

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1982

SEVENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 25, 1982

The House of Representatives convened at 2:00 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Father John G. Donahue, Maternity of Mary Catholic Church, St. Paul, Minnesota.

The roll was called and the following members were present:

Aasness	Evans	Kostohryz	Olsen	Simoneau
Ainley	Ewald	Kvam	Onnen	Skoglund
Anderson, B.	Fjoslien	Laidig	Osthoff	Stadum
Anderson, G.	Forsythe	Lehto	Otis	Staten
Anderson, I.	Frerichs	Lemen	Peterson, B.	Stowell
Battaglia	Greenfield	Levi	Peterson, D.	Stumpf
Begich	Gruenes	Long	Piepho	Svigum
Berkelman	Gustafson	Ludeman	Pogemiller	Swanson
Blatz	Halberg	Luknic	Redalen	Tomlinson
Brandl	Hanson	Mann	Reding	Valan
Brinkman	Harens	Marsh	Rees	Valento
Byrne	Hauge	McCarron	Reif	Vanasek
Carlson, D.	Haukoos	McDonald	Rice	Vellenga
Carlson, L.	Heap	McEachern	Rodriguez, C.	Voss
Clark, J.	Heinitz	Mehrkins	Rodriguez, F.	Weaver
Clark, K.	Himle	Metzen	Rose	Welch
Clawson	Hoberg	Minne	Rothenberg	Welker
Dahlvang	Hokanson	Munger	Samuelson	Wenzel
Dean	Hokr	Murphy	Sarna	Wieser
Dempsey	Jacobs	Nelsen, B.	Schafer	Wigley
Den Ouden	Jennings	Nelson, K.	Schoenfeld	Wynia
Drew	Johnson, C.	Niehaus	Schreiber	Zuhay
Eken	Jude	Norton	Searles	Spkr. Sieben, H.
Elioff	Kahn	Novak	Shea	
Ellingson	Kaley	Nysether	Sherman	
Erickson	Kelly	O'Connor	Sherwood	
Esau	Knickerbocker	Ogren	Sieben, M.	

A quorum was present.

Anderson, R., and Johnson, D., were excused.

Kalis was excused until 5:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly moved that further reading of the Journal be

dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1685, 1700, 1725, 1768, 1795, 1812, 1830, 1902, 1920, 1941, 1993, 2058, 2059, 2066, 2068, 342, 773, 1646, 1687, 1701, 1832, 1852, 1948, 2057, 2078, 2079, 2170, 2175, 2186, 1220, 1456, 1663, 1975, 2134, 716, 1459, 1469, 1492, 1499, 1994, 612, 950, 1234, 1547, 1625, 1791, 2077, 1863, 2011, 1558, 1799 and 1967 and S. F. No. 744 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

February 19, 1982

The Honorable Harry A. Sieben, Jr.
Speaker of the House
State of Minnesota

Dear Speaker Sieben:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 1732, relating to boxing; establishing certain conditions for participation in professional matches; proposing new law coded in Minnesota Statutes, Chapter 341.

Sincerely,

ALBERT H. QUIE
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

February 19, 1982

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 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:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1982</i>	<i>Date Filed 1982</i>
	1732	375	February 19	February 19
699		376	February 19	February 19
1151		377	February 19	February 19
1408		378	February 19	February 19

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1033, A bill for an act relating to public welfare; modifying the liability of counties for reimbursement to the state of the costs of certain state hospital patients; authorizing the commissioner to allow state hospitals to retain charges collected for certain services; amending Minnesota Statutes 1980, Sections 246.54; and 246.57.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Page 2, line 26, delete "*at the direction of the governor after*" and insert a period

Page 2, delete line 27

Page 3, line 2, after the first "*the*" insert "*appropriate fiscal and policy committees of the*"

Page 3, line 6, delete "*1981*" and insert "*1982*"

Renumber the sections

Amend the title as follows:

Page 1, line 2, delete "modifying the liability of"

Page 1, delete line 3

Page 1, line 4, delete "of certain state hospital patients;"

Page 1, line 7, delete "Sections 246.54; and" and insert "Section"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1307, A bill for an act relating to public welfare; requiring licensure for adult day care facilities; amending Minnesota Statutes 1980, Sections 245.782, Subdivision 2; 245.791; 256B.02, Subdivisions 7 and 8.

Reported the same back with the following amendments:

Page 1, line 13 delete everything after "adult"

Page 1, line 14, delete the new language and insert "*who is experiencing difficulty living independently and is unable to provide for his or her needs*"

Page 1, after line 14, insert:

"Sec. 2. Minnesota Statutes 1980, Section 245.783, is amended by adding a subdivision to read:

Subd. 1a. [ADULT DAY CARE CENTERS.] The commissioner shall establish licensure requirements for adult day care centers and shall license each center that applies for a license and meets those requirements."

Page 2, line 8, after "persons" insert "*or adults who are experiencing difficulty living independently and are unable to provide for their own needs*"

Page 2, line 13, after "adults" insert "*who are not experiencing difficulty living independently or who are able to provide for their own needs*"

Pages 3 to 5, delete section 4 and insert:

"Sec. 5. Minnesota Statutes 1981 Supplement, Section 256B.02, Subdivision 8, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 31, is amended to read:

Subd. 8. "Medical assistance" or "medical care" means payment of part or all of the cost of the following care and services for eligible individuals whose income and resources are insufficient to meet all of such cost:

- (1) Inpatient hospital services.
- (2) Skilled nursing home services and services of intermediate care facilities.
- (3) Physicians' services.
- (4) Outpatient hospital or clinic services.
- (5) Home health care services.
- (6) Private duty nursing services.
- (7) Physical therapy and related services.
- (8) Dental services, excluding cast metal restorations.
- (9) Laboratory and x-ray services.
- (10) The following if prescribed by a licensed practitioner: drugs, eyeglasses, dentures, and prosthetic devices. The commissioner shall designate a formulary committee which shall advise the commissioner on the names of drugs for which payment shall be made, recommend a system for reimbursing providers on a set fee or charge basis rather than the present system, and develop methods encouraging use of generic drugs when they are less expensive and equally effective as trademark drugs. The commissioner shall appoint the formulary committee members no later than 30 days following July 1, 1981. The formulary committee shall consist of nine members, four of whom shall be physicians who are not employed by the department of public welfare, and a majority of whose practice is for persons paying privately or through health insurance, three of whom shall be pharmacists who are not employed by the department of public welfare, and a majority of whose practice is for persons paying privately or through health insurance, a consumer representative, and a nursing home representative. Committee members shall serve two year terms and shall serve without compensation. The commissioner may establish a drug formulary. Its establishment and publication shall not be subject to the requirements of the administrative procedure act. The formulary shall not in-

clude: drugs for which there is no federal funding; over the counter drugs, except for antacids, acetaminophen, family planning products, aspirin, insulin, prenatal vitamins, and vitamins for children under the age of seven; nutritional products; anorectics; and drugs for which medical value has not been established. Payment to drug vendors shall not be modified before the formulary is established. The commissioner may promulgate conditions for prohibiting payment for specific drugs after considering the formulary committee's recommendations.

The basis for determining the amount of payment shall be the actual acquisition cost of the drug plus a fixed dispensing fee established by the commissioner. Actual acquisition cost includes quantity and other special discounts except time and cash discounts. Establishment of this fee shall not be subject to the requirements of the administrative procedure act. Whenever a generically equivalent product is available, payment shall be on the basis of the actual acquisition cost of the generic drug, unless the prescriber specifically indicates "dispense as written" on the prescription as required by section 151.21, subdivision 2.

(11) Diagnostic, screening, and preventive services.

(12) Health care pre-payment plan premiums and insurance premiums if paid directly to a vendor and supplementary medical insurance benefits under Title XVIII of the Social Security Act.

(13) Abortion services, but only if one of the following conditions is met:

(a) The abortion is a medical necessity. "Medical necessity" means (1) the signed written statement of two physicians indicating the abortion is medically necessary to prevent the death of the mother, and (2) the patient has given her consent to the abortion in writing unless the patient is physically or legally incapable of providing informed consent to the procedure, in which case consent will be given as otherwise provided by law;

(b) The pregnancy is the result of criminal sexual conduct as defined in section 609.342, clauses (c), (d), (e)(i), and (f), and the incident is reported within 48 hours after the incident occurs to a valid law enforcement agency for investigation, unless the victim is physically unable to report the criminal sexual conduct, in which case the report shall be made within 48 hours after the victim becomes physically able to report the criminal sexual conduct; or

(c) The pregnancy is the result of incest, but only if the incident and relative are reported to a valid law enforcement agency for investigation prior to the abortion.

(14) Transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by non-

ambulatory persons in obtaining emergency or non-emergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services. For the purpose of this clause, a person who is incapable of transport by taxicab or bus shall be considered to be non-ambulatory.

(15) To the extent authorized by rule of the state agency, costs of bus or taxicab transportation incurred by any ambulatory eligible person for obtaining non-emergency medical care.

(16) *Adult day care services provided by licensed facilities, when ordered by a screening team upon completion of pre-admission screening under section 256B.091 for an adult who would be admitted to a nursing home if adult day care services were not available to that person. Payment for adult day care services is available only through the appropriation available for alternative care under section 256B.091, subdivision 8, and shall not be made if that appropriation has been exhausted.*

(17) Any other medical or remedial care licensed and recognized under state law unless otherwise prohibited by law.

Sec. 6. [RULES.]

The commissioner may promulgate temporary and permanent rules to implement the provisions of sections 1 to 6. The commissioner of health shall assist the commissioner of public welfare in determining appropriate license requirements."

Page 5, line 4, delete "5" and insert "7"

Page 5, line 5, delete "4" and insert "6"

Renumber the sections

Amend the title as follows:

Page 1, line 4, after "2;" insert "245.783, by adding a subdivision;"

Page 1, line 5, delete "Subdivisions 7 and 8" and insert "Subdivision 7; and Minnesota Statutes 1981 Supplement, Section 256B.02, Subdivision 8, as amended"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1452, A bill for an act relating to transportation; creating the Minnesota state highway improvement fund; appropriating money from the fund for improvements to the state trunk highway system; authorizing the issuance of state bonds for the fund pursuant to Article XI of the constitution; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 174.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [TRUNK HIGHWAY BONDS.]

The commissioner of finance is authorized and directed, upon request of the commissioner of transportation, to issue and sell Minnesota trunk highway bonds under the provisions of Minnesota Statutes, Sections 167.50, to 167.52 and of the Minnesota Constitution, Article XI, Sections 4 to 6, and Article XIV, Section 11, at such time and in such amounts as may be requested by the commissioner of transportation. Bonds issued pursuant to this section are authorized in an aggregate principal amount of \$350,000,000. The proceeds of such bonds shall be deposited in a special highway improvement account in the trunk highway fund.

Sec. 2. [APPROPRIATION.]

Subdivision 1. The sum of \$350,000,000 or so much thereof as is determined to be needed, is appropriated from the special highway improvement account in the trunk highway fund to the department of transportation and shall be used to match funds made available to the state by the United States department of transportation for major construction and improvement of the state trunk highway enumerated in subdivision 2.

Subd. 2. Funds appropriated by subdivision 1 shall be expended only upon the following trunk highway segments:

(a) Marked trunk highway no. 53 between the cities of International Falls and Virginia;

(b) Marked trunk highway no. 2 between the cities of Deer River and Cohasset, and between the cities of Bemidji and Cass Lake, and bypassing the city of Crookston;

(c) Marked trunk highway no. 169, between the cities of Milaca and Onamia and between its intersection with St. Louis, county highway 25 and the city of Chisholm, and bypassing the cities of Milaca and Shakopee;

(d) *Marked trunk highway no. 27, between its intersection with marked interstate highway no. 94 and the city of Herman;*

(e) *Marked trunk highway no. 212 between the cities of Montevideo and Granite Falls, and between its intersection with marked interstate highway no. 494 and the city of Norwood;*

(f) *Marked trunk highway no. 60 between the cities of Worthington and St. James;*

(g) *Marked trunk highway no. 61 between the cities of Red Wing and Hastings;*

(h) *Marked trunk highway no. 15 between the cities of New Ulm and Winthrop;*

(i) *Marked trunk highway no. 12 between its intersection with marked trunk highway no. 59 and the city of Ortonville;*

(j) *Marked trunk highway no. 61 in the city of Cottage Grove;*

(k) *Marked trunk highway no. 610 in Hennepin county;*

(l) *Marked trunk highway no. 10 between the cities of Cushing and Bluffton.*

Sec. 3. Minnesota Statutes 1980, Section 167.50, Subdivision 2, is amended to read:

Subd. 2. The bonds shall be issued and sold upon sealed bids after two weeks' published notice. They shall mature serially over a term not exceeding 20 years from their respective dates of issue (,) and shall not be sold for less than par and accrued interest (, AND SHALL NOT BEAR INTEREST AT A GREATER RATE THAN FIVE PERCENT PER ANNUM). Subject to the foregoing limitations, and subject to any other limitations stated in the acts authorizing the bonds and appropriating the proceeds thereof, but not subject to the provisions of sections 15.0411 to 15.0422, the bonds shall be issued and sold in the number of series, at times, in the form and denominations, bearing interest at the rate or rates, maturing on dates, either without option of prior redemption or subject to prepayment upon notice and at the times and prices, payable at the bank or banks, within or without the state, with provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further regulations, as the commissioner of finance may determine. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signature of one of these officers on the face of any bond, and their seals, and the signatures of

both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved thereon.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following the effective date of a constitutional amendment amending Article XIV, Section 11 of the Minnesota Constitution to remove limits on the interest rate and outstanding value of trunk highway bonds."

Delete the title and insert:

"A bill for an act relating to transportation; authorizing the issuance of \$350,000,000 in trunk highway bonds, contingent upon the removal of certain constitutional restrictions specifying the purposes for which the bond proceeds may be expended; removing the statutory limit on interest rates on trunk highway bonds; appropriating money; amending Minnesota Statutes 1980, Section 167.50, Subdivision 2."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1572, A bill for an act relating to health; establishing the right to complete information on all alternative treatments for patients with breast cancer; amending Minnesota Statutes 1980, Section 144.651.

Reported the same back with the following amendments:

Page 4, line 35, delete "and"

Page 4, delete line 36 and insert:

"(22) Every patient and resident shall be fully informed of the risks associated with each potential course of treatment for his or her medical problems; and

(23) Every patient and resident suffering from any form of"

Page 5, line 2, delete "treatments" and insert "effective methods of treatment of which the treating physician is knowledgeable, including surgical, radiological, or chemotherapeutic treatments or combinations of treatments."

Page 5, delete line 3

Amend the title as follows:

Page 1, line 4, after "cancer" insert "and the right of all patients to be informed of the risks of treatment"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kostohryz from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1669, A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

Reported the same back with the following amendments:

Page 2, line 3, delete "*, August 5, 1964*"

Page 2, line 4, delete "*to May 7, 1975*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kostohryz from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1684, A bill for an act relating to gambling; increasing the amount of compensation for assistants at a bingo occasion; amending Minnesota Statutes 1980, Section 349.17, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 22, after "Compensation" insert "*for bingo occasion assistants*" and reinstate the stricken language and delete the new language

Page 1, line 23, after the period insert "*A bingo security worker shall not be deemed a bingo occasion assistant. Compensation for bingo security workers may be set by local ordinance.*"

Amend the title as follows:

Page 1, line 2, delete "increasing the amount of"

Page 1, delete line 3 and insert "permitting local governments to fix the compensation of bingo security workers by ordinance;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1686, A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 168.

Reported the same back with the following amendments:

Page 1, line 21, after the period, delete the balance of the line

Page 1, delete line 22

Page 1, line 23, delete "*be collected for issuance of the special license plates*" and insert "*The applicant shall pay in addition to the registration tax required by law, a fee of \$ for the special license plates issued pursuant to this section. The additional fee is only payable when the plates are issued, and no additional fee is payable in any year in which the tabs or stickers are issued in lieu of number plates*"

Page 2, after line 2, insert:

"*Subd. 2. [SPECIAL PLATE; FORMER PRISONER OF WAR AND HANDICAPPED INSIGNIA.] Any person entitled to the special license plate provided for in this section and who is entitled to special license plates for the physically handicapped pursuant to section 168.021, shall, upon compliance with the procedures required by both sections, be issued license plates bearing both the "EX-POW" and handicapped insignia, of a design and size to be determined by the commissioner.*"

Renumber the subdivisions

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1697, A bill for an act relating to retirement; validating a certain post retirement adjustment granted by the Virginia firefighters relief association.

Reported the same back with the following amendments:

Page 1, delete everything after line 14 and insert:

"Sec. 2. [EVELETH POLICE AND FIREFIGHTERS; BENEFIT INCREASE.]

Notwithstanding any general or special law to the contrary, in addition to any other benefits payable, retirement benefits payable to retired police officers and firefighters and the surviving spouses thereof by the Eveleth police and fire trust fund may be increased by \$35 per month. Increases may be made retroactive to January 1, 1982.

Sec. 3. [VIRGINIA POLICE RELIEF ASSOCIATION; DEFINITIONS.]

Subdivision 1. [TERMS DEFINED.] Notwithstanding sections 423.37 to 423.392, the following definitions apply to the Virginia police relief association.

Subd. 2. [ADMINISTRATOR.] "Administrator" means the person who is elected by the participants to manage the affairs of the special fund, who serves as an ex officio trustee of the special fund, and who performs the duties of the secretary and the treasurer for the purposes of sections 423.37 to 423.392.

Subd. 3. [BOARD OF DIRECTORS.] "Board of directors" means the members elected to manage the property, affairs and business of the general fund of the association.

Subd. 4. [BOARD OF TRUSTEES.] "Board of trustees" means the participants elected by participants of the association to manage the property, affairs and business of the special fund of the association.

Subd. 5. [CHILD OR CHILDREN.] "Child or children" means the issue of a member born of lawful wedlock or legally adopted by the member during the member's lifetime.

Subd. 6. [INTEGRATION OF BENEFITS.] "Integration of benefits" means the reduction or offset to the amount of disability pension paid, following the exhaustion of sick leave, by benefits received under the workers' compensation law or

received under any disability program provided by the city of Virginia.

Subd. 7. [MEMBER.] "Member" means any person employed as a police officer by the city of Virginia.

Subd. 8. [PARTICIPANT.] "Participant" means a member who was employed on or before June 15, 1980, and who does not contribute to the public employees police and fire fund.

Subd. 9. [PREVAILING PAY.] "Prevailing pay" means the monthly basic salary and the maximum holiday pay, multiplied by the maximum percentage of longevity. Monthly basic salary, maximum holiday pay, and the percentage of longevity are determined in accordance with the unit employment contract of the police department in effect from time to time.

Subd. 10. [SURVIVING SPOUSE.] "Surviving spouse" means the legal spouse of a member at any time prior to termination as a police officer due to retirement or disability, and who was the legal spouse of the member at the time of the member's death.

Sec. 4. [GOVERNANCE OF SEPARATE GENERAL AND SPECIAL FUNDS OF VIRGINIA POLICE RELIEF ASSOCIATION.]

The members of the Virginia police relief association are authorized to maintain a separate general fund to be governed by a board of directors for the benefit of all members and a separate special fund to be governed by a board of trustees and administered by an administrator for the benefit of participants and their survivors.

Sec. 5. [VIRGINIA POLICE; BENEFIT CHANGES FOR PARTICIPANTS.]

If the bylaws so authorize, the following changes shall be effective:

(a) The service pension payable to persons who retired from the police department on or before January 12, 1966, shall be supplemented by \$50 per month.

(b) For any participant who terminated employment after 20 or more years of service, the amount of the monthly service pension payable after the participant has attained the age of at least 50 years shall be equal to one-half of the prevailing pay of a police officer of the rank and position held by the participant for a period of at least six months prior to termination of service, or to the rank and position most analogous thereto,

payable by the police department in each month during which the retired participant receives a service pension.

(c) The amount of a monthly disability pension shall be equal to one-half of the prevailing pay of a police officer of the rank and position held by the participant for a period of at least six months prior to his or her disability or the rank and position most analogous thereto, payable by the police department in each month during the period of the participant's disability, subject to any integration of benefits.

(d) The benefit paid to the surviving spouse of a participant who died on or before January 11, 1967, shall be increased by \$25 per month, until the surviving spouse's death or remarriage.

(e) The benefit paid to a surviving child shall be increased to \$50 per child per month, subject to any limitation placed on the total amount of survivor's benefits.

Sec. 6. [VIRGINIA POLICE; VALIDATION OF ADOPTION OF PENSION PROVISIONS; VALIDATION OF PAST PAYMENTS.]

Notwithstanding the failure of the Virginia police relief association to comply fully with the requirements of Laws 1947, Chapter 625, the election of the Virginia police relief association to come under the provisions of sections 423.37 to 423.392 is hereby validated. Any payments made pursuant to the provisions of sections 423.37 to 423.392 are hereby validated.

Sec. 7. [CLARIFICATION OF INTERPRETATION ON AUTHORITY TO APPROVE ALTERNATIVE BENEFIT INCREASE.]

No provision of section 645.021 or Laws 1980, Chapter 607, Article XV, Section 7 or 25, shall be construed as authorizing any municipality which approved an alternative benefit increase for a local police or salaried firefighters relief association located in the municipality and which complied with section 645.021, subdivision 3, from amending, modifying or revoking that approval or substituting a different alternative benefit increase for the alternative benefit increase which was previously approved.

Sec. 8. [VIRGINIA POLICE; REPEALER.]

Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235, are repealed.

Sec. 9. [EFFECTIVE DATES.]

The provisions of sections 1, 6, 7 and 8 are effective the day following final enactment. The provisions of section 2 are effective upon approval by the city council of Eveleth and upon compliance with section 645.021. The provisions of sections 3, 4 and 5 are effective upon approval by the city council of Virginia and upon compliance with section 645.021."

Amend the title as follows:

Page 1, line 4, before the period insert "; authorizing increases in benefits payable by the Eveleth police and fire trust fund; defining certain terms, providing for the governance of separate and distinct general and special funds, providing benefit improvements for certain participants and benefit recipients, validating adoption of third class city police law, and validating past payments by the Virginia police relief association; clarifying the authority to approve alternative benefit increases; repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1702, A bill for an act relating to veterans; providing for the furnishing of chiropractic care to residents of the Minnesota veterans home; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 198.

Reported the same back with the following amendments:

Page 1, line 10, delete "home" and insert "homes"

Page 1, line 11, delete "spinal care"

Page 1, delete section 2

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1707, A bill for an act relating to transportation; allowing certain vehicles to cross certain railroad crossings without stopping; removing the requirement for designated routes for certain buses; modifying the public transit capital grant assistance program; providing for public transit contract procedures; amending Minnesota Statutes 1980, Sections 169.28; 169.29; 169.80, Subdivisions 2 and 2a; 174.245; Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended; repealing Minnesota Statutes 1980, Section 219.21.

Reported the same back with the following amendments:

Page 2, line 2, after "*crossing*" insert "*on a rail line on which service has been abandoned and*"

Page 2, line 32, after "*crossing*" insert "*on a rail line on which service has been abandoned and*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1713, A bill for an act relating to St. Louis county; providing for the calculation of vacation and sick leave allowances of certain employees.

Reported the same back with the following amendments:

Page 1, delete lines 16 to 18 and insert:

"This act is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the county board of St. Louis county."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1736, A bill for an act relating to Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority;

amending Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended by Laws 1980, Chapter 573, Section 4, is amended to read:

Sec. 4. [DUTIES OF THE PERSONNEL BOARD.]

Subdivision 1. [BOARD PROCEEDINGS.] When any member of the board is not present at the time a matter is submitted to the board such matter shall be deemed submitted to each member of the board with like effect as though each member of the board had been present at the time of submission of such matter. Whenever during the consideration of a matter which is before the board, there is a change in the personnel of the board, the matter shall be deemed submitted to the new member, or members, as though said new member, or members, had been a member of the board at the time of the submission of the matter.

No meetings of the board shall be held unless at least (THREE) *four* members are present. A majority vote of all members shall constitute the decision of the board. The board shall keep records and minutes of its business and official actions which shall be open to public inspection subject to such reasonable rules as to time and place of inspection as the board may establish.

Sec. 2. Laws 1965, Chapter 855, Section 7, Subdivision 3, as amended by Laws 1980, Chapter 573, Section 7, is amended to read:

Subd. 3. [UNCLASSIFIED SERVICE, COMPENSATION.] The director shall establish a compensation plan in accordance with section 6, clause (e) for those employees in the unclassified service identified in subdivision 2, clauses (c), (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (r) and (s).

Sec. 3. Laws 1965, Chapter 855, Section 7, Subdivision 4, as amended by Laws 1980, Chapter 573, Section 7, is amended to read:

Subd. 4. [UNCLASSIFIED SERVICE, TENURE, BENEFITS.] The positions in the unclassified service enumerated in subdivision 2, clauses (c), (d), (h), (i), (j), (k), (l), (m), (n),

(o), (q), (r) and (s) shall not have permanent tenure but shall have all other benefits provided for in this act. The term of office of any position established by another statute shall be as provided in it.

Sec. 4. Laws 1979, Chapter 55, Section 1, is amended to read:

Section 1. [COUNTY BOARD; SELF INSURANCE.]

Notwithstanding any contrary provision of other law, the board of commissioners of Hennepin county may insure the county against any claim of liability or loss using funds of the county, without procuring insurance from any private insurance company when the county board considers it to be in the best interests of the county. This provision shall not be construed as an increase of the liability limitations or as a waiver of defenses allowable in any action pursuant to Minnesota Statutes, Chapter 466. The board may transfer amounts of money from funds of the county to the funds the county may establish for the above purposes in accord with generally accepted accounting principles. The term "liability" shall extend to all liability or loss that may be covered by any form of insurance, including but not limited to malpractice, general liability, or workers' compensation. (THIS ACT SHALL NOT AUTHORIZE SELF INSURANCE AGAINST RISKS AS DEFINED IN MINNESOTA STATUTES, SECTION 60A.06, SUBDIVISION 1, CLAUSES (4) AND (5)(A).) *Minnesota Statutes, Section 471.617 applies to Hennepin County.*

Sec. 5. Laws 1979, Chapter 198, Article II, Section 7, Subdivision 1, is amended to read:

Sec. 7. [CERTIFICATES OF INDEBTEDNESS.]

Subdivision 1. [TAX ANTICIPATION CERTIFICATES.] At any time after the first day of the year following the making of an annual tax levy, the county board may, by resolution and without public referendum, issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund and not yet collected. The total of all certificates issued against any fund for any year with interest thereon until maturity, together with all orders outstanding against the fund, shall not exceed the total current taxes for the fund uncollected at the time of issuance plus the cash currently in the fund. If certificates are issued against the anticipated tax levy for any fund, any unpaid orders outstanding against the fund shall be redeemed from the proceeds of the certificates. All tax anticipation certificates shall be negotiable and shall be payable to the order of the payee and shall have a definite due date but may be payable on or before that date. No certificate shall be issued to become due and payable later than the first day of April of the year following the year of issuance. Certificates shall be sold for not less than par and accrued interest and shall bear interest at a rate (NOT TO

EXCEED SEVEN PERCENT PER ANNUM) *that conforms to Minnesota Statutes, Section 475.55*, payable at maturity or at such earlier times as the board may determine. Each certificate shall state upon its face the fund for which the proceeds of the certificate shall be used, the total amount of the certificates so issued against the fund and the total amount embraced in the tax levy for that fund. They shall otherwise be issued on terms and conditions as the board may determine. The proceeds of the taxes assessed on account of the fund against which tax anticipation certificates are issued and the full faith and credit of the county shall be irrevocably pledged for the redemption of the certificate in the order of issuance against the fund.

Sec. 6. Laws 1979, Chapter 198, Article II, Section 7, Subdivision 2, is amended to read:

Subd. 2. [EQUIPMENT ACQUISITION; CAPITAL NOTES.] The board may, by resolution and without public referendum, issue (CERTIFICATES OF INDEBTEDNESS) *capital notes* within existing debt limits for the purpose of purchasing ambulance and other medical equipment, road construction or maintenance equipment, public safety equipment and other capital equipment having an expected useful life at least equal to the term of the (CERTIFICATES) *notes* issued. The (CERTIFICATES) *notes* shall be payable in not more than five years and shall be issued on terms and in a manner as the board determines. The total principal amount of the (CERTIFICATES OF INDEBTEDNESS) *notes* issued for any fiscal year shall not exceed one percent of the total annual budget for that year and shall be issued solely for the purchases authorized in this subdivision. A tax levy shall be made for the payment of the principal and interest on such (CERTIFICATES) *notes* as in the case of bonds.

Sec. 7. [AUTOMOBILE ALLOWANCE; COUNTY BOARD.]

The Hennepin County board of commissioners may by resolution provide that each county board member shall be paid as compensation or reimbursement for the use by that board member of his own automobile in the performance of his official duties a monthly or periodic allowance in lieu of mileage in an amount to be determined by the board.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1, is amended to read:

Subdivision 1. [FIXED BY COUNTY BOARD.] The county commissioners in all counties of the state, except (HENNEPIN AND) Ramsey (COUNTIES) *county*, shall receive as compensation for services rendered by them for their respective counties, annual salaries and in addition may receive per diem payments and reimbursement for necessary expenses in performing the duties of the office as set by resolution of the county

board, provided that the salary and schedule of per diem payments shall not become effective until January 1 of the next year. The resolution shall contain a statement of the new salary to be established set forth on an annual basis. The board may establish a schedule of per diem payments for service by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law; *provided that no more than one per diem payment may be collected for any calendar day.* In addition to its publication in the official newspaper of the county as part of the proceedings of the meeting of the county board, the resolution setting the salary and schedule of per diem payments shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The salary of a county commissioner or the schedule of per diem payments shall not change except in accordance with the provisions of this subdivision.

Sec. 9. [REGIONAL RECREATIONAL OPEN SPACE.]

The housing outparcel on Nicollet Island referred to by Laws 1981, Chapter 304, Section 2, is more particularly described as follows:

A parcel bounded on the north by Hennepin Avenue, on the south by Merriam Street, on the west by Wilder Street, and on the east by East Island Avenue, as said streets are presently located;

Together with a parcel bounded on the north by the Burlington Northern Railroad right-of-way, on the south by Hennepin Avenue, on the east by East Island Avenue, and on the west by West Island Avenue;

Together with a parcel bounded on the north by Maple Place, on the south by the Burlington Northern Railroad right-of-way, on the east by Nicollet Street, and on the west by West Island Avenue;

Together with lots 7, 8, and 9, and the west 60 feet of lot 10, block 1, Nicollet Island;

Together with lots 6 and 7, and lots 10 to 16, inclusive, block 3, Nicollet Island.

Sec. 10. [LOCAL APPROVAL.]

Sections 1 to 8 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the Hennepin County board. Section 9 is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington the day after final enactment."

