

FIFTY-FOURTH DAY

St. Paul, Minnesota, Friday, May 5, 1995

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Betzold 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. Kurt R. Morem.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 28, 1995

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1995 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	821	Res. No.3	3:10 p.m. April 28	April 28
	377	97	2:45 p.m. April 28	April 28
	1468	98	2:55 p.m. April 28	April 28
	464	99	2:58 p.m. April 28	April 28
	1645	100	3:00 p.m. April 28	April 28
	1153	101	3:05 p.m. April 28	April 28
	838	102	3:10 p.m. April 28	April 28

Sincerely,
Joan Anderson Growe
Secretary of State

May 4, 1995

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1995 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	866	109	11:02 a.m. May 3	May 3
	533	110	11:00 a.m. May 3	May 3
	47	111	10:52 a.m. May 3	May 3
	565	112	10:52 a.m. May 3	May 3
	1060	113	10:50 a.m. May 3	May 3
	813	114	10:49 a.m. May 3	May 3
	877	115	10:45 a.m. May 3	May 3
	68	116	10:48 a.m. May 3	May 3
	1011	118	10:55 a.m. May 3	May 3

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 243.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 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. 1402: A bill for an act relating to state government; asking state employees to submit suggestions to improve the efficiency and effectiveness of state government.

Senate File No. 1402 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1995

CONCURRENCE AND REPASSAGE

Ms. Anderson moved that the Senate concur in the amendments by the House to S.F. No. 1402 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1402 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 48 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Krentz	Morse	Sams
Beckman	Frederickson	Kroening	Novak	Scheevel
Belanger	Hanson	Laidig	Ourada	Solon
Berglin	Hottinger	Langseth	Pappas	Spear
Beitzold	Janezich	Lessard	Piper	Stevens
Chandler	Johnson, D.E.	Limmer	Pogemiller	Terwilliger
Chmielewski	Johnson, D.J.	Marty	Price	Vickerman
Day	Johnson, J.B.	Metzen	Ranum	Wiener
Dille	Johnston	Moe, R.D.	Reichgott Junge	
Finn	Kelly	Mondale	Riveness	

Those who voted in the negative were:

Berg	Kleis	Larson	Neuville	Pariseau
Bertram	Knutson	Lesewski	Oliver	Robertson
Kiscaden	Kramer	Merriam	Olson	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. 1199: A bill for an act relating to motor vehicles; requiring vehicle buyer to notify registrar of motor vehicles of vehicle transfer within ten days; imposing fees and penalties; appropriating money; amending Minnesota Statutes 1994, sections 168.101, subdivision 2; 168.11, subdivision 3; 168.15; 168.17; 168A.05, subdivision 5; and 168A.10, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 168; repealing Minnesota Statutes 1994, section 168A.10, subdivision 6.

Senate File No. 1199 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 4, 1995

Mr. Belanger moved that the Senate do not concur in the amendments by the House to S.F. No. 1199, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 431 and 1479.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1995

FIRST READING OF HOUSE BILLS

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

H.F. No. 431: A bill for an act relating to property taxation; including certain homestead property value in the areawide tax base; subjecting certain homestead property value to the areawide tax rate; amending Minnesota Statutes 1994, sections 473F.02, subdivision 8, and by adding subdivisions; 473F.05; 473F.07, subdivision 1; and 473F.08, subdivisions 2, 6, 8a, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 277, now on General Orders.

H.F. No. 1479: A bill for an act relating to the environment; establishing an environmental improvement pilot program to promote voluntary compliance with environmental requirements; modifying provisions relating to the voluntary investigation and cleanup program; amending Minnesota Statutes 1994, sections 115B.03, by adding subdivisions; 115B.17, by adding a subdivision; 115B.175, subdivisions 2 and 3; 115B.178, subdivision 1; and 116.02.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1314, now on the Calendar.

REPORTS OF COMMITTEES

Ms. Reichgott Junge moved that the Committee Report 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. 1573 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.
1573	1469				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1573 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1573 and insert the language after the enacting clause of S.F. No. 1469, the first engrossment; further, delete the title of H.F. No. 1573 and insert the title of S.F. No. 1469, the first engrossment.

And when so amended H.F. No. 1573 will be identical to S.F. No. 1469, and further recommends that H.F. No. 1573 be given its second reading and substituted for S.F. No. 1469, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. No. 1688 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1573 was read the second time.

MOTIONS AND RESOLUTIONS

Messrs. Larson; Moe, R.D.; Stumpf; Finn and Johnson, D.E. introduced--

Senate Resolution No. 64: A Senate resolution honoring Robert D. Decker on his distinguished careers in the military, public service, and education.

Referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Ms. Reichgott Junge moved that the Senate take up the Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

H.F. No. 1478: A bill for an act relating to state government; requiring notice to the commissioner of agriculture and certain other actions before an agency adopts or repeals rules that affect farming operations; amending Minnesota Statutes 1994, sections 14.11, by adding a subdivision; and 116.07, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1365: A bill for an act relating to public safety; regulating fireworks; modifying the definition of the term fireworks; preempting local regulation of fireworks; prohibiting certain sales to minors; amending Minnesota Statutes 1994, sections 624.20, subdivision 1; and 624.21.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1170: A bill for an act relating to occupations and professions; requiring licensure or certification of geoscientists; adding geoscientists to the board of architecture, engineering, land surveying, landscape architecture, and interior design; providing for certain duties for the board; amending Minnesota Statutes 1994, sections 214.01, subdivision 3; 214.04, subdivision 3; 319A.02, subdivision 2; 326.02, subdivisions 1, 4, 4a, and by adding a subdivision; 326.03, subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, subdivision 2; 326.09; 326.10, subdivisions 1, 2, and 7; 326.11, subdivision 1; 326.111, subdivisions 1, 2, 3, 4, and 6; 326.12; 326.13; and 326.14.

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 21, as follows:

Those who voted in the affirmative were:

Beckman	Frederickson	Krentz	Morse	Robertson
Belanger	Hanson	Langseth	Novak	Runbeck
Berglin	Janezich	Larson	Pappas	Sams
Bertram	Johnson, D.E.	Lessard	Piper	Solon
Betzold	Johnson, D.J.	Marty	Price	Spear
Chmielewski	Johnson, J.B.	Metzen	Ranum	Stevens
Dille	Johnston	Moe, R.D.	Reichgott Junge	Wiener
Flynn	Kelly	Mondale	Riveness	

Those who voted in the negative were:

Anderson	Hottinger	Kroening	Murphy	Terwilliger
Berg	Kiscaden	Laidig	Neuville	
Chandler	Kleis	Lesewski	Olson	
Day	Knutson	Limmer	Ourada	
Finn	Kramer	Merriam	Pariseau	

So the bill passed and its title was agreed to.

S.F. No. 1076: A bill for an act relating to energy; exempting wind energy conversion systems siting from the power plant siting act; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 116C.

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 48 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kroening	Morse	Riveness
Belanger	Hanson	Laidig	Murphy	Runbeck
Berglin	Hottinger	Langseth	Novak	Sams
Bertram	Janezich	Larson	Ourada	Solon
Betzold	Johnson, D.E.	Lessard	Pappas	Spear
Chandler	Johnson, D.J.	Marty	Piper	Stevens
Chmielewski	Johnson, J.B.	Merriam	Pogemiller	Terwilliger
Day	Johnston	Metzen	Price	Wiener
Dille	Kelly	Moe, R.D.	Ranum	
Flynn	Krentz	Mondale	Reichgott Junge	

Those who voted in the negative were:

Berg	Kleis	Lesewski	Neuville	Pariseau
Finn	Knutson	Limmer	Olson	Robertson
Kiscaden	Kramer			

So the bill passed and its title was agreed to.

H.F. No. 1101: A bill for an act relating to water law; making miscellaneous technical corrections to water law; delegation of permit authority; minimal impact permits; removal of hazardous dams; amending Minnesota Statutes 1994, sections 103F.215, subdivision 1; 103F.221, subdivision 1; 103G.005, subdivision 14; 103G.105; 103G.111, subdivision 1; 103G.121, subdivision 1; 103G.135; 103G.245, subdivisions 3 and 5; 103G.271, subdivision 2; 103G.275, subdivision 1; 103G.295, subdivision 4; 103G.301, subdivision 2; 103G.315, subdivisions 12 and 15; 103G.511, subdivision 12; 103G.515, by adding a subdivision; and 103G.611, subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 558: A bill for an act relating to commerce; requiring inspections of, reports on, and training for tobacco retailers and employees; establishing administrative penalties; defining display allowance; prohibiting payment of display allowance; establishing penalties; amending Minnesota Statutes 1994, sections 325F.76, by adding a subdivision; 325F.78; and 461.12; proposing coding for new law in Minnesota Statutes, chapters 325F; and 461.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Berglin	Chandler	Dille	Frederickson
Belanger	Bertram	Chmielewski	Finn	Hanson
Berg	Betzold	Day	Flynn	Hottinger

Janezich	Krentz	Metzen	Pappas	Sams
Johnson, D.E.	Kroening	Moe, R.D.	Pariseau	Scheevel
Johnson, D.J.	Laidig	Mondale	Piper	Solon
Johnson, J.B.	Langseth	Morse	Pogemiller	Spear
Johnston	Larson	Murphy	Price	Stevens
Kelly	Lesewski	Neuville	Ranum	Terwilliger
Kiscaden	Lessard	Novak	Reichgott Junge	Wiener
Kleis	Limmer	Oliver	Riveness	
Knutson	Marty	Olson	Robertson	
Kramer	Merriam	Ourada	Runbeck	

So the bill passed and its title was agreed to.

S.F. No. 579: A bill for an act relating to commerce; regulating charitable organizations; regulating filing statement; appropriating money; amending Minnesota Statutes 1994, sections 309.501, subdivision 1; 309.52, subdivisions 2 and 7; 309.53, subdivisions 1, 2, 3, and 8; 309.531, subdivisions 1 and 4; 309.54, subdivision 1; 309.556, subdivision 1; 501B.36; 501B.37, subdivision 2, and by adding a subdivision; and 501B.38; repealing Minnesota Statutes 1994, sections 309.53, subdivision 1a.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 2: A bill for an act relating to the environment; automobile emissions; providing that a vehicle need not be inspected until the year of its registration is five years more than its model year; changing the inspection fee; providing a contingent expiration date for the inspection program; amending Minnesota Statutes 1994, sections 116.61, subdivision 1, and by adding a subdivision; 116.64, subdivision 1.

Ms. Kiscaden moved that H.F. No. 2, No. 9 on the Calendar, be stricken and placed on General Orders.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on H.F. No. 2. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Kiscaden motion.

The roll was called, and there were yeas 17 and nays 49, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Lessard	Pariseau	Wiener
Belanger	Kelly	Merriam	Ranum	
Berglin	Kiscaden	Oliver	Robertson	
Chandler	Krentz	Pappas	Runbeck	

Those who voted in the negative were:

Beckman	Hottinger	Laidig	Murphy	Sams
Berg	Janezich	Langseth	Neuville	Samuelson
Bertram	Johnson, D.E.	Larson	Novak	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chmielewski	Johnson, J.B.	Limmer	Ourada	Spear
Day	Johnston	Marty	Piper	Stevens
Dille	Kleis	Metzen	Pogemiller	Stumpf
Finn	Knutson	Moe, R.D.	Price	Terwilliger
Frederickson	Kramer	Mondale	Reichgott Junge	Vickerman
Hanson	Kroening	Morse	Riveness	

The motion did not prevail.

H.F. No. 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 503: A bill for an act relating to civil actions; providing for the Minnesota collection enterprise; imposing duties and providing powers; providing for the disclosure of certain data; imposing a collection penalty; providing for venue of conciliation court actions; authorizing certain appearances; 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; 16D.08, subdivision 2; 491A.01, subdivision 8; and 491A.02, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 16D.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Finn	Kelly	Lessard	Novak
Beckman	Flynn	Kiscaden	Limmer	Oliver
Belanger	Frederickson	Knutson	Marty	Olson
Berg	Hanson	Kramer	Merriam	Ourada
Berglin	Hottinger	Krentz	Metzen	Pappas
Bertram	Janezich	Kroening	Moe, R.D.	Pariseau
Betzold	Johnson, D.E.	Laidig	Mondale	Piper
Chandler	Johnson, D.J.	Langseth	Morse	Pogemiller
Day	Johnson, J.B.	Larson	Murphy	Price
Dille	Johnston	Lesewski	Neuville	Ranum

Reichgott Junge
Riveness
Robertson

Runbeck
Sams
Samuelson

Scheevel
Solon
Spear

Stevens
Stumpf
Terwilliger

Vickerman
Wiener

Messrs. Chmielewski and Kleis voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 1089: A bill for an act relating to traffic regulations; exempting highways, freeways, and expressways from noise limits; requiring noise abatement study and measures for freeways and expressways contingent on available funding; requiring annual noise abatement report; amending Minnesota Statutes 1994, sections 116.07, subdivision 2a; 160.02, by adding a subdivision; 161.125, subdivision 1; and 169.14, subdivision 5d.

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 48 and nays 18, as follows:

Those who voted in the affirmative were:

Beckman
Belanger
Berg
Bertram
Betzold
Chmielewski
Day
Dille
Frederickson
Hanson

Hottinger
Janezich
Johnson, D.E.
Johnson, J.B.
Johnston
Kelly
Kleis
Knutson
Kramer
Kroening

Laidig
Langseth
Larson
Lesewski
Lessard
Metzen
Moe, R.D.
Murphy
Neuvillie
Oliver

Olson
Ourada
Pariseau
Piper
Pogemiller
Price
Reichgott Junge
Riveness
Robertson
Runbeck

Samuelson
Scheevel
Solon
Stevens
Stumpf
Terwilliger
Vickerman
Wiener

Those who voted in the negative were:

Anderson
Berglin
Chandler
Finn

Flynn
Johnson, D.J.
Kiscaden
Krentz

Limmer
Marty
Merriam
Mondale

Morse
Novak
Pappas
Ranum

Sams
Spear

So the bill passed and its title was agreed to.

S.F. No. 512: A bill for an act relating to human services; licensing; administrative hearings; vulnerable adults reporting act; imposing criminal penalties; appropriating money; amending Minnesota Statutes 1994, sections 13.46, subdivision 4; 13.82, subdivision 10, and by adding subdivisions; 13.88; 13.99, subdivision 113; 144.4172, subdivision 8; 144.651, subdivisions 14 and 21; 144A.103, subdivision 1; 144A.612; 144B.13; 148B.68, subdivision 1; 214.10, subdivision 2a; 245A.04, subdivisions 3 and 3b; 253B.02, subdivision 4a; 256.045, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and by adding a subdivision; 256E.03, subdivision 2; 256E.081, subdivision 4; 268.09, subdivision 1; 325F.692, subdivision 2; 525.703, subdivision 3; 609.224, subdivision 2; 609.268, subdivisions 1 and 2; 609.72, by adding a subdivision; 609.7495, subdivision 1; 626.556, subdivision 12; 626.557, subdivisions 1, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 14, 16, 17, 18, and by adding subdivisions; and 631.40, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 609; and 626; repealing Minnesota Statutes 1994, sections 609.23; 609.231; and 626.557, subdivisions 2, 10a, 11, 11a, 12, 13, 15, and 19.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson
Beckman
Belanger
Berg
Berglin

Bertram
Betzold
Chandler
Day
Dille

Finn
Flynn
Frederickson
Hanson
Hottinger

Janezich
Johnson, D.E.
Johnson, D.J.
Johnson, J.B.
Johnston

Kelly
Kleis
Knutson
Kramer
Krentz

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

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 871: A bill for an act relating to state government; administrative rulemaking; revising the procedures for the adoption and review of agency rules; requiring fees to cover costs; appropriating money; amending Minnesota Statutes 1994, sections 3.842, subdivisions 2, 4, and by adding a subdivision; 4A.05, subdivision 2; 14.04; 14.05, subdivision 2, and by adding a subdivision; 14.06; 14.08; 14.09; 14.131; 14.14, subdivision 1a; 14.15, subdivisions 3 and 4; 14.16, subdivision 1; 14.18, subdivision 1; 14.19; 14.22, subdivision 1; 14.23; 14.24; 14.25; 14.26; 14.365; 14.48; 14.51; 16A.1285, subdivisions 2, 4, and 5; 17.84; 18E.03, subdivision 3; 43A.04, by adding a subdivision; 62N.05, by adding a subdivision; 84.027, by adding a subdivision; 116.07, subdivision 4d; 144.98, subdivision 3; 221.0335; 326.2421, subdivision 3; and 341.10; Minnesota Rules, parts 1540.2140; 7001.0140, subpart 2; 7001.0180; 8130.3500, subpart 3; and 8130.6500, subpart 5; proposing coding for new law in Minnesota Statutes, chapters 14; and 97A; repealing Minnesota Statutes 1994, sections 3.846; 14.10; 14.11; 14.115; 14.12; 14.1311; 14.235; 14.29; 14.30; 14.305; 14.31; 14.32; 14.33; 14.34; 14.35; 14.36; and 17.83; Minnesota Rules, chapters 2650; 7047; 7600; 7625; and 9540; Minnesota Rules, parts 1540.0010, subparts 12, 18, 21, 22, and 24; 1540.0060; 1540.0070; 1540.0080; 1540.0100; 1540.0110; 1540.0120; 1540.0130; 1540.0140; 1540.0150; 1540.0160; 1540.0170; 1540.0180; 1540.0190; 1540.0200; 1540.0210; 1540.0220; 1540.0230; 1540.0240; 1540.0260; 1540.0320; 1540.0330; 1540.0340; 1540.0350; 1540.0370; 1540.0380; 1540.0390; 1540.0400; 1540.0410; 1540.0420; 1540.0440; 1540.0450; 1540.0460; 1540.0490; 1540.0500; 1540.0510; 1540.0520; 1540.0770; 1540.0780; 1540.0800; 1540.0810; 1540.0830; 1540.0880; 1540.0890; 1540.0900; 1540.0910; 1540.0920; 1540.0930; 1540.0940; 1540.0950; 1540.0960; 1540.0970; 1540.0980; 1540.0990; 1540.1000; 1540.1005; 1540.1010; 1540.1020; 1540.1030; 1540.1040; 1540.1050; 1540.1060; 1540.1070; 1540.1080; 1540.1090; 1540.1100; 1540.1110; 1540.1120; 1540.1130; 1540.1140; 1540.1150; 1540.1160; 1540.1170; 1540.1180; 1540.1190; 1540.1200; 1540.1210; 1540.1220; 1540.1230; 1540.1240; 1540.1250; 1540.1255; 1540.1260; 1540.1280; 1540.1290; 1540.1300; 1540.1310; 1540.1320; 1540.1330; 1540.1340; 1540.1350; 1540.1360; 1540.1380; 1540.1400; 1540.1410; 1540.1420; 1540.1430; 1540.1440; 1540.1450; 1540.1460; 1540.1470; 1540.1490; 1540.1500; 1540.1510; 1540.1520; 1540.1530; 1540.1540; 1540.1550; 1540.1560; 1540.1570; 1540.1580; 1540.1590; 1540.1600; 1540.1610; 1540.1620; 1540.1630; 1540.1640; 1540.1650; 1540.1660; 1540.1670; 1540.1680; 1540.1690; 1540.1700; 1540.1710; 1540.1720; 1540.1730; 1540.1740; 1540.1750; 1540.1760; 1540.1770; 1540.1780; 1540.1790; 1540.1800; 1540.1810; 1540.1820; 1540.1830; 1540.1840; 1540.1850; 1540.1860; 1540.1870; 1540.1880; 1540.1890; 1540.1900; 1540.1905; 1540.1910; 1540.1920; 1540.1930; 1540.1940; 1540.1950; 1540.1960; 1540.1970; 1540.1980; 1540.1990; 1540.2000; 1540.2010; 1540.2015; 1540.2020; 1540.2090; 1540.2100; 1540.2110; 1540.2120; 1540.2180; 1540.2190; 1540.2200; 1540.2210; 1540.2220; 1540.2230; 1540.2240; 1540.2250; 1540.2260; 1540.2270; 1540.2280; 1540.2290; 1540.2300; 1540.2310; 1540.2320; 1540.2325; 1540.2330; 1540.2340; 1540.2350; 1540.2360; 1540.2370; 1540.2380; 1540.2390; 1540.2400; 1540.2410; 1540.2420; 1540.2430; 1540.2440; 1540.2450; 1540.2490; 1540.2500; 1540.2510; 1540.2530; 1540.2540; 1540.2550; 1540.2560; 1540.2570; 1540.2580; 1540.2590; 1540.2610; 1540.2630; 1540.2640; 1540.2650; 1540.2660; 1540.2720; 1540.2730; 1540.2740; 1540.2760; 1540.2770; 1540.2780; 1540.2790; 1540.2800; 1540.2810; 1540.2820; 1540.2830; 1540.2840; 1540.3420; 1540.3430; 1540.3440; 1540.3450; 1540.3460; 1540.3470; 1540.3560; 1540.3600; 1540.3610; 1540.3620; 1540.3630; 1540.3700; 1540.3780; 1540.3960; 1540.3970; 1540.3980; 1540.3990; 1540.4000; 1540.4010; 1540.4020; 1540.4030; 1540.4040; 1540.4080; 1540.4190; 1540.4200; 1540.4210; 1540.4220; 1540.4320; 1540.4330; 1540.4340; 2642.0120, subpart 1; 2655.1000; 2660.0070; 2770.7400; 4610.2210; 7002.0410 to 7002.0490; 7100.0300 to 7100.0350; 7510.6100 to 7510.6910; 8120.1100, subpart 3; 8121.0500, subpart 2; and 8130.9912 to 8130.9992.

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:

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

So the bill passed and its title was agreed to.

S.F. No. 230: A bill for an act relating to claims against governmental units; increasing tort liability limits; amending Minnesota Statutes 1994, sections 3.736, subdivision 4; and 466.04, subdivisions 1 and 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Neuville	Reichgott Junge
Beckman	Janezich	Lessard	Novak	Riveness
Belanger	Johnson, J.B.	Marty	Ourada	Sams
Betzold	Johnston	Merriam	Pappas	Samuelson
Chandler	Kelly	Metzen	Pariseau	Solon
Chmielewski	Knutson	Moe, R.D.	Piper	Spear
Day	Krentz	Mondale	Pogemiller	Terwilliger
Flynn	Kroening	Morse	Price	Vickerman
Hanson	Laidig	Murphy	Ranum	Wiener

Those who voted in the negative were:

Berg	Frederickson	Kramer	Olson	Stumpf
Berglin	Johnson, D.E.	Langseth	Robertson	
Bertram	Johnson, D.J.	Lesewski	Runbeck	
Dille	Kiscaden	Limmer	Scheevel	
Finn	Kleis	Oliver	Stevens	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Olson moved that S.F. No. 1366, No. 12 on General Orders, be stricken and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Mr. Riveness moved that S.F. No. 1195, No. 17 on General Orders, be stricken and laid on the table. The motion prevailed.

Mr. Novak moved that S.F. No. 1419, No. 40 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1688 and that the rules of the Senate be so far suspended as to give S.F. No. 1688, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 1688: A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing sale of state bonds; requiring periodic reports on the status of authorized and outstanding state bonds; providing for cancellation of certain unused bond authorizations; appropriating money; amending Minnesota Statutes 1994, sections 16A.695, subdivisions 1, 2, 3, and by adding a subdivision; 124.431, subdivisions 2, 5, 6, 7, and 10; 124.494, subdivisions 2, 3, and 4; 446A.12, subdivision 1; Laws 1994, chapters 632, article 3, section 12; 643, sections 2, subdivision 15; 10, subdivision 10; 11, subdivisions 8, 10, and 13; 19, subdivision 8; 23, subdivisions 7 and 28; and 26, subdivisions 3 and 4; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Laws 1992, chapter 558, section 17.

Mr. Lessard moved to amend S.F. No. 1688 as follows:

Page 5, after line 14, insert:

"Subd. 4. Littlefork-Big Falls

7,000,000

This appropriation is from the maximum effort school loan fund to the commissioner of education to make a capital loan to independent school district No. 362, Littlefork-Big Falls, notwithstanding the priority in Laws 1993, chapter 224, article 5, section 45. \$7,000,000 is approved for a capital loan to independent school district No. 362."

Correct the section total, the appropriation summary, and the bond sale authorization accordingly

The motion prevailed. So the amendment was adopted.

Ms. Johnston moved to amend S.F. No. 1688 as follows:

Page 3, after line 45, insert:

"Notwithstanding Minnesota Statutes, section 84.944, subdivision 3, county approval is not required for acquisition of lands and waters described in this subdivision under Minnesota Statutes, section 84.994."

The motion prevailed. So the amendment was adopted.

Mr. Berg moved to amend S.F. No. 1688 as follows:

Page 3, delete lines 29 to 45

Correct the section total, the appropriation summary, and the bond sale authorization accordingly

CALL OF THE SENATE

Ms. Johnston imposed a call of the Senate for the balance of the Berg amendment to S.F. No. 1688. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 1 and nays 49, as follows:

Mr. Berg voted in the affirmative.

Those who voted in the negative were:

Anderson	Janezich	Kroening	Morse	Ranum
Beckman	Johnson, D.E.	Laidig	Murphy	Riveness
Berglin	Johnson, J.B.	Larson	Neuville	Robertson
Bertram	Johnston	Lesewski	Oliver	Runbeck
Betzold	Kelly	Lessard	Olson	Samuelson
Chandler	Kiscaden	Limmer	Ourada	Scheevel
Day	Kleis	Marty	Pariseau	Spear
Dille	Knutson	Merriam	Piper	Stevens
Finn	Kramer	Moe, R.D.	Pogemiller	Wiener
Hanson	Krentz	Mondale	Price	

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

Mr. Morse moved to amend S.F. No. 1688 as follows:

Page 1, after line 20, insert:

"ARTICLE 1
CAPITAL IMPROVEMENTS"

Page 1, line 26, delete "act" and insert "article"

Page 4, line 6, delete "act" and insert "article"

Page 6, lines 7, 14, and 24, delete "act" and insert "article"

Page 24, line 28, delete "act" and insert "article"

Page 24, after line 28, insert:

"ARTICLE 2

Section 1. Minnesota Statutes 1994, section 446A.02, subdivision 3, is amended to read:

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of ~~trade and economic development~~ the pollution control agency.

Sec. 2. Minnesota Statutes 1994, section 446A.03, subdivision 2, is amended to read:

Subd. 2. [CHAIR; OTHER OFFICERS.] The commissioner of ~~trade and economic development~~ the pollution control agency shall serve as the chair and chief executive officer of the authority. The authority may elect other officers as necessary from its members.

Sec. 3. Minnesota Statutes 1994, section 446A.03, subdivision 3a, is amended to read:

Subd. 3a. [DELEGATION.] In addition to any powers to delegate that members of the authority have as commissioners, they may delegate to the commissioner of ~~trade and economic development~~ the pollution control agency their responsibilities as members of the authority for reviewing and approving financing of eligible projects that have been certified to the authority.

Sec. 4. Minnesota Statutes 1994, section 446A.071, subdivision 7, is amended to read:

Subd. 7. [RULES.] The commissioner of ~~trade and economic development~~ shall adopt rules establishing procedures for the administration of the wastewater infrastructure funding program. The rules must include:

(1) procedures for the administration of the financial assistance program, including application procedures;

(2) provisions establishing eligible uses of funds, forms of assistance, payments, and reporting requirements; and

(3) criteria for determining the amount of supplemental assistance, which must include consideration of: social, economic, and demographic considerations; sewer service charges; financial management; and the ability of significant wastewater contributors to pay their fair share of the costs without supplemental assistance.

Sec. 5. Minnesota Statutes 1994, section 446A.081, subdivision 11, is amended to read:

Subd. 11. [RULES OF THE AUTHORITY.] The commissioner ~~of trade and economic development~~ shall adopt rules containing the procedures for the administration of the authority's duties as provided by this section that include: setting of interest rates, which shall take into account the financial need of the applicant; the amount of project financing to be provided; the collateral required for public drinking water systems and for privately owned public water systems; dedicated sources of revenue or income streams to ensure repayment of loans; and the requirements to ensure proper operation, maintenance, and repair of the water systems financed by the authority.

Sec. 6. Minnesota Statutes 1994, section 446A.081, subdivision 12, is amended to read:

Subd. 12. [RULES OF THE DEPARTMENT.] The ~~department~~ commissioner of trade and economic development shall adopt rules relating to the procedures for administration of the ~~department's~~ department of trade and economic development's duties under the act and this section. ~~The department and the commissioner of the department of trade and economic development may adopt a single set of rules for the program.~~

Sec. 7. [TRANSFER.]

Responsibilities of the department of trade and economic development related to the provision of administrative services to the public facilities authority are transferred to the pollution control agency under Minnesota Statutes, section 15.039.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective July 1, 1995."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Berglin moved to amend S.F. No. 1688 as follows:

Page 2, delete lines 22 to 32

Correct the section total, the appropriation summary, and the bond sale authorization accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Bertram	Kelly	Pappas	Samuelson
Beckman	Chandler	Kroening	Piper	Stumpf
Berg	Chmielewski	Langseth	Pogemiller	Vickerman
Berglin	Finn	Marty	Sams	

Those who voted in the negative were:

Betzold	Johnson, J.B.	Laidig	Moe, R.D.	Oliver
Day	Johnston	Lesewski	Mondale	Olson
Dille	Kiscaden	Lessard	Morse	Ourada
Hanson	Knutson	Limmer	Murphy	Pariseau
Janezich	Kramer	Merriam	Neuville	Price
Johnson, D.E.	Krentz	Metzen	Novak	Ranum

Riveness
Runbeck

Scheevel
Solon

Spear
Stevens

Terwilliger

Wiener

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

S.F. No. 1688 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 63 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Berg and Limmer voted in the negative.

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

Mr. Merriam moved that S.F. No. 1688 be laid on the table. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Ms. Reichgott Junge moved that the following members be excused for a meeting of the Special Subcommittee on Ethical Conduct at 11:00 a.m.:

Messrs. Novak, Frederickson, Terwilliger and Ms. Reichgott Junge. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 1864 at 11:00 a.m.:

Messrs. Belanger, Hottinger, Johnson, D.J.; Meses. Flynn and Reichgott Junge. The motion prevailed.

GENERAL ORDERS

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

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

S.F. No. 900 and H.F. No. 493, which the committee recommends to pass.

S.F. No. 1019, which the committee recommends to pass, subject to the following motions:

Mr. Oliver moved to amend S.F. No. 1019 as follows:

Page 5, line 20, after the semicolon, insert "and"

Page 5, line 22, delete "; and" and insert a period

Page 5, delete lines 23 to 25

Page 5, line 29, after "municipalities" insert "(1) whose contribution levy exceeds its distribution levy by more than \$200 per household according to the most recent population estimates determined by the metropolitan council; and (2)"

Page 6, line 6, delete "Beginning January 15, 1998," and insert "By August 1, 1997,"

Page 6, line 7, delete "annually" and insert "each year"

Page 6, line 9, delete "(e)" and insert "(g)"

Page 6, after line 17, insert:

"(b) For fiscal years 1997, 1998, and 1999, each municipality in the metropolitan area shall retain the affordable and life-cycle housing opportunities amount calculated under paragraph (g) for the purpose of creating or maintaining affordable and life-cycle housing within the municipality.

(c) By August 31, 1999, and each year thereafter, the council shall determine:

(1) the aggregate amount spent by all municipalities that have not met their affordable and life-cycle housing goals as determined by the council for all of the preceding three years, provided that, for the purposes of this calculation a municipality that has spent an amount in excess of the amount calculated under paragraph (g) shall be counted as spending the amount determined under paragraph (g); and

(2) 85 percent of the aggregate affordable and life-cycle housing opportunities amount calculated by the council under paragraph (g) for all municipalities that have not met their affordable and life-cycle housing goals as determined by the council for all of the preceding three years.

(d) If the amount calculated under paragraph (c), clause (1), equals or exceeds the amount calculated under paragraph (c), clause (2), the council shall allow all municipalities in the metropolitan area to retain the affordable and life-cycle housing opportunities amount calculated under paragraph (g). If the amount calculated under paragraph (c), clause (1), is less than the amount calculated under paragraph (c), clause (2), the council shall allow each"

Page 6, line 18, delete the paragraph coding and delete "(b) A"

Page 6, line 20, delete "may" and insert "to"

Page 6, line 21, delete "(e)" and insert "(g)"

Page 6, line 22, delete "(c)"

Page 6, line 26, delete "(e)" and insert "(g)" and delete "local housing incentives account" and insert "housing and redevelopment authority of the county in which the municipality is located for expenditure within the municipality"

Page 6, lines 27, 30, and 32, delete "(e)" and insert "(g)"

Page 6, line 29, after "located" insert "for expenditure anywhere within the county"

Page 6, line 31, after the period, insert:

"(e)"

Page 7, line 5, delete "(d)" and insert "(f)"

Page 7, lines 7 and 11, delete "(e)" and insert "(g)"

Page 7, line 16, before "(2)" insert "For 1997 and thereafter, the "market value base amount" shall be equal to the product of (i) the market value base amount for the previous year multiplied by (ii) the annual average United States Consumer Price Index for all urban consumers, United

States average, as determined by the United States Department of Labor, for the previous year divided by that annual average for the year before the previous year."

Page 9, after line 16, insert:

"Sec. 2. Minnesota Statutes 1994, section 116J.554, subdivision 2, is amended to read:

Subd. 2. [QUALIFYING SITES.] A site qualifies for a grant under this section, if the following criteria are met:

(1) the site is not scheduled for funding during the current or next fiscal year under the ~~Comprehensive Environmental Response, Compensation, and Liability Act, United States Code, title 42, section 9601, et seq. or under the environmental response, and liability act under sections 115B.01 to 115B.24;~~

(2) the appraised value of the site after adjusting for the effect on the value of the presence or possible presence of contaminants using accepted appraisal methodology (i) is less than 50 percent of the estimated cleanup costs for the site or (ii) is less than or equal to the estimated cleanup costs for the site and the cleanup costs equal or exceed \$3 per square foot for the site; and

(3) if the proposed cleanup is completed, it is expected that the site will be improved with buildings or other improvements and these improvements will provide a substantial increase in the property tax base within a reasonable period of time or the site will be used for an important publicly owned or tax-exempt facility."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Merriam requested division of the amendment as follows:

First portion:

Page 5, line 20, after the semicolon, insert "and"

Page 5, line 22, delete "; and" and insert a period

Page 5, delete lines 23 to 25

Page 5, line 29, after "municipalities" insert "(1) whose contribution levy exceeds its distribution levy by more than \$200 per household according to the most recent population estimates determined by the metropolitan council; and (2)"

Page 6, line 6, delete "Beginning January 15, 1998," and insert "By August 1, 1997,"

Page 6, line 7, delete "annually" and insert "each year"

Page 6, line 9, delete "(e)" and insert "(g)" -

Page 6, after line 17, insert:

"(b) For fiscal years 1997, 1998, and 1999, each municipality in the metropolitan area shall retain the affordable and life-cycle housing opportunities amount calculated under paragraph (g) for the purpose of creating or maintaining affordable and life-cycle housing within the municipality.

(c) By August 31, 1999, and each year thereafter, the council shall determine:

(1) the aggregate amount spent by all municipalities that have not met their affordable and life-cycle housing goals as determined by the council for all of the preceding three years, provided that, for the purposes of this calculation a municipality that has spent an amount in excess of the amount calculated under paragraph (g) shall be counted as spending the amount determined under paragraph (g); and

(2) 85 percent of the aggregate affordable and life-cycle housing opportunities amount

calculated by the council under paragraph (g) for all municipalities that have not met their affordable and life-cycle housing goals as determined by the council for all of the preceding three years.

(d) If the amount calculated under paragraph (c), clause (1), equals or exceeds the amount calculated under paragraph (c), clause (2), the council shall allow all municipalities in the metropolitan area to retain the affordable and life-cycle housing opportunities amount calculated under paragraph (g). If the amount calculated under paragraph (c), clause (1), is less than the amount calculated under paragraph (c), clause (2), the council shall allow each"

Page 6, line 18, delete the paragraph coding and delete "(b) A"

Page 6, line 20, delete "may" and insert "to"

Page 6, line 21, delete "(e)" and insert "(g)"

Page 6, line 22, delete "(c)"

Page 6, line 26, delete "(e)" and insert "(g)" and delete "local housing incentives account" and insert "housing and redevelopment authority of the county in which the municipality is located for expenditure within the municipality"

Page 6, lines 27, 30, and 32, delete "(e)" and insert "(g)"

Page 6, line 29, after "located" insert "for expenditure anywhere within the county"

Page 6, line 31, after the period, insert:

"(e)"

Page 7, line 5, delete "(d)" and insert "(f)"

Page 7, lines 7 and 11, delete "(e)" and insert "(g)"

Page 7, line 16, before "(2)" insert "For 1997 and thereafter, the "market value base amount" shall be equal to the product of (i) the market value base amount for the previous year multiplied by (ii) the annual average United States Consumer Price Index for all urban consumers, United States average, as determined by the United States Department of Labor, for the previous year divided by that annual average for the year before the previous year."

Second portion:

Page 9, after line 16, insert:

"Sec. 2. Minnesota Statutes 1994, section 116J.554, subdivision 2, is amended to read:

Subd. 2. [QUALIFYING SITES.] A site qualifies for a grant under this section, if the following criteria are met:

(1) the site is not scheduled for funding during the current or next fiscal year under the ~~Comprehensive Environmental Response, Compensation, and Liability Act, United States Code, title 42, section 9601, et seq. or under the environmental response, and liability act under sections 115B.01 to 115B.24;~~

(2) the appraised value of the site after adjusting for the effect on the value of the presence or possible presence of contaminants using accepted appraisal methodology (i) is less than 50 percent of the estimated cleanup costs for the site or (ii) is less than or equal to the estimated cleanup costs for the site and the cleanup costs equal or exceed \$3 per square foot for the site; and

(3) if the proposed cleanup is completed, it is expected that the site will be improved with buildings or other improvements and these improvements will provide a substantial increase in the property tax base within a reasonable period of time or the site will be used for an important publicly owned or tax-exempt facility."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the first portion of the Oliver amendment. The motion prevailed. So the first portion of the Oliver amendment was adopted.

Mr. Oliver withdrew the second portion of the amendment.

Mr. Mondale moved to amend S.F. No. 1019 as follows:

Page 6, line 2, delete from "The" through page 6, line 4, to "1996."

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 1019 as follows:

Pages 17 and 18, delete section 8

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Krentz	Marty	Runbeck
Beckman	Hanson	Kroening	Merriam	Spear
Betzold	Janezich	Langseth	Morse	Vickerman
Chandler	Johnson, J.B.	Lessard	Novak	
Chmielewski	Kleis	Limmer	Reichgott Junge	

Those who voted in the negative were:

Belanger	Johnson, D.E.	Lesewski	Pappas	Samuelson
Berglin	Johnson, D.J.	Metzen	Pariseau	Scheevel
Bertram	Kelly	Moe, R.D.	Piper	Stevens
Day	Kiscaden	Mondale	Pogemiller	Terwilliger
Dille	Knutson	Murphy	Price	Wiener
Finn	Kramer	Neuville	Riveness	
Flynn	Laidig	Oliver	Robertson	
Frederickson	Larson	Olson	Sams	

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

Mr. Mondale moved to amend S.F. No. 1019 as follows:

Page 3, line 24, delete from "A" through page 3, line 26, to "met."

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S.F. No. 1019.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

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

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

The motion prevailed. So S.F. No. 1019 was recommended to pass.

S.F. No. 885, which the committee recommends to pass with the following amendment offered by Ms. Ranum:

Page 2, line 20, reinstate the stricken "(a)"

Page 3, lines 7 to 9, reinstate the stricken language

Page 3, line 10, reinstate the stricken "within" and after the stricken "two" insert "five" and reinstate the stricken "years following the first conviction, regardless of"

Page 3, line 11, reinstate the stricken language

Page 3, lines 31 to 36, reinstate the stricken language

Page 4, lines 1 and 2, reinstate the stricken language

Page 4, line 3, reinstate the stricken language and delete the new language

Page 4, delete lines 4 to 7

Page 4, line 8, delete everything before "The"

Page 4, lines 28 to 30, delete the new language

The motion prevailed. So the amendment was adopted.

H.F. No. 1567, which the committee recommends to pass with the following amendment offered by Mr. Pogemiller:

Amend H.F. No. 1567, the unofficial engrossment, as follows:

Page 7, line 25, before "Agreements" insert "Government entities may enter into"

Page 7, line 26, delete everything after "trust"

Page 7, delete lines 27 to 29

Page 7, line 30, delete "trust or investment company's" and insert "whose"

Page 7, line 32, before the period, insert ", or shares of an investment company which is registered under the Federal Investment Company Act of 1940, and whose shares are registered under the Federal Securities Act of 1933, as long as the investment company's fund receives the highest credit rating and is rated in one of the two highest risk rating categories by at least one nationally recognized statistical rating organization"

The motion prevailed. So the amendment was adopted.

H.F. No. 479, which the committee recommends to pass with the following amendments offered by Messrs. Morse, Scheevel and Merriam:

Mr. Morse moved to amend H.F. No. 479, as amended pursuant to Rule 49, adopted by the Senate March 27, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 548.)

Page 2, line 5, after "refuges" insert "and the commissioner may not establish any special seasons or other restrictions on hunting in the areas based on their status as part of a state park"

The motion prevailed. So the amendment was adopted.

Mr. Scheevel moved to amend H.F. No. 479, as amended pursuant to Rule 49, adopted by the Senate March 27, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 548.)

Page 2, line 5, after the period, insert "Within these areas, the following described land must be managed primarily for public trout fishing and trout fishing management by fisheries managers of the division of fish and wildlife: In that portion of Section 25, Township 102 North, Range 12 West, added to the park by this subdivision, a strip of land 264 feet in width lying 132 feet on each side of the center line of the stream located on, and flowing through, the land. The fisheries management activities that may be engaged in include, but are not limited to, fisheries habitat improvement, both instream and on adjacent land, together with necessary access to the stream and adjacent land."

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H.F. No. 479, as amended pursuant to Rule 49, adopted by the Senate March 27, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 548.)

Page 2, delete lines 17 to 19

Page 2, line 20, delete "4" and insert "3"

Page 2, line 35, delete "subdivisions 13"

Page 2, line 36, delete "and 20, are" and insert "subdivision 20, is"

The motion prevailed. So the amendment was adopted.

H.F. No. 1238, which the committee recommends to pass with the following amendment offered by Ms. Olson:

Amend H.F. No. 1238, as amended pursuant to Rule 49, adopted by the Senate April 27, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 897.)

Page 23, after line 33, insert:

"Sec. 29. Minnesota Statutes 1994, section 103B.611, subdivision 1, is amended to read:

Subdivision 1. [COMPOSITION.] The district is governed by a board composed of members ~~elected~~ appointed by the governing bodies of the municipalities included in the district. Each municipality ~~shall elect~~ may appoint one member.

Sec. 30. Minnesota Statutes 1994, section 103B.611, subdivision 2, is amended to read:

Subd. 2. [TERM.] The term of office of each board member is three years unless the appointing municipality recalls the member and either appoints another member for the balance of the term or leaves the office vacant for the balance of the term. This subdivision applies both to members serving on the effective date of this act and to members appointed after the effective date of this act."

Page 24, after line 5, insert:

"Sec. 33. [EFFECTIVE DATE.]

Under Minnesota Statutes, section 645.023, subdivision 1, clause (a), section 29 takes effect, without local approval, the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1270, which the committee recommends to pass with the following amendment offered by Mr. Dille:

Page 1, line 13, delete "one" and insert "one-half"

The motion prevailed. So the amendment was adopted.

S.F. No. 467, which the committee recommends to pass with the following amendment offered by Mr. Mondale:

Page 1, after line 16, insert:

"PUBLIC SAFETY RADIO COMMUNICATION SYSTEM

Section 1. [174.70] [PUBLIC SAFETY RADIO COMMUNICATIONS.]

The commissioner of transportation may exercise the powers granted in this chapter and in sections 473.891 to 473.905 to plan and implement the communications system as provided in sections 473.891 to 473.905."

Page 2, line 21, delete "public corporation" and insert "political subdivision"

Page 2, line 27, delete "16" and insert "17"

Page 2, line 28, delete "Fourteen" and insert "Fifteen"

Page 2, line 32, delete "Minneapolis and St. Paul" and insert "Minneapolis, St. Paul, and Bloomington"

Page 3, line 13, delete "15th" and insert "16th"

Page 3, line 14, delete "16th" and insert "17th"

Page 20, line 32, delete "in the" and insert ", quasi-public"

Re-number the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 15, delete "chapter" and insert "chapters 174 and"

The motion prevailed. So the amendment was adopted.

H.F. No. 833, which the committee recommends to pass with the following amendment offered by Mr. Terwilliger:

Amend H.F. No. 833, as amended pursuant to Rule 49, adopted by the Senate March 27, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 841.)

Pages 2 and 3, delete section 5

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 371, which the committee recommends to pass with the following amendment offered by Ms. Olson:

Page 2, after line 9, insert:

"Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective upon metropolitan council approval of plans presented by the commissioner to:

(1) construct one additional lane on each roadway of I-394 at or near its interchange with Penn Avenue;

(2) preserve the existence of an additional lane eastbound between Penn Avenue and the Dunwoody Boulevard exit; and

(3) erect continuous noise barriers adjacent to the westbound roadway of the highway between Wirth Parkway and Penn Avenue, and on the eastbound roadway of the highway between Madeira Avenue and Wirth Parkway, with the consent of all affected owners of commercial property."

The motion prevailed. So the amendment was adopted.

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1105: Ms. Krentz, Mr. Betzold and Ms. Kiscaden.

H.F. No. 265: Messrs. Berg, Janezich and Neuville.

H.F. No. 358: Mses. Johnson, J.B.; Anderson and Lesewski.

H.F. No. 603: Messrs. Price; Johnson, D.J. and Moe, R.D.

S.F. No. 1199: Messrs. Belanger, Marty and Knutson.

S.F. No. 992: Ms. Kiscaden, Mr. Betzold and Ms. Berglin.

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

MEMBERS EXCUSED

Mr. Cohen was excused from the Session of today from 9:30 to 11:45 a.m. Mr. Kleis was excused from the Session of today from 11:20 to 11:40 a.m. Mr. Stumpf was excused from the Session of today from 9:00 to 10:00 and at 11:30 a.m. Mr. Vickerman was excused from the Session of today from 9:45 to 10:30 a.m. Mr. Kelly was excused from the Session of today at 1:15 p.m. Mr. Samuelson was excused from the Session of today at 1:40 p.m. Mr. Murphy was excused from the Session of today from 1:30 to 2:15 p.m. Ms. Ranum was excused from the Session of today at 2:30 p.m. Mr. Johnson, D.J. was excused from the Session of today at 2:40 p.m. Mr. Oliver was excused from the Session of today from 1:45 to 2:45 p.m. Ms. Piper was excused from the Session of today at 3:00 p.m. Mr. Janezich was excused from the Session of today at 3:15 p.m. Mr. Terwilliger was excused from the Session of today at 3:20 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Monday, May 8, 1995. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

