F. No. 317 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 317: A bill for an act relating to cities; permitting cities to close certain unlawful businesses; proposing coding for new law in Minnesota Statutes, chapter 415.

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	Berg	Bertram	Chandler	Cohen
Belanger	Berglin	Betzold	Chmielewski	Dille

Finn	Kiscaden	Lessard	Pappas	Sams
Flynn	Kleis	Limmer	Pariseau	Samuelson
Frederickson	Knutson	Marty	Piper	Scheevel
Hanson	Kramer	Merriam	Pogemiller	Solon
Hottinger	Krentz	Moe, R.D.	Price	Spear
Johnson, D.E.	Kroening	Morse	Ranum	Stevens
Johnson, D.J.	Laidig	Murphy	Reichgott Junge	Stumpf
Johnson, J.B.	Langseth	Oliver	Riveness	Terwilliger
Johnston	Larson	Olson	Robertson	Vickerman
Kelly	Lesewski	Ourada	Runbeck	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. 843 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 843: A bill for an act relating to insurance; health; requiring coverage for hospitalization and anesthesia coverage for dental procedures; requiring coverage for general anesthesia and treatment for covered medical conditions rendered by a dentist; proposing coding for new law in Minnesota Statutes, chapter 62A.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Oliver	Runbeck
Belanger	Hanson	Kroening	Olson	Sams
Berg	Hottinger	Laidig	Ourada	Samuelson
Berglin	Johnson, D.E.	Langseth	Pappas	Scheevel
Bertram	Johnson, D.J.	Larson	Pariseau	Solon
Betzold	Johnson, J.B.	Lesewski	Piper	Spear
Chandler	Johnston	Lessard	Pogemiller	Stevens
Chmielewski	Kelly	Limmer	Price	Stumpf
Cohen	Kiscaden	Marty	Ranum	Terwilliger
Dille	Kleis	Moe, R.D.	Reichgott Junge	Vickerman
Finn	Knutson	Morse	Riveness	Wiener
Flynn	Kramer	Murphy	Robertson	

Mr. Merriam 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. 1022 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1022: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Koochiching county.

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:

Belanger	Berglin	Betzold	Chmielewski	Dille
Berg	Bertram	Chandler	Cohen	Finn

Flynn	Kleis	Limmer	Pariseau	Samuelson
Frederickson	Knutson	Marty	Piper	Scheevel
Hanson	Kramer	Merriam	Pogemiller	Solon
Hottinger	Krentz	Moe, R.D.	Price	Spear
Johnson, D.E.	Kroening	Morse	Ranum	Stevens
Johnson, D.J.	Laidig	Murphy	Reichgott Junge	Stumpf
Johnson, J.B.	Langseth	Oliver	Riveness	Terwilliger
Johnston	Larson	Olson	Robertson	Vickerman
Kelly	Lesewski	Ourada	Runbeck	Wiener
Kiscaden	Lessard	Pappas	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 H.F. No. 344 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 344: A bill for an act relating to real property; providing for the form and record of certain assignments; revising the common interest ownership act; changing the application of the curative and validating law for mortgage foreclosures; amending Minnesota Statutes 1994, sections 507.411; 508.51; 508A.51; 515B.1-102; 515B.1-103; 515B.1-116; 515B.2-104; 515B.2-105; 515B.2-109; 515B.2-110; 515B.3-112; 515B.3-115; 582.25; and 582.27.

Mr. Finn moved to amend H.F. No. 344, as amended pursuant to Rule 49, adopted by the Senate March 23, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 303.)

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 1994, section 508.51, is amended to read:

508.51 [OWNER'S DUPLICATE PRESENTED; EXCEPTION.]

Subdivision 1. [GENERAL.] Except as provided in subdivision 2, no new certificate of title shall be entered or issued, and no memorial shall be made upon any certificate of title in pursuance of any deed or other voluntary instrument made by the registered owner or the registered owner's attorney-in-fact, unless the owner's duplicate is presented therewith, except upon the order of the court. When such order is made, a memorial thereof shall be entered, or a new certificate issued as directed thereby. The registrar shall require that the owner's duplicate be presented only when an instrument is submitted for filing that is executed by the registered owner or the registered owner's attorney-in-fact. When any voluntary instrument made by the registered owner or the registered owner's attorney-in-fact is presented for registration the production of the owner's duplicate certificate shall authorize the registrar to enter a new certificate or to make a memorial of registration in accordance with such instrument, and the new certificate or memorial shall be binding upon the registered owner and upon all persons claiming under the registered owner in favor of every purchaser for value and in good faith. In all cases of registration which are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to such fraud, without prejudice to the rights of any innocent holder for value of a certificate of title.

Subd. 2. [INSTRUMENT IN FAVOR OF GOVERNMENT AGENCY.] A deed or other voluntary instrument, made by the registered owner or the registered owner's attorney-in-fact, in favor of the United States of America, this state, or any political subdivision, agency, or instrumentality of the United States of America or this state must be accepted for registration regardless of whether the owner's duplicate is presented with it. The execution of a deed or other voluntary instrument by the registered owner or the registered owner's attorney-in-fact authorizes the registrar to enter a new certificate or to make a memorial of registration in accordance with the instrument, and the new certificate or memorial is binding upon the registered owner and upon all persons claiming under the registered owner in favor of every purchaser for value and in good faith. In all cases of registration that are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to the fraud, without prejudice to the rights of any innocent holder for value of a certificate of title.

Sec. 3. Minnesota Statutes 1994, section 508A.51, is amended to read:

508A.51 [OWNER'S DUPLICATE PRESENTED; ~~EXCEPTION~~ EXCEPTIONS.]

Subdivision 1. [GENERAL.] Except as provided in subdivision 2, no new CPT shall be entered or issued, and no memorial shall be made upon any CPT in pursuance of any deed or other voluntary instrument made by the registered owner or the registered owner's attorney-in-fact, unless the owner's duplicate is presented with it, except upon the order of the court. When an order or directive is made, a memorial of it shall be entered, or a new CPT issued as directed. The registrar shall require that the owner's duplicate be presented only when an instrument is submitted for filing that is executed by the registered owner or the registered owner's attorney-in-fact. When any voluntary instrument made by the registered owner or the registered owner's attorney-in-fact is presented for registration, the production of the owner's duplicate CPT shall authorize the registrar to enter a new CPT or to make a memorial of registration in accordance with the instrument, and the new CPT or memorial shall be binding upon the registered owner and upon all persons claiming under the registered owner in favor of every purchaser for value and in good faith. In all cases of registration which are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to the fraud, without prejudice to the rights of any innocent holder for value of a CPT.

Subd. 2. [INSTRUMENT IN FAVOR OF GOVERNMENT AGENCY.] A deed or other voluntary instrument, made by the registered owner or the registered owner's attorney-in-fact, in favor of the United States of America, this state, or any political subdivision, agency, or instrumentality of the United States of America or this state, must be accepted for registration regardless of whether the owner's duplicate CPT is presented with it. The execution of a deed or other voluntary instrument by the registered owner or the registered owner's attorney-in-fact authorizes the registrar to enter a new CPT or to make a memorial of registration in accordance with the instrument, and the new CPT or memorial is binding upon the registered owner and upon all persons claiming under the registered owner in favor of every purchaser for value and in good faith. In all cases of registration that are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to the fraud, without prejudice to the rights of any innocent holder for value of a CPT."

Page 26, line 20, strike "foreclosure sale by"

Page 26, line 21, strike "advertisement"

Page 30, line 26, delete "2 to 10" and insert "4 to 12"

Page 30, line 27, delete "11 and 12" and insert "13 and 14"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "authorizing presentation of certain instruments without a duplicate certificate of title;"

Page 1, line 7, after the first semicolon, insert "508.51; 508A.51;"

The motion prevailed. So the amendment was adopted.

H.F. No. 344 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Belanger	Chandler	Flynn	Johnson, D.J.	Kleis
Berg	Chmielewski	Frederickson	Johnson, J.B.	Knutson
Berglin	Cohen	Hanson	Johnston	Kramer
Bertram	Dille	Hottinger	Kelly	Krentz
Betzold	Finn	Johnson, D.E.	Kiscaden	Kroening

Laidig	Merriam	Pappas	Riveness	Spear
Langseth	Moe, R.D.	Pariseau	Robertson	Stevens
Larson	Morse	Piper	Runbeck	Terwilliger
Lesewski	Murphy	Pogemiller	Sams	Vickerman
Lessard	Oliver	Price	Samuelson	Wiener
Limmer	Olson	Ranum	Scheevel	
Marty	Ourada	Reichgott Junge	Solon	

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. 704 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 704: A bill for an act relating to insurance; prohibiting zip code rating in homeowner's and automobile insurance; amending Minnesota Statutes 1994, section 72A.20, subdivisions 13 and 23.

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:

Belanger	Hanson	Kroening	Oliver	Samuelson
Berg	Hottinger	Laidig	Olson	Scheevel
Berglin	Johnson, D.E.	Langseth	Ourada	Solon
Bertram	Johnson, D.J.	Larson	Pappas	Spear
Betzold	Johnson, J.B.	Lesewski	Pariseau	Stevens
Chandler	Johnston	Lessard	Pogemiller	Stumpf
Chmielewski	Kelly	Limmer	Price	Terwilliger
Cohen	Kiscaden	Marty	Reichgott Junge	Vickerman
Dille	Kleis	Merriam	Riveness	Wiener
Finn	Knutson	Moe, R.D.	Robertson	
Flynn	Kramer	Morse	Runbeck	
Frederickson	Krentz	Murphy	Sams	

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mses. Berglin, Anderson and Johnson, J.B. introduced--

S.F. No. 1662: A bill for an act relating to alcoholic beverages; requiring retail establishments to post signs warning of the dangers of alcohol consumption by pregnant women; amending Minnesota Statutes 1994, section 340A.410, by adding a subdivision; repealing Minnesota Statutes 1994, section 144.3871.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Hottinger; Moe, R.D. and Ms. Reichgott Junge introduced--

S.F. No. 1663: A bill for an act relating to taxation; authorizing a study of the state and local fiscal system; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

MEMBERS EXCUSED

Messrs. Beckman, Day, Janezich, Metzen, Mondale and Neuville were excused from the Session of today. Ms. Anderson was excused from the Session of today at 9:50 a.m. Mr. Novak was excused from the Session of today at 9:30 a.m. Mrs. Pariseau and Mr. Oliver were excused from the Session of today from 9:00 to 9:45 a.m. Mr. Knutson, Mses. Piper and Ranum were excused from the Session of today at 9:55 a.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Tuesday, April 18, 1995. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

*