Delete the title and insert:

"A bill for an act relating to local government; regulating duties in Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority; providing for the county board automobile allowance; describing land to be acquired for open space purposes; amending Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended; and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1747, A bill for an act relating to the city of Minneapolis; providing for the security for certain rehabilitation loans; amending Laws 1977, Chapter 138, Section 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1748, A bill for an act relating to Ramsey county; providing for the organization, powers and duties of the Saint Paul-Ramsey Medical Center commission; permitting the issuance of revenue bonds; amending Laws 1974, Chapter 435, Section 3.14, as amended.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1974, Chapter 435, Section 3.14, as amended by Laws 1978, Chapter 545, Section 1, is amended to read:

Sec. 3.14 [SAINT PAUL-RAMSEY MEDICAL CENTER.]

Subdivision 1. [SAINT PAUL-RAMSEY MEDICAL CENTER COMMISSION.] (a) [NAME OF COMMISSION.] There is created a commission to be known as the "Saint Paul-

Ramsey Medical Center commission", whose duty is the operation, administration and management of the Saint Paul-Ramsey Medical Center facilities.

(b) [MEMBERSHIP.] The Saint Paul-Ramsey Medical Center commission shall consist of 13 members appointed as follows:

(1) Four members from the board of Ramsey county commissioners, including one residing outside the city of Saint Paul, and

(2) Nine citizen members, each of whom must be a resident of Ramsey county, all of whom shall be appointed by the board of county commissioners and there shall be one resident of each of the following Minnesota senate districts, as defined for the 1972 general election, appointed as a citizen member of the commission: Districts 48, 49 and 46 considered for the purposes of this section as one district, 50, 62, 63, 64, 65, 66 and 67. The state senator and representatives whose constituency resides within one of those senate districts shall nominate for commission membership up to three persons residing within such district and Ramsey county and shall submit such nominations to the Ramsey county board of commissioners. The Ramsey county board may appoint citizen members to the commission from the nominations received by senators and representatives, and in any event shall make all initial appointments. The same procedure shall be followed upon expiration of a citizen member's term. Vacancies shall be filled by the appointing authority in the same manner as regular appointments are made, within 30 days after the office is vacated. Nominations by legislators shall be submitted to the county board within 30 days after the office is vacated.

(c) [TERM.] The four members appointed from the membership of the Ramsey county board of commissioners each serve for a term coinciding with his term as a county commissioner. Each of the other nine members hold office for three years and until his successor is appointed, except that for the first appointments, members appointed from senate districts 48, 62 and 65 shall hold office for one year. Members appointed from senate districts 49 and 46 combined, 63 and 66, shall hold office for two years and members appointed from senate districts 50, 64 and 67 shall hold office for three years. Vacancies on the board are filled by appointment in accordance with the provisions of clause (b) (2) for the unexpired term of the position which is being filled. A member of the commission whose term expires, may be reappointed to the board if otherwise qualified. Citizen members may be compensated at the rate of \$35 per day for services actually and necessarily rendered not to exceed \$1,000 per year and all members shall be compensated for expenses incurred in the performance of their duties.

Subd. 2. [PROCEDURE AND ORGANIZATION.] The commission may adopt bylaws. All meetings of the commission are meetings of a public body and open to the public; the minutes thereof are a matter of public record. The commission shall elect from its membership, for one year terms, a chairman, a vice-chairman and a secretary, and other officers as they deem necessary, who have the usual and customary duties, obligations and responsibilities of these offices, and who are required to be bonded at the discretion of the commission as the occasion requires. (A MAJORITY OF THE VOTING) *Seven* members of the commission constitute a quorum.

Subd. 3. [POWERS AND DUTIES OF COMMISSION.]
(a) (THE COMMISSION SHALL EXERCISE THE POWERS AND DUTIES OF A COUNTY SANITARIUM COMMISSION UNDER MINNESOTA STATUTES, SECTION 251.02.)

((B)) The commission is responsible for the operation, administration, management and control of the Saint Paul-Ramsey Medical Center, may carry malpractice insurance for the (HOSPITAL) *medical center medical and nonmedical staff and pay the premiums therefor (AND). The commission may appoint and, at its pleasure, remove a chief executive officer of the (HOSPITAL) medical center and seven principal assistants. The commission may employ other personnel it determines are necessary for the performance of its duties. The commission's employees are subject to the Ramsey county civil service law and the rules related to it. The commission shall reimburse the county civil service department for its services for (OTHER) the commission's classified employees and the reimbursement is to be credited to the civil service department budget.*

((C)) (b) The commission shall submit annually to the Ramsey county board of commissioners for approval of that body a budget that shows the estimated amount of money required for the operation and conduct of the affairs of the public (HOSPITAL) *medical center and sanitarium under control of the commission during the next ensuing year. The budget shall be submitted not later than November 1 of each year and shall include all money needed for the next ensuing year except funds for the construction of additional facilities. The budget, as submitted and approved or as revised by the Ramsey county board of commissioners and approved, is the budget of the commission for the next ensuing year. The Ramsey county board of commissioners shall consult with the commission before approval. When funds for the construction of additional facilities are needed, the commission shall make requests for funds to the city of Saint Paul and county of Ramsey jointly. The commission is to receive and be responsible for all funds from whatever source derived, and these funds are public funds.*

((D)) (c) The commission has jurisdiction over its accounts and payrolls and shall establish and maintain a public depository

(UNDER MINNESOTA STATUTES, SECTION 118.01). *The depository shall be subject to Minnesota Statutes, Chapter 118, except that the commission shall determine the appropriate security.*

((C)) (d) It shall establish and maintain all necessary accounts. The commission may establish reserve accounts, depreciation accounts and working capital funds in order to operate on an accrual basis.

((F)) (e) The commission may, with the prior approval of the Ramsey county board of commissioners, obtain (WORKING CAPITAL) funds *necessary* for the operation and maintenance of (A FACILITY) *the medical center* under its jurisdiction by borrowing from funds under the jurisdiction of the Ramsey county board of commissioners or from a lending agency chartered by the United States or a state and authorized to do business in Minnesota. The contract may provide for the borrowing of money in an amount not to exceed a total at any one time outstanding of (\$2,000,000) *\$4,000,000*. The commission shall determine the terms and conditions of the borrowing that are in the best interests of the commission and the county. The contract (SHALL) *may* provide that the security for the loan (WILL) *may* be evidenced by the notes of the commission and the accounts receivable, or any part thereof, available to the commission from the operation of the (HOSPITAL) *medical center*.

((G)) Neither the (HOSPITAL) *medical center* nor any physical asset thereof, nor the full faith and credit of Ramsey county, may be pledged or available as security for its borrowing. (A CONTRACT ENTERED INTO PURSUANT HERETO SHALL NOT EXTEND FOR A TERM OF MORE THAN TWO YEARS FROM THE DATE THEREOF AND IS SUBJECT IN ALL PARTICULARS TO THE APPROVAL OF THE RAMSEY COUNTY BOARD OF COMMISSIONERS.)

((H)) (f) *The Ramsey county board of commissioners upon request of the commission may issue and sell revenue bonds to finance betterment of the medical center and acquisition and betterment of additional facilities for it located within or without Ramsey county, including without limitation payment of principal and interest on the revenue bonds during construction and for a reasonable period thereafter and establishment of reserves for them. The revenue bonds shall be payable solely from all or a portion of the revenues of the commission and may be secured by a mortgage of the site and facilities, or any part of it, financed by the revenue bonds. The revenue bonds shall be in an amount and shall mature as provided by resolution of the county board and approved by the commission and may be issued in one or more series and shall bear a date or dates, bear interest at a rate or rates, be in a denomination or denominations, be in the form either coupon or registered, carry the conversion or registra-*

tion privileges, have rank or priority, be executed in the manner, be payable in medium of payment at the place or places, and be subject to the terms of redemption with or without premium, as the resolution may provide. The revenue bonds may be sold at public or private sale at a price or prices determined by the resolution. Notwithstanding any law to the contrary, the revenue bonds shall be fully negotiable. The commission may enter into the covenants the county board and commission by resolution shall deem necessary and proper to secure payment of the revenue bonds, except that neither the medical center nor any physical assets of it other than the site and facilities being financed may be pledged or available as security for any revenue bonds issued under this paragraph. The revenue bonds, and they shall so state on their face, shall not be payable from nor be a charge upon any funds other than the revenues and property pledged or mortgaged for their payment, nor shall the county board or commission be subject to any liability on them or have the power to obligate themselves to pay or pay the revenue bonds from funds other than the revenues and property pledged and mortgaged and no holder or holders of the revenue bonds shall ever have the right to compel any exercise of any taxing power of Ramsey county or any other public body to pay the principal of or interest on any of them, nor to enforce payment of them against any property of Ramsey county, the commission, or any other public body other than that expressly pledged or mortgaged for their payment.

(THE COMMISSION SHALL PROVIDE HOSPITAL AND MEDICAL SERVICES FOR THE GENERAL PUBLIC, INCLUDING THE INDIGENT, THE CONTAGIOUSLY ILL, CATASTROPHICALLY INJURED, AND CITY AND COUNTY PRISONERS, AND SHALL MAINTAIN THE HOSPITAL AS A RESEARCH AND TEACHING INSTITUTION.)

(g) The commission shall provide hospital and medical services for the indigent of Ramsey county, the contagiously ill, and catastrophically injured and city and county prisoners and maintain the hospital as a research and teaching institution. It may provide hospital and medical services for the general public. To those ends (IT MAY MAKE AFFILIATION AGREEMENTS WITH THE RAMSEY COUNTY NURSING HOME, EDUCATIONAL INSTITUTIONS, POLITICAL SUBDIVISIONS OF THE STATE OF MINNESOTA OR OTHER STATES, BOARDS, COMMISSIONS AND NONPROFIT ORGANIZATIONS CREATED PURSUANT TO STATE STATUTE FOR SIMILAR PURPOSES) and to effectuate its authority to operate, administer, manage, and control the medical center, the commission may enter into the agreements it determines necessary.

The commission shall have all the powers necessary and convenient for the operation, administration, management and control of the medical center. The enumeration of specific powers

in this law is not intended to restrict the power of the commission to take any action which in the exercise of its discretion is necessary or convenient for the furtherance of the purpose for which the commission exists, and which is not otherwise prohibited by law, whether or not the power to take the action is necessarily implied from any of the powers expressly granted.

Subd. 4. [PURCHASING.] Notwithstanding any law to the contrary, the Saint Paul-Ramsey Medical Center commission may purchase directly or utilize the services of a nonprofit cooperative hospital service organization, the city of Saint Paul, the state, the university of Minnesota, or any other political subdivision or agency of the state in the purchase of all goods, materials and services that the commission may require. These purchases shall be made in compliance with laws of the state, except that purchase through a nonprofit cooperative hospital service organization is not subject to Minnesota Statutes, (SECTION) Sections 471.345 to 471.37.

Subd. 5. [COUNTY ATTORNEY.] *The commission may sue and be sued.* The Ramsey county attorney is the attorney and legal advisor of the commission. The commission shall reimburse Ramsey county for his services and the reimbursement is to be credited to the budget of the Ramsey county attorney.

Subd. 6. [CERTAIN AGREEMENTS PROHIBITED.] Notwithstanding any law to the contrary, the commission may not enter into an exclusive agreement with a medical school which would preclude the use of Saint Paul-Ramsey Medical Center in the training of medical students of another medical school. Notwithstanding any law to the contrary, the commission may not enter into an agreement with another hospital which would relieve the other hospital of responsibility to a patient of the other hospital for the furnishing of hospital services obtainable at that hospital.

Subd. 7. [FINANCING.] (a) Indebtedness for construction of existing facilities is to be retired as provided in Laws 1957, Chapter 938, and to be jointly financed by the city of Saint Paul and Ramsey county in accordance with the applicable provisions of law. If the hospital revenues justify they shall be applied to the retirement of the indebtedness.

(b) The commission may accept from the United States, the state of Minnesota or another agency or local subdivision of government and from private sources land, money or other assistance for the purposes of carrying out the provisions of this section. *The commission may purchase, hold and convey personal property and hold and convey real property in its own name. With the prior approval of the Ramsey county board of commissioners, the commission may purchase real property in its own name.*

Subd. 8. [TRANSFER OF CONTROL.] (a) The operation, management and control of the Saint Paul-Ramsey Medical Center and the Ramsey county tuberculosis sanitarium are transferred from the county welfare board of the city of Saint Paul and county of Ramsey to the Saint Paul-Ramsey Medical Center commission.

(b) All the powers and duties concerning institutional care of the sick or injured indigent, the contagiously ill, the catastrophically injured, and the city and county prisoners at Saint Paul-Ramsey Medical Center and the Ramsey county sanitarium vested in or imposed upon the Ramsey county welfare board of the city of Saint Paul and county of Ramsey and the Ramsey county sanitarium commission are transferred to, vested in, and imposed upon the Saint Paul-Ramsey Medical Center commission.

(c) This section supersedes all laws inconsistent herewith.

Subd. 9. [CONSTRUCTION OF SAINT PAUL-RAMSEY MEDICAL CENTER.] (a) [AUTHORIZATION.] Ramsey county and the city of Saint Paul may acquire land for, erect, equip and furnish a hospital and nurses' home.

(b) [DIVISION OF COSTS BETWEEN COUNTY AND CITY.] The cost and expense of acquiring land for, erecting, equipping and furnishing the hospital and nurses' home is to be borne by the county and city in the following proportion: the county shall pay 72-1/2 percent of the cost and expense, and the city shall pay 27-1/2 percent of the cost and expense.

(c) [BONDS, ISSUANCE BY COUNTY.] The county may borrow a sum not to exceed \$11,600,000, or so much thereof as the board of county commissioners of Ramsey county considers necessary, to defray the county's share of the cost and expense of the acquisition of land for, the erection, equipping and furnishing of the hospital and nurses' home. The board of county commissioners may issue and sell, from time to time, and without submitting the question of the issuance of the bonds to a vote of the people, the bonds of the county in the sum and amount of \$11,600,000, or the part thereof that the county board considers necessary, the proceeds of the sale of the bonds to be used for the purposes specified herein, and may secure the payment of the bonds by pledging the full faith and credit of the county therefor. The bonds shall be in the form and bear interest at the rate that the county may prescribe and the county through its board of county commissioners shall sell them to the highest bidder therefor, after notice of the time and the place for the receiving of the bids is published according to law. The bonds are to be issued to mature serially, the first installment of which becoming due and payable in not more than three years and the last of which becoming due and payable in not more

than 30 years from their date. The county shall deposit the proceeds received from the sale of the bonds in a fund to be designated as hospital facility fund; the money shall be disbursed therefrom in the same manner as other funds of the county are disbursed, but only for the purposes herein expressed, and according to such other procedural requirements in reference thereto as are set out specifically in this subdivision.

(d) [BONDS, ISSUANCE BY CITY.] The city of Saint Paul may borrow a sum not to exceed \$4,400,000, or so much thereof as the governing body of the city considers necessary, to defray its share of the expense of the acquisition of land, the erection, equipping and furnishing of the hospital and nurses' home. The governing body of the city may issue and sell, from time to time and without submitting the question of the issuance of the bonds to a vote of the people, the bonds of the city in the sum and amount of \$4,400,000 or the part thereof that the city council considers necessary, the proceeds of the sale of the bonds to be used for the purposes specified herein, and may secure the payment of the bonds by pledging the full faith and credit of the city therefor. The bonds shall be in the form and bear interest at the rate as the city prescribes and the city through its governing body shall sell them to the highest bidder therefor, after notice of the time and the place for the receiving of the bids is published according to law. The bonds are issued to mature serially, the first installment of which becoming due and payable in not more than three years and the last of which becoming due and payable in not more than 30 years from their date. The city shall deposit the proceeds received from the sale of the bonds in a fund to be designated as hospital facility fund, and the moneys shall be disbursed therefrom in the same manner as other funds of the city are disbursed, but only for the purposes herein expressed, and according to such other procedural requirements in reference thereto as are set out specifically in this subdivision. These bids shall not be included in computing the net indebtedness of the city under an applicable law or charter.

(e) [TAX LEVY BY CITY FOR PAYMENT OF BONDS.] The city may levy annually upon the taxable property in the city, without limitation as to rate or amount, the ad valorem tax that is necessary to pay for the interest on the bonds as it accrues and to pay for the principal thereof in full at maturity. The levy of the tax for this purpose is granted to the city to levy taxes for the payment of the principal and interest of the bonds in addition to all other taxing powers of the city, and exists independently of any restrictions upon the power of the city to levy taxes for other purposes.

(f) [COUNTY AUDITOR, DUTIES.] If the board of county commissioners or the governing body of the city fails to make provision in their annual tax levies for the payment and redemption of the bonds with the interest thereon as they become

due and payable, the county auditor of Ramsey county shall add to the amount of taxes to be raised by the county or city an amount sufficient to provide for the payment and redemption of the bonds with interest due thereon.

(g) [BONDS; CHAPTER 475, APPLICABLE.] Except as otherwise provided in this subdivision, the issuance of the bonds herein authorized by the city or county shall be governed by the provisions of Minnesota Statutes, Chapter 475.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the Ramsey county board of commissioners."

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1783, A bill for an act relating to public welfare; changing liquid asset limits for medical assistance eligibility; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by a law passed in the 1981 third special session styled as House File No. 2, Article I, Section 32.

Reported the same back with the following amendments:

Page 4, after line 14, insert:

"Sec. 2. [LIMITATION.]

If the provision of the state medical assistance plan incorporating the amendment made by section 1 regarding the \$10,000 resource limit for designated persons is disapproved by the secretary of health and human services, in a final action, after an administrative appeal, then section 1 is repealed."

Renumber the section

Amend the title as follows:

Page 1, line 3, after the semicolon insert "establishing limitations;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1794, A bill for an act relating to health; providing for grants to certain maternal and child health care programs; proposing new law coded in Minnesota Statutes, Chapter 144.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [145.88] [PURPOSE.]

The legislature finds that it is in the public interest to assure:

(a) Statewide planning and coordination of maternal and child health services through the acquisition and analysis of population-based health data, provision of technical support and training, and coordination of the various public and private maternal and child health efforts; and

(b) Support for targeted maternal and child health services in communities with significant populations of high risk, low income families through a grants process.

Federal money received by the Minnesota department of health, pursuant to United States Code, Title 42, Sections 701 to 709, shall be expended to:

(1) assure access to quality maternal and child health services for mothers and children, especially those of low income and with limited availability to health services;

(2) reduce infant mortality and the incidence of preventable diseases and handicapping conditions among children;

(3) reduce the need for inpatient and long-term care services and to otherwise promote the health of mothers and children, especially by providing preventive and primary care services for low income mothers and children and prenatal, delivery and postpartum care for low income mothers;

(4) provide rehabilitative services for blind and disabled children under age 16 receiving benefits under Title XVI of the Social Security Act; and

(5) provide and locate medical, surgical, corrective and other service for children who are crippled or who are suffering from conditions that lead to crippling.

Sec. 2. [MATERNAL AND CHILD HEALTH ADVISORY TASK FORCE.]

Subdivision 1. [COMPOSITION OF TASK FORCE.] The commissioner shall establish and appoint a maternal and child health advisory task force consisting of 15 members who will provide equal representation from:

(1) professionals with expertise in maternal and child health services;

(2) representatives of local health boards as defined in section 145.913; and

(3) consumer representatives interested in the health of mothers and children.

No members shall be employees of the state department of health. Task force members shall be appointed and removed and terms shall expire as provided in section 15.059, subdivision 6.

Subd. 2. [DUTIES.] The advisory task force shall meet on a regular basis to perform the following duties:

(a) Review and report on the health care needs of mothers and children throughout the state of Minnesota;

(b) Review and report on the type, frequency and impact of maternal and child health care services provided to mothers and children under existing maternal and child health care programs, including programs administered by the commissioner of health;

(c) Establish, review, and report to the commissioner a list of program guidelines and criteria which the advisory task force considers essential to providing an effective maternal and child health care program to low income, high risk patients and fulfilling the purposes defined in section 1;

(d) Review staff recommendations of the department of health regarding maternal and child health grant awards before the awards are made;

(e) Make recommendations to the commissioner for the use of other federal and state funds available to meet maternal and child health needs;

(f) Make recommendations to the commissioner of health on priorities for funding the following maternal and child health services: (1) prenatal, delivery and postpartum care, (2) comprehensive health care for children, especially from birth through five years of age, (3) adolescent health services, (4) family planning services, (5) preventive dental care, (6) special services for chronically ill and handicapped children and (7) any

other services which promote the health of mothers and children; and

(g) Make recommendations to the commissioner of health on a process to distribute, award and administer the maternal and child health block grant funds after July 1, 1983 that will fulfill the purposes of section 1.

Sec. 3. [MATERNAL AND CHILD HEALTH BLOCK GRANT DISTRIBUTION.]

The maternal and child health care block grant shall be distributed to the same recipients that received funds during the previous year until July 1, 1983. A reduction in federal funding shall be distributed to reflect a proportional reduction for each recipient.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Amend the title as follows:

Page 1, lines 2 and 3, delete "providing for grants to certain maternal and child health care programs" and insert "providing for an advisory task force to make recommendations on the distribution of funds for maternal and child health care needs"

Page 1, line 4, delete "144" and insert "145"

With the recommendation that when so amended the bill pass.

The report was adopted.

Vanasek from the Committee on Criminal Justice to which was referred:

H. F. No. 1809, A bill for an act relating to crimes; prohibiting the selling of children; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

Reported the same back with the following amendments:

Page 2, after line 1, insert:

"Subd. 4. [EXCEPTION FROM LIABILITY.] A person who pays, offers, or attempts to pay for a child is guilty of a misdemeanor.

Subd. 5. [BUYER'S LIABILITY.] A person who buys or attempts to buy a child, with intent to transfer the child, is punishable as provided in subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1842, A bill for an act relating to the city of Saint Paul; authorizing the issuance of bonds to provide funds to repair, remodel, construct or reconstruct the civic center facilities.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1867, A bill for an act relating to insurance; eliminating certain mandatory filings with the commissioner of insurance; repealing Minnesota Statutes 1980, Section 72A.062.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivision 13, is amended to read:

Subd. 13. [AGENTS; VARIABLE CONTRACTS.] ((A)) (1) [LICENSE REQUIRED.] No person shall sell or offer for sale a contract on a variable basis unless prior to making any solicitation or sale the person has obtained from the commissioner a license therefor. The license shall only be granted, upon the written requisition of an insurer, to a qualified person who holds a current license authorizing the person to solicit and sell life insurance and annuity contracts in this state. To become qualified, a person shall complete a written application on a form prescribed by the commissioner and shall take and pass an examination prescribed by the commissioner. Prior to the taking of the examination, or upon re-examination, the applicant shall transmit to the commissioner, by money order or cashiers check payable to the state treasurer, an examination fee of \$10.

((B)) (2) [EXCEPTIONS.] ((1) ANY OFFICER OF A LICENSED INSURER MAY, WITHOUT LICENSE OR

OTHER QUALIFICATION, ACT IN ITS BEHALF IN THE NEGOTIATION AND CONSUMMATION OF CONTRACTS ON A VARIABLE BASIS.) (a) *Any regular salaried officer or employee of a licensed insurer, without license or other qualification, may act on behalf of that licensed insurer in the negotiation of a contract on a variable basis, provided that a licensed agent must participate in the sale of any such contract.*

((2)) (b) Any person who, on July 1, 1969, holds a valid license authorizing the person to solicit and sell life insurance and annuity contracts and who also holds a valid license issued by the securities and real estate division of the department of commerce authorizing the person to sell or offer for sale contracts on a variable basis shall be issued a license by the commissioner of insurance upon application therefor and payment of a \$2 fee, which license shall expire on May 31, 1970, unless renewed by an insurer as provided in paragraph ((A)) (1).

((3)) (c) Any person who holds a valid license to solicit and sell life insurance and annuity contracts may solicit and sell contracts on a variable basis without acquiring a license under this subdivision if the contract is based on an account which is excluded from the definition of investment company under the Investment Company Act of 1940, 15 U.S.C. 80a-3(11).

((C)) (3) [RULES.] The commissioner may by rules waive or modify any of the foregoing requirements or prescribe additional requirements deemed necessary for the proper sale and solicitation of contracts on a variable basis.

Sec. 2. [APPLICABILITY.]

Section 1 applies to contracts on a variable basis delivered, issued for delivery, renewed or amended on or after August 1, 1982."

Renumber the section

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing certain exceptions to variable contract license requirements; amending Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivision 13;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1868, A bill for an act relating to local government aid; requiring a portion of sales tax collections to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1869, A bill for an act relating to local government aid; requiring a portion of the state general fund to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; authorizing the delay of 1982 aid payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1871, A bill for an act relating to education and public data on individuals; requiring the disclosure of names, addresses, telephone numbers and dates of birth of students in secondary schools to recruiting officers for any branch of the United States armed forces unless the parents request in writing that the information not be released; requiring certain procedures to be followed prior to release; restricting the dissemination of disclosed information; amending Minnesota Statutes 1980, Section 15.1693, Subdivision 2, and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 15.1693, Subdivision 2, is amended to read:

Subd. 2. Except as provided in (SUBDIVISION) subdivisions 4 and 5, educational data is private data on individuals and shall not be disclosed except as follows:

- (a) Pursuant to section 15.163;
- (b) Pursuant to a valid court order;
- (c) Pursuant to a statute specifically authorizing access to the private data;
- (d) To disclose information in health and safety emergencies pursuant to the provisions of 20 U.S.C., Section 1232g(b)(1)(I) and 45 C.F.R., Section 99.36 which are in effect on July 1, 1979;
- (e) Pursuant to the provisions of 20 U.S.C., Sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and 45 C.F.R., Sections 99.31, 99.32, 99.33, 99.34 and 99.35 which are in effect on July 1, 1979; or
- (f) To appropriate health authorities but only to the extent necessary to administer immunization programs.

Sec. 2. Minnesota Statutes 1980, Section 15.1693, is amended by adding a subdivision to read:

Subd. 5. [RELEASE TO ARMED FORCES RECRUITERS.]

(a) The responsible authority shall release the names, addresses, telephone numbers and dates of birth of students attending secondary school to a recruiting officer for any branch of the United States armed forces who requests the information.

(b) Prior to the release of the information in clause (a), the school board shall give, by mailing to the parent or the student who is over 18 years of age, notice of the categories of personally identifiable information which is to be released, including the right of the parent or the student who is over 18 years of age to refuse to permit the release, and the period of time within which a parent or a student who is over 18 years of age must inform the responsible authority in writing that the information is not to be released with respect to that student.

(c) The responsible authority may require the recruiting officer to pay the cost of mailing the notice required in clause (b) and to pay the actual cost of making and compiling the information in clause (a).

(d) The recruiting officer shall use the information in clause (a) to provide information regarding military service to students and shall not use it for any other purpose or release the informa-

tion to any person or organization other than individuals within the recruiting services of the United States armed forces.

(e) Release of information under this subdivision shall not require the responsible authority to release the information to any other person or organization.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1885, A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.

Reported the same back with the following amendments:

Page 1, line 9, delete "adopted" and insert "in effect"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kostohryz from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1890, A bill for an act relating to the city of Brooklyn Center; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program.

Reported the same back with the following amendments:

Page 2, line 31, before the period insert "; provided, however, that the regulations shall incorporate the gross income and purchase price limitations established in section 462C.03, subdivisions 2 and 3"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kostohryz from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1897, A bill for an act relating to the state agricultural society; updating and clarifying certain powers and duties of the society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; and 37.22; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

Reported the same back with the following amendments:

Page 7, line 20, delete "Ramsey" and insert "any"

Page 7, line 20, after "or" delete "any"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1904, A bill for an act relating to local government; permitting the establishment of special service districts; providing taxing and other financial authority; proposing new law coded as Minnesota Statutes, Chapter 429A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [429A.01] [DEFINITIONS.]

Subdivision 1. For the purpose of this act the terms defined in this section have the following meanings.

Subd. 2. "Municipality" means any city however organized.

Subd. 3. "Special services" means all services rendered or contracted for by a municipality which directly or indirectly benefit the property subject to a tax or service charge pursuant to section 3 or 7. Special services shall specifically include, but not be limited to, (a) the repair, maintenance, operation and construction of any improvements authorized by section 429.021; (b) parking services rendered or contracted for by a municipality; (c) services promoting or advertising commercial activity

within a special service district, and (d) any other service provided to the public by a municipality authorized by any law or charter provision to provide the service, if the governing body of the municipality determines provision of the services to be in the public interest. Special services shall not include services which are ordinarily provided throughout the municipality from general fund revenues of the municipality unless the service is provided in the special service district in an increased level in comparison with the remainder of the municipality.

Subd. 4. "Special service district" means a defined area within a municipality in which special services are rendered and the costs of the special services are paid from revenues collected from taxes and service charges imposed within that area. The boundaries of a special service district may not be contiguous with the boundaries of the municipality.

Sec. 2. [429A.02] [ESTABLISHMENT OF SPECIAL SERVICE DISTRICT.]

Subdivision 1. [ORDINANCE.] The governing body of a municipality may adopt an ordinance establishing a special service district. The ordinance shall describe with particularity the area within the municipality to be included in the district and the special services to be furnished within the district. The ordinance may not be adopted nor taxes levied or service charges imposed pursuant to section 3 or 7 until after a public hearing has been held on the question.

Subd. 2. [CONTENTS OF NOTICE.] (1) Notice of the hearing shall include:

(a) The time and place of hearing;

(b) A map showing the boundaries of the area;

(c) A statement that all persons owning property in the proposed special service district will be given opportunity to be heard at the hearing; and

(d) The nature and character of the special services to be rendered in the special service district.

(2) In the case of a notice of hearing to levy a tax or impose service charges, the notice shall additionally include:

(a) That ad valorem taxes are proposed to be levied or other taxes or service charges imposed;

(b) The maximum rate of taxes to be extended or the maximum service charge to be imposed; and

(c) *The estimated cost of improvements to be paid for in whole or in part by taxes or service charges imposed pursuant to this section or section 7, the estimated cost of operating and maintaining the improvements during the first year after completion of the improvements, and the proposed method and source of financing the improvements and the annual cost of operating and maintaining the improvements.*

Subd. 3. [NOTICE.] Notice of the hearing shall be given by publication in two issues of the official newspaper of the municipality. The two publications shall be a week apart and the hearing shall be held at least three days after the last publication. Not less than ten days before the hearing, notice shall also be mailed to the owner of each parcel within the area proposed to be included in the special service district. For the purpose of giving mailed notice, owners shall be those shown on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Other records may be used to supply the necessary information. For properties which are tax exempt or subject to taxation on a gross earnings basis in lieu of property tax and are not listed on the records of the county auditor or the county treasurer, the owners shall be ascertained by any practicable means and mailed notice given them. At the public hearing any person affected by the proposed special services district may be heard orally in respect to any issues embodied in the notice. The hearing may be adjourned from time to time and the ordinance establishing the special services district may be adopted at any time within six months after the date of the conclusion of the hearing by a vote of the majority of the governing body of the municipality.

Sec. 3. [429A.03] [RATE OF TAX; NOTICE AND HEARING REQUIREMENTS.]

Subdivision 1. [TAXES; HEARING.] Ad valorem taxes may be levied on taxable property or service charges may be imposed by the municipality within the special service district at a rate or amount sufficient to produce revenues required to provide special services within the district. For purposes of determining the appropriate mill rate, taxable property or value shall be determined without regard to captured or original assessed value under section 273.76 or to the distribution or contribution value under section 473F.08. Prior to the levy of taxes or imposition of service charges in a special services district, for each calendar year notice shall be given and hearing shall be held pursuant to section 2. Provided that in the case of ad valorem taxes or service charges, if the municipality does not increase the amount levied or assessed from the preceding year, notice of the hearing need not be mailed to property owners.

Within six months of the public hearing, the municipality may adopt a resolution levying an ad valorem tax or imposing a

service charge within the special services district at a rate not exceeding the maximum rate expressed in the notice issued pursuant to this section.

Subd. 2. [EXEMPTION OF CERTAIN PROPERTIES FROM TAXES.] *Property exempted from taxation by section 272.02, shall be exempted from any ad valorem taxes imposed pursuant to this act.*

Subd. 3. [EXCLUSION FROM HOMESTEAD CREDIT.] *Taxes levied under this section shall not be reduced pursuant to section 273.13, subdivisions 6, 7, 7d, or 14a. State reimbursement pursuant to section 273.139 shall not apply to any taxes levied pursuant to this chapter.*

Sec. 4. [429A.04] [ENLARGEMENT OF SPECIAL SERVICE DISTRICTS.]

Boundaries of a special service area may be enlarged only after hearing and notice as provided in sections 2 and 3. Notice shall be served in the original special service district and in the area proposed to be added to the special service district. Property added to the district shall be subject to all ad valorem taxes levied and service charges imposed within the district after the property becomes a part of the district.

Sec. 5. [429A.05] [COLLECTION OF TAXES.]

Ad valorem taxes levied within a special service district shall be collected and paid over as other taxes, but shall be spread only upon the property described in the ordinance. Service charges imposed shall be collected as provided by ordinance. Ad valorem taxes levied pursuant to this chapter shall be remitted directly to the municipality notwithstanding section 273.76 and chapter 473F.

Sec. 6. [429A.06] [BONDS.]

At any time after a contract for the construction of all or part of an improvement authorized pursuant to this chapter has been entered into or the work has been ordered done by day labor, the governing body may issue obligations in the amount it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement, including every item of cost from inception to completion and all fees and expenses incurred in connection with the improvement or its financing. The obligations shall be payable primarily out of the proceeds of the tax levied pursuant to section 3. The governing body may also pledge to the payment of the bonds all or a specified portion of the revenues derived from any tax levied pursuant to section 7. The governing body may, by resolution adopted prior to the sale of obligations, pledge the full faith, credit and taxing power of the

municipality to assure payment of the principal and interest if the proceeds of the tax levy in the district are insufficient to pay the principal and interest. Obligations shall be issued in accordance with chapter 475, except that the amount of the obligations shall not be included in determining the net indebtedness of the municipality under the provisions of any law or charter limiting indebtedness.

Sec. 7. [429A.07] [OTHER TAXES.]

Notwithstanding chapter 477A or any other law and in addition to the taxes and service charges authorized by section 3, the governing body of a municipality may by ordinance impose taxes on the gross receipts from the sale of intoxicating liquors and fermented malt beverages, on the gross receipts of restaurants which serve food and liquor and on gross receipts from the furnishing for consideration of transient lodging, parking, admissions, or amusements within a special service district established under section 2. Notice and hearing on an ordinance imposing taxes authorized by this section shall be held pursuant to section 3. Taxes imposed pursuant to this section on gross receipts which are also subject to the state general sales tax imposed by chapter 297A, shall be collected by the commissioner of revenue along with the state general sales tax imposed by chapter 297A, at the same time, in the same manner, and subject to the same rules and the same interests and penalties for non-payment. The commissioner shall adopt rules as necessary to make practicable the collection and disbursement of the tax imposed pursuant to this section with the state sales tax. The state shall, after deducting the costs of collection, distribute the net amount of each tax to the city in which the special service district is located. The governing body may by ordinance provide for the collection of service charges and taxes, other than taxes on gross receipts subject to the state general sales tax, imposed by this section. The proceeds of any taxes levied pursuant to this section may only be used to provide special services in the special service district. No tax may be imposed by a municipality pursuant to this section on admissions which are taxed by the metropolitan sports facilities commission.

Sec. 8. [429A.08] [LEVY LIMIT EXCEPTION.]

Taxes and service charges imposed pursuant to this act shall not be included in the calculation of levies or limits on levies provided by other law or home rule charter provision.

Sec. 9. [429A.09] [ADVISORY BOARD.]

The governing body of a municipality may create and appoint an advisory board for each special service district in the municipality to advise the governing body in connection with the construction, maintenance and operation of improvements and the furnishing of special services in a special service district.

The advisory board shall make recommendations to the governing body on the requests and complaints of owners, occupants and users of property within the special service district and members of the public. Prior to the adoption of any proposal by the governing body to provide services or impose taxes or service charges within the special service district, the advisory board of the special service district shall review and comment upon such proposal. Each advisory board shall be appointed at least 30 days prior to the date of a public hearing on the ordinance proposing the establishment of the special service district. Seventy-five percent of the members of each advisory board shall be owners or occupants of property located in the special service district or their representatives. If, following the adoption of the special service district boundaries, the advisory board does not contain at least 75 percent members who are owners or occupants of property located in the district or their representatives, the governing body shall dismiss or appoint advisory board members as necessary to assure 75 percent representation of owners or occupants of district properties. Each advisory board may elect an executive secretary, who need not be a member of the board, to keep its minutes, records and correspondence and to communicate with the governing body and other officials and with the owners, occupants and users of property located within the special service district.

Sec. 10. [METROPOLITAN SPORTS FACILITIES COMMISSION LIMITATION.]

A municipality shall not impose taxes or service charges or use the proceeds of taxes or service charges imposed pursuant to section 3 or 7 to pay the metropolitan sports facilities commission any amount due the commission under contract existing on the effective date of this act."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1937, A bill for an act relating to state departments and agencies; transferring the duties of the former department of economic development to the secretary of state; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 5.

Reported the same back with the following amendments:

Page 1, after line 15, insert:

"Sec. 2. [ACCOMPLISHMENT DATE.]

The secretary of state shall report to the governmental operations committees of the senate and house of representatives on the reorganization required by section 1, by February 1, 1983 with the actual transfer of authority to be accomplished on March 1, 1983."

Renumber the section

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Vanasek from the Committee on Criminal Justice to which was referred:

H. F. No. 1954, A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 23, after the period insert: "*Inmates shall not exercise custodial functions over other inmates or serve on the board of directors or hold any executive or administrative position in any private industry or educational program located on the grounds of or conducted within a state correctional facility without the approval of the chief executive officer of the facility.*"

Amend the title as follows:

Page 1, line 2, after the semicolon insert: "limiting certain inmate functions;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1955, A bill for an act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value.

Reported the same back with the following amendments:

Page 1, line 8, after "sections" insert "475.54,"

Page 1, line 12, after "value" insert "*, and such bonds may mature in years and amounts as determined by resolution of the municipality*"

Amend the title as follows:

Page 1, line 4, after "value" insert "and authorizing the maturity schedule to be determined by municipal resolution"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2015, A bill for an act relating to housing and redevelopment authorities; amending the method of determining a quorum when a conflict of interest exists; amending Minnesota Statutes 1981 Supplement, Section 462.432, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 462.432, Subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE.] Before taking an action or making a decision which could substantially affect his financial interests or those of an organization with which he is associated, a commissioner or employee of an authority shall: (a) prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict of interest; and (b) submit the statement to the board of commissioners of the authority, whereupon the disclosure shall be entered upon the minutes of the authority at its next meeting. The disclosure statement shall be submitted no later than one week after the employee or commissioner becomes aware of the potential conflict of interest. However, no disclosure statement shall be required if the effect on the commissioner or employee of the relevant decision or act will be no greater than on other members of his business, profession or occupation or if the effect on the organization with which he is affiliated is indirect, remote and insubstantial. A potential conflict of interest is present if the commissioner or employee knows or has reason to know that the organization with which the commis-

sioner or employee is affiliated is or is reasonably likely to become a participant in a project or development which will be affected by the relevant action or decision. Any individual who knowingly fails to submit a statement required by this subdivision or submits a statement which he knows contains false information or which he knows omits required information is guilty of a gross misdemeanor."

Page 1, line 15, after "interest" insert "*shall not attempt to influence an employee in any matter related to the action or decision in question,*"

Page 1, line 16, strike "in question" and insert a comma

Page 1, lines 17 and 18, delete "*when the authority is*" and insert "*in which the*"

Page 1, line 18, strike "considering such" and before the period insert "*is to be considered. Any individual who knowingly violates this subdivision is guilty of a gross misdemeanor*"

Page 1, after line 18, insert:

"Sec. 3. Minnesota Statutes 1980, Section 462.445, is amended by adding a subdivision to read:

Subd. 10. [AUTHORITIES CREATED PURSUANT TO SPECIAL LAW.] Except as expressly limited by the special law establishing the authority, an authority created pursuant to special law shall have all powers granted by any statute to an authority created pursuant to chapter 462."

Renumber the sections

Amend the title as follows:

Page 1, after line 2, insert "clarifying the need for a conflict of interest disclosure statement;"

Page 1, line 4, after the semicolon insert "providing penalties; granting powers to authorities created pursuant to special laws;"

Page 1, line 4, after "amending" insert "Minnesota Statutes 1980, Section 462.445, by adding a subdivision; and"

Page 1, line 5, delete "Subdivision" and insert "Subdivisions 1 and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2063, A bill for an act relating to public welfare; requiring preadmission screening for patients entering nursing homes from hospitals; requiring hospital discharge planners to attend certain preadmission screening assessments; allowing recipient choice between long term care and alternative care; modifying cost limits for alternative care; amending Minnesota Statutes 1980, Section 256B.091, Subdivisions 2, 4, and 6; and Minnesota Statutes 1981 Supplement, Section 256B.091, Subdivision 8.

Reported the same back with the following amendments:

Page 2, line 6, delete "shall" and insert "may" and after "present" insert "*at the facility's request, participate*"

Page 2, line 9, before "Other" insert "*If the assessment procedure or screening team recommendation results in a delay of the individual's discharge from the acute care facility, the facility shall not be denied reimbursement or incur any other financial or regulatory penalty caused by the individual's extended length of stay.*"

Page 2, line 29, strike "TEAM"

Page 4, line 26, after "exceed" insert "75 percent of"

Amend the title as follows:

Page 1, line 4, delete "requiring" and insert "allowing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2065, A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded, mentally ill, or chemically dependent individuals in order that the procedures are appropriately selected, planned, and implemented with due regard for human rights and needs; establishing a penalty; proposing new law coded in Minnesota Statutes, Chapter 245.

Reported the same back with the following amendments:

Page 2, line 1, delete "*, mentally ill, or chemically dependent*"

Page 2, line 21, after the period insert "*No provision of these rules shall encourage or require the use of aversive and deprivation procedures.*"

Page 2, after line 21, insert:

"(a) May designate public facilities under control of the commissioner as regional centers for the treatment of severe behavior problems that may include aversive, deprivation or related procedures on consumers;

(b) Shall prohibit the application of any aversive or deprivation procedures in private facilities except as authorized and monitored by the designated regional review committees under control of the commissioner;

(c) Shall authorize designated public regional facilities: (1) to provide consultation to private facilities, (2) to approve and monitor the provision of aversive or deprivation procedures listed in subdivision 4(e);"

Reletter remaining clauses

Page 2, line 36, before the semicolon insert "*. Where the facility has an operative interdisciplinary team, that team shall be involved in the system for monitoring and approval of aversive and deprivation procedures*"

Page 3, line 12, delete "*includes, but is not limited to,*" and insert "*should include treatment measures involving*"

Page 3, line 13, before the period insert "*and other appropriate psychological procedures. Aversive and deprivation procedures may be used only when positive procedures are not effective*"

Page 4, line 21, delete "*central review*"

Page 4, delete lines 22 to 26

Page 4, line 27, delete "*knowledgeable in consumers' rights.*" and insert "*regional review committee. The commissioner shall appoint all members of the committee, which shall include two persons qualified to design and administer the procedures specified in this clause, and shall include two consumers or former consumers and an attorney knowledgeable in protection of consumer rights.*"

Amend the title as follows:

Page 1, line 4, delete "*, mentally ill, or*"

Page 1, line 5, delete "chemically dependent"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2074, A bill for an act relating to health; adding a factor for determining whether to regulate a human services occupation; requiring a surcharge on health related licensing board licenses; changing health related licensing board rule review authority; allowing certain practices under rule authority; changing the composition of the human services occupations advisory council; appropriating money; amending Minnesota Statutes 1980, Sections 214.001, Subdivision 2; 214.13, Subdivisions 2 and 3; 214.14, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 214.06, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 20, after the period insert "*The fee will not exceed \$2 or ten percent of the license fee in any fiscal year.*"

Page 3, line 8, reinstate the stricken language

Page 3, line 9, delete "comment"

Page 3, line 10, after the period insert "*If the rules have not been approved by that agency within six months of the proposed rules or if the agency disapproved the rules, the commissioner may promulgate the rules without agency approval.*"

Page 3, line 12, delete the new language

Page 3, delete line 13

Page 3, line 22, delete the new language

Page 3, line 23, delete "contrary,"

Page 3, line 27, after "rules" insert "*provided the person's practice or conduct is authorized by the rules promulgated by the commissioner*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2116, A bill for an act relating to Blue Earth County; permitting county board members to serve on the county housing and redevelopment authority.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2123, A bill for an act relating to public welfare; modifying certain provisions relating to medical assistance; providing for a case management system and competitive bidding procedures; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; allowing certain claims against the homesteads of recipients; altering eligibility standards related to income and liquid assets; amending Minnesota Statutes 1980, Sections 256B.01; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; 510.05; 524.3-805; 525.16; Minnesota Statutes 1981 Supplement, Sections 256.966; 256B.06, Subdivision 1, as amended; 256B.15; and 525.145.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 256B.04, is amended by adding a subdivision to read:

Subd. 14. [COMPETITIVE BIDDING.] The commissioner shall utilize volume purchase through competitive bidding under the provisions of chapter 16, to provide the following items:

- (1) *Eyeglasses;*
- (2) *Hearing aids and supplies; and*
- (3) *Durable medical equipment, including but not limited to:*
 - (a) *hospital beds;*
 - (b) *commodes;*

- (c) *glide-about chairs;*
- (d) *patient lift apparatus;*
- (e) *wheelchairs and accessories;*
- (f) *oxygen;*
- (g) *oxygen administration equipment;*
- (h) *respiratory therapy equipment; and*
- (i) *electronic diagnostic, therapeutic and life support systems.*

Sec. 2. Minnesota Statutes 1980, Section 256B.05, Subdivision 2, is amended to read:

Subd. 2. In administering the medical assistance program, no county welfare department shall pay a fee or charge for medical, dental, surgical, hospital, nursing, licensed nursing home care, medicine, or medical supplies in excess of the schedules of maximum fees and charges as established by the state agency. (THE MAXIMUM FEE SCHEDULE FOR PHYSICIANS SHALL BE THE USUAL AND CUSTOMARY FEE.)

Sec. 3. Minnesota Statutes 1980, Section 256B.06, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any law to the contrary, a migrant (AGRICULTURAL) worker who meets all of the eligibility requirements of this section other than that he has a permanent place of abode in another state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application.

Sec. 4. Minnesota Statutes 1980, Section 256B.14, is amended to read:

256B.14 [RELATIVE'S RESPONSIBILITY.]

Subdivision 1. [IN GENERAL.] Subject to the provisions of section 256B.06, (THE FINANCIAL RESPONSIBILITY OF A RELATIVE FOR AN APPLICANT OR RECIPIENT OF MEDICAL ASSISTANCE SHALL NOT EXTEND BEYOND THE RELATIONSHIP OF A SPOUSE, OR A PARENT OF AN APPLICANT WHO IS UNDER 18 YEARS OF AGE) responsible relative means the spouse or parent of a recipient of medical assistance, if the recipient is less than 18 years old.

Subd. 2. [ACTIONS TO OBTAIN PAYMENT.] The state agency shall promulgate rules to determine the ability of responsible relatives to contribute partial or complete repayment of medical assistance furnished to recipients for whom they are responsible. These rules shall not require repayment when payment would cause undue hardship to the responsible relative or his or her immediate family. The county agency shall give the responsible relative notice of the amount of such repayment. If the state agency or county agency finds that notice of the payment obligation was given to the responsible relative, but that such relative failed or refused to pay, there shall exist a cause of action against the responsible relative for that portion of medical assistance granted after notice was given to the responsible relative, which the relative was determined able to pay.

The action may be brought by the state agency or the county agency in the county where assistance was granted, for the assistance, together with the costs of disbursements of the action.

In addition to granting the county or state agency a money judgment, the court may, upon a motion or order to show cause, order continuing contributions by a responsible relative found able to repay the county or state agency. The order shall be effective only for the period of time during which the recipient receives medical assistance from the county or state agency.

Sec. 5. Minnesota Statutes 1980, Section 256B.19, Subdivision 1, is amended to read:

Subdivision 1. The cost of medical assistance paid by each county of financial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. Ninety percent of the expense of assistance not paid by federal funds available for that purpose shall be paid by the state and ten percent shall be paid by the county of financial responsibility.

For counties where health maintenance organizations are under contract to the state to provide services to medical assistance recipients, the division of the nonfederal share of medical assistance expenses for payments made to health maintenance organizations in the form of prepaid capitation payments shall be 95 percent by the state and five percent by the county of financial responsibility.

State contracts with health maintenance organizations shall assure medical assistance recipients of at least the comprehensive health maintenance services defined in section 62D.02, subdivision 7. Such contracts shall require health maintenance

organizations to provide information concerning the number of people receiving services, the number of encounters, the type of services received, evidence of an operational quality assurance program pursuant to section 62D.04 and information about utilization. Persons who become eligible for medical assistance after July 1, 1982 and who choose to receive services from a health maintenance organization under contract to the state pursuant to this section shall be guaranteed six months medical assistance eligibility.

The commissioner of public welfare shall seek a waiver to charge a coinsurance fee to recipients of medical assistance who become eligible for medical assistance benefits after July 1, 1982 and who choose not to receive the benefits of a health maintenance organization contracted for by the state pursuant to this section. The coinsurance fee shall be limited to the maximum monthly charge allowed by 42 CFR, sections 447.50 to 447.59, as amended through December 31, 1981.

Sec. 6. Minnesota Statutes 1980, Section 256B.27, Subdivision 3, is amended to read:

Subd. 3. The commissioner of public welfare, with the written consent of the recipient, shall be allowed access to all personal medical records of medical assistance recipients solely for the purposes of investigating whether or not: (a) a vendor of medical care has submitted a claim for reimbursement, a cost report or a rate application which the vendor knows to be false in whole or in part; or (b) the medical care was medically necessary. The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to such records. (TO THE EXTENT FEASIBLE, THE COMMISSIONER SHALL CONTRACT WITH A REVIEW ORGANIZATION, AS DEFINED IN SECTION 145.61, IN DETERMINING WHETHER OR NOT THE MEDICAL CARE PROVIDED WAS MEDICALLY NECESSARY) *The determination of abuse or provision of services not medically necessary shall be made by the commissioner in consultation with a review organization as determined in section 145.61 or other advisory committees of vendors as appointed by the commissioner on the recommendation of appropriate professional organizations. Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of public welfare pursuant to this section.*

Sec. 7. Minnesota Statutes 1981 Supplement, Section 256.966, is amended to read:

256.966 [MEDICAL CARE PAYMENTS; ALLOWABLE INCREASE IN COST PER SERVICE UNIT.]

Subdivision 1. [IN GENERAL.] For the biennium ending June 30, 1983, the annual increase in the cost per service unit paid to any vendor under medical assistance and general assistance medical care shall not exceed eight percent. The period for measuring growth shall be the state fiscal year.

Subd. 2. [HEALTH MAINTENANCE ORGANIZATIONS.] Notwithstanding the provisions of subdivision 1, rates paid to health maintenance organizations may increase beyond eight percent. The actual rate paid per month to health maintenance organizations shall not exceed 85 percent of the average monthly per capita fee for service payments made on behalf of eligible recipients who qualify to be members of the health maintenance organization who choose not to be members. Rates shall be calculated by the department of public welfare.

Sec. 8. [APPROPRIATION; REPORT.]

The sum of \$25,000 is appropriated from the general fund to the commissioner of public welfare for the biennium ending July 1, 1983 to implement and coordinate the state, county, and health maintenance organization administrative arrangements required in section 6 and to prepare a report to the legislature by January 15, 1984 on the cost effectiveness of the program.

Sec. 9. [EFFECTIVE DATE.]

Sections 2, 6, and 7, are effective the day following final enactment. Sections 3, 5, 8 and 9 are effective July 1, 1982.

Amend the title as follows:

Page 1, line 4, delete "a case management system and"

Page 1, line 7, delete "allowing certain" and insert "appropriating money;"

Page 1, delete lines 8 and 9

Page 1, line 10, delete "assets;"

Page 1, line 11, delete "256B.01;"

Page 1, line 13, delete "510.05;" and insert "and"

Page 1, line 14, delete "524.3-805; 525.16;"

Page 1, line 15, delete "Sections" and insert "Section"

Page 1, line 15, delete "; 256B.06 Subdivision 1, as amended"

Page 1, line 16, delete "256B.15; and 525.145"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 2130, A bill for an act relating to transportation; establishing a highway maintenance cost containment council.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2177, A bill for an act relating to Yellow Medicine County; providing for the consolidation of the offices of county auditor and treasurer.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1572, 1684, 1697, 1707, 1713, 1736, 1747, 1748, 1794, 1809, 1867, 1871, 1885, 1890, 1897, 1954, 1955, 2015, 2116, 2130 and 2177 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lehto and Munger introduced:

H. F. No. 2230, A bill for an act relating to the city of Duluth; authorizing the sale of bonds to finance the purchase of certain equipment without an election.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Greenfield and Staten introduced:

H. F. No. 2231, A bill for an act relating to public welfare; providing for the establishment of a state foster care advisory council and local review boards under the jurisdiction of juvenile judges; prescribing conditions of membership and duties of board members; requiring agency cooperation; providing for the adoption of supreme court rules; setting limitations; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 260.

The bill was read for the first time and referred to the Committee on Health and Welfare.

McDonald introduced:

H. F. No. 2232, A bill for an act relating to boxing; regulating certain boxing contests; amending Laws 1982, Chapter 375, Section 2.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, McDonald moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2232 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 42 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	Ludeman	Piepho	Sviggum
Ainley	Halberg	Luknic	Redalen	Valan
Dempsey	Heinitz	McDonald	Rothenberg	Valento
Drew	Hokr	Mehrkens	Schafer	Welker
Erickson	Jennings	Nelsen, B.	Schreiber	Wieser
Esau	Kaley	Niehaus	Searles	Wigley
Ewald	Laidig	Nysether	Sherman	
Fjoslien	Lemen	Olsen	Sherwood	
Forsythe	Levi	Peterson, B.	Stowell	

Those who voted in the negative were:

Anderson, B.	Berkelman	Carlson, L.	Eken	Gruenes
Anderson, G.	Blatz	Clark, J.	Elioff	Hanson
Anderson, I.	Brandl	Clawson	Ellingson	Harens
Rattaglia	Brinkman	Dahlvang	Evans	Hauge
Begich	Byrne	Den Ouden	Greenfield	Himle

Hokanson	McEachern	Osthoff	Sarna	Tomlinson
Jacobs	Metzen	Otis	Schoenfeld	Vanasek
Johnson, C.	Minne	Peterson, D.	Shea	Vellenga
Jude	Munger	Pogemiller	Sieben, M.	Voss
Kelly	Murphy	Reding	Simoneau	Weaver
Lehto	Norton	Rees	Skoglund	Welch
Long	Novak	Rodriguez, C.	Staten	Wynia
Mann	O'Connor	Rodriguez, F.	Stumpf	Zubay
McCarron	Onnen	Samuelson	Swanson	Spkr. Sieben, H.

The motion did not prevail.

H. F. No. 2232 was referred to the Committee on Regulated Industries.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

Clawson; Anderson, I.; Brandl; Anderson, B., and Vanasek introduced:

H. F. No. 2233, A bill for an act relating to taxation; imposing an excise tax on the extraction of oil; proposing new law coded in Minnesota Statutes, Chapter 298.

The bill was read for the first time and referred to the Committee on Taxes.

Elioff; Begich; Battaglia; Anderson, I., and Minne introduced:

H. F. No. 2234, A bill for an act relating to taxation; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 298.225; and 298.24, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Piepho, Reding, Wigley, Esau and Dempsey introduced:

H. F. No. 2235, A bill for an act relating to regional development; abolishing regional development commissions; repealing Minnesota Statutes 1980, Sections 462.381; 462.382; 462.383; 462.384, as amended; 462.385, as amended; 462.386, as amended; 462.387, as amended; 462.388; 462.389; 462.39, as amended; 462.391, as amended; 462.392; 462.393; 462.394; 462.395, as amended; 462.396, as amended; 462.397; and 462.398, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Murphy introduced:

H. F. No. 2236, A bill for an act relating to game and fish; authorizing non-tribal member residents of the Fond du Lac Indian reservation to hunt within the reservation; amending Minnesota Statutes 1980, Section 98.45, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Gruenes and Marsh introduced:

H. F. No. 2237, A bill for an act relating to retirement; St. Cloud firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kalis introduced:

H. F. No. 2238, A bill for an act relating to rural development; changing the purposes of rural development financing authorities; amending Minnesota Statutes 1980, Section 362A.01, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Swanson, Welch, Heinitz, Kaley and Carlson, L., introduced:

H. F. No. 2239, A bill for an act relating to crimes; prohibiting false representation as a licensed health care professional; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Dahlvang, Simoneau and Norton introduced:

H. F. No. 2240, A bill for an act relating to state government; providing for chiropractic positions in state government civil service; providing for the provision of chiropractic services; proposing new law coded in Minnesota Statutes, Chapters 43A and 148.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Otis introduced :

H. F. No. 2241, A bill for an act relating to taxation ; requiring assessors to consider certain factors in the valuation of property ; amending Minnesota Statutes 1981 Supplement, Section 273.11, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel and Samuelson introduced :

H. F. No. 2242, A bill for an act relating to taxation ; providing for reimbursement to local units of government for certain tax-exempt lands ; appropriating money ; amending Minnesota Statutes 1980, Sections 477A.11, by adding a subdivision ; 477A.12 ; and 477A.14.

The bill was read for the first time and referred to the Committee on Taxes.

Stumpf ; Eken ; Anderson, G. ; Anderson, B., and Stadum introduced :

H. F. No. 2243, A bill for an act relating to economic development ; recognizing the problems of distressed border cities ; directing the department of energy, planning and development to identify border city equalization zones and disparity relief measures.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Welch ; Clawson ; Carlson, D., and McEachern introduced :

H. F. No. 2244, A bill for an act relating to real property ; changing certain restrictions on corporate ownership of agricultural land ; amending Minnesota Statutes 1981 Supplement, Section 500.24, Subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture.

Jude introduced:

H. F. No. 2245, A bill for an act relating to real property; providing that covenants, conditions, restrictions or extensions thereof annexed to a grant, devise or conveyance of land that are or become nominal shall not operate as a basis of forfeiture; removing a time limitation on the duration of covenants, conditions and restrictions; amending Minnesota Statutes 1980, Section 500.20, Subdivision 1; repealing Minnesota Statutes 1980, Section 500.20, Subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Staten, Rose, O'Connor, Laidig and Clark, J., introduced:

H. F. No. 2246, A bill for an act relating to corrections; providing for chiropractic services to persons confined in correctional institutions; amending Minnesota Statutes 1981 Supplement, Section 241.021, Subdivision 4.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Peterson, D.; Hokanson; Pogemiller; Forsythe and Olsen introduced:

H. F. No. 2247, A bill for an act relating to family; authorizing release of information for location of certain parents of deserted children; amending Minnesota Statutes 1980, Section 256.978.

The bill was read for the first time and referred to the Committee on Judiciary.

Jude introduced:

H. F. No. 2248, A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1982 regular session and the third special session of 1981; amending Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 7, as amended.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Kostohryz and Peterson, D., introduced:

H. F. No. 2249, A bill for an act relating to appropriations; appropriating money to the housing development fund for certain purposes.

The bill was read for the first time and referred to the Committee on Appropriations.

Kostohryz, Evans, Reding, Redalen and Anderson, I., introduced:

H. F. No. 2250, A bill for an act relating to commerce; establishing a Minnesota racing commission; legalizing the parimutuel system of wagering; authorizing the racing commission to issue a parimutuel track license and parimutuel racing license; providing supervision; prescribing penalties; establishing a certain tax; proposing new law coded as Minnesota Statutes, Chapter 325H.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

The following House Advisories were introduced:

Greenfield; Swanson; Clark, J., and Byrne introduced:

H. A. No. 53, A proposal to study the impact of cutbacks in general assistance and general assistance medical care.

The advisory was referred to the Committee on Health and Welfare.

Hoberg, Valan, Stadum, Eken and Stumpf introduced:

H. A. No. 54, A proposal relating to the distressed and border cities; to identify border city equalization zones and appropriate disparity relief measures.

The advisory was referred to the Committee on Local and Urban Affairs.

Lehto, Munger, Berkelman, Gustafson and Rees introduced:

H. A. No. 55, A proposal to require the Appropriations Committee to examine the feasibility of the Duluth Air Force Facility for a women's correctional facility.

The advisory was referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 749, A bill for an act relating to real property; providing a fee for issuing noncertified copies of instruments or parts of instruments on file in the office of the registrar of titles; amending Minnesota Statutes 1980, Section 508.82.

H. F. No. 1574, A bill for an act relating to Independent School District No. 084, Sleepy Eye; requiring revision of its certified statutory operating debt.

H. F. No. 1614, A bill for an act relating to Independent School District No. 708; requiring certification of statutory operating debt.

H. F. No. 1724, A bill for an act relating to Independent School District No. 507, Nicollet; authorizing a transfer of funds collected by referendum levy to reduce statutory operating debt.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1637, A bill for an act relating to the standard of time; providing that the Minnesota standard of time conform to the federal standard of time; amending Minnesota Statutes 1980, Section 645.071.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a new Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 678, A bill for an act relating to elections; changing certain election procedures, requirements and time limits; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 1; 202A.26, Subdivision 1; 203A.22, Subdivision 4; 203A.31,

Subdivisions 1 and 3; 203A.32; 204A.04, Subdivision 1; 204A.13, Subdivision 1; 204A.17, Subdivision 1; 204A.53, Subdivision 2; 204A.54, Subdivision 1; 205.03, Subdivisions 1 and 3; 207.03, Subdivision 1; 207.04, Subdivision 1; and 207.20, Subdivision 1; repealing Minnesota Statutes 1980, Sections 201.091, Subdivision 5; and 202A.54.

The Senate has appointed as such committee Messrs. Schmitz, Stumpf and Pillsbury.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1139, A bill for an act relating to courts; providing for certain reorganization in the court system in the state; providing that the second and fourth judicial district courts shall also be probate courts; creating certain judicial positions to be filled by election; raising the jurisdictional limit in county and county municipal court; providing the county and county municipal court with gross misdemeanor jurisdiction; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; authorizing the judges of the courts within each judicial district to elect to form one unified court; creating an appellate division of the district court; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, and by adding a subdivision: 260.031, Subdivision 1; 484.01; 484.70, Subdivision 1, and by adding subdivisions; 487.08, Subdivisions 2 and 3; 487.15; 487.16; 487.18; 488A.01, Subdivisions 4, 6 and 8; 488A.18, Subdivisions 4, 7, 9 and 13; 488A.27, Subdivision 11; 525.10; proposing new law coded in Minnesota Statutes, Chapter 484; proposing new law coded as Minnesota Statutes, Chapter 484A; repealing Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 525.04; and Laws 1978, Chapter 750, Section 6.

The Senate has appointed as such committee Messrs. Tennesen; Peterson, D. L.; Peterson, R. W.; Davies and Sikorski.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a new Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 353, A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 561.

The Senate has appointed as such committee Messrs. Menning, Penny, Luther, Sieloff and Renneke.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1538, A bill for an act relating to peace officers; providing for appointment of peace officers, constables and deputy constables in towns; requiring towns to notify the peace officers standards and training board before employing law enforcement officers; amending Minnesota Statutes 1980, Sections 367.03, Subdivisions 1, 2, and 3; 367.22; 367.40, Subdivisions 3 and 4; 367.41; Minnesota Statutes 1981 Supplement, Section 367.42, Subdivision 1; repealing Minnesota Statutes 1981 Supplement, Section 382.28.

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Wegener, Rued and Lessard.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lehto moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1538. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1424, 1582, 1695, 1756 and 1721.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1567.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1521, 1644, 1648, 1878, 2095 and 2126.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1424, A bill for an act relating to insurance; regulating minimum nonforfeiture benefits and reserves of life insurance policies and annuity contracts; modifying the definitions of "insolvent insurer" and "covered claim" for purposes of the insurance guaranty association act; amending Minnesota Statutes 1980, Sections 61A.24, Subdivisions 2, 4, 6, 9, 10, 11, 12, 13, 14, and by adding subdivisions; 61A.25, Subdivisions 3, 3a, 4, 5, 7, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Sections 60C.03, Subdivision 8; and 60C.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1567, A bill for an act relating to judicial procedures; providing an alternative time for a guardian or conservator to file an annual report; amending Minnesota Statutes 1981 Supplement, Section 525.58, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1582, A bill for an act relating to port authorities; authorizing seaway port authorities to establish a fiscal year based on the season for international shipping through the St. Lawrence Seaway; amending Minnesota Statutes 1981 Supplement, Section 458.14.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Berkelman moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1582 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Berkelman moved that the rules of the House be so far suspended that S. F. No. 1582 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1582 was read for the second time.

S. F. No. 1582, A bill for an act relating to port authorities; authorizing seaway port authorities to establish a fiscal year based on the season for international shipping through the St. Lawrence Seaway; amending Minnesota Statutes 1981 Supplement, Section 458.14.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Ainley	Evans	Kvam	O'Connor	Sherman
Anderson, B.	Ewald	Laidig	Ogren	Sherwood
Anderson, G.	Fjoslien	Lehto	Olsen	Sieben, M.
Anderson, I.	Forsythe	Lemen	Onnen	Simoneau
Battaglia	Frerichs	Levi	Otis	Skoglund
Begich	Greenfield	Long	Peterson, B.	Staten
Berkelman	Gruenes	Ludeman	Peterson, D.	Stowell
Blatz	Gustafson	Luknic	Piepho	Stumpf
Brandl	Halberg	Mann	Pogemiller	Sviggum
Brinkman	Hanson	Marsh	Redalen	Swanson
Byrne	Harens	McCarron	Reding	Tomlinson
Carlson, D.	Hauge	McDonald	Rees	Valan
Carlson, L.	Haukoos	McEachern	Reif	Valento
Clark, J.	Heinitz	Mehrkins	Rice	Vanasek
Clawson	Himle	Metzen	Rodriguez, C.	Vellenga
Dahlvang	Hoberg	Minne	Rodriguez, F.	Voss
Dempsey	Hokanson	Munger	Rothenberg	Weaver
Den Ouden	Jacobs	Murphy	Samuelson	Welch
Drew	Jennings	Nelsen, B.	Sarna	Welker
Eken	Johnson, C.	Nelson, K.	Schafer	Wenzel
Elioff	Jude	Niehaus	Schoenfeld	Wigley
Ellingson	Kaley	Norton	Schreiber	Wynia
Erickson	Kelly	Novak	Searles	Zubay
Esau	Knickerbocker	Nysether	Shea	Spkr. Sieben, H.

The bill was passed and its title agreed to.

FIRST READING OF SENATE BILLS, Continued

S. F. No. 1756, A bill for an act relating to Independent School District No. 699; requiring certification of statutory operating debt.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Elioff moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1756 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Elioff moved that the rules of the House be so far suspended that S. F. No. 1756 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1756 was read for the second time.

S. F. No. 1756, A bill for an act relating to Independent School District No. 699; requiring certification of statutory operating debt.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Ainley	Eken	Heinitz	Mann	Onnen
Anderson, B.	Elioff	Himle	Marsh	Osthoff
Anderson, G.	Ellingson	Hoberg	McCarron	Otis
Anderson, I.	Erickson	Hokanson	McDonald	Peterson, B.
Battaglia	Esau	Jacobs	McEachern	Peterson, D.
Begich	Evans	Jennings	Mehrrens	Piepho
Berkelman	Ewald	Johnson, C.	Metzen	Pogemiller
Blatz	Fjoslien	Jude	Minne	Redalen
Brandl	Forsythe	Kaley	Munger	Reding
Brinkman	Frerichs	Kelly	Murphy	Rees
Byrne	Greenfield	Knickerbocker	Nelsen, B.	Reif
Carlson, D.	Gruenes	Kostohryz	Nelson, K.	Rice
Carlson, L.	Gustafson	Kvam	Niehaus	Rodriguez, C.
Clark, J.	Halberg	Laidig	Norton	Rodriguez, F.
Clawson	Hanson	Lehto	Novak	Rose
Dahlvang	Harens	Levi	Nysether	Rothenberg
Dempsey	Hauge	Long	O'Connor	Samuelson
Den Ouden	Haukoos	Ludeman	Ogren	Sarna
Drew	Heap	Luknic	Olsen	Schafer

Schoenfeld	Sieben, M.	Sviggum	Vellenga	Wieser
Schreiber	Simoneau	Swanson	Voss	Wigley
Searles	Skoglund	Tomlinson	Weaver	Wynia
Shea	Staten	Valan	Welch	Zubay
Sherman	Stowell	Valento	Welker	Spkr. Sieben, H.
Sherwood	Stumpf	Vanasek	Wenzel	

The bill was passed and its title agreed to.

FIRST READING OF SENATE BILLS, Continued

S. F. No. 1521, A bill for an act relating to crimes; defining "complainant" for purposes of criminal sexual misconduct offenses; amending Minnesota Statutes 1980, Section 609.341, Subdivision 13.

The bill was read for the first time.

Dempsey moved that S. F. No. 1521 and H. F. No. 1687, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1644, A bill for an act relating to securities; removing the exemption from filing fees for an agent who is a primary officer, partner, or director of a licensed broker-dealer; amending Minnesota Statutes 1981 Supplement, Section 80A.28, Subdivision 2.

The bill was read for the first time.

Heap moved that S. F. No. 1644 and H. F. No. 1830, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1648, A bill for an act relating to nonprofit corporations; providing an internal reference correction; providing for the conduct of meetings by telephone; amending Minnesota Statutes 1980, Sections 317.16, Subdivision 2; 317.20, Subdivision 8; and 317.22, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1878, A bill for an act relating to state historic sites; the Old Federal Courts building; amending Minnesota Statutes 1980, Section 138.56, Subdivision 7.

The bill was read for the first time.

Kelly moved that S. F. No. 1878 and H. F. No. 1812, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1695, A bill for an act relating to historic sites; adding the Consumers Pure Ice and Storage Company Building

in St. Cloud to the registry of state historic sites; amending Minnesota Statutes 1980, Section 138.58, by adding a subdivision.

The bill was read for the first time.

Marsh moved that S. F. No. 1695 and H. F. No. 1768, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1721, A bill for an act relating to education; changing certain notification dates for school districts that educate non-resident pupils; providing that districts of residence are not liable for any billings if notification is received after a certain date; amending Minnesota Statutes 1981 Supplement, Section 124.2129, Subdivision 3.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 2095, A bill for an act relating to state government; implementing the provisions of certain reorganization orders issued by the commissioner of administration; amending Minnesota Statutes 1980, Sections 176.281; and 474.01, Subdivisions 7a and 7b; and Minnesota Statutes 1981 Supplement, Section 474.03.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2126, A bill for an act relating to the attorney general; establishing a division of land title litigation in the office of the attorney general; proposing new law coded in Minnesota Statutes, Chapter 8.

The bill was read for the first time and referred to the Committee on Appropriations.

CALENDAR

H. F. No. 451, A bill for an act relating to energy; modifying certain need certification criteria; amending Minnesota Statutes 1981 Supplement, Section 116H.13, Subdivision 3, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 58 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kelly	Ogren	Skoglund
Anderson, G.	Evans	Kostohryz	Otis	Staten
Battaglia	Fjoslien	Lehto	Peterson, D.	Stumpf
Begich	Greenfield	Long	Pogemiller	Tomlinson
Berkelman	Gustafson	Luknic	Reding	Vanasek
Brandl	Hanson	Minne	Rice	Vellenga
Byrne	Harens	Munger	Rodriguez, C.	Voss
Carlson, L.	Hokanson	Murphy	Rodriguez, F.	Welch
Clark, J.	Jacobs	Nelson, K.	Rose	Wynia
Clawson	Johnson, C.	Norton	Shea	Spkr. Sieben, H.
Dean	Jude	Novak	Sieben, M.	
Eken	Kahn	O'Connor	Simoneau	

Those who voted in the negative were:

Ainley	Frerichs	Levi	Peterson, B.	Stadum
Anderson, I.	Gruenes	Ludeman	Piepho	Stowell
Blatz	Halberg	Mann	Redalen	Swigum
Brinkman	Haukoos	Marsh	Rees	Swanson
Carlson, D.	Heap	McDonald	Reif	Valan
Dahlvang	Heinitz	McEachern	Rothenberg	Valento
Dempsey	Himle	Mehrkens	Samuelson	Weaver
Den Ouden	Hokr	Nelsen, B.	Sarna	Welker
Drew	Jennings	Niehaus	Schafer	Wenzel
Erickson	Kaley	Nysether	Schreiber	Wieser
Esau	Knickerbocker	Olsen	Searles	Wigley
Ewald	Kvam	Onnen	Sherman	Zubay
Forsythe	Laidig	Osthoff	Sherwood	

The bill was not passed.

Ewald was excused at 2:50 p.m. Hanson was excused at 3:30 p.m. Metzen was excused at 4:00 p.m. Heinitz was excused at 4:30 p.m. Novak, Kvam and Wigley were excused at 4:45 p.m. Byrne was excused at 5:00 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sieben, H., in the Chair, for the consideration of bills pending on General Orders of the Day. Wynia presided during a portion of the meeting of the Committee of the Whole. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 1262, 1442, 685, 1068, 1366, 1611 and 1734 which it recommended to pass.

S. F. Nos. 709 and 1088 which it recommended to pass.

H. F. No. 1365 which it recommended progress.

S. F. No. 16 which it recommended progress.

H. F. No. 1589 which it recommended to pass with the following amendment offered by Stowell:

Page 1, line 13, delete "WHEELCHAIRS AND MOTORIZED"

Page 1, line 14, delete "*wheelchairs and motorized*"

Page 1, line 17, delete "WHEELCHAIRS, MOTORIZED"

Page 1, line 21, delete "*motorized wheelchairs and*"

Page 1, line 24, delete "*wheelchair or motorized*"

Page 2, line 8, delete "*motorized wheelchair or*"

Page 2, line 12, delete "*motorized wheelchair or*"

Page 2, line 14, delete "*Motorized wheelchairs and*"

Page 2, line 22, delete "*wheelchairs and motorized*"

Page 2, line 26, delete "*wheelchair or motorized*"

Page 2, line 29, delete "*wheelchair or motorized*"

Page 2, line 33, delete "*wheelchairs*"

Page 2, line 34, delete "*and motorized*"

Page 3, line 2, delete "*wheelchairs and motorized*"

Page 3, line 7, delete "*wheelchairs and motorized*"

Page 3, line 13, delete "*wheelchairs and motorized*"

Page 4, line 9, delete "*wheelchairs and motorized*"

Amend the title as follows:

Page 1, line 3, delete "*motorized wheelchairs and*"

H. F. No. 1712 which it recommended to pass with the following amendment offered by Kaley and McCarron:

Page 4, line 30, strike "eliminate" and insert "*amend*"

Page 4, line 30, strike "revise" and insert "*repeal*"

Page 4, line 35, delete "*When the*"

Page 4, delete line 36

Page 5, delete lines 1 and 2

Page 5, line 3, delete everything up to and including the period

Page 5, line 5, delete "eliminating" and insert "amending"

Page 5, line 5, delete "revising" and insert "repealing"

Page 5, line 5, before the semicolon, insert "*However, when the commissioner proposes to amend or repeal any rule under the authority granted by this clause, notice shall be provided by publication in the state register. When the commissioner proposes to amend a rule, the notice shall include that portion of the existing rule necessary to provide adequate notice of the nature of the proposed change. When the commissioner proposes to repeal an entire rule, he need only publish that fact, giving the exact citation to the rule to be repealed. In all cases, the notice shall contain a statement indicating that interested persons may submit comment on the proposed repeal or amendment for a period of 30 days after publication of the notice. The commissioner shall take no final action until after the close of the comment period. The commissioner's actions shall not be effective until five days after the commissioner publishes notice of adoption in the state register. If the final action is the same as the action originally proposed, publication may be made by notice in the state register that the amendment and repeals have been adopted as proposed, and by citing the prior publication. If the final action differs from the action as previously proposed in the state register, the text which differs from the original proposal shall be included in the notice of adoption together with a citation to the prior state register publication. The commissioner shall provide to all county boards separate notice of all final actions which become effective under this clause, advising the boards with respect to services or programs which have now become optional, to be provided at county discretion*".

Amend the title as follows:

Page 1, line 7, after the semicolon insert:

"providing for notice and comment procedures with respect to proposals to amend or repeal certain rules;"

H. F. No. 1532 which it recommended to pass with the following amendment offered by Sieben, M.:

Page 1, line 22, after "based" insert "*on the failure of a contraceptive method or sterilization procedure or*"

H. F. No. 1719 which it recommended to pass with the following amendment offered by Mehrkens:

Page 1, line 13, after "Steele county" insert ", *Goodhue county*"

Amend the title as follows:

Page 1, line 4, after "Steele," insert "Goodhue"

On the motion of Eken the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Stowell moved to amend H. F. No. 1589, the second engrossment, as follows:

Page 1, line 13, delete "WHEELCHAIRS AND MOTORIZED"

Page 1, line 14, delete "*wheelchairs and motorized*"

Page 1, line 17, delete "WHEELCHAIRS, MOTORIZED"

Page 1, line 21, delete "*motorized wheelchairs and*"

Page 1, line 24, delete "*wheelchair or motorized*"

Page 2, line 8, delete "*motorized wheelchair or*"

Page 2, line 12, delete "*motorized wheelchair or*"

Page 2, line 14, delete "*Motorized wheelchairs and*"

Page 2, line 22, delete "*wheelchairs and motorized*"

Page 2, line 26, delete "*wheelchair or motorized*"

Page 2, line 29, delete "*wheelchair or motorized*"

Page 2, line 33, delete "*wheelchairs*"

Page 2, line 34, delete "*and motorized*"

Page 3, line 2, delete "*wheelchairs and motorized*"

Page 3, line 7, delete "*wheelchairs and motorized*"

Page 3, line 13, delete "*wheelchairs and motorized*"

Page 4, line 9, delete "*wheelchairs and motorized*"

Amend the title as follows:

Page 1, line 3, delete "motorized wheelchairs and"

The question was taken on the amendment and the roll was called. There were 77 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Jude	Ogren	Simoneau
Anderson, I.	Erickson	Kahn	Olsen	Skoglund
Battaglia	Fjoslien	Kelly	Osthoff	Stadum
Begich	Forsythe	Kostohryz	Otis	Staten
Berkelman	Greenfield	Lehto	Peterson, D.	Swanson
Blatz	Gruenes	Lemen	Pogemiller	Valan
Brandl	Gustafson	Long	Reding	Vanasek
Brinkman	Hanson	Mann	Rees	Vellenga
Byrne	Harens	McEachern	Reif	Voss
Carlson, L.	Hauge	Metzen	Rice	Weaver
Clark, J.	Haukoos	Minne	Rodriguez, F.	Welch
Clark, K.	Heap	Murphy	Rose	Wynia
Clawson	Himle	Nelson, K.	Rothenberg	Spkr. Sieben, H.
Dahlvang	Hokanson	Niehaus	Sarna	
Eken	Jacobs	Norton	Schoenfeld	
Elioff	Johnson, C.	Novak	Sieben, M.	

Those who voted in the negative were:

Aasness	Evans	Laidig	Redalen	Welker
Ainley	Frerichs	Ludeman	Rodriguez, C.	Wenzel
Anderson, G.	Halberg	Luknic	Schafer	Wieser
Carlson, D.	Heinitz	Mehrkens	Schreiber	Zubay
Dempsey	Hoberg	Nelsen, B.	Searles	
Den Ouden	Jennings	Onnen	Sherwood	
Drew	Kaley	Peterson, B.	Swiggum	
Esau	Kvam	Piepho	Valento	

The motion prevailed and the amendment was adopted.

Sherwood moved to amend H. F. No. 1532, the first engrossment, as amended by the Sieben, M., and O'Connor amendments, as follows:

Page 1, delete lines 19 to 22

The question was taken on the amendment and the roll was called. There were 32 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Aasness	Haukoos	Nysether	Schafer	Valento
Den Ouden	Hokr	Onnen	Schoenfeld	Welker
Drew	Jennings	Peterson, B.	Schreiber	Wieser
Erickson	Kvam	Redalen	Sherman	Wigley
Esau	Laidig	Reding	Sherwood	
Fjoslien	McDonald	Rees	Stadum	
Halberg	Nelsen, B.	Rodriguez, F.	Stowell	

Those who voted in the negative were:

Ainley	Blatz	Clark, K.	Ellingson	Harens
Anderson, G.	Brandl	Clawson	Forsythe	Hauge
Anderson, I.	Brinkman	Dahlvang	Frerichs	Heap
Battaglia	Byrne	Dean	Greenfield	Himle
Begich	Carlson, L.	Eken	Gruenes	Hokanson
Berkelman	Clark, J.	Elioff	Gustafson	Jacobs

Johnson, C.	Marsh	Ogren	Samuelson	Valan
Jude	McCarron	Olsen	Shea	Vanasek
Kahn	Mehrkens	Osthoff	Sieben, M.	Vellenga
Kostohryz	Minne	Otis	Simoneau	Voss
Lehto	Munger	Peterson, D.	Skoglund	Weaver
Lemen	Murphy	Piepho	Staten	Welch
Long	Nelson, K.	Pogemiller	Stumpf	Wenzel
Ludeman	Niehaus	Rice	Sviggum	Wynia
Luknic	Norton	Rodriguez, C.	Swanson	Zubay
Mann	Novak	Rothenberg	Tomlinson	Spkr. Sieben, H.

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

Sherwood moved to amend H. F. No. 1532, the first engrossment, as amended by the Sieben, M., and O'Connor amendments, as follows:

Reinstate the language deleted by the O'Connor amendment as follows:

Page 1, line 22, after "tort" insert "based on the failure of a contraceptive method or sterilization procedure or on a claim that, but for the negligent conduct of another, tests or treatment would have been provided or would have been provided properly which would have made possible the prevention, cure, or amelioration of any disease, defect, deficiency, or handicap; provided, however, that abortion shall not have been deemed to prevent, cure, or ameliorate any disease, defect, deficiency, or handicap. The failure or refusal of any person to perform or have an abortion shall not be a defense in any action, nor shall that failure or refusal be considered in awarding damages or in imposing a penalty in any action"

The question was taken on the amendment and the roll was called. There were 65 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Jennings	Olsen	Sherman
Ainley	Esau	Jude	Onnen	Sherwood
Anderson, B.	Fjoslien	Kalis	Peterson, B.	Stadum
Anderson, I.	Forsythe	Laidig	Piepho	Stowell
Battaglia	Frerichs	Lemen	Redalen	Sviggum
Begich	Gruenes	Luknic	Rees	Valan
Blatz	Halberg	Mann	Reif	Valento
Brinkman	Harens	Marsh	Rothenberg	Weaver
Carlson, D.	Haukoos	McDonald	Samuelson	Welker
Dempsey	Heap	McEachern	Sarna	Wenzel
Den Ouden	Hoberg	Nelsen, B.	Schafer	Wieser
Drew	Hokr	Niehaus	Schoenfeld	Wigley
Elioff	Jacobs	Nysether	Schreiber	Zubay

Those who voted in the negative were:

Anderson, G.	Byrne	Clark, K.	Dean	Greenfield
Berkelman	Carlson, L.	Clawson	Eken	Gustafson
Brandl	Clark, J.	Dahlvang	Ellingson	Hauge

Heinitz	Levi	Norton	Rice	Stumpf
Himle	Long	Novak	Rodriguez, C.	Swanson
Hokanson	Ludeman	O'Connor	Rodriguez, F.	Tomlinson
Johnson, C.	McCarron	Ogren	Searles	Vanasek
Kahn	Mehrkens	Osthoff	Shea	Vellenga
Kaley	Minne	Otis	Sieben, M.	Voss
Kelly	Munger	Peterson, D.	Simoneau	Wynia
Kvam	Murphy	Pogemiller	Skoglund	Spkr. Sieben, H.
Lehto	Nelson, K.	Reding	Staten	

The motion prevailed and the amendment was adopted.

Long moved to amend H. F. No. 1532, the first engrossment, as amended, as follows:

Delete everything after the enacting clause and insert the following:

"Subdivision 1. [WRONGFUL LIFE ACTION PROHIBITED.] No person shall maintain a cause of action on behalf of himself or on behalf of another person and no court shall award damages to that person because that person was born."

The question was taken on the amendment and the roll was called. There were 41 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Brandl	Gustafson	Minne	Simoneau	Vellenga
Byrne	Hauge	Nelson, K.	Skoglund	Voss
Carlson, L.	Heinitz	Norton	Staten	Wieser
Clark, J.	Himle	Novak	Stowell	Wynia
Clark, K.	Kahn	Ogren	Stumpf	Zubay
Clawson	Kaley	Otis	Sviggun	
Dean	Lehto	Peterson, D.	Swanson	
Ellingson	Long	Pogemiller	Tomlinson	
Greenfield	McCarron	Rodriguez, C.	Vanasek	

Those who voted in the negative were:

Aasness	Evans	Kelly	Nysether	Schafer
Anderson, G.	Fjoslien	Kostohryz	O'Connor	Schoenfeld
Anderson, I.	Forsythe	Kvam	Olsen	Schreiber
Battaglia	Frerichs	Laidig	Onnen	Sherman
Begich	Gruenes	Lemen	Osthoff	Sherwood
Berkelman	Halberg	Levi	Peterson, B.	Sieben, M.
Blatz	Harens	Ludeman	Piepho	Stadum
Brinkman	Haukoos	Luknic	Redalen	Valan
Dahlvang	Heap	Mann	Reding	Valento
Dempsey	Hoberg	Marsh	Rees	Weaver
Den Ouden	Hokanson	McDonald	Reif	Welch
Drew	Hokr	McEachern	Rodriguez, F.	Welker
Eken	Jacobs	Mehrkens	Rose	Wenzel
Elioff	Jennings	Murphy	Rothenberg	Wigley
Erickson	Jude	Nelsen, B.	Samuelson	Spkr. Sieben, H.
Esau	Kalis	Niehaus	Sarna	

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

The question was taken on the motion to recommend passage of H. F. No. 1532, as amended, and the roll was called. There were 99 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Kvam	Olsen	Sherman
Ainley	Erickson	Laidig	Onnen	Sherwood
Anderson, B.	Esau	Lemen	Osthoff	Sieben, M.
Anderson, G.	Evans	Levi	Otis	Stadum
Anderson, I.	Fjoslien	Ludeman	Peterson, B.	Stowell
Battaglia	Forsythe	Luknic	Piepho	Stumpf
Begich	Frerichs	Mann	Redalen	Sviggum
Berkelman	Gruenes	Marsh	Reding	Swanson
Blatz	Halberg	McCarron	Rees	Valan
Brandl	Haukoos	McDonald	Reif	Valento
Brinkman	Heap	McEachern	Rice	Voss
Byrne	Hoberg	Mehrkens	Rodriguez, F.	Weaver
Carlson, D.	Hokanson	Murphy	Rose	Welch
Clawson	Hokr	Neisen, B.	Rothenberg	Welker
Dahlvang	Jacobs	Nelson, K.	Samuelson	Wenzel
Dempsey	Jennings	Niehaus	Sarna	Wieser
Den Ouden	Jude	Novak	Schafer	Wigley
Drew	Kalis	Nysether	Schoenfeld	Zubay
Eken	Kelly	O'Connor	Schreiber	Spkr. Sieben, H.
Elioff	Kostohryz	Ogren	Searles	

Those who voted in the negative were:

Carlson, L.	Gustafson	Long	Pogemiller	Vellenga
Clark, J.	Hauge	Minne	Rodriguez, C.	Wynia
Clark, K.	Kahn	Munger	Shea	
Dean	Kaley	Norton	Staten	
Greenfield	Lehto	Peterson, D.	Tomlinson	

The motion prevailed.

Norton moved to amend H. F. No. 1611 as follows:

Page 2, line 3, after the period insert "A processing transaction shall include any written response the garnishee is required by law to mail or deliver for purposes of administering the garnishment of an employee's wages, however, the mailing or delivery of the non-exempt portion of an employee judgment debtor's wages to the judgment creditor shall not be deemed a processing transaction for purposes of this section."

The question was taken on the amendment and the roll was called. There were 22 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Brandl	Kahn	Murphy	Sieben, M.	Voss
Byrne	Kelly	Nelson, K.	Skoglund	Wynia
Ellingson	Lehto	Norton	Staten	
Greenfield	Long	Otis	Tomlinson	
Hokanson	Munger	Sarna	Vanasek	

Those who voted in the negative were:

Aasness	Esau	Kalis	Peterson, B.	Stowell
Ainley	Evans	Knickerbocker	Piepho	Stumpf
Anderson, B.	Fjoslien	Laidig	Reding	Sviggum
Anderson, I.	Forsythe	Lemen	Rees	Swanson
Battaglia	Frerichs	Levi	Reif	Valento
Begich	Gruenes	Ludeman	Rice	Weaver
Blatz	Halberg	Luknic	Rodriguez, F.	Welch
Brinkman	Haukoos	Mann	Rose	Welker
Carlson, L.	Heap	Marsh	Rothenberg	Wenzel
Dahlvang	Himle	McDonald	Schafer	Wieser
Dean	Hoberg	Mehrkens	Schoenfeld	Wigley
Dempsey	Hokr	Minne	Schreiber	Zubay
Den Ouden	Jacobs	Nelsen, B.	Searles	
Drew	Jennings	Niehaus	Shea	
Elioff	Jude	Olsen	Sherman	
Erickson	Kaley	Onnen	Stadum	

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

Norton moved to amend H. F. No. 1611 as follows:

Page 2, line 4, before the period insert "*to the extent that the amount charged to the employee judgment debtor does not exceed \$8 in any 30 day period*"

The question was taken on the amendment and the roll was called. There were 48 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Eken	Kostohryz	Otis	Swanson
Anderson, I.	Elioff	Lehto	Peterson, D.	Tomlinson
Battaglia	Ellingson	Long	Pogemiller	Vanasek
Begich	Greenfield	McCarron	Rice	Voss
Brandl	Gustafson	Minne	Rodriguez, F.	Welch
Byrne	Hauge	Munger	Sarna	Wenzel
Carlson, L.	Hokanson	Murphy	Sieben, M.	Wynia
Clark, J.	Johnson, C.	Nelson, K.	Simoneau	Spkr. Sieben, H.
Clark, K.	Jude	Norton	Skoglund	
Dahlvang	Kahn	Ogren	Staten	

Those who voted in the negative were:

Aasness	Gruenes	Lemen	Peterson, B.	Sherwood
Ainley	Halberg	Levi	Piepho	Stadum
Anderson, B.	Haukoos	Ludeman	Redalen	Stowell
Blatz	Heap	Luknic	Reding	Stumpf
Brinkman	Himle	Mann	Rees	Sviggum
Dean	Hoberg	Marsh	Reif	Valento
Dempsey	Hokr	McDonald	Rodriguez, C.	Weaver
Den Ouden	Jacobs	McEachern	Rose	Welker
Drew	Jennings	Mehrkens	Rothenberg	Wieser
Erickson	Kaley	Nelsen, B.	Schafer	Zubay
Esau	Kalis	Niehaus	Schreiber	
Evans	Kelly	Nysether	Searles	
Forsythe	Knickerbocker	Olsen	Shea	
Frerichs	Laidig	Onnen	Sherman	

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

MOTIONS AND RESOLUTIONS

Johnson, C., moved that his name be stricken as an author on H. F. No. 1765. The motion prevailed.

Ogren moved that his name be stricken as an author on H. F. No. 1717. The motion prevailed.

Norton moved that the name of Hanson be stricken as an author on H. F. No. 2195. The motion prevailed.

Ewald moved that his name be stricken as an author on H. F. No. 2147. The motion prevailed.

Dempsey moved that S. F. No. 1499 be recalled from the Committee on Transportation and be re-referred to the Committee on Appropriations. The motion prevailed.

Pogemiller moved that H. F. No. 2130, now on the Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Anderson, B., moved that H. F. No. 967 be returned to its author. The motion prevailed.

McDonald moved that H. F. No. 2232 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1538:

Lehto, Vanasek and Jennings.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 12:00 noon, Friday, February 26, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Friday, February 26, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives