

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 2, 1987

The House of Representatives convened at 2:00 p.m. and was called to order by Fred C. Norton, Speaker of the House.

Prayer was offered by Father Lawrence Keller, St. Charles Catholic Church, Bayport, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Frerichs	Larsen	Osthoff	Shaver
Anderson, R.	Greenfield	Lasley	Otis	Simoneau
Battaglia	Gruenes	Lieder	Ozment	Skoglund
Bauerly	Gutknecht	Long	Pappas	Solberg
Beard	Haukoos	Marsh	Pauly	Sparby
Begich	Heap	McDonald	Pelowski	Stanius
Bennett	Himle	McEachern	Peterson	Steensma
Bertram	Hugoson	McLaughlin	Poppenhagen	Sviggum
Bishop	Jacobs	McPherson	Price	Thiede
Blatz	Jaros	Milbert	Quinn	Tjornhom
Boo	Jefferson	Miller	Quist	Tompkins
Brown	Jennings	Minne	Redalen	Trimble
Burger	Jensen	Morrison	Reding	Tunheim
Carlson, D.	Johnson, A.	Munger	Rest	Uphus
Carlson, L.	Johnson, R.	Murphy	Richter	Valento
Carruthers	Johnson, V.	Nelson, C.	Riveness	Vanasek
Clark	Kahn	Nelson, D.	Rodosovich	Vellenga
Clausnitzer	Kalis	Neuenschwander	Rose	Voss
Cooper	Kelly	O'Connor	Rukavina	Wagenius
Dauner	Kelso	Ogren	Sarna	Waltman
DeBlieck	Kinkel	Olsen, S.	Schafer	Weile
Dempsey	Kludt	Olson, E.	Scheid	Wenzel
Dille	Knickerbocker	Olson, K.	Schoenfeld	Winter
Dorn	Knuth	Omman	Schreiber	Wynia
Forsythe	Kostohryz	Omnen	Seaberg	Spk. Norton
Frederick	Krueger	Orenstein	Segal	

A quorum was present.

Hartle; McKasy; Nelson, K.; Rice and Swenson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 27, 52, 94, 119, 134, 197, 240, 255, 280, 18, 147, 23, 357, 420, 151 and 81 and S. F. Nos. 38, 59, 123, 161, 155, 211 and 137 have been placed in the members' files.

S. F. No. 211 and H. F. No. 255, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Jacobs moved that S. F. No. 211 be substituted for H. F. No. 255 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 28, A bill for an act relating to financial institutions; extending the EFT law to terminals located on the premises of a financial institution; amending Minnesota Statutes 1986, section 47.61, subdivision 3.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 2. Minnesota Statutes 1986, section 47.64, subdivision 1, is amended to read:

Subdivision 1. (a) Any person establishing and maintaining an electronic financial terminal located separate and apart from a financial institution's principal office, branch, or detached facility for use by one type of financial institution shall, upon written request, make its services available to any requesting financial institution of similar type on a fair, equitable and nondiscriminatory basis approved by the commissioner. A financial institution requesting use of an electronic financial terminal shall be permitted its use only if the financial institution conforms to reasonable technical operation standards which have been established by the electronic financial terminal provider as approved by the commissioner. For purposes of this subdivision, the types of financial institutions are: ~~(a)~~ (1) commercial banks and mutual savings banks; ~~(b)~~ (2) credit unions, industrial loan and thrift companies, and regulated lenders under chapter 56; and ~~(c)~~ (3) savings and loan associations. The services of an electronic financial terminal may be made available to any type of financial institution. After March 1, 1979, or earlier if determined by the commissioner to be technically feasible, an

electronic financial terminal which is used by or made available to one type of financial institution shall be made available, upon request, to other types of financial institutions on a fair, equitable and nondiscriminatory basis as approved by the commissioner. The charges required to be paid to any person establishing and maintaining an electronic financial terminal shall be related to an equitable proportion of the direct costs of establishing, operating, and maintaining the terminal plus a reasonable return on those costs to the owner of the terminal. The charges may provide for amortization of development costs and capital expenditures over a reasonable period of time.

(b) Any person establishing and maintaining an electronic financial terminal located on and as a part of a financial institution's principal office, branch, or detached facility may, at the financial institution's option, (1) maintain the electronic financial terminal for the exclusive use of the financial institution's customers; (2) maintain the electronic financial terminal for the use of the financial institution's customers and make all of the electronic financial terminal's services available to any other requesting financial institution of similar type on a fair, equitable, and nondiscriminatory basis approved by the commissioner; or (3) make all of the electronic financial terminal's services available to any requesting financial institution as provided in subdivision 1, paragraph (a).

Sec. 3. Minnesota Statutes 1986, section 47.64, subdivision 3, is amended to read:

Subd. 3. Any agreement or charge between a person establishing an electronic financial terminal and the person at whose location the terminal is established shall be upon such commercially reasonable terms and conditions as are agreed to by the parties. A person at whose location an electronic financial terminal is established and maintained may limit the kind of financial transaction functions which the terminal may perform, but. If the electronic financial terminal is not located on the premises of a financial institution's principal office, branch, or detached facility, the person shall make available upon request every financial transaction function which the terminal does perform to all financial institutions, their affiliates, or agents on a nondiscriminatory basis. A function involving either a bank credit card authorized pursuant to section 48.185 or other credit card authorized under any other similar open end consumer credit sales plan need not be made so available.

Sec. 4. Minnesota Statutes 1986, section 47.67, is amended to read:

47.67 [ADVERTISING.]

No advertisement by a person which relates to an electronic financial terminal may be inaccurate or misleading with respect to

such a terminal. Except with respect to direct mailings by financial institutions to their customers, the advertising of rate of interest paid on accounts in connection with electronic financial terminals is prohibited. Any advertisement, either on or off the site of an electronic financial terminal, promoting the use or identifying the location of an electronic financial terminal, which identifies any financial institution, group or combination of financial institutions, or third parties as owning or providing for the use of its services is prohibited. The following shall be expressly permitted:

(a) A simple directory listing placed at the site of an electronic financial terminal identifying the particular financial institutions using its services;

(b) The use of a generic name, either on or off the site of an electronic financial terminal, which does not promote or identify any particular financial institution, group or combination of financial institutions, or any third parties; ~~and~~

(c) Media advertising or direct mailing of information by a financial institution or retailer identifying locations of electronic financial terminals and promoting their usage; and

(d) Any advertising, whether on or off the site, relating to electronic financial terminals, or the services performed at the electronic financial terminals located on the premises of the main office, or any office or detached facility of any financial institution."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing options for a financial institution relating to the availability of an electronic financial terminal for other financial institutions; permitting certain advertising relating to an electronic financial terminal;"

Page 1, line 5, delete "section" and insert "sections"

Page 1, line 5, after "3" insert "; 47.64, subdivisions 1 and 3; and 47.67"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 56, A bill for an act relating to health; requiring mosquito research and management activities to be ecologically

nondisruptive; amending Minnesota Statutes 1986, section 144.95, subdivisions 1, 2, 3, 7, 9, and 10.

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 102, A bill for an act relating to game and fish; use of mechanical release bows during archery seasons; amending Minnesota Statutes 1986, section 97B.035, subdivision 1.

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

The report was adopted.

Jaros from the Committee on Higher Education to which was referred:

H. F. No. 114, A bill for an act relating to education; state universities; establishing a composites science and engineering program at Winona State University; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [COMPOSITES SCIENCE AND ENGINEERING PROGRAM AT WINONA STATE UNIVERSITY.]

\$873,500 is appropriated from the general fund to the state university board for an undergraduate baccalaureate degree program in composites science and engineering at Winona State University. Of this sum, \$83,500 is to plan and develop the program in fiscal year 1988. \$790,000 is to implement the program in fiscal year 1989.”

Amend the title as follows:

Page 1, line 2, delete everything after the first semicolon

Page 1, line 3, delete “establishing” and insert “appropriating money for”

Page 1, line 4, delete “; appropriating”

Page 1, delete line 5

Page 1, line 6, 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.

Greenfield from the Committee on Health and Human Services to which was referred:

H. F. No. 120, A bill for an act relating to health; requiring licensure of home care agencies; providing a home care bill of rights; providing a complaint procedure for home care clients; appropriating money; amending Minnesota Statutes 1986, sections 144.335, subdivision 1; 144.699, subdivision 2; 144A.51, subdivision 6, and by adding a subdivision; 144A.52, subdivision 3; 144A.53, subdivisions 1, 2, 3, and 4; 144A.54, subdivision 1; 256B.04, by adding a subdivision; 364.09; and 626.557, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 144.335, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them:

(a) “Patient” means a natural person who has received health care services from a provider for treatment of a medical, psychiatric or mental condition, or a person the patient designates in writing as a representative. Except for minors who have received health care services pursuant to sections 144.341 to 144.347, in the case of a minor, “patient” includes a parent or guardian, or a person acting as a parent or guardian in the absence of a parent or guardian.

(b) “Provider” means (1) any person who furnishes health care services and is licensed to furnish the services pursuant to chapters 147, 148, 150A, 151 or 153; (2) a home care provider licensed under section 6; and (2) (3) a health care facility licensed pursuant to this chapter or chapter 144A.

Sec. 2. Minnesota Statutes 1986, section 144.699, subdivision 2, is amended to read:

Subd. 2. [FOSTERING PRICE COMPETITION.] The commissioner of health shall:

(a) Encourage hospitals, outpatient surgical centers, home care providers, and professionals regulated by the health related licensing boards as defined in section 214.01, subdivision 2, and by the commissioner of health under section 214.13, to publish prices for procedures and services that are representative of the diagnoses and conditions for which citizens of this state seek treatment.

(b) Analyze and disseminate available price information and analyses so as to foster the development of price competition among hospitals, outpatient surgical centers, home care providers, and health professionals.

Sec. 3. [144A.43] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 2 to 7.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of health.

Subd. 3. [HOME CARE SERVICE.] "Home care service" means any of the following services when delivered in a place of residence to a person whose illness, disability, or physical condition creates a need for the service:

- (1) nursing services, including the services of a home health aide;
- (2) personal care services not included under sections 148.171 to 148.299;
- (3) physical therapy;
- (4) speech therapy;
- (5) respiratory therapy;
- (6) occupational therapy;
- (7) nutritional services;
- (8) homemaker services, meal preparation, and similar services when provided to a person whose illness, disability, or physical condition creates a need for the service;

(9) medical social services;

(10) the provision of medical supplies and equipment when accompanied by the provision of a home care service;

(11) the provision of hospice core services as specified in section 8; and

(12) other similar medical services and health-related support services identified by the commissioner in rule.

Subd. 4. [HOME CARE PROVIDER.] "Home care provider" means an individual, organization, association, corporation, unit of government, or other entity that is regularly engaged in the delivery, directly or by contractual arrangement, of home care services for a fee. "Home care provider" includes a hospice program defined in section 8. "Home care provider" does not include:

(1) any home care or nursing services conducted by and for the adherents of any recognized church or religious denomination for the purpose of providing care and services for those who depend upon spiritual means, through prayer alone, for healing;

(2) an individual who only provides services to a relative;

(3) an individual not connected with a home care provider who provides homemaking or personal care services to not more than one person or family, if the services are provided primarily as a contribution and not as a business, as employment, or for substantial compensation; and compensation received for providing services is not the individual's primary source of income;

(4) an individual not connected with a home care provider who shares housing with and provides primarily housekeeping or homemaking services to an elderly or disabled person in return for free or reduced-cost housing;

(5) an individual or agency providing home-delivered meal services;

(6) an agency providing senior companion services and other older American volunteer programs established under the Domestic Volunteer Service Act of 1973, Public Law Number 98-288;

(7) an individual or agency that only provides chore or housekeeping services which do not involve the provision of home care services;

(8) a member of a professional corporation organized under sections 319A.01 to 319A.22 that does not regularly offer or provide home care services as defined in subdivision 3;

(9) the following organizations established to provide medical or surgical services that do not regularly offer or provide home care services as defined in subdivision 3: a business trust organized under sections 318.01 to 318.04, a nonprofit corporation organized under chapter 317, a partnership organized under chapter 323, or any other entity determined by the commissioner; or

(10) an individual licensed under chapter 147.

Sec. 4. [144A.44] [HOME CARE BILL OF RIGHTS.]

Subdivision 1. [STATEMENT OF RIGHTS.] A person who receives home care services has these rights:

(1) the right to receive written information about rights, including what to do if rights are violated;

(2) the right to receive care and services according to a suitable and up-to-date plan, and subject to accepted medical or nursing standards, to take an active part in creating and changing the plan and evaluating care and services;

(3) the right to be told about the services that are being provided or suggested, about other choices that are available, and about the consequences of these choices including the consequences of refusing these services;

(4) the right to refuse services or treatment;

(5) the right to know, in advance, any limits to the services available from a provider, whether the services are covered by health insurance, medical assistance, or other health programs, and the provider's grounds for a termination of services;

(6) the right to know what the charges are for services, no matter who will be paying the bill;

(7) the right to know that there may be other services available in the community, including other home care services and providers, and to know where to go for information about these services;

(8) the right to choose freely among available providers and to change providers after services have begun, within the limits of health insurance, medical assistance, or other health programs;

(9) the right to have personal, financial, and medical information kept private;

(10) the right to be allowed access to records and written information from records in accordance with section 144.335;

(11) the right to be served by people who are properly trained and competent to perform their duties;

(12) the right to be treated with courtesy and respect;

(13) the right to be free from physical and verbal abuse;

(14) the right to reasonable notice of changes in services or charges;

(15) the right to a coordinated transfer when there will be a change in the provider of services;

(16) the right to know how to contact an individual associated with the provider who is responsible for handling problems and the name and address of the state or county agency to contact for additional information or assistance; and

(17) the right to assert these rights without retaliation.

Subd. 2. [INTERPRETATION AND ENFORCEMENT OF RIGHTS.] These rights are established for the benefit of persons who receive home care services. "Home care services" means home care services as defined in section 3, subdivision 3. A home care provider may not require a person to surrender these rights as a condition of receiving services. A guardian or conservator or, when there is no guardian or conservator, a designated person, may seek to enforce these rights. This statement of rights does not replace or diminish other rights and liberties that may exist relative to persons receiving home care services, persons providing home care services, or providers licensed under this act. A copy of these rights must be provided to an individual at the time home care services are initiated. The copy shall also contain the address and phone number of the office of health facility complaints and a brief statement describing how to file a complaint with that office.

Sec. 5. [144A.45] [REGULATION OF HOME CARE SERVICES.]

Subdivision 1. [PURPOSE.] The commissioner shall regulate and control the delivery of home care services in order to protect consumers, assure quality of care, improve access to services, and prevent fraud.

Subd. 2. [REGULATORY FUNCTIONS.] The commissioner shall:

(1) evaluate, monitor, and license home care providers in accordance with sections 5 to 8 and 14;

(2) inspect the office and records of a provider during regular business hours, provided that when conducting routine office visits

or inspections, the commissioner shall provide at least 48 hours' advance notice to the home care provider;

(3) with the consent of the consumer, visit the home where services are being provided;

(4) issue correction orders and assess civil penalties in accordance with section 144.653, subdivisions 5 to 8;

(5) take other action reasonably required to accomplish the purposes of sections 2 to 8 and 14; and

(6) adopt rules governing home care providers. The rules adopted by the commissioner may include the following:

(a) provisions to assure, to the extent possible, the health, safety and well-being, and appropriate treatment of persons who receive home care services;

(b) requirements that home care providers furnish the commissioner specified information necessary to implement sections 2 to 8 and 14;

(c) standards of training of home care provider personnel, which may vary according to the nature of the services provided or the health status of the consumer;

(d) standards of supervision by a registered nurse of personnel providing home care services, which may vary according to the nature of the services provided or the health status of the consumer;

(e) requirements for the involvement of a consumer's physician, the documentation of physicians' orders and the consumer's treatment plan, and the maintenance of accurate, current clinical records;

(f) the establishment of different classes of licenses for different types of providers and different standards and requirements for different kinds of home care services; and

(g) operating procedures required to implement the home care bill of rights.

In the exercise of the authority granted in sections 2 to 8 and 14, the commissioner shall comply with the applicable requirements of section 144.122, the government data practices act, and the administrative procedure act.

Subd. 3. [ADVISORY TASK FORCE.] The commissioner of health shall establish and appoint a home care advisory task force consist-

ing of 15 members representing the various kinds of home care providers, including a hospice program, health care professionals, community health services agencies, and consumers. The appointment, removal, and compensation of members is as provided in section 15.059, subdivision 6. The task force shall provide advice and recommendations to the commissioner regarding the development of rules required by subdivision 2.

Sec. 6. [144A.46] [LICENSURE.]

Subdivision 1. [LICENSE REQUIRED.] (a) A home care provider may not operate in the state without a current license issued by the commissioner of health.

(b) Within ten days after receiving an application for a license, the commissioner shall acknowledge receipt of the application in writing. The acknowledgement must indicate whether the application appears to be complete or whether additional information is required before the application will be considered complete. Within 90 days after receiving a complete application, the commissioner shall either grant or deny the license. If an applicant is not granted or denied a license within 90 days after submitting a complete application, the license must be deemed granted. An applicant whose license has been deemed granted must provide written notice to the commissioner before providing a home care service.

Subd. 2. [EXEMPTIONS.] The following individuals are exempt from the requirement to obtain a home care provider license:

(1) a person who is licensed under sections 148.171 to 148.285 and who independently provides nursing services in the home without any contractual or employment relationship to a home care provider or other organization;

(2) a personal care assistant who provides services under the medical assistance program as authorized under section 256B.02, subdivision 8, paragraph (17), and section 15;

(3) a person who is registered under sections 148.65 to 148.78 and who independently provides physical therapy services in the home without any contractual or employment relationship to a home care provider or other organization;

(4) a person who provides services to a person with mental retardation under a program of semi-independent living services regulated by Minnesota Rules, parts 9525.0500 to 9525.0660; or

(5) a person who provides services to a person with mental retardation under contract with a county to provide home and community-based services that are reimbursed under the medical

assistance program, chapter 256B, and regulated by Minnesota Rules, parts 9525.1800 to 9525.1930.

An exemption under this subdivision does not excuse the individual from complying with applicable provisions of the home care bill of rights.

Subd. 3. [ENFORCEMENT.] The commissioner may refuse to grant or renew a license, or may suspend or revoke a license, for violation of statutes or rules relating to home care services or for conduct detrimental to the welfare of the consumer. Prior to any suspension, revocation, or refusal to renew a license, the home care provider shall be entitled to notice and a hearing as provided by sections 14.57 to 14.70. In addition to any other remedy provided by law, the commissioner may, without a prior contested case hearing, temporarily suspend a license or prohibit delivery of services by a provider for not more than 60 days if the commissioner determines that the health or safety of a consumer is in imminent danger, provided (1) advance notice is given to the provider; (2) after notice, the provider fails to correct the problem; (3) the commissioner has reason to believe that other administrative remedies are not likely to be effective; and (4) there is an opportunity for a contested case hearing within the 60 days. The process of suspending or revoking a license must include a plan for transferring affected clients to other providers.

Subd. 4. [RELATION TO OTHER REGULATORY PROGRAMS.] In the exercise of the authority granted under sections 2 to 8 and 14, the commissioner shall not duplicate or replace standards and requirements imposed under another state regulatory program. The commissioner shall not impose additional training or education requirements upon members of a licensed or registered occupation or profession, except as necessary to address or prevent problems that are unique to the delivery of services in the home or to enforce and protect the rights of consumers listed in section 4. For home care providers certified under the Medicare program, the state standards must not be inconsistent with the Medicare standards for Medicare services.

Subd. 5. [PRIOR CRIMINAL CONVICTIONS.] An applicant for a home care provider license shall disclose to the commissioner all criminal convictions of persons involved in the management, operation, or control of the provider. A home care provider shall require employees of the provider and applicants for employment to disclose all criminal convictions. No person may be employed by a home care provider or involved in the management, operation, or control of a provider, if the person has been convicted of a crime that relates to the provision of home care services or to the position, duties, or responsibilities undertaken by that person in the operation of the home care provider, unless the person can provide sufficient evidence of rehabilitation. The commissioner shall adopt rules for determin-

ing whether a crime relates to home care services and what constitutes sufficient evidence of rehabilitation. The rules must require consideration of the nature and seriousness of the crime; the relationship of the crime to the purposes of home care licensure and regulation; the relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the person's position; mitigating circumstances or social conditions surrounding the commission of the crime; the length of time elapsed since the crime was committed; the seriousness of the risk to the home care client's person or property; and other factors the commissioner considers appropriate.

Sec. 7. [144A.47] [INFORMATION AND REFERRAL SERVICES.]

The commissioner shall ensure that information and referral services relating to home care are available in all regions of the state. The commissioner shall collect and make available information about available home care services, sources of payment, providers, and the rights of consumers. The commissioner may require home care providers to provide information requested for the purposes of this section, including price information, as a condition of registration or licensure. Specific price information furnished by providers under this section is not public data and must not be released without the written permission of the agency. The commissioner may publish and make available:

- (1) general information and a summary of the range of prices of home care services in the state;
- (2) limitations on hours, availability of services, and eligibility for third-party payments, applicable to individual providers; and
- (3) other information the commissioner determines to be appropriate.

Sec. 8. [144A.48] [HOSPICE PROGRAMS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given to them:

- (1) "Hospice core services" means physician services, registered nursing services, medical social services, pastoral care or other counseling services, and volunteer services. Hospice core services may be provided either directly by the hospice program or through a service contract or other arrangement;
- (2) "Hospice patient" means an individual who has been diagnosed as terminally ill with a probable life expectancy of under one year, as documented by the individual's attending physician, and

who alone or, when unable, through the hospice patient's family has voluntarily consented to and received admission to a hospice program;

(3) "Hospice patient's family" means the immediate kin of the hospice patient and other relatives, the hospice patient's guardian, primary caregivers, or persons identified by the hospice patient as having significant personal ties;

(4) "Hospice program" means a centrally coordinated program that ensures continuity and consistency of home and inpatient care provided directly or through an agreement. Hospice core services are provided under the direction of an identifiable hospice administration. The hospice interdisciplinary team provides palliative care and supportive medical and other services to terminally ill hospice patients and patients' families to meet the physical, emotional, social, spiritual, and special needs experienced during the final stages of illness, dying, and bereavement;

(5) "Interdisciplinary team" means a group of qualified individuals with expertise in meeting the special needs of hospice patients and patients' families. The interdisciplinary team must, at a minimum, include individuals who are providers of the hospice core services;

(6) "Palliative care" means care directed at managing the symptoms experienced by the hospice patient, intended to enhance the quality of life for the hospice patient, and the patient's family, but not directed at curing the illness; and

(7) "Volunteer services" means services by volunteers who provide a personal presence that augments a variety of professional and nonprofessional services available to the hospice patient, the patient's family, and the hospice program. Volunteers must complete a hospice training program and must be qualified for any services they provide.

Subd. 2. [LICENSE REQUIREMENTS.] A hospice program may not operate in the state or use the words "hospice" or "hospice program" without a current license issued by the commissioner of health. The commissioner shall license hospice programs using the powers and authorities contained in sections 3 to 7 and 14. In addition a hospice program must provide:

(1) centrally coordinated hospice core services in the home and inpatient settings;

(2) that the medical components of the hospice program are under the direction of a licensed physician who serves as medical director;

(3) that the palliative medical care provided to a hospice patient is under the direction of the attending physician;

(4) an interdisciplinary team that meets regularly to develop, implement, and evaluate the hospice program's plan of care for each hospice patient and the patient's family;

(5) accessible hospice care, 24 hours a day, seven days a week;

(6) an ongoing system of quality assurance;

(7) a planned program of supportive services available to patients' families during the bereavement period; and

(8) that inpatient services are provided directly or by arrangement in a licensed hospital or nursing home.

Subd. 3. [REQUIRED INSPECTIONS.] The commissioner shall inspect the hospice program, the home care and the inpatient care provided by the hospice program, and the hospital or nursing home used by the hospice program to determine if the requirements of sections 5 to 8 are met.

Subd. 4. [RULE AUTHORITY.] The commissioner shall promulgate rules to implement the provisions of this section.

Subd. 5. [LICENSE DESIGNATION.] A license issued to a home care provider meeting the requirements contained in this section shall indicate that the provider is qualified to offer hospice care.

Sec. 9. Minnesota Statutes 1986, section 144A.51, subdivision 6, is amended to read:

Subd. 6. "Resident" means any resident or patient of a health facility or a consumer of services provided by a home care provider, or the guardian or conservator of a the resident or patient of a health facility, or consumer, if one has been appointed.

Sec. 10. Minnesota Statutes 1986, section 144A.51, is amended by adding a subdivision to read:

Subd. 7. "Home care provider" means a home care provider as defined in section 3, subdivision 4.

Sec. 11. Minnesota Statutes 1986, section 144A.52, subdivision 3, is amended to read:

Subd. 3. The director may delegate to members of the staff any of the authority or duties of the director except the duty of formally making recommendations to the legislature, administrative agen-

cies, health facilities, health care providers, home care providers, and the state commissioner of health.

Sec. 12. Minnesota Statutes 1986, section 144A.53, is amended to read:

144A.53 [DIRECTOR; POWERS AND DUTIES.]

Subdivision 1. [POWERS.] The director may:

(a) Promulgate by rule, pursuant to chapter 14, and within the limits set forth in subdivision 2, the methods by which complaints against health facilities, health care providers, home care providers, or administrative agencies are to be made, reviewed, investigated, and acted upon; provided, however, that a fee may not be charged for filing a complaint;

(b) Recommend legislation and changes in rules to the state commissioner of health, legislature, governor, administrative agencies or the federal government;

(c) Investigate, upon a complaint or upon initiative of the director, any action or failure to act by a health care provider, home care provider, or a health facility;

(d) Request and receive access to relevant information, records, or documents in the possession of an administrative agency, a health care provider, a home care provider, or a health facility which the director deems necessary for the discharge of responsibilities;

(e) Enter and inspect, at any time, a health facility; provided that the director shall not unduly interfere with or disturb the activities of a resident unless the resident consents;

(f) Issue a correction order pursuant to section 144.653 or any other law which provides for the issuance of correction orders to health care facilities or home care provider, or under section 5;

(g) Recommend the certification or decertification of health facilities pursuant to Title XVIII or Title XIX of the United States Social Security Act;

(h) Assist residents of health facilities in the enforcement of their rights under Minnesota law; and

(i) Work with administrative agencies, health facilities, home care providers, and health care providers and organizations representing consumers on programs designed to provide information about health facilities to the public and to health facility residents.

Subd. 2. [COMPLAINTS.] The director may receive a complaint from any source concerning an action of an administrative agency, a health care provider, a home care provider, or a health facility. The director may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint.

The director shall keep written records of all complaints and any action upon them. After completing an investigation of a complaint, the director shall inform the complainant, the administrative agency having jurisdiction over the subject matter, the health care provider, the home care provider, and the health facility of the action taken.

Subd. 3. [RECOMMENDATIONS.] If, after duly considering a complaint and whatever material the director deems pertinent, the director determines that the complaint is valid, the director may recommend that an administrative agency, a health care provider, a home care provider, or a health facility should:

- (a) Modify or cancel the actions which gave rise to the complaint;
 - (b) Alter the practice, rule or decision which gave rise to the complaint;
 - (c) Provide more information about the action under investigation;
- or
- (d) Take any other step which the director considers appropriate.

If the director requests, the administrative agency, a health care provider, a home care provider, or health facility shall, within the time specified, inform the director about the action taken on a recommendation.

Subd. 4. [REFERRAL OF COMPLAINTS.] If a complaint received by the director relates to a matter more properly within the jurisdiction of an occupational licensing board or other governmental agency, the director shall forward the complaint to that agency and shall inform the complaining party of the forwarding. The agency shall promptly act in respect to the complaint, and shall inform the complaining party and the director of its disposition. If a governmental agency receives a complaint which is more properly within the jurisdiction of the director, it shall promptly forward the complaint to the director, and shall inform the complaining party of the forwarding. If the director has reason to believe that an official or employee of an administrative agency, a home care provider, or health facility has acted in a manner warranting criminal or disciplinary proceedings, the director shall refer the matter to the state commissioner of health, the commissioner of human services, an appropriate prosecuting authority, or other appropriate agency.

Sec. 13. Minnesota Statutes 1986, section 144A.54, subdivision 1, is amended to read:

Subdivision 1. Except as otherwise provided by this section, the director may determine the form, frequency, and distribution of the conclusions and recommendations. The director shall transmit the conclusions and recommendations to the state commissioner of health and the legislature. Before announcing a conclusion or recommendation that expressly or by implication criticizes an administrative agency, a health care provider, a home care provider, or a health facility, the director shall consult with that agency, health care provider, home care provider, or facility. When publishing an opinion adverse to an administrative agency, a health care provider, a home care provider, or a health facility, the director shall include in the publication any statement of reasonable length made to the director by that agency, health care provider, home care provider, or health facility in defense or explanation of the action.

Sec. 14. [TEMPORARY PROCEDURES.]

For purposes of this section, "home care providers" shall mean the providers described in section 3, subdivision 4, including hospice programs described in section 8. Home care providers are exempt from the licensure requirement in section 6, subdivision 1, until 90 days after the effective date of the licensure rules. Beginning July 1, 1987, no home care provider, as defined in section 3, subdivision 4, except a provider exempt from licensure under section 6, subdivision 2, may provide home care services in this state without registering with the commissioner. A home care provider is registered with the commissioner when the commissioner has received in writing the provider's name; the name of its parent corporation or sponsoring organization, if any; the street address and telephone number of its principal place of business; the street address and telephone number of its principal place of business in Minnesota; the counties in Minnesota in which it may render services; the street address and telephone number of all other offices in Minnesota; and the name, educational background, and ten-year employment history of the person responsible for the management of the agency. A registration fee must be submitted with the application for registration. The fee must be established pursuant to section 144.122 and must be based on a consideration of the following factors: the number of clients served by the home care provider, the number of employees, the number of services offered, and annual revenues of the provider. The registration is effective until 90 days after licensure rules are effective. In order to maintain its registration and provide services in Minnesota, a home care provider must comply with section 4 and comply with requests for information under section 7. A registered home care provider is subject to sections 144A.51 to 144A.54. Registration under this section does not exempt a home care provider from the licensure and other requirements later adopted by the commissioner.

Within 90 days after the effective date of the licensure rules under section 5, the commissioner of health shall issue provisional licenses to all home care providers registered with the department as of that date. The provisional license shall be valid until superseded by a license issued under section 6 or for a period of one year, whichever is shorter. Applications for licensure as a home care provider received on or after the effective date of the home care licensure rules, shall be issued under section 6, subdivision 1.

Sec. 15. Minnesota Statutes 1986, section 256B.04, is amended by adding a subdivision to read:

Subd. 16. [PERSONAL CARE ASSISTANTS.] The commissioner shall adopt permanent rules to implement, administer, and operate the personal care assistant services program. The rules must incorporate the standards and requirements for personal care assistants adopted by the commissioner of health under section 5. The rules must provide, at a minimum:

(1) that agencies be selected to employ and train staff to provide and supervise the provision of personal care services;

(2) that agencies employ or contract with a qualified applicant that a qualified recipient proposes to the agency as the recipient's choice of assistant;

(3) that agencies bill the medical assistance program for a personal care service by a personal care assistant and visits by the registered nurse supervising the personal care assistant;

(4) that agencies establish a grievance mechanism; and

(5) that agencies have a quality assurance program.

Sec. 16. Minnesota Statutes 1986, section 364.09, is amended to read:

364.09 [LAW ENFORCEMENT; EXCEPTION EXCEPTIONS.]

This chapter shall not apply to the practice of law enforcement, to eligibility for a family day care license or, a family foster care license, a home care provider license, or to eligibility for school bus driver endorsements. Nothing in this section shall be construed to preclude the Minnesota police and peace officers training board from recommending policies set forth in this chapter to the attorney general for adoption in the attorney general's discretion to apply to law enforcement.

Sec. 17. Minnesota Statutes 1986, section 626.557, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific context indicates otherwise.

(a) "Facility" means a hospital or other entity required to be licensed pursuant to sections 144.50 to 144.58; a nursing home required to be licensed to serve adults pursuant to section 144A.02; an agency, day care facility, or residential facility required to be licensed to serve adults pursuant to sections 245.781 to 245.812; or a home health agency certified for participation in titles XVIII or XIX of the Social Security Act, United States Code, title 42, sections 1395 et seq care provider licensed under section 6.

(b) "Vulnerable adult" means any person 18 years of age or older:

(1) who is a resident or inpatient of a facility;

(2) who receives services at or from a facility required to be licensed to serve adults pursuant to sections 245.781 to 245.812, except a person receiving outpatient services for treatment of chemical dependency or mental illness;

(3) who receives services from a home health agency certified for participation under titles XVIII or XIX of the Social Security Act, United States Code, title 42, sections 1395 et seq and 1396 et seq care provider licensed under section 6; or

(4) who, regardless of residence or type of service received, is unable or unlikely to report abuse or neglect without assistance because of impairment of mental or physical function or emotional status.

(c) "Caretaker" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

(d) "Abuse" means:

(1) any act which constitutes a violation under sections 609.221 to 609.223, 609.23 to 609.235, 609.322, 609.342, 609.343, 609.344, or 609.345;

(2) nontherapeutic conduct which produces or could reasonably be expected to produce pain or injury and is not accidental, or any

repeated conduct which produces or could reasonably be expected to produce mental or emotional distress;

(3) any sexual contact between a facility staff person and a resident or client of that facility; or

(4) the illegal use of a vulnerable adult's person or property for another person's profit or advantage, or the breach of a fiduciary relationship through the use of a person or a person's property for any purpose not in the proper and lawful execution of a trust, including but not limited to situations where a person obtains money, property, or services from a vulnerable adult through the use of undue influence, harassment, duress, deception, or fraud.

(e) "Neglect" means:

(1) failure by a caretaker to supply a vulnerable adult with necessary food, clothing, shelter, health care or supervision;

(2) the absence or likelihood of absence of necessary food, clothing, shelter, health care, or supervision for a vulnerable adult; or

(3) the absence or likelihood of absence of necessary financial management to protect a vulnerable adult against abuse as defined in paragraph (d), clause (4). Nothing in this section shall be construed to require a health care facility to provide financial management or supervise financial management for a vulnerable adult except as otherwise required by law.

(f) "Report" means any report received by a local welfare agency, police department, county sheriff, or licensing agency pursuant to this section.

(g) "Licensing agency" means:

(1) the commissioner of health, for facilities as defined in clause (a) which are required to be licensed or certified by the department of health;

(2) the commissioner of human services, for facilities required by sections 245.781 to 245.813 to be licensed;

(3) any licensing board which regulates persons pursuant to section 214.01, subdivision 2; and

(4) any agency responsible for credentialing human services occupations.

Sec. 18. [APPROPRIATION.]

\$516,600 is appropriated from the general fund to the commissioner of health for the regulation of home care services to be available until June 30, 1989.

Sec. 19. [EFFECTIVE DATE.]

Sections 1 to 18 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; requiring licensure of home care providers and hospice programs; providing a home care bill of rights; providing a complaint procedure for home care clients; appropriating money; amending Minnesota Statutes 1986, sections 144.335, subdivision 1; 144.699, subdivision 2; 144A.51, subdivision 6, and by adding a subdivision; 144A.52, subdivision 3; 144A.53; 144A.54, subdivision 1; 256B.04, by adding a subdivision; 364.09; and 626.557, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144A."

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

The report was adopted.

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

H. F. No. 130, A bill for an act relating to Ramsey county; authorizing the county to use certain land dedicated as open space for highway purposes; amending Minnesota Statutes 1986, section 383A.07, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [RAMSEY COUNTY; SHOREVIEW; LAND TRANSFER.]

Notwithstanding any contrary provisions of Minnesota Statutes, section 383A.07 or other law, Ramsey county may convey to the city of Shoreview, for use by the city for any public purpose, the following described parcel of real property:

The south 220 feet of east 200 feet of the following described parcel: Unplatted Lands, subject to T.H. 10 and 393, Part of the SE 1/4 south of said T.H. west of Victoria Street and North of Railway Right-of-way in Section 26, Town 30, Range 23.

The conveyance may be on the terms and subject to the conditions or reversionary rights by Ramsey county.

Sec. 2. [HIGHWAY INTERSECTION.]

Notwithstanding any contrary provision of Minnesota Statutes, section 383A.07 or other law, Ramsey county may use the open space land described in this section for highway purposes.

That part of the west 360 feet of the Southeast Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 23 West and that part of the Northwest Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 23 West except the following described parcels.

That part of the Northwest Quarter of Section 3, Township 30 North, Range 23 West lying west of Lexington Avenue and northerly of the following described line:

Beginning at a point 1144.575 feet South of the northwest corner of said section; thence South 89 degrees 27 minutes 03.1 seconds East 191.685 feet; thence North 45 degrees 34 minutes 07.5 seconds East 468.32 feet; thence South 89 degrees 27 minutes 03.1 seconds East 236.54 feet to a point on west line of Lexington Avenue 813.31 feet south of the north line of said section and there terminating.

That part of the Northwest Quarter of the Northwest Quarter of said Section 3 described as follows:

Beginning at a point on the east line of said quarter quarter having an assumed bearing of South 0 degrees 05 minutes 08 seconds West, 1120 feet south at right angles to the north line of said quarter quarter; thence South 21 degrees 37 minutes 42 seconds West, 671.61 feet; thence South 40 degrees 13 minutes 18 seconds East, 257.55 feet; thence South 0 degrees 05 minutes 08 seconds West, 33 feet to the South line of said quarter quarter; thence easterly along said south line to the east line of said quarter quarter; thence northerly along said east line of said quarter quarter to the point of beginning and there terminating;

which lies within a 99 foot wide strip of land the center line of which is described as follows:

Beginning at the northeast corner of said Southeast Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 23 West; thence westerly along the north line of said Southeast Quarter of the Northwest Quarter, having an assumed bearing of North 89 degrees 42 minutes 09 seconds West for 933.51 feet; thence along a tangential curve to the right having a radius of 954.93 feet and a central angle of 89 degrees 50 minutes 42 seconds for a distance of

1497.42 feet; thence North 0 degrees 08 minutes 33 seconds East for a distance of 691.02 feet; thence along a tangential curve to the right having a radius of 1145.92 feet for a distance of 348.41 feet to a point on the north line of said Northwest Quarter being 808.61 feet east of the northwest corner of said Section 3 and there terminating.

Except that part of the existing Lexington Avenue right of way, containing 2.4702 acres, more or less.

Sec. 3. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to local government; authorizing Ramsey county to transfer land to the city of Shoreview; authorizing Ramsey county to use certain land dedicated as open space for highway purposes."

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

The report was adopted.

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

H. F. No. 166, A bill for an act relating to real property; authorizing conveyance of state interest in certain land in St. Louis county.

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

The report was adopted.

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

H. F. No. 281, A bill for an act relating to elections; providing for experimental mail elections; proposing coding for new law in Minnesota Statutes, chapter 204B.

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

The report was adopted.

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

H. F. No. 312, A bill for an act relating to elections; changing what name may be used on ballots, nominating petitions, and affidavits of candidacy; repealing Minnesota Statutes 1986, section 204B.05.

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

The report was adopted.

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

H. F. No. 334, A bill for an act relating to elections; changing registration, absentee ballot, filing, training, administrative, electronic voting, ballot preparation, canvassing, and election contest provisions; amending Minnesota Statutes 1986, sections 201.071, subdivision 4; 201.091, subdivision 4; 203B.03, subdivision 1; 203B.06, subdivision 3; 204B.11, subdivision 1; 204B.25, subdivision 1; 204B.27, subdivision 1; 204B.40; 204C.24, subdivision 1; 204C.27; 204C.31, subdivision 1; 204D.04, subdivision 2; 204D.11, subdivision 6; 206.61, subdivision 5; 206.82, subdivision 2; 206.90, subdivision 3; and 209.021, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 201.071, subdivision 4, is amended to read:

Subd. 4. [CHANGE OF REGISTRATION.] Any county auditor who receives a registration card indicating that an individual was previously registered in a different county in Minnesota shall notify the county auditor of that county on a form prescribed by the secretary of state. A county auditor receiving a registration card indicating that a voter was previously registered in a different precinct in the same county or receiving a notification form as provided in this subdivision or ~~section 204C.30, subdivision 2,~~ shall delete that individual's name from the registration lists and remove the duplicate voter registration card, if any, and the original voter registration cards from the files. Any county auditor who receives a registration card or notification requiring a change of registration records under this subdivision shall also check the duplicate registration card or file from the precinct of prior residence to determine

whether the individual voted in that precinct in the most recent election.

Sec. 2. Minnesota Statutes 1986, section 201.091, subdivision 4, is amended to read:

Subd. 4. [PUBLIC ACCESS TO REGISTRATION FILES.] The duplicate registration file shall be open to public inspection. The public official having custody of the voter registration files may adopt reasonable rules governing access to the files. No individual inspecting the duplicate registration file shall tamper with the cards or their arrangement. No individual who inspects a duplicate registration file or who acquires a list of registered voters prepared from the file may use any information contained in the file or list for purposes unrelated to elections, political activities, or law enforcement.

Before inspecting voter registration files or obtaining a list of voters or other information from the files, the individual shall provide identification to the public official having custody of the registration files.

Sec. 3. Minnesota Statutes 1986, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. [VIOLATION.] No individual shall intentionally:

- (a) make or sign any false certificate required by this chapter;
- (b) make any false or untrue statement in any application for absentee ballots;
- (c) apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;
- (d) exhibit a ballot marked by that individual to any other individual; ~~or~~
- (e) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote; or
- (f) use information from absentee ballot materials or records for purposes unrelated to elections, political activities, or law enforcement.

Before inspecting information from absentee ballot materials or records, an individual shall provide identification to the public official having custody of the material or information.

Sec. 4. Minnesota Statutes 1986, section 203B.06, subdivision 3, is amended to read:

Subd. 3. [DELIVERY OF BALLOTS.] If an application for absentee ballots is accepted at a time when absentee ballots are not yet available for distribution, the county auditor or municipal clerk accepting the application shall file it and as soon as absentee ballots are available for distribution shall mail them to the address specified in the application. If an application for absentee ballots is accepted when absentee ballots are available for distribution, the county auditor or municipal clerk accepting the application shall promptly:

(a) Mail the ballots to the voter whose signature appears on the application if the application is submitted by mail; or

(b) Deliver the absentee ballots directly to the voter if the application is submitted in person.

If an application does not indicate the election for which absentee ballots are sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the next election occurring after receipt of the application. Only one set of ballots may be mailed to an applicant for any election.

This subdivision does not apply to applications for absentee ballots received pursuant to section 203B.04, subdivision 2, and section 203B.11.

Sec. 5. Minnesota Statutes 1986, section 204B.11, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(a) for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, representative in congress, judge of the supreme court, judge of the court of appeals, judge of the district court, or judge of the county municipal court of Hennepin county, \$150;

(b) for the office of senator in congress, \$200;

(c) for office of senator or representative in the legislature, \$50;

(d) for a county office, \$50; and

(e) for the office of soil and water conservation district supervisor, \$20.

For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the state treasurer.

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 332.50. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Sec. 6. Minnesota Statutes 1986, section 204B.27, subdivision 1, is amended to read:

Subdivision 1. [BLANK FORMS.] At least 25 days before every state election the secretary of state shall transmit to each county auditor a sufficient number of blank county abstract forms, affidavits of challenged voters, and any other blank forms that the secretary of state deems necessary for the conduct of the election.

Sec. 7. Minnesota Statutes 1986, section 204B.40, is amended to read:

204B.40 [BALLOTS; ELECTION RECORDS AND OTHER MATERIALS; DISPOSITION.]

The county auditors and municipal clerks shall retain all election materials returned to them after any election for at least one year from the date of that election. All election materials involved in a contested election shall be retained for one year or until the contest has been finally determined, whichever is later. Abstracts filed by canvassing boards shall be retained permanently by any officer with whom those abstracts are filed. Election materials no longer required to be retained pursuant to this section shall be disposed of in accordance with sections 138.163 to 138.21. Sealed envelopes containing voted ballots must be retained unopened in a secure loca-

tion. The county auditor or municipal clerk shall not permit any voted ballots to be tampered with or defaced.

Sec. 8. Minnesota Statutes 1986, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. [INFORMATION REQUIREMENTS.] Precinct summary statements shall be submitted by the election judges in every precinct. The election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(a) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes or partially blank ballots, and the number of overvotes or partially defective ballots with respect to each office or question;

(b) the number of totally blank ballots, the number of totally defective ballots, the number of spoiled ballots, and the number of unused ballots;

(c) the number of individuals who voted at the election in the precinct;

(d) in counties with permanent registration, the number of voters registered before the polling place opened and the number of voters registering on election day in that precinct; and

(e) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

Sec. 9. Minnesota Statutes 1986, section 204C.27, is amended to read:

204C.27 [DELIVERY OF RETURNS TO COUNTY AUDITORS.]

One or more of the election judges in each precinct shall deliver two sets of summary statements; all unused and spoiled white, pink, ~~and~~ canary, and gray ballots; and the envelopes containing the white, pink, ~~and~~ canary, and gray ballots either directly to the municipal clerk for transmittal to the county auditor's office or directly to the county auditor's office within as soon as possible after the vote counting is completed but no later than 24 hours after the end of the hours for voting. One or more election judges shall deliver the remaining set of summary statements and returns, all unused and spoiled municipal ballots, the envelopes containing municipal ballots, and all other things furnished by the municipal clerk, to the

municipal clerk's office within 24 hours after the end of the hours for voting.

Sec. 10. Minnesota Statutes 1986, section 204C.31, subdivision 1, is amended to read:

Subdivision 1. [COUNTY CANVASSING BOARD.] The county canvassing board shall consist of the county auditor, the court administrator of the district court, the mayor or chair of the town board of the county's most populous municipality, and two members of the county board selected by the board from its members who are not candidates at the election. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of these individuals fails to appear at the meeting of the canvassing board and in the absence of any selection by the county board from among its own members, the county auditor shall appoint an eligible voter of the county who is not a public official or a candidate for public office to fill the vacancy. Three members constitute a quorum.

Sec. 11. Minnesota Statutes 1986, section 204D.04, subdivision 2, is amended to read:

Subd. 2. [INSTRUCTIONS TO PRINTER; PRINTER'S BOND.] The official charged with the preparation and distribution of the ballots shall prepare instructions to the printer for rotation of the names of candidates, for layout of the ballot and for providing the ballots in groups of 50. The instructions shall be approved by the legal advisor of the official before delivery to the printer. Before a contract is awarded for printing ballots, the printer shall furnish a sufficient bond in an amount not less than \$1,000 ~~nor more than~~ \$5,000, conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. If the cost of the ballots exceeds \$1,000 the official responsible for printing the ballots shall set the amount of the bond in an amount no greater than the value of the purchase.

Sec. 12. Minnesota Statutes 1986, section 204D.11, subdivision 6, is amended to read:

Subd. 6. [GRAY BALLOT.] When the canary ballot would be longer than 30 inches, the following offices that should be placed on the canary ballot may be placed instead on a separate gray ballot:

- (a) ~~all soil and water conservation district supervisor offices; or~~
- (b) ~~all soil and water conservation district supervisor and all county or municipal judicial offices; or~~
- (c) ~~all soil and water conservation district supervisor,~~

(b) all county or municipal judicial offices, and all district judicial offices.

All soil and water conservation district supervisor offices may be placed on the gray ballot.

The gray ballot must be headed with the words: "District Nonpartisan General Election Ballot." Separate ballot boxes must be provided for these gray ballots.

Sec. 13. Minnesota Statutes 1986, section 206.61, subdivision 5, is amended to read:

Subd. 5. [ALTERNATION.] The provisions of the election laws requiring the alternation of names of candidates shall be observed as far as practicable by changing the order of the names on the lever voting machines or an electronic voting system in the various precincts so that each name appears on the machines or marking devices used in a municipality substantially an equal number of times in the first, last, and in each intermediate place in the list or group in which they belong. However, the arrangement of candidates' names shall be the same on all lever voting machines or marking devices used in the same precinct. When the number of names to be alternated exceeds the number of precincts, the election official responsible for providing the ballots, in accordance with subdivision 1, shall determine by lot the alternation of names.

Sec. 14. Minnesota Statutes 1986, section 206.82, subdivision 2, is amended to read:

Subd. 2. [PLAN.] The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system ~~and~~. Prior to July 1 in every of each subsequent general election year the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the department of administration or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill

duties imposed by this subdivision or by rules promulgated pursuant to this section.

Sec. 15. Minnesota Statutes 1986, section 206.90, subdivision 3, is amended to read:

Subd. 3. [AVAILABILITY OF PAPER BALLOTS.] For the purposes of section 206.63, "paper ballots" includes ballot cards which are voted by marking with a pencil or other writing instrument and on which are printed the names of candidates, office titles, party designation in a partisan primary or election, and a statement of any question accompanied by the words "Yes" and "No." At a state or county election where an optical scan voting system will be in use, the county auditor may provide ballot cards meeting the requirements of this section in lieu of paper ballots otherwise required to be prepared by the county auditor.

Sec. 16. Minnesota Statutes 1986, section 209.021, subdivision 3, is amended to read:

Subd. 3. [NOTICE SERVED ON PARTIES.] In all contests relating to the nomination or election of a candidate, the notice of contest must be served on the candidate who is the contestee, a copy of the notice must be sent to the contestee's last known address by certified mail, and a copy must be furnished to the official authorized to issue the certificate of election. If personal or substituted service on the contestee cannot be made, an affidavit of the attempt by the person attempting to make service and the affidavit of the person who sent a copy of the notice to the contestee by certified mail is sufficient to confer jurisdiction upon the court to decide the contest.

If the contest relates to a constitutional amendment or other question voted on statewide or voted on in more than one county, notice of contest must be served on the secretary of state, who is the contestee. If a contest relates to a question voted on within only one county or one municipality, a copy of the notice of contest must be served on the county auditor or municipal clerk, respectively, who is the contestee. ~~If the contest relates to an irregularity in the conduct of an election or canvass of votes, a copy of the notice of contest must be served on the county auditor of the county where the irregularity is said to have occurred.~~

Sec. 17. [351.055] [PREPARATIONS FOR SPECIAL ELECTIONS.]

If a future vacancy becomes certain to occur and the vacancy must be filled by a special election, the appropriate authorities may begin procedures leading to the special election so that a successor may be elected at the earliest possible time."

Delete the title and insert:

“A bill for an act relating to elections; changing registration, absentee ballot, filing, training, administrative, electronic voting, ballot preparation, canvassing, and election contest provisions; amending Minnesota Statutes 1986, sections 201.071, subdivision 4; 201.091, subdivision 4; 203B.03, subdivision 1; 203B.06, subdivision 3; 204B.11, subdivision 1; 204B.27, subdivision 1; 204B.40; 204C.24, subdivision 1; 204C.27; 204C.31, subdivision 1; 204D.04, subdivision 2; 204D.11, subdivision 6; 206.61, subdivision 5; 206.82, subdivision 2; 206.90, subdivision 3; and 209.021, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 351.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 340, A bill for an act relating to natural resources; allowing elk to be bred on game and fur farms; amending Minnesota Statutes 1986, section 97A.105, subdivision 1.

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

The report was adopted.

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

H. F. No. 348, A bill for an act relating to Cook county; permitting the sale of certain land.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [COOK COUNTY; LAND SALE.]

Notwithstanding any contrary provision of Minnesota Statutes, sections 92.45 and 282.018 or other law, Cook county may sell the property described in this section to Barney Peet.

The East 500 feet of the West 700 feet of Government Lot 2, south of Highway 61, Section 12, Township 59 North, Range 4 West.

The county and state shall provide a proper conveyance. The price shall be not less than the appraised value of the property. The sale shall be conducted, as far as possible, in accordance with Minnesota Statutes, chapter 282.

The sale is necessary to permit the efficient economic development of an existing commercial activity.

Sec. 2. [LOCAL APPROVAL.]

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the Cook county board of commissioners."

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

The report was adopted.

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

H. F. No. 364, A bill for an act relating to public cemeteries; increasing the limit on the permanent care and improvement fund; amending Minnesota Statutes 1986, section 306.41.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 2, delete "public"

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 400, A bill for an act relating to game and fish; authorizing commissioner to allow a person to take two deer; amending Minnesota Statutes 1986, section 97B.301, subdivision 4.

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

The report was adopted.

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

H. F. No. 505, A bill for an act relating to state lands; authorizing conveyance of certain state easement.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 28, 56, 102, 130, 166, 281, 312, 334, 340, 348, 364, 400 and 505 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 211 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ogren, Beard, Begich, Quinn and Rukavina introduced:

H. F. No. 649, A bill for an act relating to employment; providing for severance pay and insurance coverage to certain terminated employees; requiring employers to provide notice of certain actions related to work force reductions; appropriating money; amending Minnesota Statutes 1986, section 268.07, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 268A.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Rest, Vellenga and Bishop introduced:

H. F. No. 650, A bill for an act relating to crime; permitting courts to sentence sex offenders to prison as well as to treatment as a

condition of probation; amending Minnesota Statutes 1986, section 609.135, by adding a subdivision.

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

Scheid, Osthoff, Long, Shaver and Knickerbocker introduced:

H. F. No. 651, A bill for an act relating to elections; setting times for changing election precincts and reapportioning certain election districts; amending Minnesota Statutes 1986, sections 204B.14, subdivision 3; and 375.025, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 204B.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Wenzel introduced:

H. F. No. 652, A bill for an act relating to the city of Little Falls; authorizing the issuance of general obligation bonds to refund certain tax increment bonds of the city; authorizing the city to use the unexpended proceeds of the refunded bonds for other municipal purposes.

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

Reding, Battaglia, Tunheim and Carlson, D., introduced:

H. F. No. 653, A bill for an act relating to wild animals; use of lights in taking or in tending traps; length of otter season; setting traps near water; amending Minnesota Statutes 1986, sections 97B.081; 97B.921; 97B.931; and 97B.945.

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

Wagenius; Riveness; Nelson, K.; Skoglund and Osthoff introduced:

H. F. No. 654, A bill for an act relating to metropolitan government; providing for the composition of the metropolitan airports commission; amending Minnesota Statutes 1986, section 473.604, subdivision 1.

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

Redalen, Dille, McDonald and Uphus introduced:

H. F. No. 655, A bill for an act relating to agriculture; clarifying and amending the farmer-lender mediation act; amending Minnesota Statutes 1986, sections 336.9-501; 550.365; 581.015; 583.21; 583.22, subdivisions 2, 4, and 8; 583.24, subdivisions 1, 3, and by adding a subdivision; 583.26, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, and by adding a subdivision; 583.27, subdivision 3, and by adding a subdivision; and 583.28; proposing coding for new law in Minnesota Statutes, chapter 583; repealing Minnesota Statutes 1986, section 559.209.

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

O'Connor; Beard; Begich; Johnson, A., and Sarna introduced:

H. F. No. 656, A bill for an act relating to public safety; regulating high pressure piping and pipefitters; providing penalties; amending Minnesota Statutes 1986, sections 326.461, subdivision 2; 326.47, subdivision 3; 326.48, subdivision 1; 326.50; 326.51; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Bauerly and McEachern introduced:

H. F. No. 657, A bill for an act relating to education; requiring post-secondary institutions to reimburse school districts when post-secondary credit is granted for courses originally taken for secondary credit only; amending Minnesota Statutes 1986, section 123.3514, subdivision 5.

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

Bauerly and McEachern introduced:

H. F. No. 658, A bill for an act relating to tort liability; decreasing the tort liability limits for the state and its municipalities; amending Minnesota Statutes 1986, sections 3.736, subdivision 4; and 466.04, subdivisions 1 and 3.

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

Ogren, Rukavina, Rodosovich, Krueger and Wenzel introduced:

H. F. No. 659, A bill for an act relating to public welfare; providing an exemption from statutory limits for certain levies for services to the aging; amending Minnesota Statutes 1986, section 256.01, subdivision 8.

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

Blatz, Kelly, Welle, Swenson and Brown introduced:

H. F. No. 660, A bill for an act relating to government data practices; providing an exception to the nondisclosure of welfare data to law enforcement or probation officers in certain cases; amending Minnesota Statutes 1986, section 13.46, subdivision 2.

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

Solberg, Sparby, Sarna, Milbert and Bennett introduced:

H. F. No. 661, A bill for an act relating to commerce; granting motor fuel retailers the option to purchase from wholesalers other than the refiner; proposing coding for new law in Minnesota Statutes, chapter 80C.

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

Kalis, Schafer, Hugoson, Tunheim and Olson, E., introduced:

H. F. No. 662, A bill for an act relating to education; eliminating a restriction on interdistrict cooperation revenue based on the size of a school district; amending Minnesota Statutes 1986, sections 124.272, subdivision 4; and 275.125, subdivision 8a.

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

Wenzel, Quinn, Kelso, Blatz and Marsh introduced:

H. F. No. 663, A bill for an act relating to health; providing for disposition of the remains of human fetuses; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Winter; Kalis; Reding; Olson, K., and Dempsey introduced:

H. F. No. 664, A bill for an act relating to game and fish; beginning the open season for angling two weeks earlier in certain areas south of U.S. trunk highway No. 14 and in Lincoln, Lyon, Redwood, and Brown counties; amending Minnesota Statutes 1986, section 97C.395, subdivision 1.

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

Steensma, Kostohryz, Osthoff, Quinn and Quist introduced:

H. F. No. 665, A bill for an act relating to veterans; providing for special motor vehicle license plates for former prisoners of war free of charge; amending Minnesota Statutes 1986, section 168.125.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Nelson, K.; McEachern and Bauerly introduced:

H. F. No. 666, A bill for an act relating to education; providing for programs, aids, grants, and levies; changing formulas and authority for school transportation and capital expenditures; changing the PER process; providing for academic excellence awards; changing special, family, and safety program provisions; consolidating the school depository laws; changing some pupil residency requirements; providing for library board expenses; implementing teacher education program changes; establishing all day kindergarten demonstration sites; awarding grants for K-3 reduced class size programs; appropriating money; amending Minnesota Statutes 1986, sections 118.12; 118.13; 118.14; 120.06, subdivision 1; 120.075, by adding a subdivision; 120.17, subdivisions 1, 3a, 3b, 12, and by adding a subdivision; 122.541, subdivision 2; 123.36, subdivision 13; 123.937; 124.17, subdivision 1; 124.2138, by adding a subdivision; 124.2162, by adding a subdivision; 124.225, subdivisions 1, 4b, 7b, 8a, 8i, and 10; 124.245, subdivisions 1, 3, and by adding subdivisions; 124.2711, subdivisions 1 and 4; 124.274; 124.573; 124A.01; 124A.02, subdivisions 7, 8, 9, 16, and by adding a subdivision; 124A.03, subdivisions 1a, 3, 4, and by adding subdivisions; 124A.033, subdivision 2; 124A.06; 124A.08, subdivisions 1, 3a, and 5; 124A.10, subdivision 1, and by adding a subdivision; 124A.12, subdivision 1; 124A.14, subdivision 4; 125.03, subdivision 5; 125.05, subdivision 1; 126.48, by adding a subdivision; 126.65; 126.66; 126.67; 126.81, subdivisions 2 and 4; 134.10; 171.29, subdivision 2; 275.125, subdivisions 5, 9, 11a, 11c, and by adding a subdivision; 298.28, subdivision 4; 299F.11, by adding a subdivision; Laws 1985, First Special Session chapter 12, article 8, section 48; proposing

coding for new law in Minnesota Statutes, chapters 118; 121; 124; 124A; 125; and 129B; repealing Minnesota Statutes 1986, sections 124.05; 124.17, subdivision 1a; 124.2161; 124.2162; 124.2163; and 124A.20.

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

Gruenes and Marsh introduced:

H. F. No. 667, A bill for an act relating to retirement; public employees retirement association; permitting the purchase of prior service credits by certain employees; amending Minnesota Statutes 1986, section 353.36, subdivision 2b, and by adding a subdivision.

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

Gruenes, Greenfield, Wynia and Marsh introduced:

H. F. No. 668, A bill for an act relating to health; extending the moratorium on hospital capacity expansion; amending Laws 1984, chapter 654, article 5, section 57, subdivision 1.

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

Skoglund introduced:

H. F. No. 669, A bill for an act relating to insurance; accident and health; allowing certain assignments of benefits for alcoholics and drug dependents; amending Minnesota Statutes 1986, section 62A.149, by adding a subdivision.

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

Bertram, O'Connor and Bauerly introduced:

H. F. No. 670, A bill for an act relating to retirement; refunds of contributions or deferred annuities to employees of the Albany community hospital.

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

Bertram, Bauerly and Omann introduced:

H. F. No. 671, A bill for an act relating to the state; designating an official state beer; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Tunheim, Winter and Bertram introduced:

H. F. No. 672, A bill for an act relating to agriculture; changing certain bonding provisions of grain storage laws; authorizing a hearing and rulemaking; amending Minnesota Statutes 1986, sections 232.21, subdivision 11; 232.22, subdivisions 4 and 6; 236.01, by adding a subdivision; and 236.02; proposing coding for new law in Minnesota Statutes, chapter 223.

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

Lasley, Ogren, Norton and Murphy introduced:

H. F. No. 673, A bill for an act relating to housing; creating advisory task force in the state pollution control agency to study and advise on moisture and air quality problems in single-family homes; requiring reports; appropriating money.

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

Blatz, Greenfield, Solberg and Kelly introduced:

H. F. No. 674, A bill for an act relating to crimes; dictating circumstances in which the court may stay execution of sentence following conviction for a second or subsequent offense relating to criminal sexual conduct; providing that information regarding a sexual assault victim is private; amending Minnesota Statutes 1986, sections 609.346, subdivisions 2 and 3; and 611A.06.

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

Bertram, Cooper, Bauerly, Tunheim and Nelson, C., introduced:

H. F. No. 675, A bill for an act relating to human services; establishing residency requirements for general assistance and

AFDC; proposing coding for new law in Minnesota Statutes, chapters 256 and 256D.

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

Skoglund; Peterson; Voss; Carlson, L., and Knickerbocker introduced:

H. F. No. 676, A bill for an act relating to commerce; requiring financial institutions to provide certain basic services to customers without charge; providing enforcement powers; proposing coding for new law in Minnesota Statutes, chapter 47.

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

Price, Quinn, Otis, Rice and Clark introduced:

H. F. No. 677, A bill for an act relating to education; requiring school districts to establish local literacy policies and standards for high school graduation; amending Minnesota Statutes 1986, section 126.66, by adding a subdivision.

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

Scheid, Frerichs, McKasy and Redalen introduced:

H. F. No. 678, A bill for an act relating to taxation; property taxation; modifying the method of determining certain adjusted assessed value; modifying the method of determining agricultural market value for property tax purposes; amending Minnesota Statutes 1986, sections 124.2131, subdivision 1; and 273.11, subdivision 1, and by adding a subdivision.

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

Simoneau, Voss, Carruthers, Knickerbocker and Shaver introduced:

H. F. No. 679, A bill for an act relating to administrative procedure; clarifying provisions relating to emergency rules; amending Minnesota Statutes 1986, section 14.29, subdivisions 1 and 2.

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

Tunheim introduced:

H. F. No. 680, A bill for an act relating to retirement; teachers retirement association; extending retroactively a provision allowing accrual of benefits from the date teaching service terminated if applications for retirement are filed within 90 days of that date; amending Minnesota Statutes 1986, section 354.44, subdivision 4.

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

Skoglund, Wagenius, McLaughlin, Riveness and Orenstein introduced:

H. F. No. 681, A resolution memorializing the President, Congress, and the Federal Aviation Administration to accelerate the modernization of commercial aircraft fleets operating in and to the United States by requiring the use of quieter, Stage 3 aircraft.

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

Pappas, Simoneau, Gruenes, Uphus and Jaros introduced:

H. F. No. 682, A bill for an act relating to state departments and agencies; creating a commission for the quincentennial of the Hispanic presence in the western hemisphere.

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

O'Connor, Simoneau, Wenzel, Knickerbocker and Quinn introduced:

H. F. No. 683, A bill for an act relating to the organization and operation of state government; adding members to the board of animal health; modifying and clarifying the powers of the board; regulating dealers; prescribing a civil penalty; amending Minnesota Statutes 1986, sections 35.02, subdivision 1; 347.31; 347.32; 347.33; 347.34; 347.35; 347.37; 347.38; 347.39; and 347.40; proposing coding for new law in Minnesota Statutes, chapter 346.

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

Lieder, Uphus, Waltman, Kalis and Battaglia introduced:

H. F. No. 684, A bill for an act relating to transportation; creating a state institutions town road account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 162.

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

Schoenfeld, Ogren and Olson, E., introduced:

H. F. No. 685, A bill for an act relating to appropriations; removing requirements for the payment of certain costs.

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

Voss introduced:

H. F. No. 686, A bill for an act relating to taxation; motor vehicle excise; changing the definition of purchase price for purposes of a transfer by gift; amending Minnesota Statutes 1986, section 297B.01, subdivision 8.

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

Poppenhagen; Nelson, D.; Kelly and Dempsey introduced:

H. F. No. 687, A bill for an act relating to collection and dissemination of data; allowing law enforcement agencies to release the date of birth of persons involved in traffic accidents; amending Minnesota Statutes 1986, section 169.09, subdivision 13.

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

Kelly introduced:

H. F. No. 688, A bill for an act relating to controlled substances; classifying the substance alfentanil as a schedule II controlled substance; amending Minnesota Statutes 1986, section 152.02, subdivision 3.

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

Swenson, Bauerly, McPherson, Pelowski and Kelso introduced:

H. F. No. 689, A bill for an act relating to education; modifying the tuition reimbursement provisions for the post-secondary enrollment options program; appropriating money; amending Minnesota Statutes 1986, section 123.3514, subdivision 6.

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

Swenson, Kelly, Blatz, Kludt and Carruthers introduced:

H. F. No. 690, A bill for an act relating to traffic regulations; requiring a blood or urine test when there is probable cause to believe there is impairment by a controlled substance; requiring alternative test to be offered under certain conditions; amending Minnesota Statutes 1986, section 169.123, subdivisions 2 and 2a.

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

Seaberg, Tompkins, Morrison, McKasy and Milbert introduced:

H. F. No. 691, A bill for an act relating to health care; regulating prepayment demonstration projects; requiring demonstration providers to follow certain claims settlement practices when contracting with other health care and social service practitioners to provide services to enrollees; amending Minnesota Statutes 1986, section 256B.69, subdivision 6.

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

McKasy, Milbert, Seaberg, Pappas and Kelly introduced:

H. F. No. 692, A bill for an act relating to public safety; providing for access to criminal justice datacommunications network and defining purposes for its use; amending Minnesota Statutes 1986, sections 299C.46, subdivision 3; and 299C.48.

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

Olson, E.; Schafer; Redalen; Bauerly and Kinkel introduced:

H. F. No. 693, A bill for an act relating to education; excluding community education fund balances from calculations of second tier

levy fund balances; restoring aids and levies lost because of earlier inclusions; amending Minnesota Statutes 1986, section 124A.08, subdivision 5, and by adding a subdivision.

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

Trimble, Pauly, Long and Jaros introduced:

H. F. No. 694, A bill for an act relating to education; authorizing school districts to levy for day care programs; amending Minnesota Statutes 1986, section 275.125, subdivision 8.

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

Gruenes introduced:

H. F. No. 695, A bill for an act relating to lawful gambling; regulating distributor licenses; removing the prohibition against liquor wholesalers becoming licensed distributors of gambling equipment; repealing Minnesota Statutes 1986, section 349.161, subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Kostohryz, Kalis, Quinn, McEachern and Frerichs introduced:

H. F. No. 696, A bill for an act relating to education; setting the foundation aid formula allowance for the 1987-1988 and 1988-1989 school years; removing the metering of state-aid payments to school districts; amending Minnesota Statutes 1986, sections 124A.02, subdivision 9; and 273.1392; repealing Minnesota Statutes 1986, section 124.195.

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

Price, Kostohryz, Voss, McEachern and Simoneau introduced:

H. F. No. 697, A bill for an act relating to school districts; authorizing more capital outlay levying authority; amending Minnesota Statutes 1986, section 275.125, by adding subdivisions.

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

Nelson, D.; Johnson, A.; McEachern; Olson, K., and Nelson, K., introduced:

H. F. No. 698, A bill for an act relating to education; modifying the definitions of teachers and of supervisory and support personnel for the purpose of licensure; modifying the kinds of personnel licensed by the board of teaching and the state board of education; adding two post-secondary vocational teachers to the board of teaching; requiring the board of teaching to consider vocational education teacher licensure requirements adopted by the state board of vocational technical education; requiring that rules adopted by the board of teaching do not affect the validity of licenses of certain vocational personnel or the rights and privileges of the holders; amending Minnesota Statutes 1986, sections 125.03, subdivisions 1 and 4; 125.05, subdivisions 1 and 2; 125.08; 125.183, subdivision 3; 125.185, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 125.

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

Nelson, D.; Long; Kludt; Dempsey and Kelly introduced:

H. F. No. 699, A bill for an act relating to the collection and dissemination of data; providing for the destruction of certain data; amending Minnesota Statutes 1986, section 13.46, subdivision 4.

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

Skoglund; Johnson, A.; Kalis and Bishop introduced:

H. F. No. 700, A bill for an act relating to state lands; transferring jurisdiction and responsibility for maintaining soldiers home bridge from department of veterans affairs to department of transportation.

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

Jacobs, Quinn, Ogren, Redalen and Minne introduced:

H. F. No. 701, A bill for an act relating to public utilities; authorizing the public utilities commission to deregulate competitive telecommunications services; requiring interexchange companies to pay reasonable access fees; requiring certain companies to post a bond; prohibiting telephone companies from subsidizing competitive services from noncompetitive services; requiring telephone companies to provide full disclosure of their services and

rates; authorizing the commission to require telephone companies to upgrade their services; providing that local telephone exchanges may not be sold without commission approval; requiring persons providing private shared tenant service to grant certain access; requiring the state planning agency to conduct a study on universal service assistance; amending Minnesota Statutes 1986, sections 237.01, subdivision 2, and by adding a subdivision; 237.081, subdivision 1a, and by adding a subdivision; 237.11; 237.12; 237.16, subdivision 1; 237.17; and 237.22; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1986, sections 237.13; 237.41; 237.42; and 237.43.

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

Dempsey and Johnson, V., introduced:

H. F. No. 702, A bill for an act relating to the office of the secretary of state; providing for the preservation of land surveys; establishing time for the permanent microfilming of the surveys; appropriating money; amending Minnesota Statutes 1986, section 5.03.

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

Jacobs introduced:

H. F. No. 703, A bill for an act relating to taxation; sales and use; including machinery used for sod growing in the definition of farm machinery; amending Minnesota Statutes 1986, section 297A.01, subdivision 15.

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

Rest, Kelly, Welle, Blatz and Wagenius introduced:

H. F. No. 704, A bill for an act relating to public safety; providing for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders; providing for administrative and judicial review; amending Minnesota Statutes 1986, sections 168.041; 169.123, subdivisions 5b, 5c, and 6; 169.1261; and 171.29, by adding a subdivision.

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

Kelly, Rest and Orenstein introduced:

H. F. No. 705, A bill for an act relating to traffic regulations; requiring certain persons convicted of DWI or a DWI-related offense to undergo chemical use assessment; imposing an assessment on persons convicted of DWI for the purpose of financing these assessments; appropriating money; amending Minnesota Statutes 1986, sections 169.121, by adding a subdivision; 169.124; 169.125; and 169.126.

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

Kelly introduced:

H. F. No. 706, A bill for an act relating to juveniles; clarifying certain recent changes to the juvenile court act; clarifying the hearing and records procedures of the juvenile court; providing for the enforcement of juvenile court restitution orders; permitting administrative docketing of certain unpaid county reimbursements; clarifying certain crime victim notification and protection laws; amending Minnesota Statutes 1986, sections 260.155, subdivisions 1 and 1a; 260.156; 260.161; 260.185, by adding a subdivision; 548.091, subdivision 1; 595.02, subdivision 4; 609.3471; 611A.031; and 611A.035; repealing Minnesota Statutes 1986, section 636.08.

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

Voss, McKasy, Neuenschwander and Bennett introduced:

H. F. No. 707, A bill for an act relating to civil actions; allocating fault in certain civil actions; defining the term "damages"; abolishing joint liability; providing an exception; providing for contribution from other joint tortfeasors; amending Minnesota Statutes 1986, sections 604.01, subdivisions 1, 1a, and by adding a subdivision; 604.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 604; repealing Minnesota Statutes 1986, section 604.02, subdivisions 2 and 3.

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

Wynia, Greenfield, Brown, Gruenes and Vanasek introduced:

H. F. No. 708, A bill for an act relating to human services; creating the right start sliding fee health care program for pregnant women

and children; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Sviggum introduced:

H. F. No. 709, A bill for an act relating to crimes; providing a penalty for assaulting correctional officers; amending Minnesota Statutes 1986, section 609.2231, subdivision 1.

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

DeBlicek, Lasley, Dauner, Beard and Steensma introduced:

H. F. No. 710, A bill for an act relating to human services; appropriating money to reimburse counties for the costs of administration and direct client services for the work readiness program.

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

Orenstein introduced:

H. F. No. 711, A bill for an act relating to frauds; fixing conditions for the legal determination of fraud in property transfers; enacting the uniform fraudulent transfer act; proposing coding for new law in Minnesota Statutes, chapter 513; repealing Minnesota Statutes 1986, sections 513.20; 513.21; 513.22; 513.23; 513.24; 513.25; 513.26; 513.27; 513.28; 513.29; 513.30; 513.31; and 513.32.

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

Onnen and McDonald introduced:

H. F. No. 712, A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV, sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, and 26; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing for a unicameral legislature.

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

Rest, Carruthers and Bishop introduced:

H. F. No. 713, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted, and obsolete references and text; eliminating certain redundant, conflicting, and superseded provisions; providing instructions to the revisor; amending Minnesota Statutes 1986, sections 1.135, subdivision 3; 8.31, subdivision 1; 13.43, subdivision 6; 14.02, subdivision 4; 15.61; 17.59, subdivision 5; 17A.04, subdivision 1; 28A.15, subdivision 4; 38.27, subdivision 3; 41A.05, subdivision 2; 48.13, subdivision 2; 48.26; 49.01, subdivision 3; 49.44; 60A.17, subdivision 12; 64B.18; 72A.41, subdivision 1; 79.38, subdivision 1; 84A.08; 97A.021, subdivision 2; 97A.065, subdivision 4; 97A.205; 97A.441, subdivision 5; 97A.445, subdivision 3; 97A.465, subdivision 4; 97A.501, subdivision 2; 97A.545, subdivision 4; 97B.315; 97B.921; 97B.925; 115A.07, subdivision 1; 115A.12, subdivision 1; 115A.14, subdivision 5; 115A.162; 116C.57, subdivision 3; 116E.03, subdivision 9; 116J.72; 120.17, subdivision 5a; 121.904, subdivisions 11a and 11b; 122.541, subdivision 2; 124.01, subdivision 1; 124.195, subdivisions 8 and 9; 124.2138, subdivisions 3 and 4; 124.32, subdivision 1c; 124.472; 126.39, subdivision 11; 136.44; 136A.04, subdivision 2; 136A.06; 136D.28, subdivision 2; 136D.89, subdivision 2; 147.09; 152.02, subdivision 12; 160.283, subdivision 1; 171.05, subdivision 3; 174.255, subdivisions 1 and 2; 174.29, subdivision 1; 176.83, subdivision 7; 177.24, subdivision 2; 179A.12, subdivision 1; 182.651, subdivision 18; 193.141, subdivision 2; 193.145, subdivision 2; 214.01, subdivision 3; 219.691; 219.692; 219.743; 219.755; 222.61; 241.31, subdivision 2; 243.24, subdivision 2; 246.51, subdivision 1; 246A.02; 246A.11, subdivision 1; 246A.12, subdivisions 1 and 7; 246A.13, subdivision 1; 250.05, subdivision 2; 256.12, subdivision 14; 256.462, subdivision 2; 256B.03, subdivision 2; 257.34, subdivision 1; 260.015, subdivision 3; 260.151, subdivision 1; 268.072, subdivision 6; 271.15; 273.13, subdivision 22; 275.125, subdivisions 6a, 8, and 11c; 278.06; 290.01, subdivision 20b; 295.34, subdivision 1; 296.14, subdivision 4; 297.03, subdivision 3; 297A.06; 297A.25, subdivision 10; 308.341; 317.03; 317.65, subdivision 6; 319A.03; 319A.05; 319A.12, subdivisions 1a and 2; 322A.70; 326.03, subdivision 2; 326.06; 327.18, subdivision 3; 327C.07, subdivision 3a; 349.2121, subdivision 3; 354.05, subdivision 2; 355.311, subdivision 1; 361.26, subdivision 2; 366.095, subdivision 1; 378.43, subdivision 1; 383A.404, subdivision 7; 383B.035, subdivision 1; 383B.237; 383C.76; 386.71; 393.13, subdivision 1; 412.381; 412.501; 447.42, subdivision 2; 453.53, subdivision 3; 458A.03, subdivision 8; 458C.17; 462.601; 462.605; 462A.04, subdivision 8; 462A.05, subdivision 18; 462A.20, subdivision 3; 462C.04, subdivision 2; 462C.12, subdivision 2; 471.467, subdivision 1; 471.74, subdivision 2; 471.993, subdivision 1; 471A.03, subdivision 2; 473.149, subdivision 4; 473.181, subdivision 3; 473.811, subdivisions 6, 7, 8, and 9; 473F.06; 473F.07, subdivision 1; 473F.09; 474A.09; 604.06; 609.53, subdivisions 1 and 1a; 609.687, subdivision 4; 611.14; 626A.05, subdivision 2; 645.02; amending Laws 1982, chapter 523, article 30, section 4, subdivision 1; and Laws 1986, chapter 399, article 1, section 17; repealing Minnesota

Statutes 1986, sections 193.145, subdivision 3; and 325D.69, subdivision 1; repealing Laws 1986, chapter 463, section 3; and Laws 1986, First Special Session chapter 3, article 1, section 84.

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

Jaros introduced:

H. F. No. 714, A bill for an act relating to the Duluth airport authority; providing that authority employees hired after a certain date are not covered by any civil service system.

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:

Wenzel, Bertram, Bauerly, Tunheim and Redalen introduced:

H. A. No. 4, A proposal relating to agriculture; proposing an interim study of the problems of the rural emergency medical system in Minnesota.

The advisory was referred to the Committee on Health and Human Services.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 208.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 208, A bill for an act relating to occupations and professions; architects, engineers, land surveyors, and landscape architects; making certain technical changes related to certain licensing exceptions; amending Minnesota Statutes 1986, sections 326.03, subdivision 2; and 326.06.

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

CONSENT CALENDAR

S. F. No. 168 was reported to the House.

Bishop moved to amend S. F. No. 168, as follows:

Page 1, line 21, after "history" insert "; or

(3) to require the signature of the spouse of an applicant, or of another person on an application for credit, if the applicant is creditworthy, provided that the spouse's or other person's signature may be required on a document granting or perfecting a lien on real property or a security interest in personal property in which the spouse or other person has an interest"

The motion prevailed and the amendment was adopted.

S. F. No. 168, A bill for an act relating to human rights; clarifying certain provisions relating to discrimination in the extension of credit because of sex or marital status; amending Minnesota Statutes 1986, section 363.03, subdivision 8.

The bill was read for the third time, as amended, 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, G.	Blatz	Cooper	Frerichs	Jacobs
Battaglia	Boo	Dauner	Greenfield	Jaros
Bauerly	Burger	DeBlieck	Gruenes	Jefferson
Beard	Carlson, D.	Dempsey	Gutknecht	Jennings
Begich	Carlson, L.	Dille	Haukoos	Jensen
Bennett	Carruthers	Dorn	Heap	Johnson, A.
Bertram	Clark	Forsythe	Himle	Johnson, R.
Bishop	Clausnitzer	Frederick	Hugoson	Johnson, V.

Kahn	McLaughlin	Orenstein	Rukavina	Tjornhom
Kalis	McPherson	Otis	Sarna	Tompkins
Kelly	Milbert	Ozment	Schafer	Trimble
Kelso	Miller	Pappas	Scheid	Uphus
Kinkel	Minne	Pauly	Schoenfeld	Valento
Kludt	Morrison	Pelowski	Schreiber	Vanasek
Knickerbocker	Munger	Peterson	Seaberg	Vellenga
Knuth	Murphy	Poppenhagen	Segal	Voss
Kostohryz	Nelson, C.	Price	Shaver	Wagenius
Krueger	Nelson, D.	Quinn	Simoneau	Waltman
Larsen	Neuenschwander	Quist	Skoglund	Welle
Lasley	O'Connor	Redalen	Solberg	Wenzel
Lieder	Ogren	Reding	Sparby	Winter
Long	Olsen, S.	Rest	Stanius	Wynia
Marsh	Olson, E.	Richter	Steenasma	Spk. Norton
McDonald	Omann	Rodosovich	Sviggum	
McEachern	Onnen	Rose	Thiede	

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

H. F. No. 197, A bill for an act relating to real property; providing for transfer of owner's duplicate certificate of title to owner; amending Minnesota Statutes 1986, section 386.375, subdivisions 2 and 3.

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, G.	Frerichs	Larsen	Orenstein	Simoneau
Anderson, R.	Greenfield	Lasley	Otis	Skoglund
Battaglia	Gutknecht	Lieder	Ozment	Solberg
Bauerly	Haukoos	Long	Pappas	Sparby
Beard	Heap	Marsh	Pauly	Stanius
Begich	Himle	McDonald	Pelowski	Steenasma
Bennett	Hugoson	McEachern	Peterson	Sviggum
Bertram	Jacobs	McLaughlin	Poppenhagen	Thiede
Bishop	Jaros	McPherson	Price	Tjornhom
Blatz	Jefferson	Milbert	Quinn	Tompkins
Boo	Jennings	Miller	Quist	Tunheim
Burger	Jensen	Minne	Redalen	Uphus
Carlson, D.	Johnson, A.	Morrison	Reding	Valento
Carlson, L.	Johnson, R.	Munger	Rest	Vanasek
Carruthers	Johnson, V.	Murphy	Richter	Vellenga
Clark	Kahn	Nelson, C.	Riveness	Voss
Clausnitzer	Kalis	Nelson, D.	Rodosovich	Wagenius
Cooper	Kelly	Neuenschwander	Rose	Waltman
Dauner	Kelso	O'Connor	Rukavina	Welle
DeBlieck	Kinkel	Ogren	Sarna	Wenzel
Dempsey	Kludt	Olsen, S.	Schafer	Winter
Dille	Knickerbocker	Olson, E.	Schoenfeld	Wynia
Dorn	Knuth	Olson, K.	Schreiber	Spk. Norton
Forsythe	Kostohryz	Omann	Seaberg	
Frederick	Krueger	Onnen	Segal	

The bill was passed and its title agreed to.

H. F. No. 357, A bill for an act relating to the city of Saint Paul; permitting the city to adopt certain regulations for smoke detection devices; amending Minnesota Statutes 1986, section 299F.362, 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frerichs	Larsen	Osthoff	Simoneau
Anderson, R.	Greenfield	Lasley	Otis	Skoglund
Battaglia	Gruenes	Lieder	Ozment	Solberg
Bauerly	Gutknecht	Long	Pappas	Sparby
Beard	Haukoos	Marsh	Pauly	Stanisus
Begich	Heap	McDonald	Pelowski	Steensma
Bennett	Himle	McEachern	Peterson	Sviggum
Bertram	Hugoson	McLaughlin	Poppenhagen	Thiede
Bishop	Jacobs	McPherson	Price	Tjornhom
Blatz	Jaros	Milbert	Quinn	Tompkins
Boo	Jefferson	Miller	Quist	Trimble
Brown	Jennings	Minne	Redalen	Tunheim
Burger	Jensen	Morrison	Reding	Uphus
Carlson, D.	Johnson, A.	Munger	Rest	Valento
Carlson, L.	Johnson, R.	Murphy	Richter	Vanasek
Carruthers	Johnson, V.	Nelson, C.	Rodosovich	Vellenga
Clark	Kahn	Nelson, D.	Rose	Voss
Clausnitzer	Kalis	Neuenschwander	Rukavina	Wagenius
Cooper	Kelly	O'Connor	Sarna	Waltman
Dauner	Kelso	Ogren	Schafer	Welle
DeBlicke	Kinkel	Olsen, S.	Scheid	Wenzel
Dempsey	Kludt	Olson, E.	Schoenfeld	Wynia
Dille	Knickerbocker	Olson, K.	Schreiber	Spk. Norton
Dorn	Knuth	Omann	Seaberg	
Forsythe	Kostohryz	Onnen	Segal	
Frederick	Krueger	Orenstein	Shaver	

The bill was passed and its title agreed to.

H. F. No. 420 was reported to the House.

Jacobs moved that H. F. No. 420 be continued on the Consent Calendar for one day. The motion prevailed.

CALENDAR

H. F. No. 68, A bill for an act relating to state government; rejecting salary adjustments for legislators, judges and constitutional officers recommended by the compensation council; prohibiting any salary adjustment for legislators, judges and constitutional officers before January 1, 1991.

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 116 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lieder	Pappas	Sparby
Anderson, R.	Gruenes	Marsh	Pauly	Stanius
Battaglia	Gutknecht	McDonald	Pelowski	Steensma
Bauerly	Haukoos	McEachern	Peterson	Svigum
Beard	Heap	McLaughlin	Poppenhagen	Thiede
Begich	Himle	McPherson	Price	Tjornhom
Bennett	Hugoson	Milbert	Quist	Tompkins
Bertram	Jaros	Miller	Redalen	Trimble
Blatz	Jefferson	Minne	Rest	Tunheim
Brown	Jennings	Morrison	Richter	Uphus
Burger	Jensen	Murphy	Riveness	Valento
Carlson, D.	Johnson, A.	Nelson, C.	Rodosovich	Vanasek
Carlson, L.	Johnson, R.	Nelson, D.	Rose	Vellenga
Carruthers	Johnson, V.	Neuenschwander	Rukavina	Wagenius
Clark	Kalis	O'Connor	Sarna	Waltman
Clausnitzer	Kelly	Olsen, S.	Schafer	Welle
Cooper	Kelso	Olson, E.	Scheid	Wenzel
Dauner	Kinkel	Olson, K.	Schoenfeld	Winter
DeBlicek	Kludt	Omann	Schreiber	Wynia
Dempsey	Knickerbocker	Onnen	Seaberg	Spk. Norton
Dille	Knuth	Orenstein	Segal	
Dorn	Krueger	Osthoff	Shaver	
Frederick	Larsen	Otis	Simoneau	
Frerichs	Lasley	Ozment	Solberg	

Those who voted in the negative were:

Bishop	Kahn	Long	Ogren	Skoglund
Jacobs	Kostohryz	Munger	Quinn	Voss

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 41, A bill for an act relating to adoption; providing that proposed adoptive parents may obtain certain reports or records;

providing that a child's parent need not join as co-petitioner in a stepparent adoption; changing the manner of executing certain consents; amending Minnesota Statutes 1986, sections 259.21, subdivision 7; 259.24, subdivision 5; and 259.27, subdivision 3, and by adding a subdivision.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Milbert moved that the House concur in the Senate amendments to H. F. No. 41 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 41, A bill for an act relating to adoption; providing that proposed adoptive parents may obtain certain reports or records; providing that a child's parent need not join as co-petitioner in a stepparent adoption; changing the manner of executing certain consents; amending Minnesota Statutes 1986, sections 259.21, subdivision 7; 259.24, subdivision 5; and 259.27, subdivision 3, and by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage 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.	Gruenes	Long	Ozment	Simoneau
Battaglia	Haukoos	Marsh	Pappas	Skoglund
Bauerly	Heap	McDonald	Pauly	Solberg
Beard	Himle	McEachern	Pelowski	Sparby
Begich	Hugoson	McLaughlin	Peterson	Stanilus
Bennett	Jacobs	McPherson	Poppenhagen	Steensma
Bertram	Jaros	Milbert	Price	Sviggum
Blatz	Jefferson	Miller	Quinn	Thiede
Brown	Jennings	Minne	Quist	Tjornhom
Burger	Jensen	Morrison	Redalen	Tompkins
Carlson, D.	Johnson, A.	Munger	Reding	Trimble
Carlson, L.	Johnson, R.	Murphy	Rest	Tunheim
Carruthers	Johnson, V.	Nelson, C.	Richter	Uphus
Clark	Kalis	Nelson, D.	Riveness	Valento
Clausnitzer	Kelly	Neuenschwander	Rodosovich	Vanasek
Cooper	Kelso	O'Connor	Rose	Vellenga
Dauner	Kinkel	Ogren	Rukavina	Voss
DeBlieck	Kludt	Olsen, S.	Sarna	Wagenius
Dempsey	Knickerbocker	Olson, E.	Schafer	Waltman
Dille	Knuth	Olson, K.	Scheid	Welle
Dorn	Kostohryz	Omann	Schoenfeld	Wenzel
Forsythe	Krueger	Onnen	Schreiber	Winter
Frederick	Larsen	Orenstein	Seaberg	Wynia
Frerichs	Lasley	Osthoff	Segal	Spk. Norton
Greenfield	Lieder	Otis	Shaver	

The bill was repassed, as amended by the Senate, and its title agreed to.

Anderson, R., was excused at 3:40 p.m. Kelly was excused at 3:50 p.m.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Norton in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 135, 18, 23, 27 and 52 were recommended to pass.

H. F. Nos. 289 and 119 were recommended for progress.

H. F. No. 94 was recommended for re-referral to the Committee on Appropriations.

H. F. No. 137, the first engrossment, which it recommended for progress with the following amendment offered by Bishop, Brown, Quinn, Dempsey, Greenfield, Solberg, Vellenga, Seaberg, Long, Milbert, Orenstein and Quist:

Pages 1 to 2, delete section 2 and renumber the remaining sections

Page 2, line 27, delete "3" and insert "2"

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before "allowing"

Page 1, line 8, delete everything after the semicolon

Page 1, line 9, delete everything before "proposing"

On the motion of Vanasek 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:

Bishop, Brown, Quinn, Dempsey, Greenfield, Solberg, Vellenga, Seaberg, Long, Milbert, Orenstein and Quist moved to amend H. F. No. 137, the first engrossment, as follows:

Pages 1 to 2, delete section 2 and renumber the remaining sections

Page 2, line 27, delete "3" and insert "2"

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before "allowing"

Page 1, line 8, delete everything after the semicolon

Page 1, line 9, delete everything before "proposing"

The question was taken on the Bishop et al amendment and the roll was called. There were 68 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	McEachern	Ozment	Stanius
Anderson, R.	Gutknecht	McLaughlin	Peterson.	Sviggum
Beard	Himle	McPherson	Quinn	Thiede
Bishop	Jacobs	Milbert	Quist	Uphus
Brown	Jefferson	Munger	Redalen	Vanasek
Burger	Jensen	Murphy	Richter	Vellenga
Carlson, D.	Kahn	Nelson, C.	Riveness	Voss
Carlson, L.	Kelso	O'Connor	Rose	Waltman
Clark	Knuth	Ogren	Rukavina	Welle
Cooper	Kostohryz	Oisen, S.	Sarna	Winter
DeBlicek	Larsen	Olson, E.	Scheid	Wynia
Dempsey	Lieder	Onnen	Seaberg	Spk. Norton
Dorn	Long	Orenstein	Segal	
Frerichs	McDonald	Osthoff	Solberg	

Those who voted in the negative were:

Battaglia	Carruthers	Gruenes	Johnson, R.	Krueger
Bauerly	Clausnitzer	Haukoos	Kalis	Lasley
Begich	Dauner	Heap	Kelly	Marsh
Bertram	Dille	Hugoson	Kinkel	Miller
Blatz	Forsythe	Jennings	Kludt	Minne
Boo	Frederick	Johnson, A.	Knickerbocker	Morrison

Nelson, D.	Pauly	Rodosovich	Skoglund	Valento
Neuenschwander	Pelowski	Schafer	Sparby	Wagenius
Olson, K.	Poppenhagen	Schoenfeld	Steensma	Wenzel
Omnn	Price	Schreiber	Tjornhom	
Otis	Reding	Shaver	Tompkins	
Pappas	Rest	Simoneau	Trimble	

The motion prevailed and the amendment was adopted.

The question was taken on the Carlson, D., motion to re-refer H. F. No. 119 to the Committee on Appropriations and the roll was called. There were 48 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Bennett	Dille	Johnson, V.	Pauly	Stanisus
Bishop	Forsythe	Knickerbocker	Poppenhagen	Sviggum
Blatz	Frederick	Marsh	Quist	Thiede
Boo	Frerichs	McDonald	Redalen	Tjornhom
Brown	Gutknecht	McPherson	Richter	Tompkins
Burger	Haukoos	Miller	Rose	Uphus
Carlson, D.	Heap	Morrison	Schafer	Valento
Clausnitzer	Himle	Olsen, S.	Schreiber	Waltman
Dauner	Hugoson	Onnen	Seaberg	
Dempsey	Jennings	Ozment	Shaver	

Those who voted in the negative were:

Anderson, G.	Jaros	Lasley	Orenstein	Schoenfeld
Battaglia	Jefferson	Lieder	Osthoff	Segal
Bauerly	Jensen	Long	Otis	Simoneau
Beard	Johnson, A.	McEachern	Pappas	Solberg
Begich	Johnson, R.	Milbert	Pelowski	Sparby
Bertram	Kahn	Minne	Peterson	Steensma
Carlson, L.	Kalis	Munger	Price	Trimble
Carruthers	Kelly	Murphy	Quinn	Tunheim
Clark	Kelso	Nelson, C.	Reding	Vanasek
Cooper	Kinkel	Nelson, D.	Rest	Vellenga
DeBlick	Kludt	Neuenschwander	Riveness	Voss
Dorn	Knuth	O'Connor	Rodosovich	Wagenius
Greenfield	Kostohryz	Ogren	Rukavina	Welle
Gruenes	Krueger	Olson, K.	Sarna	Wenzel
Jacobs	Larsen	Omnn	Scheid	Winter
				Spk. Norton

The motion did not prevail.

The question was taken on the Sviggum motion to re-refer H. F. No. 119 to the Committee on Governmental Operations and the roll was called. There were 53 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Bauerly	Boo	Dempsey	Gutknecht	Jennings
Bennett	Burger	Forsythe	Haukoos	Johnson, V.
Bertram	Carlson, D.	Frederick	Heap	Knickerbocker
Bishop	Clausnitzer	Frerichs	Himle	Marsh
Blatz	Dauner	Gruenes	Hugoson	McDonald

McLaughlin	Onnen	Richter	Skoglund	Uphus
McPherson	Ozment	Rose	Stanius	Valento
Miller	Pauly	Schafer	Sviggum	Waltman
Morrison	Poppenhagen	Schreiber	Thiede	Welle
Olsen, S.	Quist	Seaberg	Tjornhom	
Omamn	Redalen	Shaver	Tompkins	

Those who voted in the negative were:

Anderson, G.	Jefferson	Lasley	Osthoff	Schoenfeld
Battaglia	Jensen	Lieder	Otis	Segal
Beard	Johnson, A.	Long	Pappas	Simoneau
Begich	Johnson, R.	McEachern	Pelowski	Solberg
Brown	Kahn	Milbert	Peterson	Sparby
Carlson, L.	Kalis	Minne	Price	Steensma
Carruthers	Kelly	Munger	Quinn	Trimble
Clark	Kelso	Murphy	Reding	Tunheim
Cooper	Kinkel	Nelson, C.	Rest	Vanasek
DeBlieck	Kludt	Nelson, D.	Riveness	Voss
Dorn	Knuth	O'Connor	Rodosovich	Wagenius
Greenfield	Kostohryz	Ogren	Rukavina	Wenzel
Jacobs	Krueger	Olson, K.	Sarna	Winter
Jaros	Larsen	Orenstein	Scheid	Spk. Norton

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Schoenfeld moved that the name of Jennings be added as an author on H. F. No. 163. The motion prevailed.

Nelson, K., moved that the name of Osthoff be added as an author on H. F. No. 416. The motion prevailed.

Carlson, D., moved that the name of Vanasek be added as an author on H. F. No. 501. The motion prevailed.

Kalis moved that the name of Hugoson be added as an author on H. F. No. 551. The motion prevailed.

Kalis moved that the name of Hugoson be added as an author on H. F. No. 552. The motion prevailed.

Beard moved that the name of Tjornhom be added as an author on H. F. No. 578. The motion prevailed.

Shaver moved that the name of Tjornhom be added as an author on H. F. No. 597. The motion prevailed.

Wenzel moved that H. F. No. 275 be recalled from the Committee on Agriculture and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Blatz moved that H. F. No. 170 be recalled from the Committee on General Legislation, Veterans Affairs and Gaming and be re-referred to the Committee on Judiciary. The motion prevailed.

Quinn moved that H. F. No. 514 be recalled from the Committee on Education and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Larsen, Riveness and Heap introduced:

House Concurrent Resolution No. 4, A House concurrent resolution relating to the oversight of higher education.

The concurrent resolution was referred to the Committee on Higher Education.

Johnson, R.; Trimble; Johnson, V.; Rukavina and Kludt introduced:

House Concurrent Resolution No. 5, A House concurrent resolution relating to the funding and studying of higher education.

The concurrent resolution was referred to the Committee on Higher Education.

Olsen, S., introduced:

House Resolution No. 28, A House resolution extending congratulations to David Cauley of Hopkins, Minnesota, on attaining the rank of Eagle Scout.

The resolution was referred to the Committee on Rules and Legislative Administration.

Segal, Wagenius, Rest, Carruthers and Blatz introduced:

House Resolution No. 29, A House resolution commending the Volunteers of America human service organization, and designating the week of March 8 to 14, 1987, as Volunteers of America Week in Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 5, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 5, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives