

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1984

SIXTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 26, 1984

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 Reverend Philip Formo, St. Olaf Lutheran Church, Austin, Minnesota.

The roll was called and the following members were present:

Anderson, B.	Erickson	Kostohryz	Peterson	Solberg
Anderson, G.	Evans	Krueger	Piepho	Sparby
Anderson, R.	Findlay	Kvam	Piper	Stadum
Battaglia	Fjoslien	Larsen	Price	Staten
Beard	Forsythe	Levi	Quinn	Swiggum
Begich	Frerichs	Long	Quist	Swanson
Bennett	Graba	Ludeman	Redalen	Thiede
Bergstrom	Greenfield	Mann	Reif	Tomlinson
Bishop	Cruenes	Marsh	Rice	Tunheim
Blatz	Gustafson	McEachern	Riverness	Uphus
Boo	Gutknecht	McKasy	Rodosovich	Valan
Brandl	Haukoos	Metzen	Rodriguez, C.	Valento
Burger	Heap	Minne	Rodriguez, F.	Vanasek
Carlson, D.	Himle	Munger	Rose	Vellenga
Carlson, L.	Hoberg	Murphy	Sarna	Voss
Clark, J.	Hoffman	Nelson, D.	Schafer	Waltman
Clark, K.	Hokr	Nelson, K.	Scheid	Welch
Clawson	Jacobs	Neuenschwander	Schoenfeld	Welker
Cohen	Jennings	O'Connor	Schreiber	Welle
Coleman	Jensen	Ogren	Seaberg	Wenzel
Dempsey	Johnson	Olsen	Segal	Wigley
DenOuden	Kahn	Omam	Shaver	Wynia
Dimler	Kalis	Onnen	Shea	Zaffke
Eken	Kelly	Osthoff	Sherman	Speaker Sieben
Elioff	Knickerbocker	Otis	Simoneau	
Ellingson	Knuth	Pauly	Skoglund	

A quorum was present.

Brinkman, Halberg and Heinitz were excused.

Norton was excused until 2:20 p.m. St. Onge was excused until 4:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Osthoff 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. 560, 1459, 1462, 1496, 1522, 1699, 1856, 1655, 1761, 1659, 1621, 1786, 1405, 1460, 1557, 1562, 1801, 1528, 1382, 1587 and 1784 and S. F. Nos. 311, 1418, 1454, 1455, 868, 1235, 1349, 1396, 1453, 1475, 1476 and 1563 have been placed in the members' files.

S. F. No. 1476 and H. F. No. 1462, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Carlson, L., moved that S. F. No. 1476 be substituted for H. F. No. 1462 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Begich from the Committee on Labor-Management Relations to which was referred:

H. F. No. 347, A bill for an act relating to labor; regulating the minimum wage; eliminating the tip credit; amending Minnesota Statutes 1982, section 177.24, subdivision 2; repealing Minnesota Statutes 1982, section 177.28, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 177.28, subdivision 4, is amended to read:

Subd. 4. An employee who receives \$35 or more per month in gratuities is a tipped employee. An employer is entitled to a credit in an amount up to 20 percent of the minimum wage which a tipped employee receives. The credit against the wages due may not be taken unless at the time the credit is taken the employer has received a signed statement for that pay period from the tipped employee stating that he did receive and retain during that pay period all gratuities received by him in an amount equal to or greater than the credit applied against the wages due by his employer. The statements shall be maintained by the employer as a part of his business records. *The maximum*

credit authorized by this subdivision is reduced to 15 percent of the minimum wage effective January 1, 1985, to ten percent effective January 1, 1986, and to five percent effective January 1, 1987. No credit shall be allowed after January 1, 1988."

Delete the title and insert:

"A bill for an act relating to labor; minimum wages; phasing out the tip credit; amending Minnesota Statutes 1982, section 177.28, subdivision 4."

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. 471, 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1983 Supplement, section 257.071, subdivision 2, is amended to read:

Subd. 2. [SIX MONTH REVIEW OF PLACEMENTS.] There shall be (AN ADMINISTRATIVE) a review by a local foster care review board, pursuant to section 4, of the case plan of each child placed in a residential facility. The review shall take place no later than 180 days after the initial placement of the child in a residential facility and at least every six months thereafter if the child is not returned to the home of his parent or parents within that time. As an alternative to (THE ADMINISTRATIVE) this review, the social service agency responsible for the placement may bring a petition as provided in section 260.131, subdivision 1a, to the court for review of the foster care to determine if placement is in the best interests of the child. This petition must be brought to the court within the applicable six months and is not in lieu of the requirements contained in subdivision 3 or 4. In addition to the review required by this subdivision, the local social service agency may conduct administrative reviews of placements as necessary.

Sec. 2. [260.60] [STATE FOSTER CARE ADVISORY BOARD.]

Subdivision 1. [CREATION.] There is established a state foster care advisory board consisting of nine members, one from each congressional district and a chairperson. All shall be appointed by the governor and shall serve as members of local review boards. The chairperson of the board shall be appointed by the governor from among the membership. Of the members initially appointed, three shall be appointed for a term of three years; three shall be appointed for a term of two years; and three shall be appointed for a term of one year. Thereafter, all subsequent members shall be appointed for a term of three years. State board members shall serve on local boards for a period coterminous with their state board term of office.

Subd. 2. [MEETINGS.] The state board shall meet no less than twice annually and more frequently upon the call of the chairperson or as the members shall determine.

Subd. 3. [DUTIES.] The state board shall appoint the members of the local review boards and shall review and coordinate the activities of the local boards. The board shall annually report to the appropriate committees of the state legislature on the status and impact of the local review boards. The board shall make recommendations to the supreme court, the governor, and the legislature on or before September 15 of each year regarding foster care statutes and policies and procedures and shall establish training programs for local board members, case workers, and officers of the court. The board shall, within the limits of the appropriation available, hire staff as necessary to carry out the duties required by this subdivision.

Sec. 3. [260.61] [LOCAL FOSTER CARE REVIEW BOARDS.]

Subdivision 1. [CREATION.] Local foster care review boards shall be established to operate under the jurisdiction of the presiding judge of each juvenile court. Board members shall be appointed by the members of the state foster care advisory board in consultation with the presiding judge of the juvenile court in the judicial district.

Subd. 2. [MEMBERSHIP.] There shall be one local review board for every 75 children who have been in foster care for six months or more. Each board shall consist of five members who are residents of the judicial district and have shown an interest in the welfare of children. Each board shall, to the extent feasible, represent the various socio-economic, racial, and ethnic groups of the district in which it serves. At least one member shall be a foster parent and one member shall be a professional knowledgeable in child development. No more than one member of each local board may be an employee of any of the following: the de-

partment of public welfare, a child welfare agency, or the juvenile court. Board members shall be required to attend in-service training sessions sponsored by the state foster care advisory board.

Subd 3. [MEMBERSHIP TERMS; VACANCIES; EXPENSES.] Of the members of a local board initially appointed, two shall be appointed for a term of one year, two shall be appointed for a term of two years, and one shall be appointed for a term of three years. All subsequent local board members shall be appointed for a term of three years. If a vacancy occurs on a local board, the state board shall appoint another person to serve the unexpired portion of the term. Appointments to fill vacancies on the local board shall be made in the same manner and subject to the same conditions as the initial appointments to the board. Members shall continue to serve until a successor is appointed.

Members of the board shall not receive compensation but shall receive reimbursement for expenses in the same manner and amount as authorized by the commissioner's plan adopted pursuant to section 43A.18, subdivision 2.

Sec. 4. [260.62] [DUTIES OF REVIEW BOARDS.]

Subdivision 1. [REVIEW.] For the purpose of determining what efforts have been made by the supervising agency or child care institution to carry out the plan for permanent placement of each child required by section 257.071, local review boards shall, every six months, review the cases of children who are under the jurisdiction of either (a) the commissioner of corrections or (b) the designated county social service agency or (c) the commissioner of public welfare pursuant to section 260.242 or (d) a child placing agency, a facility licensed pursuant to sections 245.781 to 245.812, a county home school, or a group foster home licensed under section 241.021, and who have resided in public or private foster care for a period of more than six months.

All children who have been placed in a residential facility, as defined in section 257.071, either by court order or by voluntary release by a parent, shall be reviewed every six months. Review shall cease when any of the following occurs: (1) the child is returned home; (2) an adoption decree issues; or (3) the court jurisdiction ends.

Subd. 2. [RETURN OF CHILDREN TO PARENTS; ADOPTION.] Local review boards shall encourage and facilitate the timely return of all foster children to their birth parents or, where appropriate, shall encourage the appropriate agency to initiate procedures to make the child eligible for adoption followed by a maximum effort by the agency to place the child for adoption.

Subd. 3. [RECOMMENDATIONS TO JUVENILE COURT.] *Local review boards shall submit to the juvenile court, within 30 days following review of any placement, findings and recommendations regarding the efforts and progress made by the designated county social service agency to carry out the plan established pursuant to section 257.071, together with any other recommendations it chooses to make regarding the child. The findings and recommendations shall include the date of the next review. A copy of the findings and recommendations shall be sent to the designated county social service agency, if the juvenile court has awarded custody of the child to the agency, and to other interested parties as required by the court. Where deficiencies in the progress of the permanency plan have been noted by the local review board, the court shall order the designated county social service agency to remedy the deficiencies.*

Subd. 4. [UNNECESSARY CHANGES IN PLACEMENT.] *Local review boards shall promote and encourage the department of public welfare and all agencies involved in placing children in foster care to maximize stability and family continuity for children in foster care by discouraging unnecessary changes in the placement of foster children.*

Subd. 5. [APPROPRIATENESS OF PLACEMENT.] *Local review boards shall review foster care placements and the family recruitment policies of agencies involved in placing children for adoption to ensure that the best interests of minority children are met by having due consideration given to their race or ethnic heritage.*

Subd. 6. [INFORMATION ON RIGHTS.] *Local review boards shall assist the department and agencies in informing birth parents, foster parents, and other interested parties of their rights and responsibilities with respect to any child in foster care. Birth parents, foster parents, and other interested parties shall be involved in the review process.*

Subd. 7. [DEFICIENCY REPORTS.] *Local review boards shall report to the department of public welfare, county welfare departments, and other adoptive or foster care agencies deficiencies in the agencies' efforts to secure permanent homes for children whose cases have been reviewed by the board.*

Sec. 5. [260.63] [AGENCY COOPERATION; DATA PRIVACY REQUIREMENTS.]

All public and private agencies and institutions which provide or arrange foster care services for children shall cooperate with the state board and local review boards by furnishing information required for effective implementation of sections 1 to 7. Information in the possession of a public agency or institution shall be provided pursuant to section 13.05, subdivision 9, and shall

retain the same classification in the possession of the state board or local review board as it had in the possession of the public agency or institution. Information which is supplied by a private agency or institution and which identifies any individual shall not be disclosed or disseminated by the state board or local review board for any purpose except as required to implement sections 1 to 7.

Sec. 6. [260.64] [SUPREME COURT RULES.]

The supreme court shall adopt rules as necessary for proper implementation of sections 1 to 7.

Sec. 7. [260.65] [LIMITATIONS.]

Sections 1 to 7 shall not be construed to limit or delay actions by agencies or institutions to arrange for adoptions, foster care, termination of parental rights, or other related matters on their own initiative nor do sections 1 to 7 alter or restrict the duties and authority of those agencies and institutions in those matters.

Sec. 8. [APPROPRIATION.]

There is appropriated from the general fund to the state foster care advisory council for the year ending June 30, 1985, the sum of \$ for the purposes of sections 1 to 4."

Delete the title and insert:

"A bill for an act relating to public welfare; providing for the establishment of a state foster care advisory board 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; amending Minnesota Statutes 1983 Supplement, section 257.071, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 260."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 975, A bill for an act relating to agriculture; providing income tax incentives to landowners who sell or lease agricultural land to eligible beginning farmers; amending Minnesota

Statutes 1982, section 290.01, subdivisions 20a, as amended, and 20b, as amended; proposing new law coded in Minnesota Statutes, chapter 290.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [STATEMENT OF PURPOSE.]

In recognition of the importance of protecting the family farm, the rural community, and the stability and well-being of rural society in Minnesota, it is in the interest of the state to encourage persons to begin careers in agriculture.

Sec. 2. Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20a, is amended to read:

Subd. 20a. [MODIFICATIONS INCREASING FEDERAL ADJUSTED GROSS INCOME.] There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(3) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(4) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(5) The amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction under Minnesota Statutes 1982, section 290.01, subdivision 20b, clause (7);

(6) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(7) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(8) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(9) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(10) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(11) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(12) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(13) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 40 percent of the portion of the gain. This modification is limited to property that qualified for the equity investment credit contained in section 290.069, subdivision 4, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (7);

(14) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss;

(15) To the extent deducted in computing the taxpayer's federal adjusted gross income, interest, taxes and other expenses which are not allowed under section 290.10, clause (9) or (10);

(16) The deduction for two-earner married couples provided in section 221 of the Internal Revenue Code of 1954;

(17) Losses from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax;

(18) Expenses and depreciation attributable to property subject to Laws 1982, chapter 523, article 7, section 3 which has not been registered;

(19) The amount of contributions to an individual retirement account, including a qualified voluntary employee contribution, simplified employee pension plan, or self-employed retirement plan which is allowed under sections 311 and 312 of Public Law Number 97-34, section 238 of Public Law Number 97-248, and section 103(d)(1)(B) of Public Law Number 97-448 to the extent those contributions were not an allowable deduction prior to the enactment of that law; (AND)

(20) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any contributions to a qualified pension plan, designated as employee contributions but which the employing unit picks up and which are treated as employer contributions pursuant to section 414(h)(2) of the Internal Revenue Code of 1954;

(21) 50 percent of any expenses arising from agricultural land for which a deduction is allowed under section 4, subdivision 4; and

(22) amounts previously deducted pursuant to section 4, subdivision 4, and required to be included under section 4, subdivision 7, due to termination of a lease.

Sec. 3. Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20b, is amended to read:

Subd. 20b. [MODIFICATIONS REDUCING FEDERAL ADJUSTED GROSS INCOME.] There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain

is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to 40 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a);

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks or out of state loss carryforwards resulting from the losses, and including any farm loss carryforwards or carrybacks;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954, or (iii) severance pay distributed to an individual upon discontinuance of the individual's employment due to termination of business operations by the individual's employer, provided that the termination is reasonably likely to be permanent, involves the discharge of at least 75 percent of the employees at that site within a one-year period, and the business is not acquired by another person who continues operations at that site. The maximum amount of this subtraction shall be \$11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds \$17,000. For purposes of this clause, "severance pay" means an amount received for cancellation of an employment contract or a collectively bargained

termination payment made as a substitute for income which would have been earned for personal services to be rendered in the future. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(8) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(9) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(10) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in subdivision 20b, clause (6);

(11) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in subdivision 20b, clause (6);

(12) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(13) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as

a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(15) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17;

(16) Interest earned on a contract for deed entered into for the sale of property for agricultural use if the rate of interest set in the contract is no more than nine percent per year for the duration of the term of the contract. This exclusion shall be available only if (1) the purchaser is an individual who, together with his spouse and dependents, has a total net worth valued at less than \$150,000 and (2) the property sold under the contract is farm land as defined in section 41.52, subdivision 6 of no more than 1,000 acres that the purchaser intends to use for agricultural purposes. Compliance with these requirements shall be stated in an affidavit to be filed with the first income tax return on which the taxpayer claims the exclusion provided in this clause. Upon request accompanied by the information necessary to make the determination, the commissioner shall determine whether interest to be paid on a proposed transaction will qualify for this exclusion; the determination shall be provided within 30 days of receipt of the request, unless the commissioner finds it necessary to obtain additional information, or verification of the information provided, in which case the determination shall be provided within 30 days of receipt of the final item of information or verification. The exclusion provided in this clause shall apply to interest earned on contracts for deed entered into after December 31, 1981 and before July 1, 1983;

(17) Income from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax;

(18) To the extent included in federal adjusted gross income, distributions from a qualified governmental pension plan which represent a return of designated employee contributions to the plan and which contributions were included in gross income pursuant to subdivision 20a, clause (20); (AND)

(19) To the extent included in federal adjusted gross income, distributions from an individual retirement account which represent a return of designated employee contributions if the contributions were included in gross income pursuant to subdivision 20a, clause (19). The distribution shall be allocated first to return of contributions included in gross income until the amount of the contributions has been exhausted; *and*

(20) Interest earned on capital gains or income recognized on the sale of agricultural land or income received from the rental of agricultural land, as allowed in section 4.

Sec. 4. [290.088] [DEDUCTIONS FOR SALE OR RENTAL OF AGRICULTURAL LAND.]

Subdivision 1. [DEFINITIONS.] (a) "Agricultural land" means land which is or has been devoted for the last five years to agricultural purposes and includes any agricultural buildings or an agricultural homestead located thereon. Wetlands, naturally vegetated lands, and woodlands contiguous to or surrounded by agricultural lands are agricultural lands if under the same ownership or management during the period of agricultural use.

(b) "Agricultural purposes" means the production of vegetables, forage, grains, and other agricultural crops, livestock or livestock products, dairy animals or dairy products, poultry or poultry products, horticultural and nursery stock, fruit, or bees and apiary products.

(c) "Beginning farmer" means any person who is a United States citizen and Minnesota resident; who provides proof of participation in a farm management program; who uses or intends to use the agricultural land purchased or rented exclusively for agricultural purposes; who has with the assistance of the local soil and water conservation office prepared a plan for the farm rented or purchased; and who has, including spouse and dependents, a total net worth valued at less than \$150,000, adjusted as provided in subdivision 6.

(d) "Landowner" means a partner, family farm corporation, or an authorized farm corporation as defined in section 500.24, subdivision 2, which owns agricultural land, or an individual who is a United States citizen or permanent resident alien who owns agricultural land, except that any partner, family farm corporation, authorized farm corporation, or individual that acquires agricultural land for the purpose of obtaining the income tax deduction provided for in this section shall not be deemed to be a landowner.

(e) "Seller-sponsored loan" has the meaning given it in section 41.52, subdivision 8.

(f) "Rental income" means income, whether in cash or in crops, from the rental of at least 75 acres of agricultural land pursuant to a written lease of at least three years duration. If the lease provides for rent payment in crops, the amount of rental income is the cash value of the crops at the time they are received by the landowner. Crops are received by the landowner when the landowner has control over them or when the landowner can demand their payment under the lease.

Subd. 2. [CAPITAL GAINS DEDUCTION.] To the extent included in federal adjusted gross income, there shall be allowed as a subtraction from the federal adjusted gross income of any landowner, 50 percent of capital gains or income recognized and otherwise taxable on the sale of agricultural land consisting of 75 acres or more to a beginning farmer for agricultural purposes.

The deduction shall apply only to capital gains recognized in the taxable year during which the sale occurred. The deduction shall not apply to that portion of capital gains recognized and included in federal adjusted gross income which exceeds \$50,000.

Subd. 3. [DEDUCTION FOR INTEREST ON SALE WITH SELLER-SPONSORED LOAN.] There shall be allowed as a subtraction from the federal adjusted gross income of any landowner interest income earned on the sale of at least 75 acres of agricultural land with a seller-sponsored loan to a beginning farmer for agricultural purposes.

This subdivision shall apply only if the following conditions are met:

(1) The loan will be completely amortized in 20 years or less with even payments of interest and principal and no balloon payment at the end, or the loan is amortized for 20 years with a balloon payment in ten years or less;

(2) The loan has an annual imputed interest rate equal to the minimum rate allowed by the Internal Revenue Service for transactions between nonrelated parties to meet installment sales requirements; and

(3) The interest is not excludable under section 41.58, subdivision 3.

Subd. 4. [DEDUCTION FOR RENTAL INCOME.] There shall be allowed as a subtraction from federal adjusted gross income 50 percent of the rental income of a landowner from the rental to a beginning farmer of agricultural land used for agricultural purposes, however, no deduction is allowed for rental income exceeding \$10,000 per year, and the excess shall be treated as ordinary income.

No landowner may claim this deduction for leases with more than one beginning farmer from rentals on the same tract or parcel of land or from rentals to any member of the landowner's immediate family. The rental stated in the lease must be equal to or less than the prevailing free market gross rental rate for that grade of land as determined for property tax purposes for assessments made on January 2 of the year in which the lease is executed. The lease may provide that the rental rate shall be

related to the prevailing free market gross rental rate as determined for each year. The taxpayer must certify on the return that no rental agreement with any other person was cancelled for the purpose of qualifying for the deduction provided in this subdivision.

Subd. 5. [QUALIFICATION.] In order to qualify for any of the deductions provided in this section, the taxpayer shall file with the first income tax return on which the taxpayer claims a deduction under this section with respect to each sale or lease a notarized statement from the beginning farmer who purchased or rented the land. The statement shall contain a list of the assets, debts, and net worth of the beginning farmer together with any other information required by the commissioner of revenue.

Subd. 6. [NET WORTH ADJUSTMENT.] The maximum net worth allowed for qualification as a beginning farmer shall be annually adjusted by the percentage used to adjust the tax brackets as provided in section 290.06, subdivision 2d. The percentage announced by the commissioner in October under section 290.06, subdivision 2d, shall be the percentage by which the maximum net worth amount is increased for sales occurring or leases first occurring during the following calendar year.

Subd. 7. [EARLY TERMINATION OF LEASE.] If a lease is terminated by a land owner prior to expiration of the three-year period, there shall be added to gross income for the taxable year in which the lease was terminated amounts deducted in previous years pursuant to subdivision 4, to the extent that the deduction resulted in a tax benefit.

Sec. 5 [EFFECTIVE DATE.]

Sections 1 to 4 are effective for the sale or rental of agricultural land after July 1, 1983."

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

The report was adopted.

Anderson, G., from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1032, A bill for an act relating to Washington county; permitting the county to assess for highway improvements within cities.

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

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

H. F. No. 1153, A bill for an act relating to Anoka County; authorizing the issuance of bonds for the construction of library buildings and an annual levy for debt retirement.

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

The report was adopted.

Voss from the Committee on Energy to which was referred:

H. F. No. 1335, A bill for an act relating to housing; authorizing the Minnesota housing finance agency to establish and maintain an assisted rental program for residential housing; appropriating money; amending Minnesota Statutes 1982, sections 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 462A.05, is amended by adding a subdivision to read:

Subd. 24. [LOANS TO SPONSORS OF RESIDENTIAL HOUSING.] The agency may make or participate in the making of loans to sponsors in conjunction with the construction or substantial rehabilitation of multi-unit residential housing for rental occupancy by persons and families of low and moderate income. The proceeds of the loans must be used to reduce rent payments that would otherwise be payable by persons and families of low and moderate income. The loans may be insured or uninsured, with or without interest, and repayable over a period of time as the agency deems advisable, not to exceed 30 years. In making loans, the agency shall determine the appropriate security for the repayment of the loan. The loans may only be in addition to, in combination with, and subordinate to long-term mortgage loans made by the agency. The loan funds may be disbursed to sponsors in a single installment or periodic installments by the agency or its designated agent. To provide for the long-term affordability of all or a portion of the housing to persons and families of low and moderate income, the agency may defer payments of principal and interest on the loans for a period of time as the agency deems advisable. No loan may be made unless the agency determines that the loan will make all or a portion of the housing more affordable for persons and

families of low and moderate income. The agency may enter into agreements with sponsors of multi-unit residential housing for rental occupancy to evidence its commitment to make or participate in making the loans. Agreements entered into by the agency must contain terms and provisions as the agency deems advisable, including but not limited to, terms and provisions (a) that obligate the sponsor to make available all or a portion of the housing to persons and families of low and moderate income; (b) that grant the agency the right to terminate the agreement if the sponsor commits a breach of the agreement; or (c) that grant the agency the right to declare the unpaid principal and accrued interest on loans immediately due and payable upon a breach of the agreement by the sponsor.

Sec. 2. Minnesota Statutes 1982, section 462A.21, is amended by adding a subdivision to read:

Subd. 13. [LOANS TO SPONSORS OF RESIDENTIAL HOUSING.] It may make or participate in the making of loans under section 1 to sponsors of multi-unit residential housing for rental occupancy by persons and families of low and moderate income.

Sec. 3. [APPROPRIATION.]

The sum of \$..... is appropriated from the general fund to the housing development fund for loans to sponsors of residential housing.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective July 1, 1984."

Amend the title as follows:

Page 1, line 7, delete everything after "subdivision"

Page 1, line 8, delete everything before the period

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. 1345, A bill for an act relating to motor vehicles; providing for collection of a surcharge on leases for traffic

fine reimbursement; proposing new law coded in Minnesota Statutes, chapter 168.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [168.2711] [SURCHARGE ON LEASES.]

Subdivision 1. [COLLECTION OF SURCHARGE.] Those persons or agencies that engage in the rental of passenger automobiles shall collect a surcharge of 25 cents on each rental transaction and pay the same to the state treasurer in quarterly installments, beginning September 30 of the year of enactment, to be kept by the state treasurer as an open appropriation of dedicated receipts which shall be disbursed as provided in this section. Any unexpended balance in the fund at the close of the biennium shall be credited to the state general revenue fund.

Subd. 2. [ACCOUNTABILITY OF TRAFFIC VIOLATIONS.] Those persons or agencies that engage in the rental of passenger automobiles shall inform and convey all information of traffic violations incurred by vehicles owned or controlled by them, while being rented, to the issuing authority within 15 days of the renting agency's knowledge. Information forwarded to the issuing authority, to the extent available, shall include driver's name, driver's license number, home address, employer, employer's address, post office box, form of payment, and local address, if any.

Upon compliance with this section the renting agency shall not be liable for the amount of the fine, late payment penalty, or cost of any warrants issued in connection with the violation. However, action on the part of the issuing authority relieving the lessor of liability shall not absolve the person who incurred the violation of any responsibility for the infraction.

Subd. 3. [REIMBURSEMENT FROM FUND.] Any city, county, or municipality in which traffic tickets are issued to renters of passenger automobiles for violations arising out of use and operation of such vehicles may apply to the state treasurer for reimbursement for an amount equal to fines incurred by persons renting the passenger automobiles, but left unpaid. Reimbursement shall be made from the fund provided in subdivision 1 upon submission of a proper claim to the state treasurer pursuant to procedures prescribed by the treasurer.

Subd. 4. [COLLECTION AND RETENTION OF FINES.] A city, county, or municipality that has obtained reimbursement for unpaid traffic fines as provided in subdivision 3 shall not thereby be precluded from collecting such fines directly from the person receiving the ticket who shall remain solely responsible. The amounts so collected may be retained by the city, county, or municipality notwithstanding the receipt of any reimbursement therefor pursuant to this section."

Amend the title as follows:

Page 1, line 3, delete "leases" and insert "passenger automobile rentals"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1376, A bill for an act establishing an agricultural resource loan guaranty program, board, and fund, and the terms of guaranties by the state of project loans in the program; appropriating money, taxes, tax increments, and other governmental charges; authorizing the issuance of state bonds; amending Minnesota Statutes 1982, sections 297A.44, subdivision 1; 362A.01, subdivision 1; and 362A.05; proposing new law coded as Minnesota Statutes, chapter 41A; proposing new law coded in Minnesota Statutes, chapter 362A.

Reported the same back with the following amendments:

Page 2, line 25, after "commerce," insert "*the commissioner of energy and economic development,*"

Page 5, line 4, after "6" insert "*and subject to section 16A.80*"

Page 11, line 14, delete second "or"

Page 11, line 15, delete "*environmental worksheet*"

Page 13, line 9, delete "*may*" and insert "*shall*"

Page 13, line 10, delete "*not*" and after the period insert "*The board may adopt temporary rules which may be effective until December 31, 1985.*"

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

The report was adopted.

Begich from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1420, A bill for an act relating to public employment; regulating grievances of disciplinary actions; amending

Minnesota Statutes 1983 Supplement, section 179.70, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 4, after "action" insert "*other than the termination of a teacher contract or the discharge of a teacher pursuant to section 125.12 or 125.17,*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Begich from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1421, A bill for an act relating to labor; authorizing certain payroll deductions; amending Minnesota Statutes 1982, section 181.06, subdivision 2.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1425, A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1982, section 32.25, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 32.25, subdivision 1, is amended to read:

Subdivision 1. [MILK FAT, (AND NONFAT) *PROTEIN, AND SOLIDS NOT FAT BASES OF PAYMENT; TESTS.*] (ALL MILK AND CREAM PURCHASED FROM PRODUCERS, AND ALL MILK, CREAM, SKIM MILK, AND BUTTERMILK PURCHASED BY ONE DAIRY PLANT FROM ANOTHER DAIRY PLANT FOR THE PURPOSE OF RESALE AS SUCH, OR FOR MANUFACTURE INTO DAIRY PRODUCTS, SHALL BE PURCHASED BY WEIGHT AND PAYMENT SHALL BE MADE THEREFOR UPON THE

BASIS OF MILK FAT THEREIN CONTAINED IN THE CASE OF MILK AND CREAM, AND ON THE BASIS OF NONFAT MILK SOLIDS CONTAINED THEREIN IN THE CASE OF SKIM MILK AND BUTTERMILK; PROVIDED, THAT IN PURCHASING WHOLE MILK THE PURCHASE PRICE OF SUCH MILK SHALL BE BASED UPON THE DECLARED PURCHASE PRICE OF 100 POUNDS OF WHOLE MILK (1) CALCULATED AT THREE AND ONE-HALF POUNDS OF MILK FAT PER HUNDREDWEIGHT, OR (2) CALCULATED AT THREE AND ONE-HALF POUNDS OF MILK FAT PER HUNDREDWEIGHT AND THE NONFAT SOLIDS CONTAINED THEREIN. THE LATTER BASIS SHALL BE USED ONLY AFTER THE COMMISSIONER HAS PROMULGATED, AS PROVIDED IN THIS SUBDIVISION, RULES AND REGULATIONS FOR THE TESTING OF NONFAT SOLIDS. WHEN THE MILK FAT TEST OF SUCH WHOLE MILK VARIES FROM 3.5 PERCENT, A UNIFORM ADJUSTMENT IN THE DECLARED PURCHASE PRICE SHALL BE MADE FOR EACH ONE-TENTH OF ONE PERCENT OF MILK FAT ABOVE OR BELOW 3.5 PERCENT.)

(THE PERCENTAGE OF MILK FAT IN SUCH MILK AND CREAM SHALL BE DETERMINED AS FOLLOWS: (1) BY THE BABCOCK TEST AND BY EMPLOYING A STANDARD OFFICIAL METHOD FOR OPERATING THIS TEST, WHICH METHOD SHALL BE THAT ADOPTED, PRESCRIBED, AND SET FORTH, WITH SPECIFICATIONS IN DETAIL, IN THE RULES AND REGULATIONS FROM TIME TO TIME MADE AND PUBLISHED BY THE COMMISSIONER IN THE MANNER PROVIDED BY LAW; OR (2) BY ALTERNATIVE TESTS WHICH NOT ONLY DETERMINE THE PERCENTAGE OF MILK FAT BUT ALSO DETERMINE THE AMOUNT OF NONFAT SOLIDS, WHEN THE COMMISSIONER IS SATISFIED THAT THESE ALTERNATIVE TESTS ARE CONSISTENTLY AS ACCURATE AS THE BABCOCK TEST IN DETERMINING THE PERCENTAGE OF MILK FAT. THE AMOUNT OF NONFAT MILK SOLIDS IN SKIM MILK AND BUTTERMILK SHALL BE DETERMINED BY METHODS PROVIDED FOR HEREIN. THE TESTS SHALL BE PERFORMED IN THE MANNER AND WITH EQUIPMENT PRESCRIBED BY RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER IN THE MANNER PROVIDED BY LAW.)

All milk and cream purchased from producers shall be purchased by weight and one or more of the following methods:

(1) *payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat;*

(2) *payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat and above or below 3.2 percent protein;*

(3) *payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat and above or below 8.7 percent solids not fat;*

(4) *any other method of payment the commissioner deems necessary or appropriate.*

In addition, an extra adjustment to the milk price may be made on the basis of milk quality, and the component price payment may be subject to the milk quality.

Testing procedures for determining the percentages of milk fat, protein, and milk solids not fat shall be adopted by rule.

Sec. 2. [EFFECTIVE DATE.]

Clauses (2), (3), and (4) of Minnesota Statutes, section 32.25, subdivision 1, as amended by section 1, are effective upon adoption of the Upper Midwest (68), Eastern South Dakota (76), Chicago Area (30), and Iowa (79) Federal Milk Orders which would permit pricing by all purchasers from producers on a basis other than weight and milk fat content."

Amend the title as follows:

Page 1, line 2, delete "testing to" and insert "alternative methods for establishing the value of milk purchased from producers"

Page 1, delete line 3

Page 1, line 4, delete "protein and nonfat solids"

With the recommendation that when so amended the bill pass.

The report was adopted.

Vanasek from the Committee on Judiciary to which was referred:

H. F. No. 1502, A bill for an act relating to children; providing special foster care and adoption procedures for Indian children; empowering tribal courts with jurisdiction of Indian child welfare; proposing new law coded in Minnesota Statutes, chapter 257.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [257.35] [CITATION.]

Sections 1 to 16 may be cited as the "Minnesota Indian Child Welfare Act."

Sec. 2. [257.351] [LEGISLATIVE PURPOSE.]

The legislature declares that it is the policy of this state to protect the ethnic heritage or background of children who are subject to foster care or adoption. Where Indian children are involved, this policy can be implemented by maximizing cooperation between the state and the Indian children's tribes, by adopting or improving upon federal requirements in the area of Indian children subject to foster care or adoption, and by acknowledging and supporting the power of Indian tribes to develop tribal courts to take jurisdiction over the subject matter of sections 1 to 16.

Sec. 3. [257.352] [DEFINITIONS.]

Subdivision 1. [SCOPE.] As used in sections 1 to 16, the following terms have the meanings given them.

Subd. 2. [ADMINISTRATIVE REVIEW.] "Administrative review" means review under Minnesota Statutes, section 257.071.

Subd. 3. [CHILD CUSTODY PROCEEDING.] "Child custody proceeding" means a judicial proceeding that could result in:

(1) "adoptive placement," which means the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption;

(2) "involuntary foster care placement," which means an action removing an Indian child from its parents or Indian custodian for temporary placement in a foster home, institution, or the home of a guardian when the parent or Indian custodian cannot have the child returned upon demand, but parental rights have not been terminated;

(3) "preadoptive placement," which means the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, before or instead of adoptive placement; or

(4) "termination of parental rights," which means any action resulting in the termination of the parent-child relationship under the provisions of Minnesota Statutes, section 260.221.

"Child custody proceeding" includes proceedings involving placements based upon juvenile status offenses, but not place-

ments based upon acts which if committed by an adult would be deemed a crime, or based upon an award of custody in a divorce proceeding to one of the parents.

Subd. 4. [COMMISSIONER.] "Commissioner" means the commissioner of public welfare.

Subd. 5. [DEMAND.] "Demand" means a written and notarized statement signed by a parent or Indian custodian of a child requesting the return of the child who has been voluntarily placed in foster care.

Subd. 6. [EXPERT WITNESS.] "Expert witness" means (1) a member of the Indian child's tribe recognized or certified by the tribe as knowledgeable in tribal customs relating to family organizations and childrearing practices; or (2) a lay expert witness or professional person having substantial experience in the delivery of child and family services to Indians and extensive knowledge of prevailing social and cultural standards and child-rearing practices within the Indian child's tribe.

Subd. 7. [EXTENDED FAMILY MEMBER.] "Extended family member" of either parent shall be defined by tribal law or custom of the Indian child's tribe. In the absence of tribal law or custom, an extended family member is a person who has reached the age of 18 and is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, stepparent, or stepbrother or stepsister.

Subd. 8. [INDIAN.] "Indian" means any person who is a member of an Indian tribe or an Alaskan native and a member of a Regional Corporation as defined in section 7 of the Alaska Native Claims Settlement Act, United States Code, title 43, section 1606.

Subd. 9. [INDIAN CHILD.] "Indian child" means an unmarried person who is under age 18 and is:

- (1) a member of an Indian tribe; or
- (2) eligible for membership in an Indian tribe and the biological child of a member of an Indian tribe.

Subd. 10. [INDIAN CHILD'S TRIBE.] "Indian child's tribe" means the Indian tribe of which an Indian child is a member or is eligible for membership. In the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian child's tribe is the tribe with which the Indian child has the most significant contacts. If that tribe does not express an interest in the outcome of the actions taken under sec-

tions 1 to 16 with respect to the child, any tribe in which the child is eligible for membership that expresses an interest in the outcome may act as the Indian child's tribe.

Subd. 11. [INDIAN CUSTODIAN.] "*Indian custodian*" means an Indian person who has legal custody of an Indian child under tribal law or custom or under state law, or to whom temporary physical care, custody, and control has been transferred by the parent of the child.

Subd. 12. [INDIAN TRIBE.] "*Indian tribe*" means an Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary because of their status as Indians, including any band under the Alaska Native Claims Settlement Act, United States Code, title 41, section 1602; and exercising tribal governmental powers.

Subd. 13. [LOCAL SOCIAL SERVICE AGENCY.] "*Local social service agency*" means the local agency under the authority of the county welfare or human services board or county board of commissioners that is responsible for human services.

Subd. 14. [PARENT.] "*Parent*" means the biological parent of an Indian child or any Indian person who has lawfully adopted an Indian child, including a person who has adopted a child by tribal law or custom. It does not include an unmarried father whose paternity has not been acknowledged or established.

Subd. 15. [PRIVATE CHILD PLACING AGENCY.] "*Private child placing agency*" means a private organization, association, or corporation providing assistance to children and parents in their own homes and placing children in foster care or for adoption.

Subd. 16. [RESERVATION.] "*Reservation*" means Indian country as defined in United States Code, title 18, section 1151, and any lands that are held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation.

Subd. 17. [SECRETARY.] "*Secretary*" means the secretary of the United States Department of the Interior.

Subd. 18. [TRIBAL COURT.] "*Tribal court*" means a court with jurisdiction over child custody proceedings that is either a Court of Indian Offenses, a court established and operated under the code or custom of an Indian tribe, or the administrative body of a tribe that is vested with authority over child custody proceedings.

Subd. 19. [VOLUNTARY FOSTER CARE PLACEMENT.] "Voluntary foster care placement" means a decision in which there has been participation by a local social service agency or private child placing agency resulting in the temporary placement of an Indian child away from the home of its parents or Indian custodian in a foster home, institution, or the home of a guardian, and the parent or Indian custodian may have the child returned upon demand.

Sec. 4. [257.353] [SOCIAL SERVICE AGENCY NOTICE TO TRIBES.]

When the local social service agency determines that an Indian child is in a dependent or other condition that could lead to an out-of-home placement and requires the continued involvement of the agency with the child for a period in excess of 30 days, the agency shall send notice of the condition and the initial steps taken to remedy it to the Indian child's tribe within seven days of the determination. The local social service agency shall give the tribe full cooperation, including access to all files concerning the child if the tribe so requests, notwithstanding the provisions of chapter 13.

Sec. 5. [257.354] [VOLUNTARY FOSTER CARE PLACEMENTS.]

Subdivision 1. [NOTICE.] When an Indian child is voluntarily placed in foster care, the local social service agency involved in the decision to place the child shall give notice of the placement in the manner required under section 8 to the parents, the tribe, and the Indian custodian, or, under the circumstances described in section 8, the secretary, within seven days of placement, excluding weekends and holidays.

If a private licensed child placing agency makes a temporary voluntary foster care placement pending a decision on adoption by a parent, notice of the placement need not be given pursuant to section 8 until the filing of a petition for termination of parental rights or until four months following the temporary voluntary placement, whichever occurs first.

Subd. 2. [NOTICE OF ADMINISTRATIVE REVIEW.] In an administrative review of a voluntary foster care placement, the tribe of the child, the Indian custodian, and the parents of the child shall have notice and a right of participation in the review, including access to all files and documents pertaining to the placement notwithstanding the provisions of chapter 13.

Subd. 3. [RETURN OF A CHILD IN VOLUNTARY PLACEMENT.] Upon demand by the parent or Indian custodian of an Indian child, the local social service agency shall

return the child in voluntary foster care placement to the parent or Indian custodian within 24 hours of the receipt of the demand.

Sec. 6. [257.355] [EFFECT OF TRIBAL COURT PLACEMENT ORDERS.]

To the extent that any child subject to the provisions of this act is otherwise eligible for social services, orders of a tribal court concerning placement of the child shall have the same force and effect as orders of a court of this state.

Sec. 7. [257.356] [JURISDICTION; INTERVENTION; FULL FAITH AND CREDIT.]

Subdivision 1. [INDIAN TRIBE JURISDICTION.] An Indian tribe that has a tribal court has exclusive jurisdiction over a child custody proceeding involving an Indian child who resides or is domiciled within the reservation of the tribe. When an Indian child is in the legal custody of a person or agency pursuant to an order of a tribal court, the Indian tribe retains exclusive jurisdiction.

Subd. 2. [TRANSFER OF PROCEEDINGS.] In a proceeding for the termination of parental rights to or involuntary foster care placement of an Indian child not within the jurisdiction of the tribe under subdivision 1, the court shall transfer the proceeding to the jurisdiction of the tribe, absent objection by either parent, upon the petition of either parent, the Indian custodian, or the Indian child's tribe. Jurisdiction may be declined by the tribal court of the tribe.

Subd. 3. [INTERVENTION BY TRIBE.] In a proceeding for the termination of parental rights to or involuntary foster care placement of an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceedings.

Subd. 4. [FULL FAITH AND CREDIT.] The state and its political subdivisions shall give full faith and credit to the public acts, records, and judicial proceedings of an Indian tribe that apply to Indian child custody proceedings.

Sec. 8. [257.357] [FOSTER CARE.]

Subdivision 1. [INVOLUNTARY PROCEEDING; NOTICE.] In a child custody proceeding the court shall determine whether an Indian child is involved. The party seeking the involuntary foster care placement of or termination of parental rights to an Indian child shall notify the parent and Indian custodian and the Indian child's tribe, by registered mail with

return receipt requested, of the pending proceedings and of their right of intervention. If notification by registered letter return receipt requested is unsuccessful, notice by personal service shall be attempted no later than ten days after the mailing of the registered letter. If the identity or location of the parent or Indian custodian or the tribe cannot be determined, or if the attempt to serve notice to any of these parties is unsuccessful, notice must be served upon the secretary in like manner. No child custody proceeding that could have as a possible outcome either an involuntary foster care placement or a termination of parental rights shall be held until at least ten days after receipt of notice by the parent and Indian custodian and the tribe. If it has been necessary to serve notice upon the secretary, no proceeding shall be held until at least 20 days after receipt of the notice by the secretary. The parent or Indian custodian or the tribe shall, upon request, be granted up to 20 additional days to prepare for the proceeding.

Subd. 2. [INDIGENCY.] When the court determines indigency, the parent, the Indian custodian, and the child have the right to court-appointed counsel in a removal, placement, or termination proceeding. When an Indian custodian is involved, the court shall seek payment for legal counsel from the secretary in the manner described in United States Code, title 25, section 1912(b).

Subd. 3. [ACCESS TO DOCUMENTS.] Each party entitled to notice of a child custody proceeding involving an Indian child that could have as a possible outcome an involuntary foster care placement or termination of parental rights may examine all reports or other documents pertaining to the placement or termination, notwithstanding the provisions of chapter 13.

Subd. 4. [REMEDIAL SERVICES.] When a party initiates a child custody proceeding involving an Indian child that could have as a possible outcome an involuntary foster care placement or termination of parental rights, that party shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family, including notice to the child's tribe, and that these efforts have proved unsuccessful.

Subd. 5. [ADMISSIONS.] Where a parent or Indian custodian voluntarily admits to the allegations of the complaint or petition in a child custody proceeding, the admission is not valid unless executed in writing, recorded before a judge, and accompanied by the presiding judge's certificate that the terms and consequences of the admission were fully explained and fully understood by the parent or Indian custodian. The court shall also certify that either the parent or Indian custodian fully understood the explanation in English or that it was interpreted in a language that the parent or Indian custodian understood.

Subd. 6. [EVIDENCE REQUIRED FOR INVOLUNTARY FOSTER CARE PLACEMENT.] *No involuntary foster care placement may be ordered in a proceeding absent a determination supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.*

Subd. 7. [EVIDENCE REQUIRED FOR TERMINATION OF PARENTAL RIGHTS.] *No termination of parental rights may be ordered in a proceeding absent a determination supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.*

Subd. 8. [EFFECT OF PRIOR VOLUNTARY PLACEMENT.] *No involuntary foster care placement or termination of parental rights may be ordered where the determination is based solely upon the prior voluntary placement of the child.*

Sec. 9. [257.358] [PARENTAL RIGHTS; VOLUNTARY TERMINATION.]

Subdivision 1. [PARENTAL CONSENT WITHDRAWN.] *In a voluntary proceeding involving an Indian child for termination of parental rights or adoptive placement, the parent may withdraw consent for any reason at any time before the entry of a final decree of termination or adoption, if the adoption proceeding includes the termination of parental rights of either parent, and the child shall be returned to the parent.*

Subd. 2. [WITHDRAWN CONSENT.] *After the entry of a final decree of adoption of an Indian child, the parent may withdraw consent on the grounds that consent was obtained through fraud, or duress and may petition the court to vacate the decree. Upon a finding that the consent was obtained through fraud, or duress, the court shall vacate the decree and return the child to the parent.*

Subd. 3. [RESTRICTIONS UPON CONSENT.] *No consent to a termination of parental rights to or adoptive placement of an Indian child made prior to or within ten days of birth of the Indian child is valid.*

Sec. 10. [257.359] [ADOPTIVE OR FOSTER PLACEMENT.]

Subdivision 1. [ADOPTION PLACEMENT PREFERENCE.] *In an adoptive placement of an Indian child, a preference shall be given, absent good cause to the contrary, to a placement with:*

- (1) *a member of the child's extended family;*
- (2) *other members of the Indian child's tribe; or*
- (3) *other Indian families.*

Subd. 2. [PLACEMENT FOR PREADOPTIVE OR FOSTER CARE.] A child accepted for foster care or preadoptive placement must be placed in the least restrictive setting that most resembles a family and in which his or her special needs, if any, may be met. The child must be placed reasonably close to his or her home, taking into account any special needs of the child. The child shall be placed in an environment that maintains sibling relationships, taking into account any special needs of the child. In a foster care or preadoptive placement, a preference shall be given, in the absence of good cause to the contrary, to a placement with:

- (1) *a member of the Indian child's extended family;*
- (2) *a foster home licensed, approved, or specified by the Indian child's tribe;*
- (3) *an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or*
- (4) *an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs.*

Subd. 3. [TRIBAL PREFERENCE FOR PLACEMENT.] In the case of a placement under subdivisions 1 and 2 of this section, if the Indian child's tribe establishes a different order of preference by resolution, the agency or court effecting the placement shall follow the order as long as the placement is the least restrictive setting appropriate to the particular needs of the child, as provided in subdivision 2. If appropriate, the preference of the Indian child or parent shall be considered. If a consenting parent expresses a desire for anonymity, the court or agency shall give weight to that desire in applying the preferences.

Subd. 4. [STANDARDS FOR PREFERENCE.] The standards to be applied in meeting the preference requirements of this section are the prevailing social and cultural standards of the Indian community in which the parent or extended family resides or with which the parent or extended family members maintain social and cultural ties.

Subd. 5. [PLACEMENT RECORDS.] The commissioner shall maintain a record of the number and names of Indian children in placement by county of placement. The record shall

identify Indian children in placement in terms of the order of preference described in this section. This information shall be made available to an Indian tribe upon request by the tribe notwithstanding the provisions of chapter 13.

Subd. 6. [LOCATING THE EXTENDED FAMILY.] The agency seeking placement is responsible for making reasonable efforts to identify and locate extended family members.

Subd. 7. [PLACEMENT OUT OF ORDER OF PREFERENCE.] Where good cause exists to make a placement not within the order of preference described in this section, the court must determine that the benefits of the placement outweigh the potential effect of racial or ethnic discrimination against the child.

Sec. 11. [257.360] [STANDING TO INVALIDATE PROCEEDINGS.]

An Indian child who is the subject of an action for involuntary foster care placement or termination of parental rights, a parent or Indian custodian from whose custody the child was removed, and the Indian child's tribe may petition the court to invalidate the action upon a showing that the action was in violation of sections 3 to 10.

Sec. 12. [257.361] [PETITION FOR RETURN OF CUSTODY; REMOVAL FROM FOSTER CARE.]

Subdivision 1. [BIOLOGICAL PARENT PETITION.] When a final decree of adoption of an Indian child has been vacated or set aside, or the adoptive parents voluntarily consent to the termination of their parental rights to the child, a biological parent or prior Indian custodian may petition for return of custody and the court shall grant such petition unless there is a showing, in a proceeding subject to the provisions of section 8, that the return of custody is not in the best interests of the child.

Subd. 2. [NOTICE OF REMOVAL; REVIEW.] Whenever the placement of an Indian child may be changed, advance notice shall be provided to the child's tribe, and to the parents and the Indian custodian whose familial rights have not been terminated. Review of the placement shall be granted upon petition by the tribe or the parents of Indian custodian whose familial rights have not been terminated.

Sec. 13. [257.362] [INFORMATION ON TRIBAL AFFILIATION AND BIOLOGICAL PARENTS.]

Upon application by an adopted Indian adult over the age of 18, the court which entered the final decree shall inform the adopted Indian adult of the tribal affiliation, if any, of the

adopted Indian adult's biological parents and provide other information necessary to protect rights flowing from the individual's tribal relationship.

Sec. 14. [257.363] [IMPROPER REMOVAL OF CHILD FROM CUSTODY.]

If any petitioner in an Indian child custody proceeding has improperly removed the child from custody of the parent or Indian custodian, or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over the petition and shall return the child to his parent or Indian custodian unless returning the child to his parent or custodian would subject the child to a substantial and immediate danger or threat of danger.

Sec. 15. [257.364] [EMERGENCY REMOVAL OF CHILD.]

Nothing in sections 1 to 16 prevents the emergency removal of an Indian child from his parent or Indian custodian or the emergency placement of the child in a foster home or institution in order to prevent imminent physical harm to the child. The local social service agency or private childplacing agency involved shall ensure that the emergency removal or placement terminates immediately when removal or placement is no longer necessary to prevent imminent physical harm to the child, and shall promptly initiate a child custody proceeding subject to the provisions of sections 1 to 16, transfer the child to the jurisdiction of the appropriate Indian tribe, or restore the child to the parent or Indian custodian.

Sec. 16. [257.365] [RECORDS; INFORMATION AVAILABILITY.]

Subdivision 1. [COURT DECREE INFORMATION.] A state court entering a final decree or order in an Indian child adoptive placement shall provide the secretary, the department of public welfare, and the child's tribe with a copy of the decree or order together with other information necessary to show:

- (1) the name and tribal affiliation of the child;*
- (2) the names and addresses of the biological parents;*
- (3) the names and addresses of the adoptive parents; and*
- (4) the identity of any agency having files or information relating to the adoptive placement.*

If the court records contain an affidavit of the biological parent or parents requesting anonymity, the court shall delete the

name and address of the biological parents from the information sent to the child's tribe.

Subd. 2. [DISCLOSURE OF RECORDS.] Upon the request of the adopted Indian child over the age of 18, the adoptive or foster parents of an Indian child, or an Indian tribe, the department of public welfare shall disclose information necessary for membership of an Indian child in the tribe in which the child may be eligible for membership, or for determining any rights or benefits associated with that membership. If the documents relating to the child contain an affidavit from the biological parent or parents requesting anonymity, the department of public welfare shall delete the name and address of the biological parents from the information sent to the child's tribe."

Delete the title and insert:

"A bill for an act relating to children; providing special foster care and adoption procedures for Indian children; proposing new law coded in Minnesota Statutes, chapter 257."

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1509, A bill for an act relating to motor vehicles; prohibiting fees for the return of number plates; amending Minnesota Statutes 1982, section 168.15.

Reported the same back with the following amendments:

Page 2, delete lines 29 and 30

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

The report was adopted.

Begich from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1527, A bill for an act relating to labor; providing for occupational safety and health; regulating infectious agents;

amending Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4f.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4b, is amended to read:

Subd. 4b. Prior to an employee's initial assignment to a workplace where the employee may be routinely exposed to a hazardous substance or harmful physical agent, the employer shall provide training concerning the hazardous substance or harmful physical agent. The employer shall provide additional instruction whenever the employee may be routinely exposed to any additional hazardous substance or harmful physical agent. The term “routinely exposed” includes the exposure of an employee to a hazardous substance when assigned to work in an area where a hazardous substance has been spilled.

For each hazardous substance to which the employee may be routinely exposed, the employer's training program shall include:

(a) the name or names of the substance including any generic or chemical name, trade name, and commonly used name;

(b) the level, if any and if known, at which exposure to the substance has been determined to be safe according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups including but not limited to the American Industrial Hygiene Association, the American Conference of Governmental Industrial Hygienists, the Center for Disease Control, the Bureau of Radiological Health, and the American National Standards Institute;

(c) the known acute and chronic effects of exposure at hazardous levels;

(d) the known symptoms of the effects;

(e) any potential for flammability, explosion, or reactivity of the substance;

(f) appropriate emergency treatment;

(g) the known proper conditions for safe use of and exposure to the substance;

(h) procedures for cleanup of leaks and spills;

(i) the name, phone number and address of the manufacturer of the hazardous substance; and

(j) a written copy of all of the above information which shall be readily accessible in the area or areas in which the hazardous substance is used or handled.

Employees who have been routinely exposed to a hazardous substance prior to the effective date of Laws 1983, chapter 316 and who continue to be routinely exposed to that hazardous substance after the effective date of Laws 1983, chapter 316, shall be trained with respect to that hazardous substance within six months of the effective date of Laws 1983, chapter 316.

Training to update the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Every employer shall maintain current information for training under this subdivision or for information requests by employees under section 182.654, subdivision 10.

This subdivision does not apply to any employer engaged in a farming operation.

This subdivision does not apply to any small business.

Any technically qualified individual may elect to participate in any training or update programs required to be provided under this subdivision to employees who are not technically qualified individuals.

Sec. 2. Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4c, is amended to read:

Subd. 4c. For each harmful physical agent to which an employee may be routinely exposed, the employer's training program shall include the information required by the standard for that physical agent as determined by the commissioner, including but not limited to:

(a) the name or names of the physical agent including any commonly used synonym;

(b) the level, if any and if known, at which exposure to the physical agent has been determined to be safe according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups including but not limited to the American Conference of Governmental Industrial Hygienists, the Center for Disease Control, the Bureau of Radiological Health, and the American National Standards Institute;

- (c) the known acute and chronic effects of exposure at hazardous levels;
- (d) the known symptoms of the effects;
- (e) appropriate emergency treatment;
- (f) the known proper conditions for safe use of and exposure to the physical agent;
- (g) the name, phone number and address, if appropriate, of the manufacturer of the harmful physical agent; and
- (h) a written copy of all of the above information which shall be readily accessible in the area or areas in which the harmful physical agent is present and where the employee may be exposed to the agent through use, handling or otherwise.

Employees who have been routinely exposed to a harmful physical agent prior to the effective date of Laws 1983, chapter 316 and who continue to be routinely exposed to that harmful physical agent after the effective date of Laws 1983, chapter 316, shall be trained with respect to that harmful physical agent within six months of the effective date of Laws 1983, chapter 316.

Training to update the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Every employer shall maintain current information for training under this subdivision or for information requests by employees under section 182.654, subdivision 10.

This subdivision does not apply to any employer engaged in a farming operation.

Any technically qualified individual may elect to participate in any training or update programs required to be provided under this subdivision to employees who are not technically qualified individuals.

Sec. 3. Minnesota Statutes 1983 Supplement, section 182.653, subdivision 4f, is amended to read:

Subd. 4f. Each employer who operates a hospital or clinic shall provide training according to a program developed by the commissioner by rule with approval of the commissioner of health to its employees who are routinely exposed to an infectious agent. The training shall include the information required by the rule for that agent as developed by the commissioner and shall include, if known, names of infectious agents to which the

employee is routinely exposed, proper techniques for the employee to avoid self-contamination, and symptoms and effects of contamination. Training shall be provided upon the initial assignment of the employee to a job where that person will be routinely exposed to an infectious agent. Existing inservice, hospital licensure or certification programs which the commissioner determines substantially comply with the rules adopted pursuant to this subdivision may be certified by the commissioner to satisfy all or a part of the rules. "Infectious agent" means a communicable bacterium, *rickettsia*, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.

Infectious agent does not include an agent being developed or regularly utilized by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory or in a health care facility or in a clinic associated with a laboratory or health care facility, or in a pharmacy registered and licensed under chapter 151. The exemption in this clause does not include an infectious agent utilized in a laboratory that primarily provides a quality control analysis for a manufacturing process.

Employees who have been routinely exposed to an infectious agent prior to the effective date of Laws 1983, chapter 316 and who continue to be routinely exposed to that infectious agent after the effective date of Laws 1983, chapter 316, shall be trained with respect to that infectious agent within six months of the effective date of Laws 1983, chapter 316.

Training to update the information required to be provided under this subdivision shall be repeated at intervals no greater than one year.

Any technically qualified individual may elect to participate in any training or update programs required to be provided under this subdivision to employees who are not technically qualified individuals.

Sec. 4. Minnesota Statutes 1983 Supplement, section 182.654, subdivision 11, is amended to read:

Subd. 11. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonably believes present an imminent danger of death or serious physical harm to the employee.

A reasonable belief of imminent danger of death or serious physical harm includes but is not limited to a reasonable belief of the employee that the employee has been assigned to work with a hazardous substance, harmful physical agent or infectious agent under conditions which are inconsistent with the training or information provided by the employer pursuant to section 182.653, subdivision 4b, clauses (g) or (h), section 182.653, subdivision 4c, clause (f), section 182.653, subdivision 4d, section 182.653, subdivision 4e, section 182.653, subdivision 4f, or section 182.654, subdivision 10.

An employer may not discriminate against an employee for a good faith refusal to perform assigned tasks if the employee has requested that the employer correct the hazardous conditions but the conditions remain uncorrected.

An employee who has refused in good faith to perform assigned tasks and who has not been reassigned to other tasks by the employer shall, in addition to retaining a right to continued employment, receive pay for the tasks which would have been performed if (1) the employee requests the commissioner to inspect and determine the nature of the hazardous condition, and (2) the commissioner determines that the employee, by performing the assigned tasks, would have been placed in imminent danger of death or serious physical harm; or (3) the employee requests the commissioner to inspect and determine if a hazardous condition exists, and (4) the commissioner determines that the employer has failed to provide the training required under section 182.653, subdivision 4b, 4c, 4d, 4e, or 4f prior to the employee's initial assignment to a workplace where the employee may be routinely exposed to a hazardous substance or harmful physical agent and the employer has failed to provide the information required under section 182.653, subdivision 4b, 4c, 4d, 4e, or 4f after a request pursuant to section 182.654, subdivision 10 within a reasonable period of time, but not to exceed 24 hours, of the request.

Nothing in this subdivision shall give a technically qualified individual who elects to participate in the training required under section 182.653, subdivision 4b, 4c, or 4f, the right to refuse to work as provided under this subdivision because his or her employer has failed to provide a training program required under those subdivisions."

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections"

Page 1, line 5, delete "subdivision" and insert "subdivisions 4b, 4c, and"

Page 1, line 5, before the period insert "; and 182.654, subdivision 11"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1532, A bill for an act relating to agriculture; designating milk as the official state drink; proposing new law coded in Minnesota Statutes, chapter 1.

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

The report was adopted.

Vanasek from the Committee on Judiciary to which was referred:

H. F. No. 1535, A bill for an act relating to courts; abolishing the county and probate court; transferring the jurisdiction, cases, records, and employees of that court to the district court; merging the municipal and conciliation courts with the district court in the second and fourth judicial districts; transferring the jurisdiction, cases, records, and employees of those courts to the district court; providing that municipal, probate, and county judges learned in the law are district judges; providing that the county court judge not learned in the law is an associate judge; limiting the creation of additional referee, law clerk, courtroom bailiff, and courtroom deputy clerk positions; providing transitional retirement benefits; amending Minnesota Statutes 1982, sections 2.722, subdivision 1; 484.01; 484.545, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 7; and 484.69, subdivisions 1 and 3; Minnesota Statutes 1983 Supplement, sections 260.031, subdivision 1; and 484.70, subdivision 1; proposing new law coded in Minnesota Statutes, chapters 487; 488A; and 490; repealing Minnesota Statutes 1982, section 487.191.

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

The report was adopted.

POINT OF ORDER

Rice raised a point of order pursuant to rule 5.7 that H. F. No. 1535 be re-referred to the Committee on Appropriations. The Speaker ruled the point of order well taken and H. F. No. 1535 was re-referred to the Committee on Appropriations.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1603, A bill for an act relating to agriculture; establishing a grape research and promotion program funded by a portion of the wine excise tax; appropriating money; amending Minnesota Statutes 1983 Supplement, section 340.485, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 340.

Reported the same back with the following amendments:

Page 2, line 6, delete "*and promotion*"

Page 2, line 21, delete "AND PROMOTION"

Page 2, lines 24 and 32, delete "*and promotion*"

Page 2, delete lines 33 to 36

Page 3, delete lines 1 to 16 and insert:

"Subd. 3. [PROGRAM ADMINISTRATION.] The University of Minnesota's agricultural research station in cooperation with members of the Minnesota grape growers association and other active regional grape growers shall form a grape research council for the purpose of establishing research priorities and administering the grape research fund.

The fund is to be used to expand and improve Minnesota's grape research program as deemed best by the grape research committee. Funds will be made available from the grape research fund to colleges, universities, corporations, and individuals who may ask the grape research council for financing programs or projects they may wish to undertake.

The grape research council consists of seven members, three of whom shall be active area grape growers and four of whom shall be researchers and processors at the discretion of the University of Minnesota's horticulture department."

Page 3, lines 18 and 19 delete "*and promotion*"

Page 3, line 21, delete "*the promotion of*"

Amend the title:

Page 1, line 3, delete "*and promotion*"

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

The report was adopted.

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

H. F. No. 1620, A bill for an act relating to rehabilitation services for blind and visually handicapped persons; authorizing adoption of rules; amending Minnesota Statutes 1982, section 248.07, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1652, A bill for an act relating to no-fault insurance; requiring no-fault insurance coverage of certain benefits rather than medicare coverage; amending Minnesota Statutes 1982, section 65B.61, subdivision 1; repealing Minnesota Statutes 1982, section 65B.61, subdivision 2b.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1663, A bill for an act relating to agriculture; making certain changes in apiary law; amending Minnesota Statutes 1983 Supplement, sections 19.55; 19.56; 19.57; 19.58, subdivisions 1 and 2; 19.64, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1983 Supplement, section 19.58, subdivision 6.

Reported the same back with the following amendments:

Page 5, delete lines 1 and 2, and insert:

"If a person for whom these inspections or services are to be performed requests it, the commissioner shall provide to the person in advance an estimate of the fees or expenses that will be charged."

Page 5, after line 5, insert:

“Sec. 9. [EFFECTIVE DATE.]

Sections 1, 2, 4, 5, 7, and 8 are effective the day following final enactment.”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1668, A bill for an act relating to education; creating the Minnesota educational computing corporation as a public corporation; transferring assets of the Minnesota educational computing consortium to the corporation; amending Minnesota Statutes 1983 Supplement, section 3.732, subdivision 1; 10A.01, subdivision 18; 15A.081, subdivision 1; 135A.07, subdivision 2; and proposing new law coded as Minnesota Statutes, chapter 119; repealing Minnesota Statutes 1982, section 120.83; Minnesota Statutes 1983 Supplement, sections 120.801; 120.802; 120.803; 120.804; 120.805; 120.806; and 120.81.

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

The report was adopted.

Anderson, G., from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1670, A bill for an act relating to transportation; expanding scope of state commuter van transportation program; amending Minnesota Statutes 1982, section 16.756, subdivisions 1, 1a, and 2.

Reported the same back with the following amendments:

Page 2, line 20, strike “State” and “employees and their”

Page 2, line 21, strike “spouses and other people”

Page 2, line 22, strike “shall also be eligible for the employee”

Page 2, strike line 23

Page 2, line 24, strike “provided, however, that”

Page 2, line 25, strike "are" and insert "*must be*"

Page 2, line 25, strike "provided, further, that"

Page 2, line 26, after "employees" insert "*must*"

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

The report was adopted.

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

H. F. No. 1700, A bill for an act relating to insurance; increasing replacement service loss benefits in no-fault auto insurance; amending Minnesota Statutes 1982, section 65B.44, subdivision 5.

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

The report was adopted.

Anderson, G., from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1703, A bill for an act relating to local government; authorizing joint exercise of police powers; amending Minnesota Statutes 1982, section 471.59, by adding a subdivision.

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

The report was adopted.

Vanasek from the Committee on Judiciary to which was referred:

H. F. No. 1722, A bill for an act relating to crimes; changing the limitation period for certain criminal sexual conduct offenses; amending Minnesota Statutes 1982, section 628.26.

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

The report was adopted.

Voss from the Committee on Energy to which was referred:

H. F. No. 1725, A bill for an act relating to energy; providing for miscellaneous changes in the programs of the state related to energy; appropriating money; amending Minnesota Statutes 1982, section 116J.19, subdivision 13; Minnesota Statutes 1983 Supplement, sections 116J.09; 116J.18, subdivision 1; and 116J.31; proposing new law coded in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1982, section 16.02, is amended by adding a subdivision to read:

Subd. 30. [ENERGY CONSERVATION INCENTIVES.] Notwithstanding any other law to the contrary, fuel cost savings resulting from energy conservation actions shall be available at the managerial level at which the actions took place for expenditure for other purposes within the biennium in which the actions occur or in the case of a shared savings agreement for the contract period of the shared savings agreement. For purposes of this subdivision “shared savings agreement” means a contract meeting the terms and conditions of subdivision 29.

Sec. 2. Minnesota Statutes 1983 Supplement, section 116J.09, is amended to read:

116J:09 [DUTIES.]

The commissioner shall:

(a) manage the department as the central repository within the state government for the collection of data on energy;

(b) prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(c) undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of sections 116J.05 to 116J.30;

(e) collect and analyze data relating to present and future demands and resources for all sources of energy (, AND SPECIFY ENERGY NEEDS FOR THE STATE AND VARIOUS SERVICE AREAS AS A BASIS FOR PLANNING LARGE ENERGY FACILITIES);

(f) evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of sections 116J.05 to 116J.30, and make recommendations for changes in energy pricing policies and rate schedules;

(g) study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(h) design and implement a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential, and transportation areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(i) inform and educate the public about the sources and uses of energy and the ways in which persons can conserve energy;

(j) dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation, resource recovery, or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact;

(k) charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met;

(l) (REPORT TO THE LEGISLATURE BY FEBRUARY 1 OF EACH YEAR BOTH THE PROCESSES AND RESULTS OF EFFORTS TO COMMUNICATE THE STATUTORY REQUIREMENTS CONCERNING ENERGY EFFICIENCY STANDARDS UNDER SECTION 116J.27 AND THE EXTENT OF COMPLIANCE WITH THE REQUIREMENTS) *design and implement a comprehensive program for the development of indigenous energy resources. The program shall include, but not be limited to, providing technical, informational, educational, and financial services and materials to persons, businesses, municipalities, and organizations involved in the development of solar, wind, hydropower, peat, fiber fuels, biomass, and other alternative energy resources.*

Further, the commissioner may participate fully in hearings before the public utilities commission on matters pertaining to rate design, cost allocation, efficient resource utilization, utility conservation investments, small power production, cogeneration, and other rate issues. The commissioner shall support the policies stated in section 116J.05 and shall prepare and defend testimony proposed to encourage energy conservation improvements as defined in section 216B.241.

Sec. 3. Minnesota Statutes 1983 Supplement, section 116J.18, subdivision 1, is amended to read:

Subdivision 1. [(STATE ENERGY POLICY AND CONSERVATION) REPORT.] By July 1 of (EACH EVEN-NUMBERED YEAR) 1988 and every four years thereafter, the commissioner shall (TRANSMIT TO THE GOVERNOR AND THE LEGISLATURE A COMPREHENSIVE REPORT DESIGNED TO IDENTIFY EMERGING TRENDS RELATED TO ENERGY SUPPLY, DEMAND, CONSERVATION, PUBLIC HEALTH AND SAFETY FACTORS, AND TO SPECIFY THE LEVEL OF STATEWIDE AND UTILITY SERVICE AREA ENERGY NEED. THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, ALL OF THE FOLLOWING:)

((A) A FINAL REPORT ON THE ACCURACY AND ACCEPTABILITY OF THE ENERGY FORECASTS RECEIVED UNDER SECTION 116J.17 AND THE ALTERNATIVES TO MEETING THAT DEMAND;)

((B) AN ESTIMATE OF STATEWIDE AND UTILITY SERVICE AREA ENERGY NEED FOR THE FORTHCOMING 20 YEAR PERIOD WHICH, IN THE JUDGMENT OF THE COMMISSIONER, WILL REASONABLY BALANCE REQUIREMENTS OF STATE ECONOMIC GROWTH AND DEVELOPMENT, PROTECTION OF PUBLIC HEALTH AND SAFETY, PRESERVATION OF ENVIRONMENTAL QUALITY, AND CONSERVATION OF ENERGY RESOURCES;)

((C) THE ANTICIPATED LEVEL OF STATEWIDE ENERGY DEMAND FOR 20 YEARS, WHICH SHALL SERVE AS THE BASIS FOR LONG RANGE ACTION;)

((D) THE IDENTIFICATION OF POTENTIAL ADVERSE SOCIAL, ECONOMIC, OR ENVIRONMENTAL EFFECTS CAUSED BY A CONTINUATION OF THE PRESENT ENERGY DEMAND TRENDS;)

((E) AN ASSESSMENT OF THE STATE'S ENERGY RESOURCES, INCLUDING EXAMINATION OF THE AVAILABILITY OF COMMERCIALY DEVELOPABLE AND IMPORTED FUELS;)

((F) THE ESTIMATED REDUCTION IN ANNUAL ENERGY CONSUMPTION RESULTING FROM VARIOUS ENERGY CONSERVATION MEASURES;)

((G) THE COST OF ENERGY TO RESIDENTIAL AND RENTAL CONSUMERS IN RELATION TO THEIR SOCIO-ECONOMIC STATUS;)

((H) AN ASSESSMENT OF THE ECONOMIC AND EMPLOYMENT IMPLICATIONS OF PROPOSED STATE ENERGY POLICIES;)

((I) THE STATUS OF THE DEPARTMENT'S ONGOING STUDIES;)

((J) RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE FOR ADMINISTRATIVE AND LEGISLATIVE ACTIONS TO ACCOMPLISH THE PURPOSES OF SECTIONS 116J.05 TO 116J.30.) *issue a comprehensive report designed to identify major emerging trends and issues in energy supply, consumption, conservation, and costs. The report shall include the following:*

(a) projections of the level and composition of statewide energy consumption under current government policies and an evaluation of the ability of existing and anticipated facilities to supply the necessary energy for that consumption;

(b) projections of how the level and the composition of energy consumption would be affected by new programs or new policies;

(c) projections of energy costs to consumers, businesses, and government;

(d) identification and discussion of key social, economic, and environmental issues in energy;

(e) explanations of the department's current energy programs and studies; and

(f) recommendations.

Sec. 4. Minnesota Statutes 1982, section 116J.19, subdivision 13, is amended to read:

Subd. 13. Beginning January 1, (1978) 1985, no new room air conditioner or room air conditioner heat pump shall be sold or installed or transported for resale into Minnesota unless it has an energy efficiency ratio of (7.0) 7.8 or higher. For purposes of this subdivision, "energy efficiency ratio" means the ratio of the

cooling capacity of the air conditioner in British thermal units per hour to the electrical input in watts. (TO DETERMINE THE ENERGY EFFICIENCY RATIO, ALL ROOM AIR CONDITIONER MODELS SHALL BE TESTED IN ACCORDANCE WITH THE METHODS AND CONDITIONS SPECIFIED IN AMERICAN NATIONAL STANDARD Z234.1, AND AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR CONDITIONING ENGINEERS STANDARD 16-69) *The cooling capacity, electrical input, and energy efficiency ratio of room air conditioners and room air conditioning heat pumps is determined by using the standard for room air conditioners, approved by the American National Standards Institute on April 20, 1972, known as ANSI/AHAM RAC-1, with ASHRAE 58-74 used in lieu of ASHRAE 58-65. The method of sampling of room air conditioners shall be that required by the Department of Energy and found in Federal Register, volume 44, pages 22410-22418 (April 13, 1979). A new room air conditioner having dual voltage ratings shall conform to the energy efficiency ratio requirements at each rating. (THIS SUBDIVISION SHALL NOT APPLY TO AIR CONDITIONERS IN MINNESOTA ON OCTOBER 1, 1977.)*

Sec. 5. [116J.261] [ENERGY ENGINEERING EXTENSION SERVICE.]

Subdivision 1. [CREATION, GOALS.] To further the development of indigenous energy resources and energy conservation, the commissioner shall establish an energy engineering extension service. The service shall facilitate the development of specific projects in the public and private sectors as well as providing the broad range of information, education, and technical assistance services necessary to accelerate energy conservation and alternative energy development in the state.

Subd. 2. [DUTIES.] The energy engineering extension service shall:

(a) provide on-site technical assistance for alternative energy and conservation projects;

(b) develop information materials and educational programs to meet the needs of engineers, technicians, developers, and others in the alternative energy field;

(c) conduct feasibility studies when the results of the studies would be of benefit to others working in the same area; and

(d) facilitate development of energy projects through assistance in finding financing, meeting regulatory requirements, gaining public and private support, limited technical consultation, and similar forms of assistance.

Sec. 6. Minnesota Statutes 1983 Supplement, section 116J.31, is amended to read:

116J.31 [ENERGY AUDITS.]

The commissioner shall develop and administer state programs of energy audits of residential and commercial buildings including those required by United States Code, title 42, section 8211, et seq. and section 8281, et seq. (THE ATTORNEY GENERAL MAY RELEASE INFORMATION ON CONSUMER COMPLAINTS ABOUT THE OPERATION OF THE PROGRAM TO THE COMMISSIONER.) *The commissioner shall continue to administer the residential energy audit program as originally established under the provisions of United States Code, title 42, section 8211, et seq., through July 1, 1986, irrespective of any prior expiration date provided in United States Code, title 42, section 8216. The commissioner shall have authority to approve temporary programs if they are likely to result in the installation of as many conservation measures as would have been installed had the utility met the requirements of United States Code, title 42, section 8211, et seq. The consumer services division and the attorney general are authorized to release information on consumer comments about the operation of the program to the commissioner.*

Sec. 7. Minnesota Statutes 1982, section 116J.36, as amended by Laws 1983, chapter 301, section 129, is amended to read:

116J.36 [DISTRICT HEATING AND QUALIFIED ENERGY IMPROVEMENT LOANS.]

Subdivision 1. [POLICIES.] Developing and improving efficient and economical district heating systems and certain public works capital improvements which conserve energy or substitute a lower cost, more plentiful, or indigenous fuel is a public purpose for state and local financing and a proper function of state and local government. Climate and geography make a reliable, economic supply of energy essential for (INDUSTRIAL, COMMERCIAL) industry, commerce, and residential heating. Imported supplies of certain fuels are increasingly costly, unreliable, and environmentally disadvantageous. District heating systems employing cogeneration techniques and innovative technology offer an important means of increasing the efficiency of Minnesota's energy systems and reducing the state's reliance on imported energy supplies. The combination of the large initial capital cost and investors' lack of familiarity with district heating has made the private market reluctant to provide the necessary capital for district heating projects. As a result, public leadership, cooperation, and aid are needed to demonstrate the feasibility of district heating systems by establishing economically viable municipal district heating systems as demonstration projects. *Certain other types of improvements*

offer municipalities substantial opportunities for reducing energy costs or generating revenues from wastes. Municipal district heating systems and other qualified improvements which conserve energy or allow for the substitution of fuels may be financed by loans from the state and from other sources available to municipalities.

Subd. 2. [DEFINITIONS.] In this section:

(a) "Construction costs" means all costs associated with the construction, modification or expansion of a district heating system except for preliminary planning costs and detailed design costs. Construction costs include the cost of debt service from the time a construction loan is made until five years after the beginning of the operation of the district heating system constructed or the part of the system being modified or expanded.

(b) "District heating" means the use of a central energy conversion facility to produce hot water or steam for a district heating system. District heating facilities may also produce electricity in addition to hot water or steam.

(c) "Municipality" means any county, city, town, *school district, or a municipal power agency (, OR) formed pursuant to sections 453.53 to 453.62. Municipality also means a public utility, as defined in section 452.01, subdivision 3, owned and operated by a city, however organized (OR). For purposes of a district heating system only, municipality also means a non-profit corporation organized pursuant to the provisions of chapter 317 whose membership is limited to the mayor and governing body of the city in which the district heating system is located.*

(d) "District heating system" means any existing or proposed facility for (1) the production, through cogeneration or otherwise, of hot water or steam to be used for district heating, or (2) the transmission and distribution of hot water or steam for district heating either directly to heating consumers or to another facility or facilities for transmission and distribution, or (3) any part or combination of the foregoing facilities.

(e) "*Qualified energy improvement*" means a capital improvement to public land, buildings, or energy using systems, other than a district heating system, including the purchase or installation of equipment to reduce the usage of conventional energy sources or to use alternative energy resources. Qualified energy improvements also include waste-to-energy facilities which meet the criteria specified in subdivision 8a and any rule adopted thereto.

Subd. 3. [ELIGIBILITY, DISTRICT HEATING.] The commissioner of finance, upon (REQUEST) recommendation of the (GOVERNOR) authority, may make loans to municipali-

ties for the acquisition, construction, expansion, or modification of district heating systems. A loan shall be made only to a municipality that has demonstrated *to the authority* that:

(a) The municipality has the financial capability to sponsor the project;

(b) The project is technologically feasible;

(c) The district heating project will become a cogeneration facility or the project will utilize hot water or, if the project involves an existing district steam heating system, the project will become integrated with a hot water district heating system, or the project will allow the use of nonpetroleum fuels or will construct an efficient heat transmission system; and

(d) The municipality has made adequate provision to assure proper and efficient operation and maintenance of the project after construction is completed.

Subd. 3a. [ELIGIBILITY, QUALIFIED ENERGY IMPROVEMENTS.] *The commissioner of finance, upon recommendation of the authority, may make loans to a municipality for the acquisition, construction, or expansion of a qualified energy improvement. A loan shall be made only to a municipality that has demonstrated that:*

(a) *the municipality has the financial capability to sponsor the qualified energy improvement;*

(b) *the improvement is technologically feasible;*

(c) *the improvement conforms to criteria specified in subdivision 8a and any rule adopted thereto; and*

(d) *the municipality has made adequate provision to assure proper and efficient operation and maintenance of the improvement after construction is completed.*

Subd. 3b. [GRANT ELIGIBILITY, DISTRICT HEATING.] The commissioner of energy (, PLANNING) and economic development may provide planning grants to municipalities for planning related to the development of district heating systems. The municipality must demonstrate that a community heatload survey and map have been successfully completed, that potential district heating load is sufficiently large to justify further consideration, and that sufficient resources are available for the municipality to meet its financial requirements. Eligible planning grant costs include project definition, development of preliminary financing and distribution system plans, and ob-

taining commitment for detailed planning or design and preparation of a final report. The amount of the grant to a municipality is limited to 90 percent of eligible planning costs and shall not exceed \$70,000 as established by rule or temporary rule.

Subd. 3c. [GRANT ELIGIBILITY, QUALIFIED ENERGY IMPROVEMENTS.] The commissioner of energy and economic development may provide planning grants to municipalities for planning related to the development of qualified energy improvements. The municipality must demonstrate that sufficient resources are available for the municipality to meet its financial requirements. Eligible planning grant costs include definition of the improvement, development of preliminary financing plans, and obtaining commitment for detailed planning or design and preparation of a final report. The amount of a grant to a municipality is limited to 90 percent of eligible planning costs and shall not exceed \$100,000 as established by rule or temporary rule.

Subd. 4. [PRIORITIES, DISTRICT HEATING.] The (COMMISSIONER OF ENERGY, PLANNING AND DEVELOPMENT) authority shall give higher priority to a project that does more to achieve the following goals:

(a) The district heating conversion facility employs cogeneration techniques;

(b) The facility uses renewable or nonpetroleum sources of energy;

(c) The district heating facility will save petroleum or natural gas;

(d) The operation of the district heating facility will not have an adverse impact on the environment;

(e) The district heating facility may readily be expanded to serve additional customers or to supply additional amounts of energy, and market demand for the energy exists;

(f) The project has obtained additional financing from the federal government, private sources, or other sources of capital; and

(g) Other goals the (COMMISSIONER OF ENERGY, PLANNING AND DEVELOPMENT) authority finds desirable for district heating systems.

Subd. 4a. [PRIORITIES, ENERGY IMPROVEMENTS.] The authority shall give higher priority to qualified energy improvements that come closest to achieving the following goals:

(a) *reducing the dependence of a municipality on imported fuels;*

(b) *providing a cost reduction or revenue source for the municipality;*

(c) *providing multiple benefits to residents within the municipality;*

(d) *demonstrating technologies for solid waste treatment.*

Subd. 5. [APPLICATION.] Application for a loan to be made pursuant to subdivision 6 or 7 shall be made by a municipality to the (COMMISSIONER OF ENERGY, PLANNING AND DEVELOPMENT) *authority* on a form prescribed by the (COMMISSIONER OF ENERGY, PLANNING AND ECONOMIC DEVELOPMENT BY RULE) *authority*. The (COMMISSIONER OF ENERGY, PLANNING AND DEVELOPMENT) *authority* shall (REVIEW EACH APPLICATION AND) determine:

(a) Whether or not the project or proposed energy improvement is eligible for a loan;

(b) the priority of the project or qualified energy improvement when ranked with (ALL) other eligible projects or improvements for which a loan application has been submitted;

(c) The total estimated cost of the project or improvement;

(d) The amount of the loan for which the project or improvement is eligible;

(e) The terms upon which the loan would be made; and

(f) The means by which the municipality proposes to finance the project or improvement, including:

(1) A loan authorized by state law; or

(2) A grant of money appropriated by state law; or

(3) A grant to the municipality by an agency of the federal government within the amount of money then appropriated to that agency and allocated by it to projects or improvements within the state; or

(4) The appropriation of proceeds of bonds or other money of the municipality to an account for the construction of the project or improvement; or

(5) User charges, franchise fees, special assessments or taxes; or

(6) Any or all of the means referred to in clauses (1) to (5).

Subd. 6. [LOANS, DISTRICT HEATING AND QUALIFIED ENERGY IMPROVEMENTS.] Upon the recommendation of the (GOVERNOR) *authority* pursuant to subdivision 8, the commissioner of finance shall make loans to municipalities on the following terms:

(a) In the case of loans for design costs, the maximum amount of the loan shall be limited by the provisions of this clause. For cities of the first class *and counties containing a city of the first class, individually or through the exercise of joint powers agreements*, the amount of the loan shall not exceed 40 percent of the design costs. For cities of the second, third and fourth class, *and other municipalities*, the amount of the loan shall not exceed 90 percent of the design costs;

(b) In the case for loans for construction costs, a municipality must demonstrate that all design activities have been completed; that the project *or improvement* is economically and technologically feasible; that the district heating system *or qualified energy improvement* will be constructed, and that it has made adequate provisions to assure proper and efficient operation and maintenance of the project *or improvement*. For cities of the first class *and counties containing a city of the first class, individually or through the exercise of joint powers agreements*, the amount of the loan shall be up to 50 percent of the construction costs. For cities of the second class, the amount of the loan shall be up to 80 percent of the construction costs. For cities of the third or fourth class, *and other municipalities*, the amount of the loan shall be up to 90 percent of the construction costs.

(c) A loan made pursuant to this section is repayable over a period of *not more than 20 years* (, WITH INTEREST PAYMENTS BEGINNING THE FIRST YEAR) *from the date the loan is made*. Interest shall accrue from the date of the loan at a rate of interest assigned at the date of loan commitment, *but the first payment of interest shall not be due until one year after the loan was made*. Principal payments shall begin in the sixth year after the receipt of the loan on a 25 year level payment schedule with the balance of the principal to be retired with the payment due 20 years after receipt of the loan. *Interest attributable to the first year of deferred payment shall be amortized in equal periodic payments over the remainder of the term of the loan. For each loan, the initial deposit to the state bond fund*

required by section 16A.65, subdivision 1, shall be made by the commissioner of finance, and no loan may be refused solely because the municipality does not provide the initial deposit.

(d) The authority may also pledge a segregated portion of the energy development fund to guarantee or insure bonds and notes, or the interest rate thereon, issued by the commissioner of finance on behalf of the state of Minnesota for purposes of section 116J.36 or 116J.37.

Subd. 7. [MODERN STEAM SYSTEMS.] (a) A municipality which has operating within its boundaries a modern steam district heating system owned by a district heating utility may apply for a loan or grant under this section even though the district heating project for which the loan or grant application is made may be planned, constructed, or owned by a district heating utility. The loan or grant application shall be treated in the same manner as loan or grant applications for district heating projects where the projects are to be planned, constructed, or owned by a municipality.

All or a portion of the proceeds of a loan made to a municipality described in this subdivision may be used to make loans to a district heating utility to provide financial assistance for the planning, modification, expansion or construction of a district heating project. Prior to making the loan to the district heating utility, the municipality shall:

(1) Adopt a district heating plan which identifies the areas of the city to be served by district heating; a time schedule indicating when service would be available in different areas of the city and the type of service to be offered; and

(2) Enter into a written agreement with the district heating utility which includes a requirement that the district heating utility restrict expansion of its existing steam system within its current geographic boundaries as determined by the municipality and develop a hot water system on a specific time schedule.

(b) The powers, authority and obligations granted to a municipality under this subdivision are supplemental to the powers, authority and obligations granted all municipalities under this section.

(c) As used in this subdivision, "modern steam district heating system" means a steam district heating system with condensate return built after 1970 and before May 30, 1981. "District heating utility" means any person, corporation, or other legal entity which owns or operates or plans to own or operate a district heating system. "District heating project" means a new district heating system, or the expansion or modification of the existing modern steam district heating system.

Subd. 8. [LOAN APPROVAL.] The commissioner of energy (, PLANNING) and *economic* development shall prepare and submit to the (LEGISLATIVE ADVISORY COMMISSION A LIST OF) *energy and economic development authority separate lists of loan requests for district heating (LOAN REQUESTS) systems and qualified energy improvements.* The list for district heating loans shall contain the supporting information required by subdivisions 3, 4, 5, 6, and 7. *The list for qualified energy improvements shall contain the supporting information required by subdivisions 3a, 3c, 4a, 5, and 6.* The recommendation of the (LEGISLATIVE ADVISORY COMMISSION) authority shall be transmitted to the (GOVERNOR) commissioner of finance. The (GOVERNOR) commissioner of finance shall (APPROVE OR DISAPPROVE, OR RETURN FOR FURTHER CONSIDERATION, EACH PROJECT RECOMMENDED FOR APPROVAL BY THE LEGISLATIVE ADVISORY COMMISSION. LOANS MAY BE DISBURSED ONLY UPON APPROVAL BY THE GOVERNOR) *sell bonds and make loans for district heating projects and qualified energy improvements only upon the recommendation of the authority.*

Subd. 8a. [CRITERIA FOR QUALIFIED ENERGY IMPROVEMENTS.] *Qualified energy improvements eligible for loans shall meet criteria established in rule by the commissioner of energy and economic development. Rules relating to qualified energy improvements involving a waste-to-energy facility shall be adopted in consultation with the waste management board and the pollution control agency. An improvement involving a waste-to-energy facility must be part of a solid waste management plan approved by the pollution control agency or a plan approved pursuant to section 473.803.*

Subd. 9. [PAYMENT; OBLIGATION.] The commissioner of finance shall not pay money to a municipality pursuant to an approved loan until he has determined that:

(a) Financing of the project or improvement as proposed by the municipality is assured by an irrevocable undertaking, by resolution of the governing body of the municipality, to use all money made available by the financing plan exclusively for the eligible costs of the project or improvement, and to pay any additional amount by which the cost of the project or improvement exceeds the estimate by the appropriation to the construction account of additional (MUNICIPAL) money of the municipality or the proceeds of additional bonds to be issued by the municipality; and that

(b) The governing body of the municipality has adopted a resolution obligating the municipality to repay the loan according to the terms in the loan. The obligation may be payable from user charges, franchise fees, special assessments or other money available to the municipality. The resolution shall obligate the municipality to annually impose and collect user charges, fran-

chise fees, special assessments, or to use any other money available to it from any other specified source, in amounts and at times that if collected in full will annually produce at least five percent in excess of the amount needed for all annual costs of the system, including annual repayment on state loans. A municipality may also pledge to levy an ad valorem tax to guarantee the payments under the loan agreement. For the purpose of repaying the loan, the municipality by resolution of its governing body may fix the rates and charges for district heating system or qualified energy improvement service and products, may enter into contracts for the payment by others of costs of construction, maintenance, and use of the project or improvement in accordance with section 444.075 and may pledge the revenues derived therefrom. The commissioner of finance shall condition a loan upon the establishment of rates and charges or the execution of contracts sufficient to produce annually the revenues pledged for repayment of all annual costs of the system, including annual repayment of the state loan.

Subd. 10. [RECEIPTS.] All principal and interest payments received by the commissioner of finance in repayment of the loans authorized by this section shall be deposited in the state treasury and credited to the state bond fund and are appropriated to the commissioner of finance for the purposes of that account.

Subd. 11. [RULES.] The commissioner of energy (, PLANNING) and economic development shall adopt rules necessary to carry out the programs of this section. The commissioner of energy (, PLANNING) and economic development (SHALL) may adopt temporary rules pursuant to sections 14.29 to 14.36, meeting the requirements of this section. The rules shall contain as a minimum:

- (a) Procedures for application by municipalities; and
- (b) Criteria for reviewing grant and loan applications.

Sec. 8. [116J.381] [COMMUNITY ENERGY PROGRAM.]

Subdivision 1. [FINDINGS.] The legislature finds that the cost of energy causes economic and social stress, and that the state has an interest in facilitating solutions to energy related stresses. The legislature also finds that community-based energy programs are an effective means of implementing improved energy practices including conservation, greater efficiency in energy use, and the use of alternative resources. Further, community based energy programs are found to be a public purpose for which public money may be spent.

Sec. 9. [116J.382] [COMMUNITY ENERGY COUNCILS.]

Subdivision 1. [CREATION.] Cities or counties, individually or through the exercise of joint powers agreements, may create community energy councils. Membership on a council shall include representatives of labor, small business, voluntary organizations, senior citizens, and low and moderate income residents, and may include city and county officials and others.

Subd. 2. [POWERS AND DUTIES.] In order to develop and implement community based energy programs, a community energy council may:

(1) analyze social and economic impacts caused by energy expenditures;

(2) plan, coordinate, advertise, and provide energy programs to minimize negative social and economic impacts;

(3) seek, accept, and disburse grants and other aids from public or private sources for purposes authorized in this subdivision; and

(4) exercise other powers and duties imposed on it by statute, charter, or by ordinance.

Sec. 10. [116J.383] [COMMUNITY BASED ENERGY PROGRAM.]

Subdivision 1. [DEPARTMENT ASSISTANCE.] The commissioner may provide professional and financial assistance to communities to establish community energy councils, and develop and implement community energy programs, within the resources available to it.

Sec. 11. Minnesota Statutes 1982, section 325F.20, subdivision 1, is amended to read:

Subdivision 1. The commissioner shall adopt rules pursuant to chapter 14 regarding quality, information, and product safety specifications for the manufacture, labeling, installation, and thermographing of insulation. The specifications and any amendments to them shall conform as far as is practical to federal standards or other standards generally accepted and in use throughout the United States. The standards, with modifications as may be deemed necessary, may be adopted by reference. The specifications adopted and any amendments shall be based on the application of scientific principles, approved tests, and professional judgment. For purposes of this subdivision, the commissioner, in consultation with the commissioner of energy and economic development, may adopt temporary rules which may remain in effect for 360 days.

Sec. 12. [APPROPRIATION.]

Subdivision 1. \$250,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of the department of energy and economic development for the purpose of establishing an energy engineering extension service. The complement of the department is increased by positions.

Subd. 2. \$50,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of energy and economic development for a manager of the engineering services. The manager shall have technical expertise and professional experience in the field of engineering. The department of employee relations shall assign the position to a classification that will use all but not more than \$50,000 for salary and benefits. The complement of the department is increased by one position.

Subd. 3. \$253,000 in fiscal year 1985 is appropriated to the commissioner of energy and economic development for the community energy council program. \$180,000 is for grants to communities. The complement of the department is increased by one position in the unclassified service.

Subd. 4. \$53,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of the department of energy and economic development for the shared energy savings program. The complement of the department is increased by one position.

Subd. 5. \$5,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of the department of energy and economic development for the adoption of temporary rules pursuant to section 7.

Subd. 6. \$55,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of energy and economic development for purposes of adopting rules regarding quality and product safety specifications for the manufacture of insulation.

Subd. 7. \$50,000 in fiscal year 1985 is appropriated to the commissioner of energy and economic development for the study and adoption of standards for fiber fuels.

Subd. 8. \$279,000 in fiscal year 1985 is appropriated from the general fund to the commissioner of finance for district heating debt service pursuant to Minnesota Statutes, section 116J.36, subdivision 6, as amended by this act.

Subd. 9. \$ for fiscal year 1985 is appropriated from the general fund to the commissioner of economic security for purposes of extending or expanding the low income residential weatherization program authorized by section 268.37."

Delete the title and insert:

"A bill for an act relating to energy; providing for miscellaneous changes in the programs of the state related to energy; appropriating money; amending Minnesota Statutes 1982, sections 16.02, by adding a subdivision; 116J.19, subdivision 13; 116J.36, as amended; 325F.20, subdivision 1; Minnesota Statutes 1983 Supplement, sections 116J.09; 116J.18, subdivision 1; and 116J.31; proposing new law coded in Minnesota Statutes, chapter 116J."

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

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

H. F. No. 1781, A bill for an act relating to taxes; clarifying the consequences of certain conveyances of tax-forfeited land; amending Minnesota Statutes 1982, section 282.01, subdivision 1.

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

The report was adopted.

Anderson, G., from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1797, A bill for an act relating to transportation; public transit; creating a regional transit board and specifying its powers and duties; transferring certain powers and duties to the regional transit board from the commissioner of transportation and the metropolitan transit commission; specifying certain powers of the metropolitan council; reducing and reappropriating certain appropriations; amending Minnesota Statutes 1982, sections 174.22, subdivisions 5, 10, 13, and by adding a subdivision; 174.23, subdivisions 2 and 4; 174.24, subdivisions 1, 2, and 5; 221.295; 473.121, subdivisions 7, 10, 11, 18, 19, and by adding subdivisions; 473.146, subdivisions 3 and 4; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.404; 473.405; 473.409; 473.411; 473.416; 473.435; 473.436, by adding a subdivision; 473.445; 473.446, by adding subdivisions; 473.449; Minnesota Statutes 1983 Supplement, sections 15A.081, subdivision 7; 174.24, subdivision 3; 221.041, by adding a subdivision; 221.071, subdivision 1; proposing new law coded in Minnesota Statutes, chapters 221; and 473; repealing Minnesota Statutes

1982, sections 174.03, subdivision 5a; 174.24, subdivisions 3a and 4; 473.121, subdivisions 9 and 16; 473.401; 473.402; 473.403; 473.411, subdivision 1; 473.413, as amended; 473.451; 474.265; 474.31.

Reported the same back with the following amendments:

Page 6, after line 35, insert:

"Sec. 11. Minnesota Statutes 1982, section 174.265, subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] The commissioner may provide assistance under the program to any statutory or home rule charter city or town, or group of such cities or towns, which: (a) is located within the metropolitan transit taxing district, as defined in section 473.446, subdivision 2; (b) is not served by the metropolitan transit commission or is served only with bus routes which end or begin within the city or town, or group of cities or towns; and (c) has fewer than four scheduled runs of bus service provided by the commission during off-peak hours. Eligible cities or towns may apply on behalf of any operator of public transit with whom they propose to contract for service. *A statutory or home rule charter city or town that was eligible for assistance under the program on January 1, 1984, may not thereafter be rendered ineligible by changes in service if the city or town was receiving assistance or had submitted an application or a letter of intent to apply for assistance under the program by January 1, 1984.*"

Page 7, line 1, after the period insert "*Section 11 is effective the day following final enactment.*"

Renumber the sections in sequence

Page 7, line 6, delete "*221.096*" and insert "*221.296*"

Page 8, line 1, after the period insert "*The operating authority granted to such a petitioner must be the operating authority for which the petitioner has contracted with the regional transit board. A carrier with a contract to provide service from the regional transit board may amend his certificate to provide for additional routes by filing a copy of the amendment with the board, and approval of the amendment by the board is not required if the additional service is provided under contract with the regional transit board.*"

Page 10, line 35, after "*distribution*" insert "*, coordination,*"

Page 14, after line 8, insert:

"Sec. 13. Minnesota Statutes 1982, section 473.181, subdivision 3, is amended to read:

Subd. 3. [METROPOLITAN TRANSIT COMMISSION.]
The council shall review acquisition of public transit systems and the issuance of revenue bonds by the metropolitan transit commission pursuant to sections 473.405, subdivision (1) 5, and 473.438, subdivision 7.

Sec. 14. Minnesota Statutes 1982, section 473.223, is amended to read:

473.223 [FEDERAL AID.]

For the purposes of this section the term "governmental subdivision" includes municipalities, counties and other political subdivisions generally. If federal aid for transportation programs and projects is otherwise unavailable to an existing agency or governmental subdivision, the metropolitan council may cooperate with the government of the United States and any agency or department thereof and the affected agency or other governmental subdivision in establishing metropolitan area eligibility to receive federal aid, and may comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such projects as are proposed for federal assistance. If necessary to meet federal requirements, the council, the *regional transit board*, and the metropolitan transit commission may be considered a single eligible unit to carry out their respective responsibilities. The metropolitan council may accept federal aid and other aid, either public or private, for and in behalf of the metropolitan area or any governmental subdivision of the state, for transportation programs and projects within the metropolitan area upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as agent of any governmental subdivision of the state with jurisdiction in the metropolitan area upon request of such subdivision in accepting the aid in its behalf for such programs or projects financed either in whole or in part by federal aid. The governing body of any such subdivision is authorized to designate the metropolitan council as its agent for such purposes and to enter into an agreement with the council prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations. The metropolitan council is authorized to designate an appropriate state agency as its agent for such purposes and to enter into an agreement with such agency prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations.

Nothing contained herein shall limit any separate authority of agencies or governmental subdivisions of the state to contract for and receive federal aid."

Page 14, line 10, delete "12" and insert "14"

Renumber the sections in sequence

Page 14, line 20, delete the second "a"

Page 14, line 21, delete "board" and insert "programs and agencies"

Page 14, line 22, delete everything after "The"

Page 14, line 23, after "goals" insert "of sections 473.371 to 473.449 are as follows"

Page 14, line 25, after "for" insert "all people in"

Page 14, line 26, after "arrange" insert "to the greatest feasible extent"

Page 14, line 27, after "of" insert "all people in"

Page 14, line 30, after "efficient" insert "and coordinated"

Page 15, line 5, delete everything after the headnote

Page 15, delete lines 6 and 7

Page 15, line 8 delete "appointed" and insert "The council shall establish a transit board appointments committee, composed of members of the council. In addition to the notice required in section 15.0597, subdivision 4, the council shall notify in writing the governing body of the statutory and home rule charter cities, towns, and counties having territory in the district for which the member is to be appointed. The notification must describe the appointment process and invite participation and recommendations on the appointment. The appointments committee shall hold a public hearing in each district for which a member is to be appointed. Following the hearing, the appointments committee shall submit to the council a written report that lists the persons who have applied or been nominated or recommended for the position, along with a description of the background and qualifications of each"

Page 15, line 19, delete everything after the period

Page 15, delete line 20

Page 15, line 21, delete "devote full"

Page 15, delete line 22 and insert "be paid the per diem compensation provided for members under section 473.141, subdivision 7. The duties of the chair are:"

Page 15, delete line 25

Reletter clauses accordingly

Page 15, line 31, delete "*extended-term budget*" and insert "*financial plan*"

Page 15, after line 35, insert a subdivision to read:

"Subd. 5. [EXECUTIVE DIRECTOR.] The chief administering officer of the board shall hold the position of executive director. The executive director shall be appointed as provided in section 473.141 and have the duties and authority prescribed for a chief administrator in section 473.141, except as provided in subdivision 6."

Page 15, line 36, delete "5" and insert "6"

Page 15, line 36, after "*authority*" insert "*of a chief administrator*"

Page 16, line 4, delete "*delegate to*" and insert "*authorize*"

Page 16, line 5, after "*chair*" insert "*or executive director*"

Page 16, line 5, delete "*its authority to make*" and insert "*to recommend*"

Page 16, line 7, after "*chair*" insert "*or executive director*"

Page 16, after line 7, insert:

"Subd. 6. [PENSION RIGHTS.] A person who is an employee of the metropolitan transit commission on the effective date of this section and who subsequently becomes an employee of the transit board has the option of continued coverage under Minnesota Statutes, chapter 353."

Page 16, line 25, delete ", accept"

Page 17, line 13, before "*The*" insert "*Upon certification by the board that it has adopted an approved interim implementation plan and is ready to assume responsibilities for the program,*"

Page 17, line 13, delete "*all*" and insert "*the*"

Page 17, line 14, after "*responsibilities*" insert "*identified by the board that are*"

Page 17, line 15, after "*or*" insert "*the*"

Page 17, line 18, before the period insert "*, except for the statewide vanpool leasing program conducted by the commissioner*"

Page 17, line 23, after the period insert "*The board may contract for services in carrying out the program.*"

Page 18, line 32, after "*distribution*" insert "*and coordination*"

Page 19, line 9, delete "*detailed*"

Page 19, delete lines 28 to 36

Page 20, delete lines 1 to 19 and insert:

"*Subd. 2. [FINANCIAL PLAN; COUNCIL APPROVAL.] Along with its annual budget, each year the board shall prepare a financial plan for the succeeding three calendar years. The financial plan must be consistent with the board's implementation plan and must contain the elements specified in section 4, subdivision 2, clauses (a), (e), (f), and (g). The financial plan prepared in even-numbered years must contain a proposed request for state financial assistance for the succeeding biennium. The board shall submit the financial plan to the council for review and approval or disapproval. The council may approve or disapprove in whole or in part. The council may disapprove only for inconsistency with the policy plan of the council.*"

Subd. 3. [EXCEPTION.] The capital budget and financial plan of the board prepared in 1984 need not be submitted to the council until December 1, 1984, and the council has 30 days for review."

Page 20, line 25, before the period insert "*and the coordination of the planning and development of transit by local government units*"

Page 21, line 28, delete "*a transit*"

Page 21, delete line 29 and insert "*under clause (a) or (b) of subdivision 2, the applicant must*"

Page 21, line 33, delete "*proposed*"

Page 22, line 5, delete everything after "*study*"

Page 22, line 6, delete "*to serve*" and insert "*for any applicant*"

Page 23, line 22, before the period insert "*, or cause the dismissal of current commission employees*"

Page 23, line 36, delete "*, subdivision 3*"

Page 24, line 32, delete "*a*"

Page 24, delete lines 33 and 34

Page 24, line 35, delete everything before the period and insert "*representatives of users of the service, and representatives of appropriate agencies*"

Page 27, after line 20, insert:

"A statutory or home rule charter city or town that met the criteria of clauses (a) to (c) as of January 1, 1984, may not thereafter be rendered ineligible for assistance under the program by changes in service if the city or town was receiving assistance or had submitted an application or a letter of intent to apply for assistance under the program by January 1, 1984."

Page 30, line 15, delete "*shall*" and insert "*must*"

Page 30, line 19, delete the first "*of*" and insert "*from taxes,*"

Page 30, line 20, after the comma insert "*or other revenues of the board,*"

Page 30, after line 26, insert:

"Sec. 11. [473.394] [BOARD EXEMPT FROM TAXATION.]

The properties, moneys, and other assets of the transit board, all revenues or other income of the board, and all bonds, certificates of indebtedness, or other obligations issued by the board, and the interest thereon, are exempt from all taxation, licenses, fees, or charges of any kind imposed by the state or by any county, municipality, political subdivision, taxing district, or other public agency or body of the state."

Page 31, line 25, delete " ; QUALIFICATION "

Page 31, line 34, delete "30" and insert "60"

Page 31, line 36, after the period insert "*As soon as practicable but not later than 15 days following the occurrence of a vacancy, the commission shall publish notice of the existence of the vacancy in newspapers of general circulation in the area and notify in writing the elected chief executives of the cities and towns eligible to nominate persons to fill the vacancy.*"

Subd. 6. [QUALIFICATION.]"

Page 32, line 11, delete "6" and insert "7"

Page 32, line 17, delete "7" and insert "8"

Page 32, line 19, delete "8" and insert "9"

Page 45, after line 24, insert:

"Sec. 17. Minnesota Statutes 1983 Supplement, section 473.436, subdivision 6, is amended to read:

Subd. 6. [TEMPORARY BORROWING.] On or after the first day of any fiscal year, the commission may borrow money which may be used or expended by the commission for any purpose, including but not limited to current expenses, capital expenditures and the discharge of any obligation or indebtedness of the commission. The indebtedness (SHALL) *must* be represented by a note or notes which may be issued from time to time in any denomination and sold at public or private sale pursuant to a resolution authorizing the issuance (THEREOF, WHICH). *The* resolution (SHALL) *must* set forth the form and manner of execution of the notes and shall contain other terms and conditions the commission deems necessary or desirable to provide security for the holders of the notes. The note or notes (SHALL BE) *are* payable from committed or appropriated money (OF) *from taxes, grants or loans of the state or federal government made to the commission, or other revenues of the commission, and the money may be pledged to the payment of the notes. To the extent the notes are not paid from the grant or loan money pledged for the payment thereof, the principal and interest of the notes (SHALL) must be paid (WITH THE INTEREST THEREON) from any taxes, income and revenue received or accrued during the fiscal year in which the note or notes were issued, or other money of the commission lawfully available therefor.*"

Page 45, line 29, delete "*extended-term budget*" and insert "*financial plan*"

Page 46, after line 24, insert:

"Sec. 20. Minnesota Statutes 1982, section 473.446, subdivision 2a, is amended to read:

Subd. 2a. [PROTECTION OF RIGHTS OF HOLDERS OF OUTSTANDING INDEBTEDNESS.] The provisions of subdivisions 1 and 2 or any other law changing the boundaries of the metropolitan transit taxing district or reducing the levy otherwise required to be levied within the district shall not be deemed to impair the rights of holders of outstanding indebtedness of the commission to require the (LEVY) *certification to the transit board of property taxes, if necessary to provide for any deficiency in accordance with the conditions of such indebtedness, on all property within the limits of the metropolitan transit taxing district as such limits were in effect at the date of issuance of such indebtedness.*"

Page 47, line 31, delete "21" and insert "24"

Renumber the sections in sequence

Page 47, delete line 35

Page 47, before line 36, insert:

"Section 1. Minnesota Statutes 1983 Supplement, section 10A.01, subdivision 18, is amended to read:

Subd. 18. "Public official" means any:

- (a) member of the legislature;
- (b) constitutional officer in the executive branch and his chief administrative deputy;
- (c) member, chief administrative officer or deputy chief administrative officer of a state board or commission which has at least one of the following powers: (i) the power to adopt, amend or repeal rules, or (ii) the power to adjudicate contested cases or appeals;
- (d) commissioner, deputy commissioner or assistant commissioner of any state department as designated pursuant to section 15.01;
- (e) individual employed in the executive branch who is authorized to adopt, amend or repeal rules or adjudicate contested cases;
- (f) executive director of the state board of investment;
- (g) executive director of the Indian affairs intertribal board;
- (h) commissioner of the iron range resources and rehabilitation board;
- (i) director of mediation services;
- (j) deputy of any official listed in clauses (e) to (i);
- (k) judge of the workers' compensation court of appeals;
- (l) hearing examiner or compensation judge in the state office of administrative hearings or hearing examiner in the department of economic security;
- (m) solicitor general or deputy, assistant or special assistant attorney general;

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

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

(p) executive director of the Minnesota educational computing consortium.

Sec. 2. Minnesota Statutes 1982, section 15.0597, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them.

(a) "Agency" means (1) a state board, commission, council, committee, authority, task force or other similar multi-member agency created by statute and having statewide jurisdiction; and (2) the metropolitan council, (METROPOLITAN TRANSIT COMMISSION) *regional transit board*, metropolitan airports commission, metropolitan parks and open space commission, metropolitan sports facilities commission, metropolitan waste control commission, capitol area architectural and planning board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact.

(b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency, or (2) a new, unfilled agency position; provided that "agency" shall not mean (1) a vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, or (2) a vacancy to be filled by a person required to have a specific title or position.

(c) "Secretary" means the secretary of state."

Page 48, delete lines 13 and 14

Page 48, after line 21, insert:

"Sec. 4. Minnesota Statutes 1982, section 161.173, is amended to read:

161.173 [SUBMISSION OF CORRIDOR PROPOSAL.]

The commissioner shall submit to the governing body of each municipality wherein a trunk highway is proposed to be con-

structed or improved, and to the governing body of each municipality adjacent to any such municipality, a report containing: a statement of the need for this proposed construction or improvement, a description of alternate routes which were considered by the commissioner and an explanation of the advantages and disadvantages in the selection of any route considered. The report shall also contain for each alternate, the following information: general alignment and profile, approximate points of access, highway classification, an approximate cost estimate, relation to existing and planned regional and local development and to other transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. Where a state trunk highway is proposed to be constructed or improved within the metropolitan area, a copy of the report shall also be submitted to the metropolitan council and the (METROPOLITAN TRANSIT COMMISSION) *regional transit board* established by chapter 473. In all areas of the state a copy of the report shall be sent to established regional, county and municipal planning commissions in the area affected by the highway project. Not less than 45 nor more than 90 days, or as otherwise mutually agreed, after the report has been submitted, the commissioner shall hold a public hearing on the proposed highway construction or improvement at such time and place within any municipality wherein a portion of the proposed construction or improvement is located, as the commissioner shall determine. Not less than 30 days before the hearing the commissioner shall mail notice thereof to the governing body of each municipality or agency entitled to receive a copy of the report, and shall cause notice of the hearing to be published at least once each week for two successive weeks in a newspaper or newspapers having general circulation in such municipalities, the second publication to be not less than five days before the date of the hearing. The notice shall state the date, time, place and purpose of the hearing, shall describe the proposed or actual general location of the highway to be constructed or improved, and shall state where the report may be inspected prior to the hearing by any interested person. The hearing shall be conducted by the commissioner or his designee, and shall be transcribed and a record thereof mailed to each municipality or agency entitled to receive a copy of the report. All interested persons shall be permitted to present their views on the proposed highway construction or improvement. The hearing may be continued as often as necessary. Within 120 days after the hearing is completed, the governing body of each municipality or agency entitled to receive a copy of the report shall submit to the commissioner its approval or disapproval of the report. If all or any part of the report is disapproved, the municipality or agency shall state the reasons for such disapproval and suggested changes in the report. The commissioner shall, before preparing additional plans for the proposed highway construction or improvement, submit to the governing body of each municipality or agency disapproving the report, a statement accepting or rejecting any suggested changes and the reasons for his acceptance or rejection.

Sec. 5. Minnesota Statutes 1982, section 161.174, is amended to read:

161.174 [SUBMISSION OF LAYOUT PLANS.]

The commissioner shall submit to the governing body of each municipality wherein a highway is proposed to be constructed or improved, a proposed layout plan for the highway construction or improvement containing: the proposed location, elevation, width and geometrics of the construction or improvement, together with a statement of the reasons therefor. Said plan shall also contain: approximate right-of-way limits; a tentative schedule for right-of-way acquisition, if known; proposed access points; frontage roads; separation structures and interchanges; location of utilities, when known; landscaping, illumination, a tentative construction schedule, if known; and the estimated cost of the construction or improvement. The commissioner shall submit more than one layout plan. Each such plan shall also be submitted to the metropolitan council and the (METROPOLITAN TRANSIT COMMISSION) *regional transit board* if any portion of the proposed highway construction or improvement is located in the metropolitan area. In all areas of the state a copy of the layout plan shall be sent to established regional, county and municipal planning commissions in the area affected by the highway project. Not less than 90 nor more than 120 days after said plan has been submitted, the commissioner shall hold a public hearing on the proposed highway construction or improvement at such time and place within any municipality wherein a portion of the construction or improvement is located, as the commissioner shall determine. The hearing shall be noticed, held and conducted in the manner provided in section 161.173, except that the commissioner shall mail notice of the hearing only to those municipalities and agencies entitled to receive a copy of the layout plan. The hearing shall be transcribed and a record thereof made available to each municipality or agency entitled to receive a copy of said plan. Within 180 days after the hearing is completed, the commissioner shall formally adopt a layout plan. A copy of the layout plan as adopted shall be submitted to each municipality or agency entitled to receive a copy of the proposed plan, together with the reasons for any change in the plan as presented at the hearing. Within 120 days after the receipt of the adopted layout plan, each such municipality or agency shall submit to the commissioner its approval or disapproval of the layout plan and the reasons for such disapproval, and proposed alternatives, which may include a recommendation of no highway. Such alternatives submitted by a municipality located within the metropolitan area shall, upon request of the municipality, be reviewed by the metropolitan council in order to determine whether such alternatives are likely to meet minimum federal requirements. The metropolitan council is authorized to provide whatever assistance it deems advisable to the submitting municipality in order to assist it in arriving at an alternative which meets minimum federal requirements. If said plan or any part thereof is not disapproved within such

period, the commissioner may proceed to prepare final construction plans and specifications for the highway construction or improvement consistent with the adopted layout plan, and may acquire the necessary right-of-way. If the layout plan or any part thereof is disapproved by any municipality or agency, and the commissioner determines to proceed with the plan without modifications, he shall proceed in the manner provided in section 161.175. If the commissioner determines to proceed with the plan with modifications, he shall submit the modified layout plan to the municipalities and agencies entitled to receive the original layout plan in the manner described above, for approval or disapproval by each such municipality or agency within 60 days after receipt of the modified layout plan. If the modified layout plan or any part thereof is not disapproved by any municipality or agency within 60 days after its receipt, the commissioner may proceed to prepare final construction plans and specifications consistent with the modified layout plan, and may acquire the necessary right-of-way. If the modified plan is disapproved by any municipality and the commissioner determines to proceed with the plan without additional modification, he shall proceed in the manner provided in section 161.175. If the layout plan is disapproved, either as originally submitted or as modified and the commissioner does not act pursuant to section 161.175, within one year from the date of the completion of the hearing, any objecting municipality entitled to receive a copy of the layout plan by virtue of this section may invoke the appellate procedure pursuant to section 161.175, in the same manner as the same might be invoked by the commissioner. In the event the appellate procedure is invoked by either the commissioner or the municipality, the commissioner shall hold a public hearing prior to the appointment of an appeal board. Such hearing shall be limited to the proposed alternative layout plans.

Sec. 6. Minnesota Statutes 1982, section 352.01, subdivision 2A, is amended to read:

Subd. 2A. [INCLUDED EMPLOYEES.] The following persons are included in the meaning of state employee:

- (1) Employees of the Minnesota Historical Society.
- (2) Employees of the State Horticultural Society.
- (3) Employees of the Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, if employed prior to July 1, 1963.
- (4) Employees of the Minnesota Crop Improvement Association.
- (5) Employees of the adjutant general who are paid from federal funds and who are not covered by any federal civilian employees retirement system.

(6) Employees of the state universities employed under the university activities program.

(7) Currently contributing employees covered by the system who are temporarily employed by the legislature during a legislative session or any currently contributing employee employed for any special service as defined in clause (8) of subdivision 2B.

(8) Employees of the armory building commission.

(9) Permanent employees of the legislature and persons employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation including permanent employees of the legislative research committee.

(10) Trainees who are employed on a full time established training program performing the duties of the classified position for which they will be eligible to receive immediate appointment at the completion of the training period.

(11) Employees of the Minnesota Safety Council.

(12) Employees of the transit operating division of the metropolitan transit commission and any employees on authorized leave of absence from the transit operating division who are employed by the labor organization which is the exclusive bargaining agent representing employees of the transit operating division.

(13) Employees of the metropolitan council, metropolitan parks and open space commission, *regional transit board*, metropolitan transit commission, metropolitan waste control commission, metropolitan sports facilities commission or the metropolitan mosquito control commission unless excluded or covered by another public pension fund or plan pursuant to sections 473.141, subdivision 12, or 473.415, subdivision 3.

(14) Judges of the tax court."

Page 49, line 12, delete "*September*" and insert "*December*"

Page 49, line 31, delete "*extended-term budget*" and insert "*financial plan*"

Page 49, line 34, delete "*subdivisions 9 and 16*" and insert "*subdivision 9*"

Page 50, line 4, delete "5" and insert "8"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 10, after "sections" insert "15.0597, subdivision 1; 161.173; 161.174;"

Page 1, line 12, after the first semicolon insert "174.265, subdivision 3;"

Page 1, line 12, after the second semicolon insert "352.01, subdivision 2a;"

Page 1, after line 15, insert "473.181, subdivision 3; 473.-223;"

Page 1, line 17, after "473.446," insert "subdivision 2a, and"

Page 1, line 19, after "sections" insert "10A.01, subdivision 18;"

Page 1, line 21, after the semicolon insert "473.436, subdivision 6;"

Page 1, line 24, after the second semicolon insert "174.265; 174.31;"

Page 1, line 25, delete "subdivisions 9 and 16" and insert "subdivision 9"

Page 1, line 26, delete the third semicolon

Page 1, line 27, delete everything before the period

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1824, A bill for an act relating to transportation; allowing vending machines in rest areas, tourist information centers, and weigh stations; providing for installation of drain tile along or across highways; delineating debt collection au-

thority of the department of transportation; authorizing road authorities to assist each other; reducing a fee; authorizing the commissioner to spend money to acquire or condemn certain outdoor advertising devices; amending Minnesota Statutes 1982, sections 160.08, subdivision 7; 160.20, subdivision 3, and by adding a subdivision; 160.28; 161.20, subdivision 4; 161.39, subdivisions 1, 5, and 6; and 173.13, subdivision 7; and Laws 1983, chapter 293, section 2, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 160.08, subdivision 7, is amended to read:

Subd. 7. [NO COMMERCIAL ESTABLISHMENT WITHIN RIGHT-OF-WAY.] No commercial establishment, including but not limited to automotive service stations, for serving motor vehicle users shall be constructed or located within the right-of-way of, or on publicly-owned or publicly-leased land acquired or used for or in connection with, a controlled access highway (,); except that (1) structures may be built within safety rest and tourist information center areas (AND), (2) space within state owned buildings in those areas may be leased for the purpose of providing information to travelers through commercial and public service advertising (PURSUANT TO) *under franchise agreements as provided in sections 160.276 to 160.278, and (3) advertising signs may be erected within the right-of-way of interstate or controlled-access trunk highways by franchise agreements under section 11.*

Sec. 2. Minnesota Statutes 1982, section 160.20, subdivision 3, is amended to read:

Subd. 3. [INSTALLATION OF DRAIN TILE ALONG OR ACROSS HIGHWAY RIGHT-OF-WAY.] ((A)) When the course of natural drainage of any land runs to a highway, the owner of the land who has been granted a permit as provided in (THIS) subdivision 4 may install drain tile along or across the highway right-of-way along the general course of the natural drainageway, provided further that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway. Any installation shall be made in accordance with specifications set forth in the permit and any rules that apply to the installations. When any installation is made pursuant to this subdivision the highway shall be left in as good condition in every respect as it was before the installation was made.

((B) ANY ROAD AUTHORITY MAY ACCEPT APPLICATIONS FOR PERMITS FOR INSTALLATION OF DRAIN TILE ALONG OR ACROSS THE RIGHT-OF-WAY OF

A HIGHWAY UNDER ITS JURISDICTION. THE ROAD AUTHORITY MAY ADOPT REASONABLE RULES FOR THE INSTALLATIONS AND MAY REQUIRE A BOND BEFORE GRANTING ANY PERMIT. PERMITS FOR INSTALLATION ALONG A HIGHWAY RIGHT-OF-WAY SHALL INSURE THAT THE LENGTH OF THE INSTALLATION IS RESTRICTED TO THE MINIMUM NECESSARY TO ACHIEVE THE DESIRED AGRICULTURAL BENEFITS. NO PERMIT SHALL ALLOW ANY OPEN TRENCHES TO BE LEFT ON THE RIGHT-OF-WAY AFTER INSTALLATION OF DRAIN TILE IS COMPLETED. A ROAD AUTHORITY THAT GRANTS A PERMIT FOR DRAIN TILE INSTALLATION SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO THAT INSTALLATION RESULTING FROM THE ACTION OF THE AUTHORITY OR ANY OTHER PERMITTEE UTILIZING THE RIGHT-OF-WAY.)

((C) ANY PERSON WHO INSTALLS DRAIN TILE ALONG OR ACROSS A HIGHWAY RIGHT-OF-WAY WITHOUT OBTAINING A PERMIT AS PROVIDED IN THIS SUBDIVISION IS GUILTY OF A MISDEMEANOR.)

((D) THE COMMISSIONER SHALL TAKE NO ACTION PURSUANT TO THIS SUBDIVISION WHICH WILL RESULT IN THE LOSS OF ANY FEDERAL AID FOR HIGHWAY CONSTRUCTION IN THIS STATE.)

((E) FOR THE PURPOSE OF THIS SUBDIVISION "HIGHWAY" MEANS ANY HIGHWAY AS DEFINED IN THIS CHAPTER WHICH IS LOCATED OUTSIDE THE CORPORATE LIMITS OF ANY HOME RULE CHARTER OR STATUTORY CITY.)

Sec. 3. Minnesota Statutes 1982, section 160.20, is amended by adding a subdivision to read:

Subd. 4. [CONDITIONS.] (a) A road authority may accept applications for permits for installation of drain tile along or across the right-of-way under its jurisdiction. The road authority may adopt reasonable rules for the installations and may require a bond before granting a permit. Permits for installation along a highway right-of-way must ensure that the length of the installation is restricted to the minimum necessary to achieve the desired agricultural benefits. A permit must not allow open trenches to be left on the right-of-way after installation of the drain tile is completed. A road authority that grants a permit for tile drain installation is not responsible for damage to that installation resulting from the action of the authority or any other permittee utilizing the right-of-way.

(b) A person who installs drain tile along or across a highway right-of-way without obtaining a permit as provided in this section is guilty of a misdemeanor.

(c) *The commissioner shall take no action under this section which will result in the loss of federal aid for highway construction in the state.*

(d) *For the purpose of this section, "highway" means any highway as defined in section 160.02 which is located outside the corporate limits of a home rule charter or statutory city.*

Sec. 4. Minnesota Statutes 1982, section 160.283, subdivision 3, is amended to read:

Subd. 3. For the purposes of sections 160.283 to 160.285 the term "resort" shall be as defined in (MINNESOTA STATUTES 1969,) section 157.01 or a golf course, restaurant, or motel as defined in section 157.01 or recreational camping area as defined in section 327.14, subdivision 8.

Sec. 5. Minnesota Statutes 1982, section 160.285, is amended to read:

160.285 [COUNTY PARTICIPATION.]

Subdivision 1. Any county of this state is authorized to expend county road and bridge funds for the purchase of (SUCH) signs *under section 160.283* (FROM THE DEPARTMENT OF TRANSPORTATION), and for the erection of such signs along or adjacent to highways under their jurisdiction or along and adjacent to town roads within the county (. A CERTIFIED COPY OF THE RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE PURCHASE OF A SPECIFIED NUMBER OF SUCH SIGNS SHALL BE FORWARDED TO THE DEPARTMENT OF TRANSPORTATION.), *provided that* the cost of (SUCH) the signs to the counties (SHALL) *must* be 100 percent (OF THE ACTUAL COST TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF THE SIGNS. THE COUNTIES MAY SELL THE SIGNS TO ANY PERSON, PROVIDED THAT THE SALE PRICE SHALL BE 75 PERCENT OF THE COST OF SUCH SIGNS TO THE COUNTY) *reimbursed by the requestor.*

Subd. 2. (ANY COUNTY PARTICIPATING SHALL) *Counties may* erect (SUCH) and maintain these signs at (ITS OWN) the expense (AS IT DEEMS NECESSARY) of the requestor on those county state-aid highways, county highways and town roads designated in section 160.283, subdivision 2 provided that (SUCH) these signs shall (BE ERECTED IN A MANNER ACCEPTABLE TO THE DEPARTMENT OF TRANSPORTATION AND SHALL) not be erected closer than 500 feet from trunk highways forming a part of the interstate system as provided in section 173.16, subdivision 4, clause (4), or closer than 300 feet from other trunk highways as provided in section 173.16, subdivision 4, clause (5).

Subd. 3. All money received from the purchase of signs from any county (SHALL) *must* be deposited in the state treasury and credited to (A SPECIAL ACCOUNT TO BE KNOWN AS THE LOCAL SIGN ACCOUNT. ALL MONEY IN SUCH ACCOUNT IS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR USE IN CARRYING OUT THE PROVISIONS OF SECTIONS 160.283 TO 160.285) *the trunk highway fund.*

Sec. 6. Minnesota Statutes 1982, section 160.292, is amended to read:

160.292 [INFORMATION SIGNS FOR RESORTS AND RECREATIONAL CAMPING AREAS; DEFINITIONS.]

Subdivision 1. For the purposes of sections 160.292 to 160.296 the terms defined in this section have the meanings given them.

Subd. 2. "Specific service sign" means a rectangular sign panel not greater than 1-1/2 feet by six feet displaying a motel, *restaurant*, resort or recreational camping area business name and, where appropriate, the direction to and distance to the camping area, motel, *restaurant*, or resort.

Subd. 3. "Specific service sign assembly" means a combination of specific service sign panels not to exceed four panels to be placed within the right of way on appropriate approaches to an intersection.

Subd. 4. "Specific service sign cluster" means a grouping of specific service sign assemblies (NOT EXCEEDING TWO IN NUMBER) on appropriate approaches to an intersection.

Subd. 5. "Nonfreeway type highway" means all roadways with crossing traffic at grade intersections except the roadway may have an isolated interchange.

Subd. 6. "Resort" has the meaning given it in section 157.01.

Subd. 7. "Motel" has the meaning given to the word "hotel" in section 157.01.

Subd. 7a. "Restaurant" has the meaning given it in section 157.01.

Subd. 8. "Recreational camping area" has the meaning given it in section 327.14, subdivision 8.

Subd. 9. "Local road" means any nontrunk highway.

Subd. 10. "Specific service" means *restaurants*, motels, resorts or recreational camping areas that provide sleeping accommodations for the recreational traveler.

Sec. 7. Minnesota Statutes 1982, section 160.293, subdivision 1, is amended to read:

Subdivision 1. [PURPOSE.] Specific service signs are to be used to create and implement a system of signing for the purpose of displaying motel, *restaurant*, resort and recreational camping area information to the traveling public on nonfreeway type trunk highways in rural areas.

Sec. 8. Minnesota Statutes 1982, section 160.293, subdivision 3, is amended to read:

Subd. 3. [NUMBER OF TRUNK HIGHWAY INTERSECTIONS.] A specific service sign for a *restaurant*, motel, resort or recreational camping area is limited to one intersection on the trunk highway system.

Sec. 9. Minnesota Statutes 1982, section 160.295, subdivision 2, is amended to read:

Subd. 2. [DISTANCE TO SPECIFIC SERVICE.] A specific service sign may be placed on a nonfreeway type road if the specific service is located within (TEN) 15 miles of the qualifying site.

Sec. 10. Minnesota Statutes 1982, section 160.295, subdivision 3, is amended to read:

Subd. 3. [MOTEL, RESTAURANT, AND RESORT WARRANT.] Motels, *restaurants*, and resorts served by the specific service signing shall be licensed by the state department of health as required by section 157.03.

Sec. 11. [160.80] [SIGN FRANCHISE PROGRAM.]

Subdivision 1. [COMMISSIONER MAY ESTABLISH PROGRAM.] The commissioner of transportation may establish a sign franchise program for the purpose of providing on the right-of-way of interstate and controlled-access trunk highways specific information on gas, food, camping, and lodging, for the benefit of the motoring public.

Subd. 2. [FRANCHISES.] The commissioner may, by public negotiation or bid, grant one or more franchises to qualified persons to erect and maintain, on the right-of-way of interstate and controlled-access trunk highways, signs informing the motoring public of gas, food, lodging, and camping facilities.

A franchisee shall furnish, install, maintain, and replace signs for the benefit of advertisers who provide gas, food, lodging, and camping facilities for the general public, and lease advertising space on the signs to operators of these facilities.

Subd. 3. [COSTS.] All costs incurred under the program established by this section must be paid under agreements negotiated between a franchisee and an advertiser or advertisers, unless otherwise provided in the contract between the commissioner and the franchisee.

Subd. 4. [CONTRACT REQUIREMENTS.] All contracts made by the commissioner with a franchisee must provide for:

(1) a requirement that the franchisee obtain liability insurance in an amount the commissioner determines, jointly insuring the state and the franchisee against all liability for claims for damages occurring wholly or in part because of the franchise; and

(2) reasonable standards for the size, design, erection, and maintenance of service information signs and the advertising logos thereon.

The commissioner may require additional terms and conditions, including but not limited to provisions on the renewal and termination of the agreement, and in the event of termination the rights of the state and franchisee relative to the franchisee's advertising contracts.

Subd. 5. [RESTRICTIONS.] The commissioner shall take no action under this section which will result in the loss to the state of any federal highway construction funds.

Subd. 6. [ADVISORY COMMITTEE.] The commissioner shall appoint a committee of at least one representative of each of the four industries eligible for signing under this section and at least three representatives of the department of transportation, for the purpose of advising him on the sign franchise program.

Sec. 12. Minnesota Statutes 1982, section 161.20, subdivision 4, is amended to read:

Subd. 4. [DEBT COLLECTION.] The commissioner shall make reasonable and businesslike efforts to collect money owed (TO THE DEPARTMENT) for licenses, fines, penalties, and permit fees or arising from damages to state-owned property (AND) or other causes related to (TRUNK HIGHWAYS) the activities of the department of transportation. When a debt has been reduced to a money judgment, the commissioner may contract for debt collection services for the purpose of collecting

the judgment. *The commissioner may enter into an agreement with the commissioner of public safety for the purpose of using debt collection services authorized by this subdivision when civil penalties relating to the use of highways have been reduced to money judgment. Money received as full or partial payment shall be deposited (IN) to the (TRUNK HIGHWAY) appropriate fund. When money is collected through contracted services, the commissioner may make payment for the service from the money collected. The amount necessary for payment of contractual collection costs is appropriated from the (TRUNK HIGHWAY) fund to which money so collected is deposited.*

Sec. 13. Minnesota Statutes 1982, section 161.39, subdivision 1, is amended to read:

Subdivision 1. [TECHNICAL AND ENGINEERING ASSISTANCE, SURVEYS (AND), PLANS, AND MAINTENANCE.] Upon the request of (ANY) *another road authority, any road authority including the commissioner and the road authority of any city, (THE COMMISSIONER) township, or county* may provide technical and engineering advice, assistance and supervision to the *requesting* road authority; and may make surveys and prepare plans for the location, construction, and reconstruction of *and perform maintenance on any highway, street, road, or bridge under the jurisdiction of the requesting road authority.*

Sec. 14. Minnesota Statutes 1982, section 161.39, subdivision 5, is amended to read:

Subd. 5. [PAYMENT FOR SERVICES.] The cost of the work or services performed under the provisions of this section shall be paid by the road authority, department or agency for which the work or services were performed. All money received *or expended* therefore shall be credited *or debited* to the trunk highway fund.

Sec. 15. Minnesota Statutes 1982, section 161.39, subdivision 6, is amended to read:

Subd. 6. [AGREEMENTS REGARDING SERVICES.] The road authorities, including road authorities of cities, *townships, counties, state departments, or agencies* may enter into agreements with the commissioner setting forth the work or services to be performed by the commissioner *or the road authority* under the provisions of this section and providing for the method of reimbursement to *or from* the trunk highway fund of the cost thereof.

Sec. 16. Minnesota Statutes 1982, section 173.02, subdivision 6, is amended to read:

Subd. 6. Directional and other official signs and notices shall mean:

(a) "Official signs and notices" mean signs and notices erected and maintained by public officers or public agencies within their territorial jurisdiction and pursuant to and in accordance with direction or authorization contained in federal or state law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and erected by state or local governmental agencies or nonprofit historical societies may be considered official signs.

(b) "Public utility signs" mean warning signs, notices, or markers which are customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations.

(c) "Service club and religious notices" mean signs and notices, not exceeding eight square feet in advertising area, whose erection is authorized by law, relating to meetings and location of nonprofit service clubs or charitable associations, or religious services.

(d) "Directional signs" means (PUBLICLY OWNED) signs containing directional information about public places owned or operated by federal, state, or local governments or their agencies, publicly or privately owned natural phenomena, historic, cultural, (EDUCATION) *scientific, educational,* and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public. *To qualify for directional signs, privately owned attractions must be nationally or regionally known, and of outstanding interest to the traveling public.*

(e) All definitions in this subdivision are intended to be in conformity with the national standards for directional and other official signs.

Sec. 17. [173.081] [DIRECTIONAL SIGNS.]

The commissioner of transportation shall develop uniform standards for directional signs erected under this chapter. The standards must provide for the size, lighting, spacing, design, colors, and maintenance of the signs. The standards must provide that:

(1) *no pictorial or photographic representations be placed on the signs;*

(2) *directional signs facing the same direction of travel may not be placed less than one mile apart;*

(3) signs located adjacent to an interstate highway must be within 75 miles of the described activity, and those located adjacent to other trunk highways must be within 50 miles of the described activity; and

(4) not more than one directional sign for the same activity and facing the same direction of travel may be erected along a single marked highway approaching the activity.

The standards may provide eligibility criteria, including visitor capacity, parking capacity, days and hours of operation, and annual and daily average attendance, for attractions qualifying for directional signs.

The commissioner shall take no action under this section which would result in the loss to the state of federal highway construction funds.

Sec. 18. Minnesota Statutes 1983 Supplement, section 173.13, subdivision 4, is amended to read:

Subd. 4. The annual fee for each such permit or renewal thereof shall be as follows:

(1) If the advertising area of the advertising device does not exceed 50 square feet, the fee shall be \$20.

(2) If the advertising area exceeds 50 square feet but does not exceed 300 square feet, the fee shall be \$40.

(3) If the advertising area exceeds 300 square feet, the fee shall be \$80.

(4) No fee shall be charged for a permit for (DIRECTIONAL AND OTHER) official signs and notices as they are defined in section 173.02.

Sec. 19. Minnesota Statutes 1982, section 173.13, subdivision 7, is amended to read:

Subd. 7. A penalty (OF TWO TIMES) equal to one-half the annual fee shall be charged upon failure to pay the annual permit fee for renewal on or before August 1 of each year.

Sec. 20. Laws 1983, chapter 293, section 2, subdivision 4, is amended to read:

Subd. 4. Technical Services 28,573,600 28,158,500

The amounts that may be expended from this appropriation for each activity are as follows:

Engineering Services

\$18,024,800 \$17,629,100

This appropriation includes \$1,400,000 each year for the purpose of delivery of an expanded highway development program. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Engineering Development

\$ 6,890,400 \$ 6,872,600

\$75,000 the first year and \$75,000 the second year is for a transportation research contingent account to finance research projects that are reimbursable from the federal government or from other sources. Expenditures from this account are subject to the approval of the commissioner of finance. Reimbursements shall be deposited in the trunk highway fund. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

State Aid Technical Assistance

\$ 656,000 \$ 656,000

The variance committee shall be continued during the biennium ending June 30, 1985.

Electronic Communications

\$ 1,796,400 \$ 1,794,900

Environmental Services

\$ 1,206,000 \$ 1,205,900

(FOR THE FISCAL BIENNIUM ENDING JUNE 30, 1985, THE COMMISSIONER SHALL SPEND NO MONEY TO ACQUIRE OR CONDEMN OUTDOOR ADVERTISING DEVICES AS DEFINED IN MINNESOTA STATUTES, CHAPTER 173.)

Sec. 21. [INSTRUCTIONS TO REVISOR.]

The revisor of statutes shall, in the next and subsequent editions of Minnesota Statutes, delete the headnote "INTERSTATE HIGHWAYS" from the beginning of chapter 173.

Sec. 22. [EFFECTIVE DATE.]

Sections 1 to 21 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; providing for installation of drain tile along or across highways; delineating debt collection authority of the department of transportation; providing for the erection of certain signs by counties; permitting restaurants to be included on specific service signs; providing for the clustering and spacing of specific service signs; directing the commissioner of transportation to establish a sign franchise program for the placement of advertising logos on the right-of-way of certain highways; authorizing road authorities to assist each other; redefining "directional signs" for purposes of outdoor advertising control and directing the commissioner of transportation to develop uniform standards for them; reducing a fee; repealing a restriction on the authority of the commissioner of transportation to expend money to acquire or condemn advertising devices; amending Minnesota Statutes 1982, sections 160.08, subdivision 7; 160.20, subdivision 3, and by adding a subdivision; 160.283, subdivision 3; 160.285; 160.292; 160.293, subdivisions 1 and 3; 160.295, subdivisions 2 and 3; 161.20, subdivision 4; 161.39, subdivisions 1, 5, and 6; 173.02, subdivision 6; and 173.13, subdivision 7; Minnesota Statutes 1983 Supplement, section 173.13, subdivision 4; and Laws 1983, chapter 293, section 2, subdivision 4; proposing new law coded in Minnesota Statutes, chapters 160 and 173."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1843, A bill for an act relating to commerce; clarifying the right of indirect purchasers to sue for damages under the Minnesota Antitrust Law of 1971; amending Minnesota Statutes 1982, section 325D.57.

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

The report was adopted.

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

H. F. No. 1859, A bill for an act relating to insurance; homeowner's; providing certain notice requirements upon policy non-renewal, reduction in the limits of coverage, or elimination of coverage; authorizing the commissioner to adopt rules; amending Minnesota Statutes 1982, section 65A.29, by adding subdivisions; repealing Minnesota Statutes 1982, section 65A.29, subdivision 2.

Reported the same back with the following amendments:

Page 1, lines 15 and 25, after "*policy*" insert "*or any policy providing insurance coverage as provided in section 60A.06, subdivision 1, clause (1), that insures commercial dwellings*"

Page 1, line 23, delete "*including temporary rules,*"

Page 2, line 2, delete "*70A.20*" and insert "*72A.20*"

Page 2, line 2, after "*13*" delete the comma and insert a semicolon

Page 2, delete line 3

Page 2, line 5, after the word "*causes*" insert "*or any claim where no payment is made by the insurer*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1916, A resolution memorializing the President, Congress, and the United States Department of Agriculture to take speedy action to insure that frozen pizzas are wholesome, nutritious, flavorful, truthfully labeled, and entirely healthful by approving proposed standards for real cheese content on frozen meat pizzas and affirming that all meat on frozen pizzas should be cooked.

Reported the same back with the following amendments:

Page 1, line 19, delete "*young*"

Page 2, line 36, after the comma insert "*the Secretary of Agriculture and the United States Department of Agriculture,*"

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 Energy to which was referred:

H. F. No. 1937, A bill for an act relating to energy; directing the legislative commission on energy to prepare a policy statement on the expenditure of federal money for energy programs; requiring review of state plans to spend federal energy money; amending Minnesota Statutes 1982, section 3.351, by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1982, section 3.351, is amended to read:

3.351 [LEGISLATIVE COMMISSION ON ENERGY.]

Subdivision 1. [COMPOSITION.] The legislative commission on energy is composed of five senators of the majority party and three senators of the minority party appointed by the subcommittee on committees of the committee on rules and administration, and five representatives of the majority party and three representatives of the minority party appointed by the speaker of the house. The commission shall be appointed by June 1, 1980. The commission shall elect a chairman from among its members.

Subd. 2. [GENERAL DUTIES.] The commission shall:

(a) Make a continuing study of matters relating to energy supply and use in the state;

(b) Identify the potential for enhanced economic growth and job creation from increased energy efficiency and the production and utilization of renewable energy systems.

(c) Identify ways to assure the provision of necessary energy supplies to all Minnesotans;

(d) Coordinate resources and programs on energy conservation; (AND)

(e) Review overall legislative policy concerning energy; and

(f) *Review and comment on receipt and expenditure of money received by the state under federal law for energy programs.*

Subd. 3. [REVIEW OF PLANS TO RECEIVE AND SPEND FEDERAL ENERGY MONEY.] *The plan for receipt and expenditure of money resulting from litigation or settlements of alleged violations of federal petroleum pricing regulations shall be submitted to the commission for review and comment prior to submission to the federal government provided that if the commission fails to review and comment within 30 days, the plan may be submitted without commission review. The commission by resolution may request the governor or any state agency eligible to receive money from the federal government for other energy programs to submit a plan for expenditure to the commission for review and comment prior to submission to the federal government. If the governor or the agency is required to submit a request to spend the money to the legislative advisory commission under section 3.3005, the commission shall forward its comments to the legislative advisory commission for consideration during its preparation of a recommendation.*

Subd. 4. [ENERGY PLAN; REPORT TO LEGISLATURE.] *The commission shall develop legislative energy plans based on the provisions of subdivision 2 and consistent with appropriate long term energy goals for Minnesota. The plans shall be reported to the legislature no later than February 15 of each year.*

Subd. (4) 5. [STAFF.] *The commission shall use existing legislative facilities and staff."*

Delete the title and insert :

"A bill for an act relating to energy; directing the legislative commission on energy to review plans for the expenditure of certain federal money for energy programs; amending Minnesota Statutes 1982, section 3.351."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1939, A bill for an act relating to commerce; removing preference for Minnesota made materials in state purchasing; clarifying definition of public contract for resident preference; amending Minnesota Statutes 1982, section 16.365; Minnesota Statutes 1983 Supplement, section 16.0721; repeal-

ing Minnesota Statutes 1982, section 16.073; Minnesota Statutes 1983 Supplement, section 16.072; and Laws 1983, chapter 336, section 3.

Reported the same back with the following amendments:

Page 3, line 15, after the period insert "*If a state agency does not give the preference to the resident bidder, the finance department shall unallot from that agency's budget an amount equal to the specific bid.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1944, A bill for an act relating to financial institutions; qualifying obligations of the African Development Bank for public and private investment; amending Minnesota Statutes 1982, sections 11A.24, subdivision 2; 50.14, by adding a subdivision; and 61A.28, subdivision 2; Minnesota Statutes 1983 Supplement, section 60A.11, subdivision 14.

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 Energy to which was referred:

H. F. No. 1981, A bill for an act relating to energy; allowing port authorities to own and operate district heating systems; proposing new law coded in Minnesota Statutes, chapter 471.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 465.74, is amended by adding a subdivision to read:

Subd. 1a. [CITIES WITH OVER 50,000 INHABITANTS.] A city with over 50,000 inhabitants that is not a city of the first class is authorized to acquire, construct, improve, and operate a district heating system under the same terms and conditions as a city of the first class except as provided herein. Acquisition or construction and financing of a municipal district heating

system is not subject to the election requirements of sections 452.11 and 452.12, however, a resolution for the acquisition or construction and financing must be approved by a two-thirds vote of the governing body of the municipality.

Sec. 2. Minnesota Statutes 1982, section 465.74, is amended by adding a subdivision to read:

Subd. 7. [PORT AUTHORITIES, OWNERSHIP AND OPERATION OF DISTRICT HEATING SYSTEMS.] A port authority organized pursuant to sections 458.09 to 458.1991 or a special law may acquire, own, construct, and operate a district heating system or systems to provide heating and cooling services and other energy services within the municipality. The authority may, in conjunction with a district heating system, acquire, own, construct, and operate an energy management and control system to monitor and control users' energy demand within the municipality as a related ancillary function of the district heating system. The authority may, in conjunction with a district heating system, acquire, own, construct, and operate ancillary services related to an energy management and control system including, but not limited to, sensing and monitoring services for supervision of fire and life safety systems and building security systems within the municipality.

This section shall be effective for a port authority only after adoption of an ordinance or resolution by the board of the port authority and by the governing body of the municipality stating their intention to exercise the authority allowed by this section.

A port authority may, with approval of the city, lease part or all of the district heating system or contract with respect to part or all of the district heating system, with any person, corporation, association, or public utility company for the purpose of constructing, improving, operating, or maintaining the district heating system.

Sec. 3. Minnesota Statutes 1982, section 465.74, is amended by adding a subdivision to read:

Subd. 8. [MANAGEMENT OF A DISTRICT HEATING SYSTEM BY A PORT AUTHORITY.] A statutory or home rule charter city within which a port authority has been created may delegate to the port authority some or all powers and responsibilities for the management and operation of a district heating system.

Sec. 4. Minnesota Statutes 1982, section 465.74, is amended by adding a subdivision to read:

Subd. 9. [OPERATION BY A COUNTY.] A statutory or home rule charter city may contract with a county to operate a

district heating system for the provision of district heating services within some or all of the city."

Delete the title and insert:

"A bill for an act relating to energy; allowing port authorities to own and operate district heating systems; allowing certain cities to acquire district heating systems without election; authorizing counties to provide district heating services within cities under certain conditions; amending Minnesota Statutes 1982, section 465.74, by adding subdivisions."

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Energy to which was referred:

H. F. No. 1999, A bill for an act relating to the city of Duluth; authorizing the establishment of an energy conservation program for dwellings as a part of its municipal utility system and the issuance of municipal revenue bonds for that purpose; amending Laws 1981, chapter 223, section 2.

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:

S. F. No. 1418, A bill for an act relating to public welfare; authorizing the alcohol and drug abuse section of the department of public welfare to collect certain information; establishing an American Indian advisory council relating to chemical dependency policies; clarifying the evaluation functions of the commissioner of public welfare with respect to chemical dependency policies; amending Minnesota Statutes 1982, sections 254A.03; 254A.05, subdivision 1; 254A.07; 254A.16, subdivisions 1 and 2; and proposing new law coded in Minnesota Statutes, chapter 254A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 254A.03, is amended to read:

254A.03 [STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.]

Subdivision 1. There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director. The commissioner may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate *and review* all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop (AND), demonstrate, *and disseminate* new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather (AND DISSEMINATE) facts and information about alcoholism and other drug dependency and abuse (TO PUBLIC AND PRIVATE AGENCIES), *and about the efficiency and effectiveness of prevention, treatment, and rehabilitation from all comprehensive programs, including programs approved or licensed by the commissioner of public welfare or the commissioner of health or accredited by the joint commission on accreditation of hospitals. The state authority is authorized to require information from comprehensive programs which is reasonable and necessary to fulfill these duties. When required information has been previously furnished to a state or local governmental agency, the state authority shall collect the information from the governmental agency. The state authority shall disseminate facts and summary information about alcohol and other drug abuse dependency problems to public and private agencies, local governments, local and regional planning agencies, and the courts (SO REQUESTING SUCH INFORMATION) for guidance to and assistance in prevention, treatment and rehabilitation;*

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse *by monitoring the conduct of diagnosis and referral services, research and comprehensive programs. The state authority shall submit a biennial report to the governor and the legislature containing a description of public services delivery and recommendations concerning in-*

crease of coordination and quality of services, and decrease of service duplication and cost;

(g) establish a state plan which shall set forth goals and priorities (WITHIN) for a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All (GOVERNMENTAL UNITS) state agencies operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities in accordance with the state plan. Each state agency shall annually submit its plans and budgets to the state authority for review. The state authority shall certify whether proposed services comply with the comprehensive state plan and advise each state agency of review findings;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals, using federal funds, and state funds as authorized to pay for costs of state administration, including evaluation, statewide programs and services, research and demonstration projects, and American Indian programs;

(i) receive and administer monies available for alcohol and drug abuse programs under the alcohol, drug abuse, and mental health services block grant, United States Code, Title 42, Sections 300X to 300X-9;

(j) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source;

(k) with respect to alcohol and other drug abuse programs serving the American Indian community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the American Indian community.

Subd. 2. There is hereby created, within the alcohol and drug abuse section of the department of public welfare, the position of special assistant for American Indian programs on alcoholism and drug abuse and an assistant to that position. The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the American Indian community, who shall be responsible to the director of the alcohol and drug abuse section created in subdivision 1 and shall be in the unclassified service. The special assistant with the approval of the director shall:

(a) Administer funds appropriated for American Indian groups, organizations and reservations within the state for American Indian alcoholism and drug abuse programs (,).

(b) Establish policies and procedures for such American Indian programs with the assistance of (THE CITIZENS ADVISORY COUNCIL CREATED BY SECTION 254A.04, AND) the American Indian advisory board.

Subd. 3. The commissioner of public welfare shall establish by rule criteria to be used in determining the appropriate level of chemical dependency care, whether outpatient, inpatient or short-term treatment programs, for each recipient of public assistance seeking treatment for alcohol or other drug dependency and abuse problems. The criteria shall address, at least, the family relationship, past treatment history, medical or physical problems, arrest record, and employment situation.

Sec. 2. [254A.035] [AMERICAN INDIAN ADVISORY COUNCIL.]

Subdivision 1. [ESTABLISHMENT.] There is created an American Indian advisory council to assist the state authority on alcohol and drug abuse in proposal review and formulating policies and procedures relating to chemical dependency and the abuse of alcohol and other drugs by American Indians.

Subd. 2. [MEMBERSHIP.] The membership of this council shall be composed of 17 persons who are American Indians and who are appointed by the commissioner. The commissioner shall appoint one representative from each of the following groups: Red Lake Band of Chippewa Indians; Fond du Lac Band, Minnesota Chippewa Tribe; Grand Portage Band, Minnesota Chippewa Tribe; Leech Lake Band, Minnesota Chippewa Tribe; Mille Lacs Band, Minnesota Chippewa Tribe; Bois Forte Band, Minnesota Chippewa Tribe; White Earth Band, Minnesota Chippewa Tribe; Lower Sioux Indian Reservation; Prairie Island Sioux Indian Reservation; Shakopee Mdewakaton Sioux Indian Reservation; Upper Sioux Indian Reservation; International Falls Northern Range; Duluth Urban Indian Community; and two representatives from the Minneapolis Urban Indian Community and two from the St. Paul Urban Indian Community. The terms, compensation, and removal of American Indian advisory council members shall be as provided in section 15.059.

Sec. 3. Minnesota Statutes 1982, section 254A.05, subdivision 1, is amended to read:

Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director,

and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants and contracts which use federal funds, and state funds as authorized under section 254A.03, subdivision 1, clause (h) (, AND FOR AMERICAN INDIAN CHEMICAL DEPENDENCY PROGRAMS AUTHORIZED BY SECTION 254A.031).

Sec. 4. Minnesota Statutes 1982, section 254A.07, is amended to read:

254A.07 [(COMPREHENSIVE PROGRAMS;) COORDINATION OF LOCAL PROGRAMS.]

Subdivision 1. The county board shall coordinate all alcohol and other drug abuse services conducted by local agencies, and review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by any such local agencies for funding from any local, state or federal governmental sources.

Subd. 2. The county boards may make grants for (COMPREHENSIVE) *local agency* programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the American Indian community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these (COMPREHENSIVE) *local agency* programs and services whether provided directly by county boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs. With the approval of the county board, the state authority may make grants or contracts for research or demonstration projects specific to needs within that county.

Sec. 5. Minnesota Statutes 1982, section 254A.16, subdivision 1, is amended to read:

Subdivision 1. The commissioner (SHALL) *may* evaluate or contract for the evaluation of all *comprehensive* programs (AUTHORIZED UNDER SECTIONS 254A.031, 254A.12, AND 254A.14) *providing services for preventing and treating alcohol and drug abuse or dependency*. The evaluation shall be directed at determining (THE DEGREE TO WHICH FUNDED ACTIVITIES ATTAIN THEIR PRESTATED OBJECTIVES,) whether existent and proposed activities are the most appro-

priate programmatic response to (PREDETERMINED) *existing* needs (,) and whether they are cost effective.

Sec. 6. Minnesota Statutes 1982, section 254A.16, subdivision 2, is amended to read:

Subd. 2. (a) The commissioner shall provide program *and service* guidelines and technical assistance to the county boards in carrying out (THEIR RESPONSIBILITIES) *services authorized* under sections 254A.08, 254A.12 (AND), 254A.14, and *their responsibilities under chapter 256E.*

(b) The commissioner shall recommend to the governor and to the legislature means of (MAKING THE PROGRAMS FUNDED UNDER SECTIONS 254A.031, 254A.12, AND 254A.14 WHOLLY OR PARTIALLY SELF-SUSTAINING) *improving the efficiency and effectiveness of comprehensive program services in the state and maximizing the use of non-governmental funds for providing comprehensive programs.*

Sec. 7. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 347, 1032, 1153, 1345, 1420, 1421, 1425, 1509, 1527, 1532, 1620, 1652, 1663, 1668, 1670, 1700, 1703, 1722, 1781, 1824, 1843, 1859, 1916, 1937, 1939, 1944, 1981 and 1999 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1476 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Gustafson introduced:

H. F. No. 2101, A bill for an act relating to education; authorizing the purchase of new series textbooks from the capital

expenditure fund; amending Minnesota Statutes 1983 Supplement, section 275.125, subdivision 11a.

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

Segal; McEachern; Nelson, K.; Levi and Tunheim introduced:

H. F. No. 2102, A bill for an act relating to education; requiring elementary schools to offer programs promoting healthy behaviors and lifestyles; establishing a pilot health program for school personnel; proposing new law coded in Minnesota Statutes, chapter 126.

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

Kelly introduced:

H. F. No. 2103, A bill for an act relating to taxation; motor vehicle excise; exempting sales of pioneer cars; amending Minnesota Statutes 1983 Supplement, section 297B.03.

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

Greenfield introduced:

H. F. No. 2104, A bill for an act relating to public welfare; establishing a board of social work examiners; licensing and regulating social workers; providing penalties; appropriating money; amending Minnesota Statutes 1982, sections 214.01, subdivision 2; and 595.02; proposing new law coded as Minnesota Statutes, chapter 148A.

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

Gustafson and Boo introduced:

H. F. No. 2105, A bill for an act relating to the city of Duluth; authorizing the Duluth city council to permit the on-sale of liquor at the St. Louis County Heritage and Arts Center by on-sale licensees in the city of Duluth.

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

Vellenga, Valan, Metzen, Rice and Sarna introduced :

H. F. No. 2106, A bill for an act relating to the Minnesota historical society; concerning unclaimed property of historical significance; amending Minnesota Statutes 1982, sections 345.47, subdivision 1, and by adding a subdivision; and 345.525.

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

Heap introduced :

H. F. No. 2107, A bill for an act relating to the legislature; reducing its size; amending Minnesota Statutes 1983 Supplement, sections 2.021; and 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Heap introduced :

H. F. No. 2108, A bill for an act relating to insurance; accident and health; regulating the advertising and selling of certain insurance purporting to supplement medicare; proposing new law coded in Minnesota Statutes, chapter 62A; repealing Minnesota Statutes 1982, sections 62A.31 to 62A.42; and Minnesota Statutes 1983 Supplement, sections 62A.43 and 62A.44.

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

Thiede and Wenzel introduced :

H. F. No. 2109, A bill for an act relating to the establishment of the Croft Mine Historical Board; authorizing a tax levy.

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

Omann, McEachern, Gruenes and Nelson, D., introduced :

H. F. No. 2110, A bill for an act relating to education; requiring schools to display state flags; amending Minnesota Statutes 1982, section 126.14.

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

Elioff, Begich, Battaglia, Minne and Solberg introduced:

H. F. No. 2111, A bill for an act relating to education; basing the distribution of certain taconite tax proceeds to certain school districts on a one year earlier pupil unit count; amending Minnesota Statutes 1983 Supplement, section 298.28, subdivision 1.

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

Kelly, Simoneau, Brandl, Cohen and Hoffman introduced:

H. F. No. 2112, A bill for an act relating to taxation; sales; reducing the tax rate for certain capital equipment; appropriating money; amending Minnesota Statutes 1982, section 297A.01, by adding a subdivision; and Minnesota Statutes 1983 Supplement, sections 297A.02, subdivision 2; and 297A.14.

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

Peterson, Dimler, Jensen, Neuenschwander and Brinkman introduced:

H. F. No. 2113, A bill for an act relating to motor fuels; setting standards for gasoline and gasoline-alcohol blends; providing testing authority for the weights and measures division of the department of public service; requiring alcohol content disclosure; providing for labeling; appropriating money; amending Minnesota Statutes 1982, sections 296.01, subdivision 3; 296.05, subdivisions 1, 4, 6, and by adding a subdivision; and 296.22, by adding a subdivision.

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

Wenzel introduced:

H. F. No. 2114, A bill for an act relating to health; establishing a state health care plan; proposing new law coded as Minnesota Statutes, Chapter 62H.

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

Wenzel introduced:

H. F. No. 2115, A bill for an act relating to local government; requiring the county board of adjustment to take the town board's recommendation into consideration when making certain decisions; amending Minnesota Statutes 1982, section 394.27, subdivision 5.

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

McKasy, Metzen and Sieben introduced:

H. F. No. 2116, A bill for an act relating to intoxicating liquor; authorizing the city of West St. Paul to issue two additional on-sale licenses.

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

Nelson, K., introduced:

H. F. No. 2117, A bill for an act relating to public safety; religion; prohibiting regulation of hand-held candles in religious services; proposing new law coded in Minnesota Statutes, chapter 299F.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wenzel introduced:

H. F. No. 2118, A bill for an act relating to agriculture; providing income tax incentives to landowners who sell or lease agricultural land to eligible beginning farmers or family farm corporations; amending Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20b; proposing new law coded in Minnesota Statutes, chapter 290.

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

Wenzel introduced:

H. F. No. 2119, A bill for an act relating to local government; restoring local government aid reductions; amending Minnesota Statutes 1983 Supplement, sections 477A.012; 477A.013, subdivision 1; and 477A.0131, subdivision 1.

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

Eliöff and Solberg introduced:

H. F. No. 2120, A bill for an act relating to local government; appropriating money for upgrading access road to new elementary school.

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

Beard, Price and Hoffman introduced:

H. F. No. 2121, A bill for an act relating to education; requiring elementary and secondary physical education classes to be taught by instructors licensed in physical education by the board of teaching; amending Minnesota Statutes 1982, section 126.02, by adding subdivisions.

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

Minne, Scheid, Evans, Eken and Johnson introduced:

H. F. No. 2122, A bill for an act relating to local government; providing for the distribution of certain federal payments in lieu of property taxes; proposing new law coded in Minnesota Statutes, chapter 471.

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

Wenzel and Gustafson introduced:

H. F. No. 2123, A bill for an act relating to taxation; changing the definition of wetlands for purposes of the property tax exemption and credit; amending Minnesota Statutes 1983 Supplement, section 272.02, subdivision 1.

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

Brinkman, Uphus, Mann, Eken and Valan introduced:

H. F. No. 2124, A bill for an act relating to agriculture; authorizing the commissioner to use certain funds for short-term loans to help participants meet their family farm security loan obligations; amending Minnesota Statutes 1982, section 41.56, subdivision 3.

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

Murphy introduced:

H. F. No. 2125, A bill for an act relating to retirement; authorizing the purchase of prior service credit in the teachers retirement association by a certain member of the public employees retirement fund.

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

Levi, Piepho, Himle, Haukoos and Jennings introduced:

H. F. No. 2126, A resolution memorializing the Congress of the United States to provide an amendment to the Constitution of the United States to provide the president with the authority to veto individual line items in appropriations bills.

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

Simoneau and Begich introduced:

H. F. No. 2127, A bill for an act relating to workers' compensation; providing for determination of disability in cases of occupational disability; amending Minnesota Statutes 1982, section 176.66, subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Greenfield and Clark, K., introduced:

H. F. No. 2128, A bill for an act relating to public welfare; establishing an experimental family-based services program for children; providing grants; proposing new law coded in Minnesota Statutes, chapter 257.

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

Piper introduced:

H. F. No. 2129, A bill for an act relating to regional planning; permitting school districts to participate in regional planning activities; authorizing counties to exercise regional planning powers where regional development commissions have been terminated; amending Minnesota Statutes 1982, sections 462.371; 462.39, by adding a subdivision; and 462.396, by adding a subdivision.

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

Knuth, Norton, Quinn, Clawson and Heinitz introduced:

H. F. No. 2130, A bill for an act relating to administrative procedure; providing for a hearing procedure on certain proposed rules; providing an exemption from the contested case procedures; encouraging the use of negotiated rulemaking; regulating certain incorporations by reference; providing for the adoption of the rule after the hearing; requiring certain information to be

contained in a notice to adopt a rule without a public hearing; authorizing interested persons to request a public hearing under certain circumstances; providing for notice of the modification of certain proposed rules; establishing a procedure for the adoption of emergency rules; providing for the expiration of authority for temporary rulemaking; providing for the legal status of certain exempt rules; requiring agencies to maintain official rulemaking records; providing for the judicial determination of the validity of a rule; making various technical changes; amending Minnesota Statutes 1982, sections 14.03, subdivision 2; 14.14, by adding a subdivision; 14.16; 14.23; 14.25; 14.29; 14.30; 14.31; 14.33; 14.35; 14.36; 14.38, subdivision 1; and 14.44; Minnesota Statutes 1983 Supplement, sections 14.07, subdivisions 2 and 4; 14.12; 14.15, subdivision 1; 14.22; 14.26; 14.32; and 14.45; proposing new law coded in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 1982, section 14.13; and Minnesota Statutes 1983 Supplement, sections 14.07, subdivision 5; and 14.21.

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

Gustafson and Boo introduced:

H. F. No. 2131, A bill for an act relating to the city of Duluth; changing the boundaries of the tracts of land administered by the Spirit Mountain recreation area authority; amending Laws 1973, chapter 327, section 2, subdivision 1.

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

Brinkman introduced:

H. F. No. 2132, A bill for an act relating to health; authorizing the commissioner of insurance to adopt rules related to financial affairs of health maintenance organizations; requiring certificates of authority to be jointly issued by the commissioners of health and insurance; amending Minnesota Statutes 1982, sections 62D.03, as amended; 62D.04; 62D.05, by adding a subdivision; 62D.08; 62D.14; 62D.15, subdivision 1, and by adding a subdivision; 62D.16; 62D.17; 62D.20; and 62D.21.

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

Anderson, G.; Cohen; Skoglund and Knickerbocker introduced:

H. F. No. 2133, A bill for an act relating to metropolitan government; providing for the administration of the metropolitan council and commissions; providing for the appointment of certain chairmen; providing for additional consultation on appointments; amending Minnesota Statutes 1982, sections 473.123, subdivision 6; and 473.141, subdivision 11; and Minnesota Statutes 1983 Supplement, sections 473.123, subdivision 3; and 473.141, subdivision 3.

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

Brinkman, Sieben, Neuenschwander and Scheid introduced:

H. F. No. 2134, A resolution memorializing the governments of the United States and the Federal Republic of Germany that the State of Minnesota adopts the Land of Bayern as a sister state.

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

Simoneau, Knuth, Rodosovich, Blatz and Fjoslien introduced:

H. F. No. 2135, A bill for an act relating to public safety; prohibiting the state fire marshal from adopting or enforcing certain rules relating to family or group family day care homes; amending Minnesota Statutes 1982, section 299F.011, by adding a subdivision.

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

Johnson, Shea and Redalen introduced:

H. F. No. 2136, A bill for an act relating to agriculture; requiring commercial feed manufacturers to carry liability insurance; amending Minnesota Statutes 1982, section 25.34, by adding a subdivision.

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

McEachern and Anderson, B., introduced:

H. F. No. 2137, A bill for an act relating to education; establishing a scholarship program at certain state universities and certain campuses of the University of Minnesota to recruit top scholars in certain fields of study; appropriating money; proposing new law coded in Minnesota Statutes, chapter 135A.

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

Clark, J., and Skoglund introduced:

H. F. No. 2138, A bill for an act relating to public nuisances; defining a nuisance; providing for the enjoinder of nuisances; proposing new law coded in Minnesota Statutes, chapter 617; repealing Minnesota Statutes 1982, sections 617.33; 617.34; 617.35; 617.36; 617.37; 617.38; 617.39; 617.40; and 617.41.

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

Gustafson introduced:

H. F. No. 2139, A bill for an act relating to insurance; requiring health maintenance organizations to provide coverage for services within the scope of the license of a dentist or podiatrist; requiring employers to offer alternative prepaid health plan coverage to employees; authorizing any licensed dentist to participate in certain prepaid dental plans; amending Minnesota Statutes 1982, section 62A.043.

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

Himle; Shea; Frerichs; Anderson, G., and Rose introduced:

H. F. No. 2140, A bill for an act relating to unemployment compensation; regulating benefit eligibility related to receipt of severance pay; amending Minnesota Statutes 1983 Supplement, section 268.08, subdivision 3.

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

Ogren and Gustafson introduced:

H. F. No. 2141, A bill for an act relating to commerce; modifying the definition of "franchise" for purposes of franchise regulation; amending Minnesota Statutes 1982, section 80C.01, subdivision 4.

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

Himle, Kvam, Scheid, Elioff and Halberg introduced:

H. F. No. 2142, A bill for an act relating to taxation; income; conforming to federal law for treatment of contributions to individual retirement plans and other pension plans; amending Minnesota Statutes 1983 Supplement, section 290.01, subdivisions 20a and 20b.

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

Metzen, Jacobs, McDonald, Brinkman and Blatz introduced:

H. F. No. 2143, A bill for an act relating to taxation; income; abolishing the farm loss modification; amending Minnesota Statutes 1982, sections 290.05, subdivision 3; and 290.095, subdivision 11; Minnesota Statutes 1983 Supplement, sections 290.01, subdivisions 20a, 20b, and 20f; 290.09, subdivision 1; 290.095, subdivision 7; and 290A.03, subdivision 3; repealing Minnesota Statutes 1983 Supplement, section 290.09, subdivision 29.

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

Onnen, Begich, Schreiber, Valento and Brinkman introduced:

H. F. No. 2144, A bill for an act relating to taxation; sales; exempting sales by certain organizations; amending Minnesota Statutes 1983 Supplement, section 297A.25, subdivision 1.

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

Munger, Schoenfeld, Battaglia, Elioff and Gustafson introduced:

H. F. No. 2145, A bill for an act relating to the University of Minnesota; conditioning appropriations for the Duluth campus on its administration reporting directly to the Board of Regents or on the Board of Regents' appointment of chief executive officers for the Twin Cities campus and each coordinate campus; proposing new law coded in Minnesota Statutes, chapter 137.

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

Brinkman introduced:

H. F. No. 2146, A bill for an act relating to crimes; regulating public dances; amending Minnesota Statutes 1982, section 624.50.

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

Shaver, Heap, Gutknecht and Knuth introduced:

H. F. No. 2147, A bill for an act relating to the legislature; extending the laws on post-auditing, attribution of published documents, ethics, and open meetings now relating just to the executive branch to include the legislative branch; amending Minnesota Statutes 1982, sections 3.971, subdivision 1; 16.81; 43A.38; and 471.705, subdivision 1.

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

Skoglund, Metzen and Heinitz introduced:

H. F. No. 2148, A bill for an act relating to insurance; authorizing the use of smoker and nonsmoker mortality tables; proposing new law coded in Minnesota Statutes, chapter 61A.

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

Long, Begich and Nelson, D., introduced:

H. F. No. 2149, A bill for an act relating to hazardous waste management; indemnifying persons liable under the environmental response and liability act; requiring operators to demonstrate financial responsibility; creating a state liability trust fund; imposing a disposal surcharge; appropriating money; proposing new law coded in Minnesota Statutes, chapter 115A.

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

Waltman introduced:

H. F. No. 2150, A bill for an act relating to newspapers; making certain publications legal newspapers; proposing new law coded in Minnesota Statutes, chapter 331.

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

Norton, Dempsey, Halberg and Ellingson introduced:

H. F. No. 2151, A bill for an act relating to commerce; clarifying the limitations on enforcement of indemnification agreements in construction contracts; amending Minnesota Statutes 1983 Supplement, sections 337.01, subdivisions 2, 3, and 4; 337.02; 337.03; and 337.05, subdivision 2, and by adding subdivisions; and Laws 1983, chapter 333, section 6; proposing new law coded in Minnesota Statutes, chapter 337.

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

Wenzel introduced:

H. F. No. 2152, A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; amending Minnesota Statutes 1983 Supplement, section 41.55.

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

Graba, Ogren and Bergstrom introduced :

H. F. No. 2153, A bill for an act relating to taxation; sales; expanding the exemption for electricity for agricultural production; amending Minnesota Statutes 1983 Supplement, section 297A.25, subdivision 1.

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

Clawson introduced :

H. F. No. 2154, A bill for an act relating to civil commitment; providing for status review of persons residing in state facilities pursuant to an order of guardianship; amending Laws 1982, chapter 581, section 26, as amended.

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

Clawson introduced :

H. F. No. 2155, A bill for an act relating to civil commitment; clarifying the conditions under which a guardian may place a minor ward in certain treatment facilities; amending Minnesota Statutes 1983 Supplement, section 525.619.

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

Clark, J., introduced :

H. F. No. 2156, A bill for an act relating to public welfare; establishing financial responsibility for newborn infants remaining in excluded time facilities; establishing time spent in correctional facilities as excluded time for purposes of medical assistance; amending Minnesota Statutes 1982, section 256.79; Minnesota Statutes 1983 Supplement, section 256B.02, subdivisions 2 and 3.

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

Welch, Heinitz, Norton, Pauly and Brinkman introduced:

H. F. No. 2157, A bill for an act relating to the legislative auditor; authorizing the audit of metropolitan agencies, boards, and commissions; amending Minnesota Statutes 1982, section 3.971, subdivision 1.

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

Jacobs introduced:

H. F. No. 2158, A bill for an act relating to intoxicating liquor; providing for the validation and issuance of intoxicating liquor licenses on Indian reservations; amending Minnesota Statutes 1982, section 340.11, by adding a subdivision.

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

Zaffke introduced:

H. F. No. 2159, A bill for an act relating to intoxicating liquor; allowing Shingobee township to issue and renew certain off-sale licenses; validating certain liquor licenses.

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

Simoneau, Norton, Rice, Stadum and Sviggum introduced:

H. F. No. 2160, A bill for an act relating to public employment labor relations; recodifying the public employment labor relations act; proposing new law coded as Minnesota Statutes, chapter 179A; repealing Minnesota Statutes 1982, sections 179.61 to 179.76, as amended.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Ellingson introduced:

H. F. No. 2161, A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws affected; requiring the revisor of statutes to editorially change criminal fines in a manner consistent with 1983 regular session changes made in maximum authorized fines; amending Minnesota Statutes 1982, chapters 1, as amended; 16, as amended; 16A, as amended; 177, as amended; and 300, as amended; and Minnesota Statutes 1982, sections 10.39; 15.375; 80A.22, subdivision 1; 152.15, subdivision 1; 609.20; Minnesota Statutes 1983 Supplement, sections 609.21; 609.52, subdivision 3; 609.582; 617.246, subdivisions 2, 3, and 4; repealing Minnesota Statutes 1982, sections 10.02; 10.03; 16A.02; 16A.04, subdivisions 2 and 3; 16A.07; 16A.08; 16A.125, subdivision 6; 16A.132; 16A.52; 16A.55; 16A.65, subdivision 3; and Minnesota Statutes 1983 Supplement, section 609.0341, subdivision 3.

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

Piper, Wynia, Forsythe, Jennings and Sieben introduced:

H. F. No. 2162, A bill for an act relating to Minnesota Statutes; providing for the replacement of gender-specific references with neutral or equal references to gender; imposing duties on the revisor of statutes and other legislative staff; setting goals; providing for the accomplishment of goals within existing resources.

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

Heinitz and Welker introduced:

H. F. No. 2163, A bill for an act relating to taxation; income; eliminating the income tax surtax; repealing Minnesota Statutes 1983 Supplement, section 290.06, subdivision 2e; and Laws 1983, chapter 342, article 1, section 8.

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

Schoenfeld, Bergstrom, McEachern, Onnen and Johnson introduced:

H. F. No. 2164, A bill for an act relating to local government; requiring payments as a condition of annexations; amending Minnesota Statutes 1982, section 414.031, subdivision 4.

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

Sarna; Rodriguez, F.; Metzen and Wigley introduced:

H. F. No. 2165, A bill for an act relating to retirement; highway patrol; age and service requirements; annuity formula; amending Minnesota Statutes 1983 Supplement, section 352B.08.

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

Battaglia and Begich introduced:

H. F. No. 2166, A bill for an act relating to public utilities; requiring certain utility pole guy lines to be marked with reflector tape; proposing new law coded in Minnesota Statutes, chapter 237.

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

Battaglia and Begich introduced:

H. F. No. 2167, A bill for an act relating to transportation; prohibiting certain types of barricades, fences, or obstructions across highways and roads; imposing a penalty; amending Minnesota Statutes 1982, section 160.27, subdivision 5.

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

Battaglia introduced:

H. F. No. 2168, A bill for an act relating to parks; providing for the conveyance of certain land for Voyageurs National Park; appropriating money; amending Minnesota Statutes 1982, section 84B.03, by adding a subdivision.

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

Battaglia introduced:

H. F. No. 2169, A bill for an act relating to state lands; conveying lands to the federal government for Voyageurs National Park; appropriating money; amending Minnesota Statutes 1982, section 84B.03, by adding a subdivision.

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

Battaglia introduced:

H. F. No. 2170, A bill for an act relating to Lake County; authorizing the county to establish a loan program to forestall foreclosures of mortgages on residential and agricultural homesteads.

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

Battaglia and Erickson introduced:

H. F. No. 2171, A bill for an act relating to cities; providing that certain cities shall not be reclassified for purposes of the municipal state-aid street system; amending Minnesota Statutes 1982, section 162.09, subdivision 4.

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

Wenzel introduced:

H. F. No. 2172, A bill for an act relating to transportation; highways; modifying restrictions on loading of vehicles driven on highways; amending Minnesota Statutes 1982, section 169.81, subdivision 5.

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

McEachern introduced:

H. F. No. 2173, A bill for an act relating to housing; prohibiting certain rent control ordinances in cities, counties, and towns; proposing new law coded in Minnesota Statutes, chapter 471.

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

Gustafson; Clark, J.; Forsythe and Dempsey introduced:

H. F. No. 2174, A bill for an act relating to corrections; providing for costs of transporting convicted persons and children adjudicated delinquent to correctional facilities; amending Minnesota Statutes 1983 Supplement, section 243.17, subdivision 1.

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

Heap, by request, introduced:

H. F. No. 2175, A bill for an act relating to gambling; allowing certain organizations to wager on golf matches under specified conditions; amending Minnesota Statutes 1982, sections 349.26, subdivisions 8, 10, 11, 12, 13, 14, 15, 15a, and by adding a subdivision; 349.31, subdivision 1; 541.20; 541.21; and Minnesota Statutes 1983 Supplement, section 609.75, subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Metzen and Sieben introduced:

H. F. No. 2176, A bill for an act relating to the town of Cannon Falls; authorizing the establishment of detached banking facilities.

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

Munger, Murphy, Battaglia, Elioff and Begich introduced:

H. F. No. 2177, A bill for an act relating to transportation; authorizing extension of I-35 in Duluth; amending Minnesota Statutes 1982, sections 161.12; and 161.1245, by adding a subdivision.

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

Anderson, B., introduced:

H. F. No. 2178, A bill for an act relating to claims; transportation; requiring the commissioner of transportation to pay claims for damages arising from an inadequate drainage culvert under trunk highway number 30; appropriating money.

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

Wenzel introduced:

H. F. No. 2179, A bill for an act relating to education; providing additional funding for a certain technology demonstration site proposal; appropriating money.

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

Elioff, Begich, Solberg, Battaglia and Minne introduced:

H. F. No. 2180, A resolution memorializing the President and Secretary of Transportation of the United States, the National Transportation Safety Board, and the Minnesota Congressional delegation to implement a program for the reflectorization of railroad rolling stock.

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

Heap introduced:

H. F. No. 2181, A bill for an act relating to taxation; income; providing an exclusion for governmental pensions; amending Minnesota Statutes 1983 Supplement, section 290.01, subdivision 20b.

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

Wenzel introduced:

H. F. No. 2182, A bill for an act relating to agriculture; changing certain duties of the commissioner; changing certain reporting requirements concerning agricultural land ownership; exempting the family farm security program from certain loan commitment approval requirements; amending Minnesota Statutes 1982, sections 21.118; 500.221, subdivision 2a; 500.24, subdivision 4; and Minnesota Statutes 1983 Supplement, sections 16A.80, subdivision 2; and 500.221, subdivision 4.

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

Valan, Wynia, Swanson and Forsythe introduced:

H. F. No. 2183, A bill for an act relating to health; providing counseling and educational services for sudden infant death syndrome families; requiring autopsies on victims of sudden

infant death syndrome; requiring the report of sudden infant death to the registrar of vital statistics; amending Minnesota Statutes 1982, sections 144.06; 144.07; 144.222; and 390.11.

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

Krueger introduced:

H. F. No. 2184, A bill for an act relating to agriculture; directing further study on the problem of stray voltage; appropriating money.

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

Schoenfeld; Anderson, G.; Dimler; McEachern and Schreiber introduced:

H. F. No. 2185, A bill for an act relating to local government; providing for the conduct of the business of towns; setting various conditions for elections; providing for certain town debt; revising various other town laws; providing penalties; amending Minnesota Statutes 1982, sections 6.54, as amended; 6.55; 117.011; 160.02, subdivision 6; 160.05, subdivision 1; 160.-17, subdivisions 1 and 2; 164.06; 164.11; 164.14, by adding a subdivision; 340.14, subdivision 5; 365.10; 365.15; 365.37; 365.51; 365.53; 366.01, subdivisions 2, 3, 4, 7, and by adding subdivisions; 366.015; 366.07; 367.02; 367.05, subdivision 1; 367.10; 367.15; 367.19; 367.23; 367.24; 367.30, subdivision 2; 367.31, subdivision 6; 368.01, subdivisions 1, 17, 21, 22, and 26; 368.121; 450.19; 624.44; and 624.51; Minnesota Statutes 1983 Supplement, sections 365.52; 366.20; 367.11; and 429.011, subdivision 2b; proposing new law coded in Minnesota Statutes, chapters 365; 366; and 368; repealing Minnesota Statutes 1982, sections 160.21, subdivision 5; 365.105; 365.106; 365.12; 366.06; 367.035; 367.05, subdivision 2; 368.01, subdivision 28; 368.02; 368.03; 368.04; 368.05; 368.06; 368.07; 368.08; 368.09; 368.10; 368.11; and 368.86.

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

Scheid and Schreiber introduced:

H. F. No. 2186, A bill for an act relating to public finance; providing for allocation of federal authority to issue certain state and local obligations; amending Minnesota Statutes 1982,

sections 116J.42, by adding a subdivision; 273.77; 429.091, by adding a subdivision; 430.12; and 472.09, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 458; 459; 462; 474; and 475.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Clark, K.; Staten and Kelly introduced:

H. A. No. 55, A proposal to study regulatory policies which restrict the ability of low-income women to start small businesses.

The advisory was referred to the Committee on Commerce and Economic Development.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

The Message from the Senate and the Conference Committee report on S. F. No. 989 which were printed in the Journal of the House on Tuesday, March 6, 1984 on pages 6357 through 6363 and continued were reported to the House.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 989, A bill for an act relating to collection and dissemination of data; classifying government data as public, private, and nonpublic; clarifying issues relating to classifications of data, access to data, the effect of death of individuals on classifications, and the temporary classification of data; refining provisions of the data practice act; amending Minnesota Statutes 1982, sections 13.02, subdivision 8, and by adding a subdivision; 13.03, subdivisions 3 and 4, and by adding subdivisions; 13.04, subdivision 2; 13.05, subdivisions 3, 7, 9, and 10, and by adding a subdivision; 13.06, subdivisions 1 and 6; 13.31, subdivision 2; 13.41, by adding a subdivision; 13.43, subdivision 2; 13.44; 13.46, subdivision 2, and by adding subdivisions; 13.67; 144.335, subdivision 2; and 253B.03, subdivision 8; proposing new law coded in Minnesota Statutes, chapter 13.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Ellingson moved that the House refuse to adopt the Conference Committee report on S. F. No. 989 and that the bill be returned to the Senate and to the Conference Committee. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 1350 and 1562.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1350, A bill for an act relating to courts; providing for court of appeal representation on the judicial board of standards and certain advisory committees; amending Minnesota Statutes 1982, sections 480.052; 480.059, subdivision 2; and Minnesota Statutes 1983 Supplement, section 490.15, subdivision 1.

The bill was read for the first time.

Vanasek moved that S. F. No. 1350 and H. F. No. 1504, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1562, A bill for an act relating to probate; providing for the transmission of documents to foreign consuls by the office of the secretary of state; amending Minnesota Statutes 1982, section 524.3-403.

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

CONSENT CALENDAR

H. F. No. 560, A bill for an act relating to Cook County; permitting the sale of certain land.

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:

Anderson, B.	Ellingson	Knuth	Peterson	Solberg
Anderson, G.	Erickson	Kostohryz	Piepho	Sparby
Anderson, R.	Evans	Krueger	Piper	Stadum
Battaglia	Findlay	Kvam	Price	Staten
Beard	Fjoslien	Larsen	Quinn	Sviggum
Begich	Forsythe	Levi	Quist	Swanson
Bennett	Frerichs	Ludeman	Redalen	Thiede
Bergstrom	Graba	Mann	Reif	Tomlinson
Bishop	Greenfield	Marsh	Riveness	Tunheim
Blatz	Gruenes	McEachern	Rodosovich	Uphus
Boo	Gustafson	McKasy	Rodriguez, C.	Valan
Brandl	Gutknecht	Metzen	Rodriguez, F.	Valento
Burger	Haukoos	Minne	Rose	Vanasek
Carlson, D.	Heap	Munger	Sarna	Vellenga
Carlson, L.	Himle	Murphy	Schafer	Voss
Clark, J.	Hoberg	Nelson, D.	Scheid	Waltman
Clark, K.	Hoffman	Nelson, K.	Schoenfeld	Welch
Clawson	Hokr	Neuenschwander	Schreiber	Welker
Cohen	Jacobs	O'Connor	Seaberg	Welle
Coleman	Jensen	Ogren	Segal	Wenzel
Dempsey	Johnson	Olsen	Shaver	Wigley
DenOuden	Kahn	Omann	Shea	Wynia
Dimler	Kalis	Onnen	Sherman	Zatfke
Eken	Kelly	Otis	Simoneau	Speaker Sieben
Elioff	Knickerbocker	Pauly	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 1405, A bill for an act relating to state monuments; adding the "Monument to the Living" in Ramsey County to the list of state monuments; amending Minnesota Statutes 1982, section 138.585, 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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clark, J.	Frerichs	Johnson	McKasy
Anderson, G.	Clark, K.	Graba	Kahn	Metzen
Anderson, R.	Cohen	Greenfield	Kalis	Minne
Battaglia	Coleman	Gruenes	Kelly	Munger
Beard	Dempsey	Gustafson	Knickerbocker	Murphy
Begich	DenOuden	Gutknecht	Knuth	Nelson, D.
Bennett	Dimler	Haukoos	Kostohryz	Nelson, K.
Bergstrom	Eken	Heap	Krueger	Neuenschwander
Bishop	Elioff	Himle	Kvam	O'Connor
Blatz	Ellingson	Hoberg	Larsen	Ogren
Boo	Erickson	Hoffman	Levi	Olsen
Brandl	Evans	Hokr	Ludeman	Omann
Burger	Findlay	Jacobs	Mann	Onnen
Carlson, D.	Fjoslien	Jennings	Marsh	Osthoff
Carlson, L.	Forsythe	Jensen	McEachern	Otis

Pauly	Rodosovich	Segal	Sviggum	Voss
Peterson	Rodriguez, C.	Shaver	Swanson	Waltman
Piepho	Rodriguez, F.	Shea	Thiede	Welch
Piper	Rose	Sherman	Tomlinson	Welker
Price	Sarna	Simoneau	Tunheim	Welle
Quinn	Schafer	Skoglund	Uphus	Wenzel
Quist	Scheid	Solberg	Valan	Wigley
Redalen	Schoenfeld	Sparby	Valento	Wynia
Reif	Schreiber	Stadum	Vanasek	Zaffke
Riveness	Seaberg	Staten	Vellenga	Speaker Sieben

The bill was passed and its title agreed to.

H. F. No. 1460, A bill for an act relating to state lands; providing for the conveyance of certain land in International Falls.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kostohryz	Pauly	Skoglund
Anderson, G.	Evans	Krueger	Peterson	Solberg
Anderson, R.	Findlay	Kvam	Piepho	Sparby
Battaglia	Fjoslien	Larsen	Piper	Stadum
Beard	Forsythe	Levi	Price	Staten
Begich	Frerichs	Long	Quinn	Sviggum
Bennett	Graba	Ludeman	Quist	Swanson
Bergstrom	Greenfield	Mann	Redalen	Thiede
Bishop	Gruenes	Marsh	Reif	Tomlinson
Blatz	Custafson	McEachern	Riveness	Tunheim
Boo	Gutknecht	McKasy	Rodosovich	Uphus
Brandl	Haukoos	Metzen	Rodriguez, C.	Valan
Burger	Hiinle	Minne	Rodriguez, F.	Valento
Carlson, D.	Hoberg	Munger	Rose	Vanasek
Carlson, L.	Hoffman	Murphy	Sarna	Vellenga
Clark, J.	Hokr	Nelson, D.	Schafer	Voss
Clark, K.	Jacobs	Nelson, K.	Scheid	Waltman
Cohen	Jennings	Neuenschwander	Schoenfeld	Welch
Coleman	Jensen	O'Connor	Schreiber	Welker
Dempsey	Johnson	Ogren	Seaberg	Welle
DenOuden	Kahn	Olsen	Segal	Wenzel
Dimler	Kalis	Omann	Shaver	Wigley
Eken	Kelly	Onnen	Shea	Wynia
Elioff	Knickerbocker	Osthoff	Sherman	Zaffke
Ellingson	Knuth	Otis	Simoneau	Speaker Sieben

The bill was passed and its title agreed to.

H. F. No. 1496, A bill for an act relating to state lands; providing for the conveyance of certain state land to the city of Pillager.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kostohryz	Peterson	Stadum
Anderson, G.	Evans	Krueger	Piepho	Staten
Anderson, R.	Findlay	Kvam	Piper	Sviggum
Battaglia	Fjoslien	Larsen	Price	Swanson
Beard	Forsythe	Levi	Quinn	Thiede
Begich	Frerichs	Long	Quist	Tomlinson
Bennett	Graba	Ludeman	Redalen	Tunheim
Bergstrom	Greenfield	Mann	Reif	Uphus
Bishop	Gruenes	Marsh	Riveness	Valan
Blatz	Gustafson	McEachern	Rodosovich	Valento
Boo	Gutknecht	McKasy	Rodriguez, C.	Vanasek
Brandl	Haukoos	Metzen	Rodriguez, F.	Vallenga
Burger	Himle	Minne	Rose	Voss
Carlson, D.	Hoberg	Munger	Sarna	Waltman
Carlson, L.	Hoffman	Murphy	Scheid	Welch
Clark, J.	Hokr	Nelson, D.	Schoenfeld	Welker
Clark, K.	Jacobs	Nelson, K.	Schreiber	Welle
Cohen	Jennings	Neuenschwander	Seaberg	Wenzel
Coleman	Jensen	O'Connor	Segal	Wigley
Dempsey	Johnson	Ogren	Shea	Wynia
DenOuden	Kahn	Olsen	Sherman	Zaffke
Dimler	Kalis	Omamm	Simoneau	Speaker Sieben
Eken	Kelly	Onnen	Skoglund	
Elioff	Knickerbocker	Osthoff	Solberg	
Ellingson	Knuth	Otis	Sparby	

The bill was passed and its title agreed to.

H. F. No. 1522, A bill for an act relating to Mille Lacs county; permitting the sale of certain tax-forfeited land.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clawson	Gruenes	Knuth	Nelson, K.
Anderson, G.	Cohen	Gustafson	Kostohryz	Neuenschwander
Anderson, R.	Coleman	Gutknecht	Krueger	O'Connor
Battaglia	Dempsey	Haukoos	Kvam	Ogren
Beard	DenOuden	Heap	Larsen	Olsen
Begich	Dimler	Himle	Levi	Omamm
Bennett	Eken	Hoberg	Long	Onnen
Bergstrom	Elioff	Hoffman	Ludeman	Osthoff
Bishop	Ellingson	Hokr	Mann	Otis
Blatz	Erickson	Jacobs	Marsh	Pauly
Boo	Evans	Jennings	McEachern	Peterson
Brandl	Findlay	Jensen	McKasy	Piepho
Burger	Fjoslien	Johnson	Metzen	Piper
Carlson, D.	Forsythe	Kahn	Minne	Price
Carlson, L.	Frerichs	Kalis	Munger	Quinn
Clark, J.	Graba	Kelly	Murphy	Quist
Clark, K.	Greenfield	Knickerbocker	Nelson, D.	Redalen

Reif	Schoenfeld	Solberg	Uphus	Welle
Riveness	Schreiber	Sparby	Valan	Wenzel
Rodosovich	Seaberg	Stadum	Valento	Wigley
Rodriguez, C.	Segal	Staten	Vanasek	Wynia
Rodriguez, F.	Shaver	Sviggum	Veilenga	Zaffke
Rose	Shea	Swanson	Voss	Speaker Sieben
Sarna	Sherman	Thiede	Waltman	
Schafer	Simoneau	Tomlinson	Welch	
Scheid	Skoglund	Tunheim	Welker	

The bill was passed and its title agreed to.

H. F. No. 1621, A bill for an act relating to veterans; allowing certain veterans organizations to use space in the Veterans Service Building; amending Minnesota Statutes 1982, section 197.58.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Krueger	Piper	Stadum
Anderson, G.	Findlay	Kvam	Price	Staten
Anderson, R.	Fjoslien	Larsen	Quinn	Sviggum
Battaglia	Forsythe	Levi	Quist	Swanson
Beard	Frerichs	Long	Redalen	Thiede
Begich	Graba	Ludeman	Reif	Tomlinson
Bennett	Greenfield	Mann	Rice	Tunheim
Bergstrom	Gruenes	Marsh	Riveness	Uphus
Bishop	Gustafson	McEachern	Rodosovich	Valan
Blatz	Gutknecht	McKasy	Rodriguez, C.	Valento
Boo	Haukoos	Metzen	Rodriguez, F.	Vanasek
Brandl	Heap	Minne	Rose	Vellenga
Carlson, D.	Himle	Munger	Sarna	Voss
Carlson, L.	Hoberg	Murphy	Schafer	Waltman
Clark, J.	Hoffman	Nelson, D.	Scheid	Welch
Clark, K.	Hokr	Nelson, K.	Schoenfeld	Welker
Clawson	Jacobs	Neuenschwander	Schreiber	Welle
Cohen	Jennings	O'Connor	Seaberg	Wenzel
Coleman	Jensen	Ogren	Segal	Wigley
Dempsey	Johnson	Olsen	Shaver	Wynia
DenOuden	Kahn	Omann	Shea	Zaffke
Dimler	Kalis	Onnen	Sherman	Speaker Sieben
Eken	Kelly	Otis	Simoneau	
Elioff	Knickerbocker	Pauly	Skoglund	
Ellingson	Knuth	Peterson	Solberg	
Erickson	Kostohryz	Piepho	Sparby	

The bill was passed and its title agreed to.

H. F. No. 1659, A bill for an act relating to commerce; prohibiting limited partnerships from interposing the defense of usury; amending Minnesota Statutes 1982, section 334.021.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kvam	Piepho	Stadium
Anderson, C.	Evans	Larsen	Piper	Staten
Anderson, R.	Findlay	Levi	Price	Sviggum
Battaglia	Fjoslien	Long	Quinn	Swanson
Beard	Forsythe	Ludeman	Quist	Thiede
Begich	Frerichs	Mann	Redalen	Tomlinson
Bennett	Graba	Marsh	Reif	Tunheim
Bergstrom	Greenfield	McEachern	Rice	Uphus
Bishop	Gruenes	McKasy	Riveness	Valan
Blatz	Gustafson	Metzen	Rodosovich	Valento
Boo	Gutknecht	Minne	Rodriguez, C.	Vanasek
Brandl	Haukoos	Munger	Rodriguez, F.	Vellenga
Burger	Heap	Murphy	Rose	Voss
Carlson, D.	Himle	Nelson, D.	Sarna	Waltman
Carlson, L.	Hoffman	Nelson, K.	Schafer	Welch
Clark, J.	Hokr	Neuenschwander	Scheid	Welker
Clark, K.	Jacobs	Norton	Schoenfeld	Welle
Clawson	Jennings	O'Connor	Schreiber	Wenzel
Cohen	Jensen	Ogren	Seaberg	Wigley
Coleman	Johnson	Olsen	Segal	Wynia
Dempsey	Kahn	Omann	Shaver	Zaffke
DenOuden	Kalis	Onnen	Sherman	Speaker Sieben
Dimler	Knickerbocker	Osthoff	Simoneau	
Eken	Knuth	Otis	Skoglund	
Elioff	Kostohryz	Pauly	Solberg	
Ellingson	Krueger	Peterson	Sparby	

The bill was passed and its title agreed to.

H. F. No. 1699, A bill for an act relating to state lands; terminating a possible right of reversion to the state in certain real estate.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clark, J.	Frerichs	Johnson	McEachern
Anderson, C.	Clark, K.	Graba	Kahn	Metzen
Anderson, R.	Clawson	Greenfield	Kalis	Minne
Battaglia	Cohen	Gruenes	Kelly	Munger
Beard	Coleman	Gustafson	Knickerbocker	Murphy
Begich	Dempsey	Gutknecht	Knuth	Nelson, D.
Bennett	DenOuden	Haukoos	Kostohryz	Nelson, K.
Bergstrom	Eken	Heap	Krueger	Neuenschwander
Bishop	Elioff	Himle	Kvam	Norton
Blatz	Ellingson	Hoberg	Larsen	O'Connor
Boo	Erickson	Hoffman	Levi	Ogren
Brandl	Evans	Hokr	Long	Olsen
Burger	Findlay	Jacobs	Ludeman	Omann
Carlson, D.	Fjoslien	Jennings	Mann	Onnen
Carlson, L.	Forsythe	Jensen	Marsh	Osthoff

Otis	Riveness	Seaberg	Staten	Voss
Pauly	Rodosovich	Segal	Sviggunn	Waltman
Peterson	Rodriguez, C.	Shaver	Thiede	Welch
Piepho	Rodriguez, F.	Shea	Tomlinson	Welker
Piper	Rose	Sherman	Tunheim	Welle
Price	Sarna	Simoneau	Uphus	Wenzel
Quinn	Schafer	Skoglund	Valan	Wigley
Quist	Scheid	Solberg	Valento	Wynia
Reif	Schoenfeld	Sparby	Vanasek	Zaffke
Rice	Schreiber	Stadum	Vellenga	Speaker Sieben

The bill was passed and its title agreed to.

H. F. No. 1786 was reported to the House.

Upon objection of ten members H. F. No. 1786 was stricken from the Consent Calendar and returned to General Orders.

CALENDAR

S. F. No. 214 was reported to the House and given its third reading.

CALL OF THE HOUSE

On the motion of Seaberg and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Anderson, B.	Erickson	Knuth	Onnen	Sparby
Anderson, R.	Evans	Kostohryz	Otis	Stadum
Battaglia	Findlay	Krueger	Pauly	Staten
Beard	Fjoslien	Kvam	Peterson	Sviggunn
Begich	Forsythe	Larsen	Piepho	Swanson
Bennett	Frerichs	Levi	Piper	Thiede
Bergstrom	Graba	Long	Price	Tomlinson
Blatz	Greenfield	Ludeman	Quist	Tunheim
Boo	Gruenes	Mann	Redalen	Valan
Brandl	Gustafson	Marsh	Rodosovich	Valento
Burger	Gutknecht	McEachern	Rodriguez, C.	Vanasek
Carlson, D.	Haukoos	McKasy	Rose	Vellenga
Carlson, L.	Heap	Metzen	Sarna	Voss
Clark, J.	Himle	Minne	Schafer	Welch
Clark, K.	Hoberg	Munger	Scheid	Welker
Clawson	Hoffman	Murphy	Schoenfeld	Welle
Cohen	Hokr	Nelson, D.	Schreiber	Wenzel
Coleman	Jacobs	Nelson, K.	Seaberg	Wigley
Dempsey	Jennings	Neuenschwander	Segal	Wynia
DenOuden	Jensen	Norton	Shaver	Zaffke
Dimler	Johnson	O'Connor	Shea	Speaker Sieben
Eken	Kahn	Ogren	Simoneau	
Elioff	Kalis	Olsen	Skoglund	
Ellingson	Knickerbocker	Omann	Solberg	

Vanasek moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to

bring in the absentees. The motion prevailed and it was so ordered.

S. F. No. 214, A bill for an act relating to traffic regulations; requiring the use of seat belts by motor vehicle passengers; prohibiting a surcharge for failure to use seat belts; requiring insurers to reduce premium rates if claim amounts are reduced; amending Minnesota Statutes 1982, sections 65B.133, subdivision 5; and 169.685, by adding subdivisions.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Jennings moved that those not voting be excused from voting. The motion did not prevail.

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

There were 55 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Larsen	Peterson	Shaver
Anderson, G.	Forsythe	Long	Piper	Shea
Battaglia	Graba	Mann	Price	Simoneau
Beard	Greenfield	McKasy	Quist	Skoglund
Bennett	Himle	Munger	Reif	Tomlinson
Bergstrom	Hoberg	Murphy	Rodosovich	Tunheim
Boo	Hoffman	Nelson, D.	Rodriguez, C.	Vanasek
Brandl	Kahn	Norton	Rodriguez, F.	Vellenga
Clark, J.	Kalis	Olsen	Schoenfeld	Welch
Clark, K.	Knickerbocker	Otis	Seaberg	Wynia
Coleman	Knuth	Pauly	Segal	Speaker Sieben

Those who voted in the negative were:

Anderson, R.	Evans	Kostohryz	Osthoff	Swanson
Begich	Findlay	Krueger	Piepho	Thiede
Bishop	Fjoslien	Kvam	Quinn	Uphus
Blatz	Frerichs	Levi	Redalen	Valan
Burger	Gruenes	Ludeman	Rivness	Valento
Carlson, D.	Gustafson	Marsh	Rose	Voss
Carlson, L.	Gutknecht	McEachern	Sarna	Waltman
Clawson	Haukoos	Metzen	Schafer	Welker
Cohen	Heap	Minne	Scheid	Welle
Dempsey	Hokr	Nelson, K.	Schreiber	Wenzel
DenOuden	Jacobs	Neuenschwander	Sherman	Wigley
Dimler	Jennings	O'Connor	Solberg	Zaffke
Eken	Jensen	Ogren	Sparby	
Elioff	Johnson	Omamm	Stadum	
Erickson	Kelly	Onnen	Sviggum	

The bill was not passed.

MOTION FOR RECONSIDERATION

Jennings moved that the vote whereby S. F. No. 214 was not passed earlier today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Jennings motion to reconsider and the roll was called.

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

There were 95 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Knickerbocker	Osthoff	Shea
Anderson, G.	Elioff	Knuth	Otis	Sherman
Battaglia	Ellingson	Kostohryz	Pauly	Simoneau
Beard	Erickson	Larsen	Peterson	Skoglund
Begich	Evans	Levi	Piper	Solberg
Bennett	Forsythe	Long	Price	Staten
Bergstrom	Graba	Mann	Quist	Sviggum
Bishop	Greenfield	McKasy	Redalen	Swanson
Blatz	Gruenes	Metzen	Reif	Tomlinson
Boo	Gutknecht	Minne	Riveness	Tunheim
Braundl	Heap	Munger	Rodosovich	Uphus
Burger	Himle	Murphy	Rodriguez, C.	Valan
Carlson, D.	Hoffman	Nelson, D.	Rodriguez, F.	Vanasek
Carlson, L.	Jennings	Neuenschwander	Rose	Vellenga
Clark, J.	Jensen	Norton	Sarna	Welch
Clawson	Johnson	Ogren	Scheid	Welle
Cohen	Kahn	Olsen	Schoenfeld	Wenzel
Coleman	Kalis	Omann	Seaberg	Wynia
Dimler	Kelly	Onnen	Shaver	Speaker Sieben

Those who voted in the negative were:

Anderson, R.	Haukoos	Ludman	Schreiber	Voss
Dempsey	Hokr	Marsh	Sparby	Waltman
DenOuden	Jacobs	O'Connor	Stadum	Welker
Fjoslien	Krueger	Piepho	Thiede	Wigley
Frerichs	Kvam	Schafer	Valento	Zaffke

The motion prevailed.

S. F. No. 214 was again reported to the House.

Rodriguez, C., moved that S. F. No. 214 be returned to General Orders. The motion prevailed.

CALL OF THE HOUSE LIFTED

Levi moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

H. F. No. 1279, A bill for an act relating to crimes; clarifying the crime of contributing to the delinquency of a minor; providing for the admissibility of certain statements as evidence; expanding the definitions of sexual contact and coercion; increasing the age limit of minor victims protected under criminal sexual conduct offenses; clarifying certain terms; amending Minnesota Statutes 1982, sections 595.02; 609.341, subdivisions 11 and 14; 609.346; 609.347, subdivision 3; 609.364, subdivision 9; and 626.556, subdivision 8; Minnesota Statutes 1983 Supplement, sections 260.315; 609.342; and 609.343; proposing new law coded in Minnesota Statutes, chapter 260.

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:

Anderson, G.	Erickson	Kostohryz	Otis	Skoglund
Anderson, R.	Evans	Krueger	Pauly	Solberg
Battaglia	Findlay	Kvam	Peterson	Sparby
Beard	Fjoslien	Larsen	Piepho	Stadum
Begich	Forsythe	Levi	Piper	Staten
Bennett	Frerichs	Long	Price	Sviggum
Bergstrom	Graba	Ludeman	Quinn	Swanson
Bishop	Greenfield	Mann	Quist	Thiede
Blatz	Gruenes	Marsh	Redalen	Tomlinson
Boo	Gustafson	McEachern	Reif	Uphus
Brandl	Gutknecht	McKasy	Riveness	Valan
Burger	Haukoos	Metzen	Rodosovich	Valento
Carlson, D.	Heap	Minne	Rodriguez, C.	Vanasek
Carlson, L.	Himle	Munger	Rodriguez, F.	Vellenga
Clark, J.	Hobberg	Murphy	Rose	Voss
Clark, K.	Hoffman	Nelson, D.	Sarna	Waltman
Clawson	Hokr	Nelson, K.	Schafer	Welch
Cohen	Jacobs	Neuenschwander	Scheid	Welker
Coleman	Jennings	Norton	Schoenfeld	Welle
Dempsey	Jensen	O'Connor	Schreiber	Wenzel
DenOuden	Johnson	Ogren	Seaberg	Wigley
Dimler	Kabis	Olsen	Segal	Wynia
Eken	Kelly	Omann	Shea	Zaffke
Elioff	Knickerbocker	Onnen	Sherman	Speaker Sieben
Ellingson	Knuth	Osthoff	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 1408, A bill for an act relating to public safety; traffic regulations; regulating school buses; amending Minnesota Statutes 1982, sections 169.01, subdivision 6; 169.44, subdivisions 1c, 2, 8, and 15; 169.45; and 171.01, 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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were :

Anderson, B.	Erickson	Kvam	Piepho	Sparby
Anderson, G.	Evans	Larsen	Piper	Stadum
Anderson, R.	Findlay	Levi	Price	Staten
Battaglia	Fjoslien	Long	Quinn	Sviggun
Beard	Forsythe	Ludeman	Quist	Swanson
Begich	Frerichs	Mann	Redalen	Thiede
Bennett	Graba	Marsh	Reif	Tomlinson
Bergstrom	Gruenes	McEachern	Riveness	Tunheim
Bishop	Gustafson	McKasy	Rodosovich	Uphus
Blatz	Gutknecht	Metzen	Rodriguez, C.	Valan
Boo	Haukoos	Minne	Rodriguez, F.	Valento
Burger	Heap	Munger	Rose	Vanasek
Carlson, D.	Himle	Murphy	Sarna	Vellenga
Carlson, L.	Hoberg	Nelson, D.	Schafer	Voss
Clark, J.	Hoffman	Nelson, K.	Scheid	Waltman
Clark, K.	Hokr	Neuenschwander	Schoenfeld	Welch
Clawson	Jacobs	Norton	Schreiber	Welle
Cohen	Jennings	O'Connor	Seaberg	Wenzel
Coleman	Jensen	Ogren	Segal	Wigley
Dempsey	Johnson	Olsen	Shaver	Wynia
DenOuden	Kalis	Omann	Shea	Zaffke
Dimler	Knickerbocker	Osthoff	Sherman	Speaker Sieben
Eken	Knuth	Otis	Simoneau	
Elioff	Kostohryz	Pauly	Skoglund	
Ellingson	Krueger	Peterson	Solberg	

The bill was passed and its title agreed to.

Hoberg was excused for the remainder of today's session.

H. F. No. 1377, A bill for an act relating to local government; providing for supplemental local government aid payments to certain cities and towns; appropriating money.

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were :

Anderson, B.	Clawson	Gustafson	Kvam	Ogren
Anderson, G.	Coleman	Gutknecht	Larsen	Olsen
Anderson, R.	Dempsey	Haukoos	Levi	Omann
Battaglia	DenOuden	Heap	Long	Onnen
Beard	Dimler	Himle	Ludeman	Osthoff
Begich	Eken	Hoffman	Mann	Otis
Bennett	Elioff	Hokr	Marsh	Pauly
Bergstrom	Ellingson	Jacobs	McEachern	Peterson
Bishop	Erickson	Jennings	McKasy	Piepho
Blatz	Evans	Jensen	Metzen	Piper
Boo	Findlay	Johnson	Minne	Price
Brandl	Fjoslien	Kahn	Munger	Quist
Burger	Forsythe	Kalis	Murphy	Redalen
Carlson, D.	Frerichs	Kelly	Nelson, D.	Reif
Carlson, L.	Graba	Knickerbocker	Nelson, K.	Riveness
Clark, J.	Greenfield	Knuth	Neuenschwander	Rodosovich
Clark, K.	Gruenes	Krueger	O'Connor	Rodriguez, C.

Rodriguez, F.	Shea	Sviggum	Vanasek	Wigley
Rose	Sherman	Swanson	Vellenga	Wynia
Sarna	Simoneau	Thiede	Voss	Zaffke
Schafer	Skoglund	Tomlinson	Waltman	Speaker Sieben
Scheid	Solberg	Tunheim	Welch	
Schoenfeld	Sparby	Uphus	Welker	
Scaberg	Stadum	Valan	Welle	
Segal	Staten	Valento	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 1481, A bill for an act relating to financial institutions; credit unions; authorizing credit unions to offer various classes of shares, share certificates, deposits, or deposit certificates; authorizing the board of directors to establish different classes of shares and place certain restrictions on one class of shares; allowing credit unions to designate the par value of shares; specifying certain components of the capital of a credit union; adding investment losses to the category of contingencies against which credit unions are required to reserve; permitting the board to pay no dividend; permitting the exclusion of one share of a member from the requirement for insurance; amending Minnesota Statutes 1982, sections 52.12; 52.17, subdivision 1; 52.18; and 52.24, by adding a subdivision; Minnesota Statutes 1983 Supplement, sections 52.01; 52.04, subdivision 1; 52.05; and 52.09, subdivision 2.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Elioff	Kalis	Ogren	Schoenfeld
Anderson, R.	Ehlingson	Kelly	Olsen	Schreiber
Battaglia	Erickson	Knickerbocker	Omann	Seaberg
Beard	Evans	Knuth	Onnen	Segal
Begich	Findlay	Kostohryz	Osthoff	Shaver
Bennett	Fjoslien	Krueger	Otis	Shea
Bergstrom	Forsythe	Kvam	Pauly	Sherman
Bishop	Frerichs	Larsen	Peterson	Simoneau
Blatz	Graba	Levi	Piepho	Skoglund
Boo	Greenfield	Long	Piper	Solberg
Brandl	Gruenes	Ludeman	Price	Sparby
Burger	Gustafson	Mann	Quinn	Stadum
Carlson, D.	Gutknecht	Marsh	Quist	Staten
Carlson, L.	Haukoos	McEachern	Redalen	Sviggum
Clark, J.	Heap	Metzen	Reif	Swanson
Clark, K.	Himle	Minn	Riveness	Thiede
Clawson	Hoffman	Munger	Rodosovich	Tomlinson
Cohen	Hokr	Murphy	Rodriguez, C.	Tunheim
Coleman	Jacobs	Nelson, D.	Rodriguez, F.	Uphus
Dempsey	Jennings	Nelson, K.	Rose	Valan
DenOuden	Jensen	Neuenschwander	Sarna	Valento
Dimler	Johnson	Norton	Schafer	Vanasek
Eken	Kahn	O'Connor	Scheid	Vellenga

Voss Waltman	Welch Welker	Welle Wenzel	Wigley Wynia	Zaffke Speaker Sieben
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The bill was passed and its title agreed to.

H. F. No. 1516, A bill for an act relating to local government; authorizing the levy of special assessments or service charges for fire protection systems; amending Minnesota Statutes 1982, sections 429.011, by adding a subdivision; 429.021, subdivision 1; 429.031, subdivision 3; 429.091, subdivisions 2 and 3; and 429.101, subdivision 1.

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 113 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Krueger	Pauly	Simoneau
Anderson, G.	Erickson	Kvam	Peterson	Skoglund
Battaglia	Evans	Larsen	Piepho	Solberg
Beard	Findlay	Levi	Piper	Sparby
Begich	Fjoslien	Long	Price	Staten
Bennett	Forsythe	Mann	Quinn	Swiggum
Bergstrom	Grabaa	Marsh	Quist	Swanson
Bishop	Greenfield	McEachern	Redalen	Tomlinson
Blatz	Gruenes	McKasy	Reif	Tunheim
Boo	Gustafson	Metzen	Rice	Uphus
Brandl	Gutknecht	Minne	Riveness	Valento
Burger	Heap	Munger	Rodosovich	Vanasek
Carlson, D.	Himle	Murphy	Rodriguez, C.	Vellenga
Carlson, L.	Hoffman	Nelson, D.	Rodriguez, F.	Voss
Clark, J.	Jacobs	Nelson, K.	Rose	Waltman
Clark, K.	Jensen	Neuenschwander	Sarna	Welch
Clawson	Johnson	Norton	Scheid	Welle
Cohen	Kahn	O'Connor	Schoenfeld	Wenzel
Coleman	Kalis	Ogren	Seaberg	Wynia
Dempsey	Kelly	Olsen	Segal	Zaffke
Dimler	Knickerbocker	Omann	Shaver	Speaker Sieben
Eken	Knuth	Osthoff	Shea	
Elioff	Kostohryz	Otis	Sherman	

Those who voted in the negative were:

DerOuden	Jennings	Onnen	Schreiber	Welker
Frerichs	Ludeman	Schafer	Thiede	Wigley
Haukoos				

The bill was passed and its title agreed to.

H. F. No. 1587, A bill for an act relating to state government; ratifying state labor agreements and compensation plans; providing for interim approval of certain negotiated agreements and compensation plans; making a change in the state unit composition schedule.

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 106 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Long	Piper	Solberg
Anderson, G.	Forsythe	Mann	Price	Sparby
Anderson, R.	Graba	Marsh	Quinn	Staten
Battaglia	Greenfield	McEachern	Quist	Striggum
Beard	Gruenens	McKasy	Redalen	Swanson
Begich	Gustafson	Metzen	Rice	Tomlinson
Bennett	Gutknecht	Minne	Riveness	Tunheim
Bergstrom	Heap	Munger	Rodosovich	Valan
Bishop	Himle	Murphy	Rodriguez, C.	Valento
Boo	Hoffman	Nelson, D.	Rodriguez, F.	Vanasek
Brandl	Hokr	Nelson, K.	Rose	Vellenga
Carlson, D.	Jacobs	Neuenschwander	Sarna	Voss
Carlson, L.	Jensen	Norton	Scheid	Waltman
Clark, J.	Johnson	O'Conner	Schoenfeld	Welch
Clark, K.	Kahn	Ogren	Schreiber	Welle
Clawson	Kalis	Olsen	Seaberg	Wenzel
Cohen	Kelly	Omman	Segal	Wynia
Coleman	Knickerbocker	Osthoff	Shaver	Speaker Sieben
Dinler	Knuth	Otis	Shea	
Eken	Kostohryz	Pauly	Sherman	
Elioff	Larsen	Peterson	Simoneau	
Ellingson	Levi	Piepho	Skoglund	

Those who voted in the negative were:

Blatz	Findlay	Jennings	Onnen	Uphus
Dempsey	Fjoslien	Krueger	Reif	Welker
DenOuden	Frerichs	Kvam	Schafer	Wigley
Erickson	Haukoos	Ludeman	Thiede	Zaffke

The bill was passed and its title agreed to.

H. F. No. 1654, A bill for an act relating to animals; prohibiting the use of a decompression chamber to destroy an animal; imposing a penalty; proposing new law coded in Minnesota Statutes, chapter 343.

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 78 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Brandl	Clawson	Fjoslien	Hokr
Battaglia	Carlson, D.	Cohen	Forsythe	Jacobs
Beard	Carlson, L.	Coleman	Greenfield	Jensen
Begich	Clark, J.	Elioff	Himle	Kelly
Blatz	Clark, K.	Ellingson	Hoffman	Knickerbocker

Knuth	Murphy	Pauly	Sarna	Vanasek
Kostohryz	Nelson, D.	Peterson	Scheid	Vellenga
Krueger	Nelson, K.	Piper	Schoenfeld	Voss
Larsen	Neuenschwander	Price	Seaberg	Welch
Levi	Norton	Quinn	Shea	Welle
Long	O'Connor	Rice	Simoneau	Wenzel
Mann	Ogren	Rivenness	Skoglund	Wynia
Marsh	Omann	Rodosovich	Solberg	Zaffke
McEachern	Onnen	Rodriguez, C.	Staten	Speaker Sieben
Metzen	Osthoff	Rodriguez, F.	Swanson	
Minne	Otis	Rose	Tomlinson	

Those who voted in the negative were:

Bennett	Erickson	Heap	Redalen	Thiede
Bishop	Evans	Jennings	Reif	Tunheim
Boo	Findlay	Johnson	Schafer	Uphus
Burger	Frerichs	Kalis	Schreiber	Valento
Dempsey	Graba	Kvam	Shaver	Waltman
DenOuden	Gruenes	Ludeman	Sherman	Welker
Dimler	Gutknecht	Piepho	Sparby	Wigley
Eken	Haukoos	Quist	Sviggunn	

The bill was passed and its title agreed to.

H. F. No. 1257, A bill for an act relating to occupations and professions; regulating entertainment agencies; providing penalties; proposing new law coded as Minnesota Statutes, chapter 184A.

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 100 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Kostohryz	Pauly	Shea
Anderson, G.	Ellingson	Krueger	Peterson	Sherman
Anderson, R.	Erickson	Larsen	Piper	Simoneau
Battaglia	Forsythe	Levi	Price	Skoglund
Beard	Graba	Long	Quinn	Solberg
Begich	Greenfield	Mann	Quist	Sparby
Bennett	Gruenes	McEachern	Redalen	Staten
Bergstrom	Gustafson	McKasy	Reif	Swanson
Bishop	Gutknecht	Metzen	Rice	Tomlinson
Brandl	Heap	Minne	Rivenness	Tunheim
Burger	Himle	Munger	Rodosovich	Valan
Carlson, D.	Hoffman	Murphy	Rodriguez, C.	Vanasek
Carlson, L.	Jacobs	Nelson, D.	Rodriguez, F.	Vellenga
Clark, J.	Jensen	Nelson, K.	Rose	Voss
Clark, K.	Johnson	Neuenschwander	Sarna	Waltman
Clawson	Kahn	O'Connor	Scheid	Welch
Cohen	Kalis	Ogren	Schoenfeld	Welle
Coleman	Kelly	Olsen	Seaberg	Wenzel
Dimler	Knickerbocker	Osthoff	Segal	Wynia
Eken	Knuth	Otis	Shaver	Speaker Sieben

Those who voted in the negative were:

DenOuden	Kvam	Piepho	Thiede	Welker
Fjoslien	Ludeman	Schafer	Uphus	Wigley
Frerichs	Omann	Sviggum	Valento	Zaffke
Haukoos	Onnen			

The bill was passed and its title agreed to.

H. F. No. 1382, A bill for an act relating to crimes; clarifying the definition of "inmate" and "term of imprisonment"; providing for the manner of modifying sentencing guidelines and resentencing affected inmates; amending Minnesota Statutes 1982, section 244.01, subdivisions 2 and 8; 244.09, subdivision 5, and by adding a subdivision; and Minnesota Statutes 1983 Supplement, section 244.09, subdivision 11.

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 119 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Krueger	Peterson	Skoglund
Anderson, G.	Evans	Kvam	Piepho	Solberg
Anderson, R.	Findlay	Larsen	Piper	Sparby
Battaglia	Fjoslien	Levi	Price	Stadum
Beard	Forsythe	Long	Quinn	Staten
Begich	Frerichs	Ludeman	Quist	Sviggum
Bennett	Graba	Mann	Redalen	Swanson
Bergstrom	Greenfield	Marsh	Reif	Thiede
Bishop	Grucnes	McEachern	Riveness	Tomlinson
Blatz	Gutknecht	McKasy	Rodosovich	Tunheim
Brandl	Haukoos	Metzen	Rodriguez, C.	Uphus
Burger	Heap	Minne	Rodriguez, F.	Valan
Carlson, D.	Himle	Munger	Rose	Valento
Carlson, L.	Hoffman	Nelson, D.	Sarna	Vanasek
Clark, J.	Hokr	Nelson, K.	Schafer	Vellenga
Clark, K.	Jacobs	Neuenschwander	Scheid	Voss
Cohen	Jensen	O'Connor	Schoenfeld	Waltman
Coleman	Johnson	Ogren	Schreiber	Welch
Dempsey	Kahn	Olsen	Seaberg	Welle
DenOuden	Kalis	Omann	Segal	Wigley
Dimler	Kelly	Onnen	Shaver	Wynia
Eken	Knickerbocker	Osthoff	Shea	Zaffke
Elioff	Knuth	Otis	Sherman	Speaker Sieben
Ellingson	Kostohryz	Pauly	Simoneau	

Those who voted in the negative were:

Wenzel

The bill was passed and its title agreed to.

H. F. No. 1428, A bill for an act relating to missing children; requiring the commissioner of public safety to establish a Min-

nesota missing child program; requiring law enforcement agencies receiving missing child reports to take certain actions; proposing new law coded in Minnesota Statutes, chapter 299C.

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 117 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Krueger	Peterson	Solberg
Anderson, G.	Fjoslien	Kvam	Piepho	Sparby
Anderson, R.	Forsythe	Larsen	Piper	Staten
Battaglia	Frerichs	Levi	Price	Sviggum
Beard	Graba	Long	Quinn	Swanson
Begich	Greenfield	Mann	Quist	Tomlinson
Bennett	Cruenes	Marsh	Redalen	Tunheim
Bergstrom	Gustafson	McEachern	Reif	Uphus
Bishop	Gutknecht	McKasy	Riveness	Valan
Blatz	Haukoos	Metzen	Rodosovich	Valento
Brandl	Heap	Minne	Rodriguez, C.	Vanasck
Carlson, D.	Himle	Munger	Rodriguez, F.	Vellenga
Carlson, L.	Hoffman	Nelson, D.	Rose	Voss
Clark, J.	Hokr	Nelson, K.	Sarna	Waltman
Clark, K.	Jacobs	Neuenschwander	Schafer	Welch
Cohen	Jennings	Norton	Scheid	Welle
Coleman	Jensen	O'Connor	Schoenfeld	Wenzel
Dempsey	Johnson	Ogren	Schreiber	Wigley
DenOuden	Kahn	Olsen	Seaberg	Wynia
Dimler	Kalis	Omann	Segal	Zaffke
Eken	Kelly	Onnen	Shaver	Speaker Sieben
Ellingson	Knickerbocker	Osthoff	Shea	
Erickson	Knuth	Otis	Simoneau	
Evans	Kostohryz	Pauly	Skoglund	

Those who voted in the negative were:

Ludeman Thiede Welker

The bill was passed and its title agreed to.

H. F. No. 1611, A bill for an act relating to commerce; manufactured homes; clarifying provisions relating to manufactured home safety features; amending Minnesota Statutes 1983 Supplement, sections 327C.02, subdivision 5; and 327C.07, subdivisions 3a and 8.

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 113 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kostohryz	Otis	Skoglund
Anderson, G.	Erickson	Krueger	Pauly	Solberg
Anderson, R.	Evans	Kvam	Peterson	Sparby
Battaglia	Findlay	Larsen	Piper	Staten
Beard	Fjoslien	Levi	Price	Sviggum
Begich	Forsythe	Long	Quinn	Swanson
Bennett	Graba	Mann	Quist	Tomlinson
Bergstrom	Greenfield	Marsh	Redalen	Tunheim
Bishop	Gustafson	McEachern	Rice	Uphus
Blatz	Gutknecht	McKasy	Riveness	Valan
Brandl	Haukoos	Metzen	Rodosovich	Valento
Burger	Heap	Minne	Rodriguez, C.	Vanasek
Carlson, D.	Himle	Munger	Rodriguez, F.	Vellenga
Carlson, L.	Hoffman	Murphy	Rose	Voss
Clark, J.	Hokr	Nelson, D.	Sarna	Waltman
Clark, K.	Jacobs	Nelson, K.	Scheid	Welch
Clawson	Jensen	Neuenschwander	Schoenfeld	Welle
Cohen	Johnson	Norton	Schreiber	Wenzel
Coleman	Kahn	O'Connor	Seaberg	Wigley
Dempsey	Kalis	Ogren	Segal	Wynia
Dimler	Kelly	Olsen	Shaver	Speaker Sieben
Eken	Knickerbocker	Onnen	Shea	
Elioff	Knuth	Osthoff	Simoneau	

Those who voted in the negative were:

DenOuden	Jennings	Omann	Thiede	Zaffke
Gruenes	Ludeman	Schafer	Welker	

The bill was passed and its title agreed to.

H. F. No. 1784, A bill for an act relating to the state board of investment; establishing combined investment funds; amending Minnesota Statutes 1982, sections 11A.14; and 11A.24, subdivision 2; and Minnesota Statutes 1983 Supplement, section 11A.24, subdivision 1; repealing Minnesota Statutes 1982, section 356.20, subdivision 5.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Brandl	DenOuden	Frerichs	Hokr
Anderson, G.	Burger	Dimler	Graba	Jacobs
Anderson, R.	Carlson, D.	Eken	Greenfield	Jennings
Battaglia	Carlson, L.	Elioff	Gruenes	Jensen
Beard	Clark, J.	Ellingson	Gustafson	Johnson
Begich	Clark, K.	Erickson	Gutknecht	Kalis
Bennett	Clawson	Evans	Haukoos	Kelly
Bergstrom	Cohen	Findlay	Heap	Knickerbocker
Bishop	Coleman	Fjoslien	Himle	Knuth
Blatz	Dempsey	Forsythe	Hoffman	Kostohryz

Krueger	Neuenschwander	Redalen	Shea	Valento
Kvam	Norton	Reif	Sherman	Vanasek
Larsen	O'Connor	Rice	Simoneau	Vellenga
Levi	Ogren	Riveness	Skoglund	Voss
Long	Olsen	Rodosovich	Soiberg	Waltman
Mann	Omamm	Rodriguez, C.	Sparby	Welch
Marsh	Onnen	Rodriguez, F.	Stadum	Welker
McEachern	Osthoff	Sarna	Staten	Welle
McKasy	Otis	Schafer	Swiggum	Wenzel
Metzen	Pauly	Scheid	Swanson	Wigley
Minne	Piepho	Schoenfeld	Thiede	Wynia
Munger	Piper	Schreiber	Tomlinson	Zaffke
Murphy	Price	Seaberg	Tunheim	Speaker Sieben
Nelson, D.	Quinn	Segal	Uphus	
Nelson, K.	Quist	Shaver	Valan	

The bill was passed and its title agreed to.

Rodosovich was excused at 4:15 p.m. Heap was excused at 4:25 p.m. Anderson, G., was excused at 4:50 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole with Sieben 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 THE 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. No. 432 which it recommended to pass with the following amendments:

Offered by Redalen:

Page 5, line 27, delete "a" and insert "*an elected*"

Offered by Redalen:

Page 3, line 14, after "*sediment*" insert "*that, upon inspection, is determined to have been caused by accelerated erosion as provided in section 8*"

Offered by Schreiber:

Page 7, line 18, delete "*this act*" and insert "*an administrative order issued under section 8 or a supplemental order issued under section 9*"

Offered by Schreiber:

Page 1, line 23, after "by" insert "*the governing body of a statutory or home rule charter city, town, or*"

Page 1, line 23, delete "commissioners"

Page 1, line 25, delete "*the county's*" and insert "local"

Page 2, line 3, delete "county's"

Page 3, line 18, delete "*the county's*" and insert "local"

Page 3, line 35, delete "county commissioners" and insert "*the governing body*"

Page 4, line 12, delete "COUNTY"

Page 4, line 14, after "Each" insert "*statutory or home rule charter city, town, or*" and after "county" insert "*exercising planning and zoning authority under sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.365*"

Page 4, line 16, delete "*county which*"

Page 4, line 17, delete "*has adopted the provisions of this act*" and insert "*local government unit that has adopted an ordinance*"

Page 4, line 21, delete "county" and insert "local unit"

Page 4, line 22, after the period insert "*Ordinances adopted by local units within the metropolitan area defined in section 473.121 must be consistent with local water management plans adopted under section 473.879.*"

Page 4, line 28, delete "counties" and insert "*local governments*"

Page 4, line 32, delete "*of a county*"

Page 4, line 34, delete "*by each county*"

Page 5, line 31, delete "*county board of*"

Page 5, line 32, delete "*the county which contains*" and insert "*governing body of the local government unit exercising planning and zoning authority under sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.365 over*"

Page 6, line 2, delete "*commissioners of any county*" and insert "*governing body of the local government unit*"

Page 6, line 3, delete "*the county*" and insert "*its jurisdiction*"

Page 6, line 6, delete "*county's*" and insert "*local unit's*"

Page 6, line 7, delete "*county board*" and insert "*local government unit*"

Page 6, line 10, delete "*commissioners find*" and insert "*governing body of the local unit finds*"

Page 6, line 16, delete "*county's*"

Page 7, line 7, delete "*county commissioners*" and insert "*local unit*"

Offered by Onnen :

Page 5, line 27, delete "*federal,*"

Page 5, line 28, delete "*state, or*"

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 :

Sparby, Sviggum, Welker and Findlay moved to amend H. F. No. 432, the first engrossment, as amended, as follows :

Page 4, line 14, delete "*must*" and insert "*may*"

Page 4, line 14, delete "*by August 1, 1989*"

Page 4, line 15, delete "*shall*" and insert "*may*"

The question was taken on the amendment and the roll was called. There were 45 yeas and 70 nays as follows :

Those who voted in the affirmative were :

Anderson, B.	Blatz	Eken	Forsythe	Jennings
Anderson, G.	Brandl	Erickson	Frerichs	Kalis
Anderson, R.	Dempsey	Evans	Graba	Krueger
Bergstrom	DenOuden	Findlay	Haukoos	Kvam
Bishop	Dimler	Fjoslien	Hokr	Ludeman

Neuenschwander	St. Onge	Sparby	Tunheim	Welker
Ogren	Schafer	Stadum	Uphus	Wenzel
Onnen	Schoenfeld	Sviggum	Valento	Wigley
Quist	Segal	Thiede	Welch	Zaffke

Those who voted in the negative were:

Beard	Gutknecht	Mann	Piepho	Shea
Bennett	Himle	Marsh	Piper	Sherman
Burger	Hoffman	McKasy	Price	Simoneau
Carlson, L.	Jacobs	Munger	Quinn	Skoglund
Clark, J.	Jensen	Murphy	Redalen	Staten
Clark, K.	Johnson	Nelson, D.	Reif	Swanson
Clawson	Kahn	Nelson, K.	Rice	Tomlinson
Cohen	Kelly	Norton	Riveness	Valan
Coleman	Knickerbocker	Olsen	Rodriguez, C.	Vanasek
Elioff	Knuth	Omiann	Rodriguez, F.	Vellenga
Ellingson	Kostohryz	Osthoff	Rose	Voss
Greenfield	Larsen	Otis	Scheid	Waltman
Gruenes	Levi	Pauly	Schreiber	Welle
Gustafson	Long	Peterson	Seaberg	Wynia

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

Waltman moved to amend H. F. No. 432, the first engrossment, as amended, as follows:

Page 4, line 27, before "shall" insert "and after ratification of the proposed rules by at least 65 percent of the local soil and water conservation districts,"

Page 5, line 7, after "board" insert "and if the proposed revisions are ratified by at least 65 percent of the local soil and water conservation districts"

The question was taken on the Waltman amendment and the roll was called. There were 31 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Findlay	Ludeman	Sherman	Tunheim
Anderson, R.	Fjoslien	Ogren	Solberg	Waltman
Bishop	Graba	Piepho	Sparby	Welker
Dempsey	Kalis	St. Onge	Stadum	Welle
DenOuden	Krueger	Schafer	Sviggum	Wigley
Erickson	Kvam	Segal	Thiede	Zaffke
Evans				

Those who voted in the negative were:

Anderson, G.	Clark, K.	Frerichs	Jacobs	Kostohryz
Beard	Clawson	Greenfield	Jensen	Larsen
Blatz	Coleman	Gruenes	Johnson	Levi
Brandl	Eken	Gustafson	Kahn	Long
Burger	Elioff	Gutknecht	Kelly	Mann
Carlson, L.	Ellingson	Himle	Knickerbocker	Marsh
Clark, J.	Forsythe	Hoffman	Knuth	McEachern

McKasy	Olsen	Redalen	Seaberg	Valento
Metzen	Omann	Reif	Shaver	Vanasek
Minne	Osthoff	Riveness	Shea	Vellenga
Munger	Otis	Rodriguez, C.	Simoneau	Voss
Murphy	Pauly	Rodriguez, F.	Skoglund	Wenzel
Nelson, D.	Peterson	Rose	Staten	Wynia
Nelson, K.	Piper	Sarna	Swanson	Speaker Sieben
Neuenschwander	Price	Scheid	Tomlinson	
Norton	Quinn	Schoenfeld	Uphus	
O'Connor	Quist	Schreiber	Valan	

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

Welker, Sviggum, Sparby, DenOuden, Fjoslien and Thiede moved to amend H. F. No. 432, the first engrossment, as amended, as follows:

Page 4, delete lines 13 through 15

Page 4, line 16, delete "provided in section 4."

The question was taken on the amendment and the roll was called. There were 38 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dimler	Hokr	Reif	Thiede
Begich	Eken	Jennings	St. Onge	Tunheim
Bishop	Erickson	Kalis	Schafer	Valento
Blatz	Evans	Krueger	Schoenfeld	Welker
Burger	Findlay	Kvam	Solberg	Wigley
Carlson, D.	Fjoslien	Ludeman	Sparby	Zaffke
Dempsey	Graba	Neuenschwander	Stadum	
DenOuden	Haukoos	Onnen	Sviggum	

Those who voted in the negative were:

Battaglia	Himle	McEachern	Piepho	Shaver
Beard	Hoffman	Metzen	Piper	Simoneau
Bergstrom	Jacobs	Minne	Price	Skoglund
Brandl	Jensen	Munger	Quinn	Swanson
Carlson, L.	Johnson	Murphy	Quist	Uphus
Clark, J.	Kahn	Nelson, D.	Redalen	Valan
Clark, K.	Kelly	Nelson, K.	Riveness	Vanasek
Clawson	Knickerbocker	Norton	Rodriguez, C.	Vellenga
Coleman	Knuth	O'Connor	Rodriguez, F.	Voss
Elioff	Kostohryz	Olsen	Rose	Waltman
Ellingson	Larsen	Omann	Sarna	Welle
Greenfield	Levi	Osthoff	Scheid	Wenzel
Gruenes	Long	Otis	Schreiber	Wynia
Gustafson	Mann	Pauly	Schreiberg	Speaker Sieben
Gutknecht	Marsh	Peterson	Segal	

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. 432, as amended, and the roll was called. There were 87 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Battaglia	Gruenes	McEachern	Piper	Sherman
Beard	Gustafson	McKasy	Price	Simoneau
Begich	Gutknecht	Metzen	Quinn	Skoglund
Bennett	Himle	Minne	Quist	Staten
Bergstrom	Hoffman	Munger	Redalen	Swanson
Blatz	Jacobs	Murphy	Reif	Tomlinson
Boo	Jensen	Nelson, D.	Riveness	Valan
Brandl	Johnson	Nelson, K.	Rodriguez, C.	Vanasek
Burger	Kahn	Norton	Rodriguez, F.	Vellenga
Carlson, L.	Kelly	O'Connor	Rose	Voss
Clark, J.	Knickerbocker	Olsen	Sarna	Waltman
Clark, K.	Knuth	Omann	Scheid	Welle
Clawson	Kostohryz	Onnen	Schoenfeld	Wenzel
Cohen	Larsen	Osthoff	Schreiber	Wynia
Coleman	Levi	Otis	Seaberg	Speaker Sieben
Elioff	Long	Pauly	Segal	
Ellingson	Mann	Peterson	Shaver	
Greenfield	Marsh	Piepho	Shea	

Those who voted in the negative were:

Anderson, R.	Erickson	Jennings	Schafer	Uphus
Bishop	Evans	Kalis	Solberg	Valento
Carlson, D.	Findlay	Krueger	Sparby	Welker
Dempsey	Fjoslien	Kvam	Stadum	Wigley
DenOuden.	Frerichs	Ludcman	Sviggum	Zaffke
Dimler	Graba	Ogren	Thiede	
Eken	Haukoos	St. Onge	Tunheim	

The motion prevailed.

There being no objection the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wynia and Greenfield introduced:

H. F. No. 2187, A bill for an act relating to medical assistance; changing responsibilities of screening teams for mentally retarded services; amending Minnesota Statutes 1983 Supplement, section 256B.092, subdivision 7.

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

Eken introduced:

H. F. No. 2188, A bill for an act relating to Indians; providing for partial settlement of Indian land claims on the White Earth Reservation; appropriating money.

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

Tunheim introduced:

H. F. No. 2189, A resolution memorializing the International Joint Commission, the President and Congress to effectuate an agreement between Minnesota and Ontario on joint management of their border waters.

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

Knuth, Osthoff, Norton, Cohen and Reif introduced:

H. F. No. 2190, A bill for an act relating to Ramsey County; providing for the creation, organization, powers and duties of a personnel system; amending Minnesota Statutes 1982, section 383A.41, subdivision 5; proposing new law coded in Minnesota Statutes, chapter 383A; repealing Minnesota Statutes 1982, sections 383A.28, as amended; 383A.29; 383A.30; and 383A.31.

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

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 29, 1984. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 29, 1984.

EDWARD A. BURDICK, Chief Clerk, House of Representatives