

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 12, 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 Pastor David Stewart, Dayton Avenue Presbyterian Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Carlson, D.; Forsythe; Jensen; Kalis; Knickerbocker; Osthoff; Scheid and Swenson were excused.

Himle was excused until 2:25 p.m. Johnson, A., was excused until 3:05 p.m.

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

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 483, 489, 510, 362 and 436 and S. F. Nos. 157, 245, 302, 368 and 378 have been placed in the members' files.

S. F. No. 302 and H. F. No. 316, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pappas moved that the rules be so far suspended that S. F. No. 302 be substituted for H. F. No. 316 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 3, A bill for an act relating to labor; changing the minimum wage; amending Minnesota Statutes 1986, section 177.24, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 8, strike "Beginning" and delete "July 1,"

Page 1, line 9, delete "1987" and strike the first comma

Page 1, line 11, delete "\$4.25" and insert "\$3.75"

Page 1, line 11, after "hour" insert "beginning July 1, 1987, \$4.15 an hour beginning July 1, 1988, and \$4.35 an hour beginning July 1, 1989,"

Page 1, line 13, delete "\$3.83" and insert "\$3.38"

Page 1, line 13, after "hour" insert "beginning July 1, 1987, \$3.74 an hour beginning July 1, 1988, and \$3.92 an hour beginning July 1, 1989"

Page 1, after line 13, insert:

"The minimum wage for an employee who receives \$35 or more in gratuities per month shall be \$3.35 an hour for employees 18 years of age or older and \$3.02 an hour for employees under 18 until January 1, 1988."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 91, A bill for an act relating to public safety; pipelines and underground facilities; enacting the Minnesota pipeline safety act; requiring a routing permit to construct a new pipeline; creating the office of pipeline safety and providing for its powers and duties; authorizing rulemaking for purposes of delegation of federal authority; creating the pipeline safety advisory commission; regulating the operation of certain pipelines; requiring the adoption of pipeline setback ordinances; providing for notification of excavation in the area of underground facilities; providing for a pipeline inspection fee; establishing the pipeline safety fund; requiring a study; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 116I.02, subdivisions 2 and 3; 117.48; 117.49; 216B.16, by adding a subdivision; 299F.56, by adding a subdivision; 299F.57; 299F.58; 299F.60; 299F.61; 299F.62; 299F.63; and 299F.64; proposing coding for new law in Minnesota Statutes, chapter 116I; proposing coding for new law as Minnesota Statutes, chapters 216C and 299J.

Reported the same back with the following amendments:

Page 25, line 35, delete the second "the"

Page 25, line 36, delete "serious bodily injury of" and insert "great bodily harm, as defined in section 609.02, to"

Page 26, line 4, delete "the" and delete "serious bodily injury of" and insert "great bodily harm to"

Page 34, line 36, before the period insert ", and section 12, subdivision 1, paragraph (c) applies to crimes committed on or after that date" and delete "29" and insert "35"

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

The report was adopted.

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

H. F. No. 123, A bill for an act relating to probate; providing for an increased sum payable to a surviving spouse by affidavit; allowing nursing home care costs to be a claim of the same class as medical and hospital expenses; increasing the value of a probate estate allowed for purposes of collection by affidavit; amending Minnesota Statutes 1986, sections 181.58; 524.3-805; and 524.3-1201.

Reported the same back with the following amendments:

Page 2, line 23, delete “; provided,”

Page 2, delete lines 24 and 25

Page 2, line 26, delete everything before the semicolon

Page 2, after line 26, insert:

“(5) reasonable and necessary medical, hospital, and nursing home expenses for the care of the decedent during the year immediately preceding death;”

Page 2, line 27, strike “(5)” and insert “(6)”

Page 2, line 29, strike “(6)” and insert “(7)”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 178, A bill for an act relating to health; providing for special grants to conduct community-wide pilot programs to reduce the prevalence of risk conditions or behaviors related to osteoporosis; appropriating money; amending Minnesota Statutes 1986, section 145.922, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [OSTEOPOROSIS SPECIAL GRANTS.]

The commissioner of health shall make available special grant awards to community agencies, local government entities, educa-

tional institutions, research organizations, or other interested organizations to conduct community-based pilot programs to reduce the prevalence of risk conditions or behaviors related to osteoporosis. The special grants must be used to support activities that include outreach, public and professional education, needs assessments, prevention and intervention programs for at-risk populations, coordination of existing programs, both public and private, and assistance for new programs.

The commissioner shall establish criteria for awarding these special grants. Priority for the special grants must be given to organizations and entities that have, or will receive, funding from other sources that will augment their proposed activities to reduce the prevalence of risk conditions or behaviors related to osteoporosis. The commissioner shall consider special grant requests that use a descriptive or exploratory approach, as well as a controlled or experimental approach.

The commissioner shall appoint an advisory group to serve without compensation and to assist the commissioner in establishing the criteria for awarding the special grants, to review the proposals, and to make recommendations for awarding the special grants. The advisory group must consist of seven people as follows: one person with osteoporosis, one representative of the Minnesota board on aging, one person from a senior advocacy organization, one representative of the food industry, two licensed health professionals involved in treating people with osteoporosis, and one person involved in health promotion or health education activities.

The commissioner shall solicit proposals from at least five organizations or entities geographically distributed around the state. The proposals must contain the following:

- (a) a description of activities to be pursued;
- (b) documentation of the involvement of affected groups in the community in the development of the proposal;
- (c) a description of the kinds of data or other information that would be collected to support recommendations to the commissioner to aid in future efforts to address health promotion activities related to osteoporosis; and
- (d) a plan and budget for the use of the special grant award in the form and detail specified by the commissioner.

The commissioner may solicit, receive, and disburse funds made available to reduce the prevalence of risk conditions or behaviors related to osteoporosis.

Sec. 2. [APPROPRIATION.]

\$..... is appropriated from the general fund to the commissioner of health for the purpose of funding the special grants as specified in section 1. The sum is available until expended."

Delete the title and insert:

"A bill for an act relating to health; providing for special grants to conduct community-based pilot programs to reduce the prevalence of risk conditions or behaviors related to osteoporosis; appropriating money."

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

The report was adopted.

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

H. F. No. 188, A bill for an act relating to health; requiring a study and report to the legislature on the effects of exposure to low-level ionizing radiation.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [LOW-LEVEL IONIZING RADIATION STUDY AND REPORT.]

Subdivision 1. [STUDY AND REPORT REQUIRED.] The commissioner of health shall conduct a study and report to the governor and the legislature no later than July 1, 1988, on the human health effects of low-level ionizing radiation. The report shall include:

(1) data and risk coefficients currently available relating to ionizing radiation effects of occupational exposure, on human fetuses, and on the general public; and

(2) current research data on the worldwide effects to the public health of the radioactive emissions resulting from the Chernobyl accident in April 1986.

Subd. 2. [REVIEW.] The commissioner of health shall have the report reviewed by three persons or entities not affiliated with the state department of health or any other agency of the executive branch of Minnesota state government.

Sec. 2. [APPROPRIATION.]

\$..... is appropriated to the commissioner of health to conduct the study described in section 1.

Delete the title and insert:

“A bill for an act relating to health; requiring a study and report to the legislature on the effects of exposure to low-level ionizing radiation; appropriating money.”

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

The report was adopted.

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

H. F. No. 243, A bill for an act relating to human services; authorizing a change in license fees that fund educational programs for resident and family advisory councils; appropriating money; amending Minnesota Statutes 1986, section 144A.33, subdivision 3, and by adding a subdivision.

Reported the same back with the recommendation that 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. 248, A bill for an act relating to health; appropriating money for the WIC program.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [FOOD ACCESSIBILITY PROJECTS.]

The commissioner of jobs and training, with the advice and assistance of the commissioners of human services and health, shall establish food accessibility projects to demonstrate methods of maximizing participation in food assistance programs and providing a single-site access point for food assistance programs including food stamps, surplus commodities, the special supplemental food pro-

gram for women, infants, and children (WIC), and other public and private food assistance programs. The commissioner shall establish a minimum of ten projects throughout the state, including at least one project in each of the following regions: northeast, northwest, southeast, southwest, central, and the seven-county metropolitan area. The projects must be evaluated on the basis of their ability to do the following:

(1) increase participation in existing food assistance programs by eligible persons who need and desire food assistance;

(2) coordinate existing food assistance programs to minimize duplication of services and target resources to persons and areas with the greatest need; and

(3) improve access to food assistance programs by providing a single site where, to the extent possible, people desiring food assistance can receive specific information on all existing food assistance programs; apply for assistance when required; and receive on-site food, food stamps, WIC coupons, or a food voucher without the need for a referral to another agency or location. The single site selected for the project may be a county agency or community action agency.

The projects must be established by October 1, 1987. The commissioner of jobs and training shall provide an interim progress report to the legislature by February 1, 1988, and a final report and evaluation by February 1, 1989.

Sec. 2. [APPROPRIATION.]

\$250,000 is appropriated from the general fund to the commissioner of jobs and training to conduct food accessibility demonstration projects; \$125,000 to be available until June 30, 1988, and \$125,000 to be available until June 30, 1989.

\$1,300,000 is appropriated from the general fund to the commissioner of jobs and training to provide for the local storage, transportation, processing, and distribution of United States Department of Agriculture surplus commodities; \$650,000 to be available until June 30, 1988, and \$650,000 to be available until June 30, 1989. \$250,000 of the biennial appropriation must be used each year to satisfy the state match required by the United States Department of Agriculture. The department of jobs and training shall report on the surplus commodities program to the state legislature by January 15 of each year.

\$10,000,000 is appropriated from the general fund to the commissioner of health to provide additional services to persons eligible for the special supplemental food program for women, infants, and children (WIC); \$5,000,000 to be available for the fiscal year ending

June 30, 1988, and \$5,000,000 to be available for the fiscal year ending June 30, 1989.”

Delete the title and insert:

“A bill for an act relating to health; establishing demonstration projects for single-site access to food assistance; appropriating money for food accessibility projects, surplus commodities distribution, and the WIC program.”

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

The report was adopted.

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

H. F. No. 298, A bill for an act relating to hazardous waste; requiring a license for the transportation of hazardous waste; providing for license administration suspension, and revocation; requiring rulemaking; providing penalties; amending Minnesota Statutes 1986, sections 221.011, subdivision 31; 221.033, by adding a subdivision; 221.291, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 221.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 221.011, subdivision 31, is amended to read:

Subd. 31. “Hazardous waste” has the meaning given it in Code of Federal Regulations, title 49, section 171.8. In addition, hazardous waste means any hazardous waste identified or listed under any provision of chapters 115 or 116 or any rule adopted in accordance with those chapters.

Sec. 2. Minnesota Statutes 1986, section 221.033, is amended by adding a subdivision to read:

Subd. 1a. [TRANSPORTATION OF HAZARDOUS WASTE.] No person may transport or have transported within the state a hazardous waste except in compliance with sections 3 to 7.

Sec. 3. [221.035] [HAZARDOUS WASTES TRANSPORTER LICENSES; RULES.]

Subdivision 1. [LICENSE REQUIREMENT.] A person who transports hazardous wastes in this state shall first obtain a license from the commissioner. The license is not transferable to another person.

Subd. 2. [VEHICLE REQUIREMENTS.] Every vehicle operated under a license issued under this section must be operated in compliance with the rules of the commissioner adopted under this chapter governing driver qualifications; safety of operation; equipment, parts, and accessories; inspection, repair, and maintenance; maximum hours of service; and must display the name and address of the licensee on both sides of the vehicle. A driver of a vehicle transporting hazardous wastes must be at least 25 years old.

Subd. 3. [LICENSE APPLICATION AND FEES.] An applicant for a license under this section who is not otherwise subject to section 221.141, shall cause a certificate of insurance to be filed with the commissioner as provided in section 221.141. The certificate must state that the insurer has issued to the applicant a policy that by endorsement provides public liability insurance in the amount required by the United States Department of Transportation, as provided by Code of Federal Regulations, title 49, part 387.

An applicant shall pay \$500 for a three-year license. The commissioner shall issue the license and shall issue a vehicle identification tag for each vehicle that the licensee will use to transport hazardous waste. The applicant shall pay a fee of \$25 for each vehicle identification tag. The license must be maintained at the licensee's principal place of business. The vehicle identification tag must be displayed on the vehicle to which it is assigned, as prescribed by the commissioner. The tag is effective only for the period during which the license is effective. The license and the vehicle identification tags must be renewed in the third year following the date of the issuance of the license.

Subd. 4. [COMMISSIONER'S RULEMAKING AUTHORITY.] Except as provided in section 5, subdivision 2, the commissioner shall adopt rules necessary to implement this section and rules requiring reports from licensees, as the commissioner determines necessary to monitor the transportation of hazardous wastes through this state.

Sec. 4. [221.036] [LICENSE SUSPENSION AND REVOCATION.]

Subdivision 1. [SUSPENSION AND REVOCATION.] (a) The commissioner may suspend or revoke a license and vehicle identification tags issued under section 3 if the commissioner determines that a licensee's actions constitute a serious or repeated violation of any provision of a statute or rule governing the transportation of hazardous wastes. Revocation and suspension shall be accomplished according to rules adopted by the commissioner. Factors to be

considered by the commissioner in determining whether to suspend or revoke a license shall include:

(1) the danger of exposure of the traveling public to toxic or hazardous substances;

(2) the condition of the vehicle;

(3) the number and kind of previous violations;

(4) repeated out-of-service violations;

(5) the willfulness of the violation;

(6) the history of any past violations; and

(7) other factors considered by the commissioner to be relevant to establishing the conditions of the suspension or revocation.

(b) In addition the commissioner shall revoke by order, without a hearing, the license and vehicle identification tags of a licensee who fails to renew a license or fails to maintain insurance as required by section 3, subdivision 3. Revocation under this paragraph shall continue until the licensee provides the commissioner with proof of a renewal and insurance.

Sec. 5. [221.037] [ADMINISTRATIVE PENALTIES.]

Subdivision 1. [PENALTY AUTHORIZED.] In addition or as an alternative to an order issued under section 4, the commissioner may issue an order requiring violations to be corrected and assessing administrative penalties for violations of any provision of sections 2 to 7 relating to the transportation of hazardous waste, or any rule, order, license, or term or conditions of a license issued or adopted by the commissioner under this section.

Subd. 2. [AMOUNT OF PENALTY; CONSIDERATIONS.] The commissioner may issue an order assessing an administrative penalty in an amount of not more than \$10,000 for violations identified during an inspection or audit. In determining the amount of a penalty to be assessed, the commissioner may consider:

(1) the willfulness of the violation;

(2) the gravity of the violation, including damage to humans, animals, air, water, land or other natural resources of the state;

(3) the cost to the state of enforcing the law;

(4) the economic benefit the violator gained from noncompliance;

- (5) the size of the business;
- (6) the history of any past violations;
- (7) the number of violations;
- (8) the economic impact of a penalty; and
- (9) the deterrent effect of a penalty.

Subd. 3. [FORM OF ORDER.] An order assessing an administrative penalty shall include the following:

- (1) a concise statement of the facts constituting the alleged violation;
- (2) a reference to the section of the statute, rule, order, license, or term or condition of a license that has been violated;
- (3) a statement of the amount of the administrative penalty to be imposed; and
- (4) a statement of the person's right to a hearing.

Subd. 4. [PROCEDURE FOR ORDER.] (a) The commissioner may issue an order requiring that the violations cited in the order to be corrected within 30 calendar days from the date the order is mailed.

(b) If the person to whom the order was issued fails to demonstrate to the satisfaction of the commissioner within 30 days of the date the order was mailed that the violation has been corrected or that appropriate steps have been taken toward correcting the violation, the penalty set forth in the order is then due and payable unless a hearing under subdivision 5 has been requested within the 30-day period.

(c) The commissioner may, in lieu of the procedure set out in paragraph (a), issue an order that immediately assesses a penalty if the commissioner determines that, considering the factors set out in subdivision 2, an immediate penalty is appropriate. The penalty shall be due and payable 30 days from the date the order was mailed unless a hearing under subdivision 5 has been requested.

(d) Interest at the rate established in section 549.09 begins to accrue on the 31st day after the order was originally mailed.

(e) Failure to pay a penalty owed under this section constitutes grounds for the commissioner to revoke or refuse to reissue or renew any license issued under section 3 by the department.

(f) Penalties collected under this section shall be paid to the trunk highway fund.

Subd. 5. [HEARING.] On request of the person to whom an order is issued under this section, the order shall be subject to an expedited hearing process. The procedure for the expedited hearing shall include the following:

(a) The hearing will be held within 30 days after a request for hearing has been filed with the commissioner unless the parties agree to a later date.

(b) The person to whom the order is directed and the commissioner shall be the parties to the hearing.

(c) The commissioner must notify the person to whom the order is directed of the time and place of the hearing at least 20 days before the hearing.

(d) The hearing will be limited to no more than six hours of hearing time, exclusive of any prehearing, unless the administrative law judge determines that there are circumstances requiring a longer hearing.

(e) The factual record shall close at the close of the hearing.

(f) Written arguments must be submitted within ten days following the close of the record.

(g) The administrative law judge shall issue a report making recommendations to the commissioner within 30 days following the close of the record.

(h) The administrative law judge shall not recommend a change in the amount of the proposed penalty unless the administrative law judge makes a determination based on the factors set out in subdivision 2 that the commissioner has committed an abuse of discretion in setting the amount of the penalty.

(i) The hearing shall be conducted under the conference contested case rules of the office of administrative hearings, as modified by this subdivision. The hearing examiner may, in consultation with the commissioner, adopt rules specifically applicable to cases under this section.

Subd. 6. [FINAL ORDERS.] (a) If a hearing has been held, the commissioner shall not issue a final order until at least five days after receipt of the report of the administrative law judge. The person to whom an order is issued may within those five days comment to the commissioner on the recommendations and the

commissioner shall consider the comments. The final order may be appealed in the manner provided in sections 14.63 to 14.69.

(b) If the administrative law judge makes a finding that the hearing was requested for purposes of delay or that there was no reasonable basis in law or fact for requesting a hearing, the commissioner may add to the amount of the penalty the costs paid by the commissioner to the offices of administrative hearings for the hearing.

(c) If a hearing has been held and a final order issued by the commissioner, the penalty shall be paid within 15 days from the date the final order is mailed, together with interest accruing at the rate established in section 549.09 from the 31st day following the day the original order was mailed.

Sec. 6. [221.038] [ENFORCEMENT.]

The attorney general may proceed on behalf of the state to enforce penalties imposed under section 5 in any manner provided by law for the collection of debts. This power shall include the following means of debt collection:

(a) The attorney general may petition the district court to file the administrative order as an order of the court. At any court hearing, the only issues parties may contest are procedural and notice issues. Once entered, the administrative order may be enforced in the manner as a final judgment of the district court.

(b) If any party liable to pay a penalty imposed under section 5 fails to pay the penalty, the amount of the penalty together with interest and costs shall be a lien in favor of the state on any real or personal property of the person, except the person's homestead. The lien is effective for real property after the attorney general files a notice of lien in the office of the county recorder or in the office of the registrar of titles of the county in which the property is situated.

(c) The lien created under this section is effective for personal property after the attorney general files a notice of lien describing the property to which the lien attaches in the office of the county recorder of the county where the attorney general believes the property is located when the lien is filed. The lien against personal property shall also be filed with the secretary of state. In the case of personal property belonging to an individual who is not a resident of this state or personal property belonging to a corporation, partnership, or other organization, the attorney general shall file the notice of lien in the office of the secretary of state.

(d) The notice of lien for real property shall be filed in the office of the county recorder or in the office of the registrar of titles of the county in which the property is located and shall contain the names

of the parties subject to the lien, the legal description of the land subject to the lien, the amount of the lien, the legal basis for the lien, and the name, address, and telephone number of the party filing the lien. No attestation, certification, or acknowledgment is required as a condition of filing.

(e) If any person fails to pay the penalty, the attorney general may bring a civil action in district court seeking payment of the penalties, injunctive, or other appropriate relief including monetary damages, attorney's fees, costs and interest.

(f) Failure to pay a penalty owed under this section constitutes grounds for the commissioner to revoke or refuse to renew a license issued by the department.

Sec. 7. [221.039] [CUMULATIVE REMEDY.]

The authority to issue an order assessing penalties under section 5 is in addition to all other remedies available under statutory or common law. The penalty imposed under that section does not preclude the use of any other enforcement provisions in connection with the violation for which the penalty was assessed.

Sec. 8. Minnesota Statutes 1986, section 221.291, subdivision 3, is amended to read:

Subd. 3. [TRANSPORTATION OF HAZARDOUS MATERIALS.]
A person who ships, transports, or offers for transportation hazardous waste or, hazardous material or hazardous substances in violation of a provision of this chapter or a rule or order of the commissioner or board adopted or issued under this chapter which specifically applies to the transportation of hazardous material or, hazardous waste or hazardous substances is guilty of a misdemeanor and upon conviction may shall, except as provided in section 2 of revisor's bill draft number 87-0573, be fined up to the maximum fine which may be imposed for a misdemeanor for each violation.

Sec. 9. [COORDINATION INSTRUCTION.]

If neither the house file nor senate file version of revisor's bill draft number 87-0573 is enacted into law, the revisor of statutes shall delete the language in section 8 referring to that bill draft."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 303, A bill for an act relating to agriculture; changing the shade tree disease control program; imposing certain penalties; eliminating certain audit requirements and an insurance limitation; changing the cooperative associations law; amending Minnesota Statutes 1986, sections 18.023, subdivisions 1, 1a, and 9; 28A.08; 40.071; 308.58, subdivision 2; 308.62; 308.77; 308.83; and 308.85; repealing Minnesota Statutes 1986, sections 38.02, subdivision 2; 38.13; 308.71; 308.82; 308.84; and 308.901 to 308.92.

Reported the same back with the following amendments:

Page 3, line 29, delete "The late" and insert "A"

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 318, A bill for an act relating to crimes; creating the crime of criminal sexual conduct by impersonating a health care professional; amending Minnesota Statutes 1986, sections 609.344, subdivision 1; and 609.345, subdivision 1.

Reported the same back with the following amendments:

Page 3, line 13, after the period insert "Consent by the complainant is not a defense."

Page 5, line 8, after the period insert "Consent by the complainant is not a defense."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 336, A bill for an act relating to crimes; making certain victims rights provisions applicable to victims of certain ordinance violations; providing for plea agreement notification to a larger group of victims; permitting victims to submit an impact statement to the court; providing the data classification of a request for notice of prisoner release; amending Minnesota Statutes 1986, sections

611A.01; 611A.03, subdivision 3; 611A.06; proposing coding for new law in Minnesota Statutes, chapter 611A.

Reported the same back with the following amendments:

Page 1, line 19, delete "loss or" and insert "bodily"

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes 1986, section 611A.03, subdivision 1, is amended to read:

Subdivision 1. [PLEA AGREEMENTS; NOTIFICATION OF VICTIM.] Prior to the entry of the factual basis for a plea pursuant to a plea agreement recommendation, a prosecuting attorney shall make a reasonable and good faith effort to inform the victim of:

(a) The contents of the plea agreement recommendation, including any recommendation made with respect to sentencing; and

(b) The right to be present at the sentencing hearing and to express in writing any objection to the agreement or to the proposed disposition. If the victim is not present when the court considers the recommendation, but has communicated objections to the prosecuting attorney, the prosecuting attorney shall make these objections known to the court."

Page 2, line 10, delete new language

Page 2, line 11, delete "vehicular operation," and delete "and"

Page 2, line 12, before the period insert ", and all felonies"

Page 2, line 15, delete "WRITTEN"

Page 2, line 16, delete "or" and insert "and/or"

Renumber the remaining sections

Amend the title as follows:

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

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 358, A bill for an act relating to health; establishing a statewide cancer surveillance system; providing for rule authority to administer the system and collect and distribute data; appropriating money; amending Minnesota Statutes 1986, sections 144.68; and 144.69; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1986, sections 144.66; and 144.67.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [144.671] [CANCER SURVEILLANCE SYSTEM; PURPOSE.]

The commissioner of health shall establish a statewide population-based cancer surveillance system. The purpose of this system is to:

(1) monitor incidence trends of cancer to detect potential public health problems, predict risks, and assist in investigating cancer clusters;

(2) more accurately target intervention resources for communities and patients and their families;

(3) inform health professionals and citizens about risks, early detection, and treatment of cancers known to be elevated in their communities; and

(4) promote high quality research to provide better information for cancer control and to address public concerns and questions about cancer.

Sec. 2. [144.672] [DUTIES OF COMMISSIONER; RULES.]

Subdivision 1. [RULE AUTHORITY.] The commissioner of health shall collect cancer incidence information, analyze the information, and conduct special studies designed to determine the potential public health significance of an increase in cancer incidence.

The commissioner shall adopt rules to administer the system, collect information, and distribute data. The rules must include, but not be limited to, the following:

(1) the type of data to be reported;

(2) standards for reporting specific types of data;

(3) payments allowed to hospitals, pathologists, and registry systems to defray their costs in providing information to the system;

(4) criteria relating to contracts made with outside entities to conduct studies using data collected by the system. The criteria may include requirements for a written protocol outlining the purpose and public benefit of the study, the description, methods, and projected results of the study, peer review by other scientists, the methods and facilities to protect the privacy of the data, and the qualifications of the researcher proposing to undertake the study;

(5) specification of fees to be charged under section 13.03, subdivision 3, for all out-of-pocket expenses for data summaries or specific analyses of data requested by public and private agencies, organizations, and individuals, and which are not otherwise included in the commissioner's annual summary reports. Fees collected are appropriated to the commissioner to offset the cost of providing the data; and

(6) establishment of a committee to assist the commissioner in the review of system activities.

Subd. 2. [BIANNUAL REPORT REQUIRED.] The commissioner of health shall prepare and transmit to the governor and to members of the legislature a biannual report on the incidence of cancer in Minnesota and a compilation of summaries and reports from special studies and investigations performed to determine the potential public health significance of an increase in cancer incidence, together with any findings and recommendations. The first report shall be delivered by February 1989, with subsequent reports due in February of each of the following odd-numbered years.

Sec. 3. Minnesota Statutes 1986, section 144.68, is amended to read:

144.68 [RECORDS AND REPORTS REQUIRED.]

Subdivision 1. [PERSON PRACTICING HEALING ARTS.] Every person licensed to practice the healing arts in any form, upon request of the state commissioner of health, shall prepare and forward to the commissioner, in the manner and at such times as the commissioner designates, a detailed record of each case of malignant disease cancer treated or seen by the person professionally.

Subd. 2. [HOSPITALS AND SIMILAR INSTITUTIONS.] Every hospital, sanatorium, nursing home medical clinic, medical labora-

tory, or other institution for the hospitalization, clinical or laboratory diagnosis, or care of human beings, upon request of the state commissioner of health, shall prepare and forward to the commissioner, in the manner and at the times designated by the commissioner, a detailed record of each case of malignant disease having been therein cancer.

Subd. 3. [INFORMATION REPORTING WITHOUT LIABILITY.]
The furnishing of the information required under subdivisions 1 and 2 shall not subject the person, hospital, sanatorium, nursing home medical clinic, medical laboratory, or other place institution furnishing the information, to any action for damages or other relief.

Sec. 4. Minnesota Statutes 1986, section 144.69, is amended to read:

144.69 [INFORMATION NOT AVAILABLE TO THE PUBLIC CLASSIFICATION OF DATA ON INDIVIDUALS.]

No such report, or part thereof, nor any copy of the same or part thereof, shall be open to the public, nor shall any of the contents thereof be disclosed, in any manner, by any official or clerk or other employee or person having access thereto, but all such information Notwithstanding any law to the contrary, including section 13.05, subdivision 9, data collected on individuals by the cancer surveillance system, including the names and personal identifiers of persons required in section 144.68 to report, shall be confidential private and may only be used for the purposes set forth in sections 144.66 to 1 and 2 and 144.68 and 144.69. And any such disclosure other than is provided for in sections 144.66 to 1 and 2 and 144.68 and 144.69, is hereby declared to be a misdemeanor and punishable as such. No Except as provided by rule, and as part of an epidemiologic investigation, an officer or employee of the board shall commissioner of health may interview any patient patients named in any such report, nor a relative or relatives of any such patient, unless only after the consent of the attending physician and or surgeon is first obtained.

Sec. 5. [REPEALER.]

Minnesota Statutes 1986, sections 144.66 and 144.67, are repealed.

Sec. 6. [APPROPRIATION.]

\$1,520,000 is appropriated from the general fund to the commissioner of health to implement the provisions of sections 1 to 4, to establish a statewide cancer surveillance system, to develop and maintain a computerized record linkage system, to manage and analyze the data, and to conduct follow-up investigations on clusters

of disease and unusual case distributions identified by the system, to be available until June 30, 1989.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following enactment. Section 6 is effective July 1, 1987."

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 432, A bill for an act relating to education; modifying certain provisions of the compulsory attendance laws; establishing new compulsory attendance requirements; amending Minnesota Statutes 1986, sections 121.11, subdivision 7; 123.935, subdivision 7; 127.19; and 127.20; proposing coding for new law in Minnesota Statutes, chapter 120; repealing Minnesota Statutes 1986, sections 120.10, subdivisions 1, 2, 2a, and 2b; and 120.12.

Reported the same back with the following amendments:

Page 1, line 20, delete "4" and insert "5"

Page 1, line 23, delete "control" and insert "legal custody"

Page 1, after line 24, insert:

"Subd. 4. [SCHOOL DEFINED.] For the purpose of compulsory attendance, a "school" means a public school, as defined in section 120.05, or a nonpublic school, church or religious organization, or home-school in which a child is provided instruction in compliance with sections 1 and 2."

Page 1, line 25, delete "4" and insert "5"

Page 2, line 4, delete "5" and insert "6"

Page 2, delete lines 15 to 17

Page 3, line 2, after "standardized" insert "achievement"

Page 3, line 15, after "percentile" insert "on the total battery score"

Page 3, line 34, after "calendar" insert "showing that instruction will occur at least 170 days"

Page 4, line 1, after "report" insert "card"

Page 4, line 2, delete "5" and insert "6"

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

Page 5, after line 34, insert:

"Sec. 4. [120.104] [REPORT TO LEGISLATURE.]

The commissioner of education shall report to the education committees of the legislature by February 1 of each even-numbered year on the implementation of the compulsory education requirements, including an assessment of the activities of the state board of education and the nonpublic education council relating to recognizing educational accrediting agencies."

Page 7, line 15, delete "4" and insert "5"

Page 7, lines 18 to 21, delete the new language and reinstate the stricken language

Page 7, line 31, before the period insert ", and make any necessary cross-reference corrections before the next edition of Minnesota Statutes is published"

Renumber sections accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 470, A bill for an act relating to family law; eliminating the requirement that a husband's consent to donor insemination be filed with the commissioner of health; amending Minnesota Statutes 1986, section 257.56, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 20, after the stricken period insert "Notwithstanding any law to the contrary, the consent shall be retained by the physician for at least four years after the confirmation of any

pregnancy which occurs during the process of artificial insemination."

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

The report was adopted.

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

H. F. No. 526, A bill for an act relating to human services; authorizing the department of human services to enter into shared service agreements; amending Minnesota Statutes 1986, section 246.57, subdivisions 1, 2, and by adding a subdivision; repealing Minnesota Statutes 1986, sections 246.57, subdivision 3; 246.61; 246.62; and 246.63.

Reported the same back with the following amendments:

Page 2, line 22, delete "account" and insert "fund"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 527, A bill for an act relating to human services; clarifying methods of determining cost of care at regional treatment centers; clarifying responsibility for setting rates and collecting payment for cost of care at state nursing homes; allowing commissioner of human services to collect insurance settlements; amending Minnesota Statutes 1986, sections 246.50, subdivisions 3, 4a, 5, 7, and by adding a subdivision; 246.51; 246.511; and 251.011, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 246.

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

The report was adopted.

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

H. F. No. 531, A bill for an act relating to Hennepin county; authorizing the issuance of bonds for capital improvements and an annual levy for debt retirement; proposing coding for new law in Minnesota Statutes, chapter 383B.

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

The report was adopted.

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

H. F. No. 542, A bill for an act relating to transportation; providing an alternative procedure to record town roads; proposing coding for new law in Minnesota Statutes, chapter 164.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [164.071] [ALTERNATIVE RECORDING FOR TOWN ROADS.]

Subdivision 1. [DEFINITION.] “Recorded town road map” means the official map of maintained and minimum-maintenance town roads.

Subd. 2. [AUTHORIZATION.] A town board may adopt a recorded town road map under this section to record its town road easements.

Subd. 3. [MAP REQUIREMENTS.] The recorded town road map must:

(1) show maintained and minimum-maintenance town roads at the time the map is adopted;

(2) be prepared at a scale of at least four inches equals one mile;

(3) include a legend to differentiate between maintained and minimum-maintained roads;

(4) include section numbers;

(5) include a north point arrow;

(6) include the name of the town, county, and state;

(7) include a blank and a description under the blank for the date of public hearing and date of adoption; and

(8) include blanks for signatures and dates of signatures for the chair and clerk of the town board.

Subd. 4. [PROCEDURE TO ADOPT MAP.] (a) The town board shall pass a resolution of its intent to hold a public hearing to consider recording roads by adopting an official map.

(b) The town board must prepare an official map as provided in subdivision 3, and set a time, place, and date for a public hearing on adopting a recorded town road map to record roads.

(c) The hearing notice must state that the roads to be recorded will be as four rod roads with the official and permanent alignment being 33 feet on either side of the existing center line, except that (1) townline roads may be recorded for only the 33 feet located within the town holding that public hearing, and (2) a road previously recorded as less or greater than a 66-foot right-of-way may be recorded at its actual width and the width must be duly recorded on the map. The hearing notice must be published once a week for two successive weeks in a qualified newspaper of general circulation that serves the town, the last publication to be made at least ten days before the date of the public hearing. At least 30 days before the hearing, the hearing notice must be sent by mail to the property owners directly affected in the town at the addresses listed on tax assessment notices. The hearing notice may be sent with the tax assessment but all additional costs incurred may be billed to the town.

(d) After the public hearing is held, the town board may amend and adopt the recorded town road map. The recorded town road map must be adopted by resolution and the map must be dated and signed by the chair and clerk of the town board and must be recorded with the county recorder within 90 days after the map is adopted.

(e) The map of recorded town roads that is recorded with the county recorder must comply with the standards of the county recorder where the town is located.

(f) A recorded town road map that was prepared by using aerial photographs to establish road center lines and that has been duly recorded with the county recorder, is an adequate description for purposes of recording road easements and the map is the legally constituted description and prevails when a deed for a parcel abutting a road contains no reference to a road easement. Nothing prevents the town board from accepting a more definitive metes and bounds or survey description of a road easement for a road of record

in its jurisdiction providing the description of the easement is referenced to equal distance on both sides of the existing road center line.

Subd. 5. [APPEAL.] A person may appeal a decision to record a road being recorded under this section to the district court within 60 days after the date the town board adopts the recorded town road map.

Subd. 6. [UNRECORDED ROADS AND CARTWAYS NOT AFFECTED.] This section does not affect the legal status or town obligations of roads and cartways not shown on the recorded town road map, except that unrecorded roads must meet minimum town road standards as defined in section 165.04, subdivision 3 or provisions must be made to meet those standards before the town is required to accept the road as part of its recorded road system.

Sec. 2. [164.072] [TOWN AUTHORITY OVER RECORDED ROADS.]

The town board has authority within the 66-foot right-of-way to:

(1) maintain or reconstruct a recorded road used for vehicular travel;

(2) dispose of snow;

(3) plant trees and shrubs that it considers appropriate;

(4) remove trees and other woody vegetation as provided in section 160.22;

(5) allow the placement of highway directional and informational signs as provided in section 169.06, subdivision 3;

(6) allow the placement of electrical and telephone poles and electrical, telephone, or television cables;

(7) control weeds and regulate the cutting or complete removal of nonwoody vegetation; and

(8) regulate erosion, drainage, public nuisances, and matters of public interest."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 557, A bill for an act relating to state departments and agencies; renaming the mental retardation division of the department of human services; amending Minnesota Statutes 1986, section 245.072.

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

The report was adopted.

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

H. F. No. 619, A bill for an act relating to local government; permitting the establishment of a fire protection district for the city of Moose Lake and surrounding territory.

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

The report was adopted.

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

H. F. No. 632, A bill for an act relating to education; allowing the student council member of the higher education coordinating board to vote; amending Minnesota Statutes 1986, section 136A.02, subdivision 1.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

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.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

S. F. No. 87, A bill for an act relating to tort claims; including the state agricultural society in the definition of state; amending Minnesota Statutes 1986, section 3.732, subdivision 1.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

S. F. No. 137, A bill for an act relating to agriculture; clarifying the exceptions to prohibition against manufacture of food from adulterated milk or cream; amending Minnesota Statutes 1986, section 32.21, subdivision 2.

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

The report was adopted.

Vanasek from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 32, A House resolution recognizing the week of March 8 to 14, 1987, as Volunteers of America Week in Minnesota.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3, 123, 318, 336, 432, 470, 526, 527, 542, 557 and 687 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 302, 87 and 137 were read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Long introduced:

H. F. No. 873, A bill for an act relating to motor carriers; providing for the issuance of operating authority to airport passenger carriers; amending Minnesota Statutes 1986, sections 221.011, by adding a subdivision; 221.021; 221.111; 221.121, subdivision 1; 221.161, subdivision 1; and 221.185; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Carlson, D., and Ogren introduced:

H. F. No. 874, A bill for an act relating to natural resources; changing the conditions of appropriations for construction and facilities at certain conservation facilities; amending Laws 1984, chapter 597, section 5, subdivision 4.

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

Carruthers, Rest, Brown, Seaberg and Forsythe introduced:

H. F. No. 875, A bill for an act relating to controlled substances; prescribing "small amount" of marijuana; clarifying certain Schedule II controlled substances; amending Minnesota Statutes 1986, sections 152.01, subdivision 16; and 152.02, subdivision 3.

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

Frederick, Otis, Sparby, Dille and Jaros introduced:

H. F. No. 876, A bill for an act relating to economic development; authorizing counties to appropriate money for economic development; amending Minnesota Statutes 1986, section 375.83.

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

Vanasek; Schreiber; Simoneau; Carlson, D., and Quinn introduced:

H. F. No. 877, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; providing for a senate with six-year terms and a house of representatives with staggered four-year terms.

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

Wenzel, McDonald, Bauerly, Bertram and Redalen introduced:

H. F. No. 878, A bill for an act relating to the University of Minnesota; appropriating money to develop and study health care delivery systems for dairy herds.

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

Tunheim introduced:

H. F. No. 879, A bill for an act relating to public improvements; appropriating money for a Red Lake tribal archives, library, and interpretive center.

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

O'Connor, Brown, Kelly, Solberg and Dempsey introduced:

H. F. No. 880, A bill for an act relating to highway traffic regulations; requiring a urine test under the implied consent law under certain circumstances even after a blood or breath test has

been administered; amending Minnesota Statutes 1986, section 169.123, subdivision 2a.

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

Orenstein introduced:

H. F. No. 881, A bill for an act relating to elections; limiting transfer of certain funds from one candidate or committee to another; amending Minnesota Statutes 1986, section 210A.16.

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

Simoneau introduced:

H. F. No. 882, A bill for an act relating to human services; providing that interest earned by the revolving fund for vocational rehabilitation of the blind be credited to the fund by the state treasurer; amending Minnesota Statutes 1986, section 248.07, subdivision 8.

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

Scheid, Osthoff, Voss and Boo introduced:

H. F. No. 883, A bill for an act relating to commerce; regulating electronic financial terminals; providing for the liability of consumers; defining "unauthorized use" for purposes of financial transaction card regulation; amending Minnesota Statutes 1986, sections 47.69, subdivision 3; and 325G.04, by adding a subdivision.

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

Scheid, Osthoff, Wynia, Voss and Boo introduced:

H. F. No. 884, A bill for an act relating to financial institutions; savings and loan associations; authorizing the deposit of trust funds received by real estate brokers or salespersons in savings and loan associations; amending Minnesota Statutes 1986, sections 51A.23, subdivision 1; 82.24, subdivisions 1, 2, and 6.

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

Wynia; Carlson, L.; Quinn; Otis and Sviggum introduced:

H. F. No. 885, A bill for an act relating to education; creating the Minnesota education trust; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Munger; Anderson, G.; Neuenschwander; Rose and Redalen introduced:

H. F. No. 886, A bill for an act relating to natural resources; conservation reserve program; definitions, eligibility for inclusion, applications, agreements, payments, and other terms and conditions; appropriating funds; amending Minnesota Statutes 1986, sections 40.41; 40.42, subdivision 5, and by adding a subdivision; 40.43, subdivisions 2, 5, 6, and 7; 40.44, subdivisions 2 and 3; 40.45; 84.943, subdivision 1; 84.944, subdivision 1; 84.95, by adding a subdivision; 105.391, subdivision 3; and 105.392, subdivisions 1, 2, 3, 4, 5, and 6.

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

Knuth, Munger, Rose and Johnson, A., introduced:

H. F. No. 887, A bill for an act relating to environment; creating the clean water partnership program for the control of nonpoint source water pollution and providing for administration by the pollution control agency; requiring a state water quality assessment; authorizing technical and financial assistance to local governments; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115.

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

Burger, Larsen, Reding, Bertram and McDonald introduced:

H. F. No. 888, A bill for an act relating to state government; providing incentives for certain state employees; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 15B.

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

Solberg; Carlson, D.; Johnson, V.; Bauerly and Kinkel introduced:

H. F. No. 889, A bill for an act relating to local government; providing notice conditions for town road contracts; amending Minnesota Statutes 1986, section 160.17, subdivision 2.

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

Tunheim, Dauner, Krueger, Kinkel and Dille introduced:

H. F. No. 890, A bill for an act relating to human services; allowing certain facilities to choose higher payment limits; requiring a study of geographic groups; amending Minnesota Statutes 1986, section 256B.431, subdivision 2b.

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

Carlson, L.; Nelson, K.; Jaros; Boo and Orenstein introduced:

H. F. No. 891, A bill for an act relating to education; providing quality assessment activities for post-secondary institutions; establishing a task force; developing pilot projects; appropriating money; amending Minnesota Statutes 1986, section 135A.06; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Anderson, R.; Quinn; Minne and Kostohryz introduced:

H. F. No. 892, A bill for an act relating to veterans; requiring the housing and care of veterans in the Fergus Falls residential treatment center; proposing coding for new law in Minnesota Statutes, chapters 198 and 253.

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

McPherson and Stanius introduced:

H. F. No. 893, A bill for an act relating to environmental protection; prohibiting the location of mixed municipal solid waste

disposal facilities in metropolitan regional parks; amending Minnesota Statutes 1986, section 473.803, subdivision 1a.

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

Welle, Gruenes, Clark, Jaros and Onnen introduced:

H. F. No. 894, A bill for an act relating to human services; creating a new chapter establishing a single, unitary process for the determination of residence and financial responsibility for all human service programs; amending Minnesota Statutes 1986, section 253B.23, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 256G; repealing Minnesota Statutes 1986, sections 256.73, subdivision 4; 256.76, subdivision 2; 256.79; 256B.02, subdivisions 1, 2, and 3; 256D.18; 256D.37, subdivision 3; and 256E.08, subdivision 7.

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

Jacobs, Osthoff, Schreiber, Scheid and Norton introduced:

H. F. No. 895, A bill for an act relating to liquor; repealing the law requiring filing and maintenance of lists of wholesale prices; repealing Minnesota Statutes 1986, section 340A.313.

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

Poppenhagen and Kalis introduced:

H. F. No. 896, A bill for an act relating to health; providing for liability of professional review organizations; amending Minnesota Statutes 1986, section 145.63.

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

Osthoff, Gruenes, Vellenga, Dempsey and Wenzel introduced:

H. F. No. 897, A bill for an act relating to education; establishing a demonstration voucher program for pupils; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 129B.

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

Neuenschwander, Knickerbocker, Norton, Voss and Price introduced:

H. F. No. 898, A bill for an act relating to financial institutions; permitting interstate banking with additional reciprocating states; amending Minnesota Statutes 1986, section 48.92, subdivision 7.

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

Ogren; Carlson, D.; Murphy; Munger and Jaros introduced:

H. F. No. 899, A bill for an act relating to education; establishing the Fond du Lac Higher Education Center; appropriating money.

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

Neuenschwander, Valento, Jennings, Welle and Marsh introduced:

H. F. No. 900, A bill for an act relating to taxation; sales; providing compensation to retailers for the cost of collection; amending Minnesota Statutes 1986, section 297A.27, by adding a subdivision.

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

Neuenschwander, Valento, Jennings, Welle and Marsh introduced:

H. F. No. 901, A bill for an act relating to taxation; sales and use; eliminating accelerated payment of liability; amending Minnesota Statutes 1986, section 297A.27, subdivision 1; repealing Minnesota Statutes 1986, section 297A.275.

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

Onnen and Frerichs introduced:

H. F. No. 902, A bill for an act relating to human services; establishing requirements for rate appeals for intermediate care facilities for persons with mental retardation and related conditions;

amending Minnesota Statutes 1986, section 256B.501, subdivision 3, and by adding a subdivision.

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

Murphy introduced:

H. F. No. 903, A bill for an act relating to retirement; Clifton independent nonprofit firefighting corporation; Duluth township; providing for the transfer of assets and service credit upon the dissolution of the Clifton volunteer firefighters relief association.

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

Anderson, R.; Wynia and Greenfield introduced:

H. F. No. 904, A bill for an act relating to human services; requiring notification to spouse of nursing home resident; amending Minnesota Statutes 1986, section 256B.48, by adding a subdivision.

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

Reding, Brown, Jensen, Kostohryz and Redalen introduced:

H. F. No. 905, A bill for an act relating to horse racing; requiring the assigning of suitable racing days for standard-bred racing; authorizing the racing commission to issue an additional license for a racetrack located within the seven-county metropolitan area under certain circumstances; amending Minnesota Statutes 1986, sections 240.06, subdivision 5; and 240.14, by adding a subdivision.

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

Omann, Simoneau, Knickerbocker, Wenzel and Marsh introduced:

H. F. No. 906, A bill for an act relating to retirement; directing a transfer of contributions and service credit for certain special teachers at adult correctional facilities.

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

Gruenes; Dorn; Kludt; Johnson, V., and Bishop introduced:

H. F. No. 907, A bill for an act relating to human services; providing that nursing home reimbursement rates for cities of the second class shall equal the rate for the metropolitan area; amending Minnesota Statutes 1986, section 256B.431, subdivision 2b.

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

McDonald, Sviggum, Thiede, Ozment and Omann introduced:

H. F. No. 908, A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, article IV, by adding sections, to provide for initiative and referendum; implementing the initiative and referendum process, including the manner of petitioning and voting on initiative and referendum measures and judicial review; imposing duties on certain officials; appropriating money; providing penalties; amending Minnesota Statutes 1986, sections 10A.20, by adding a subdivision; 204B.32; 204C.19, subdivision 2; 204C.33, subdivisions 1 and 3; 204D.11, by adding a subdivision; 204D.15; 204D.16; 290.09, subdivision 2; 290.21, subdivision 3; and 645.02; proposing coding for new law as Minnesota Statutes, chapter 3D.

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

Welle; Brown; Olson, K.; Nelson, C., and Miller introduced:

H. F. No. 909, A bill for an act relating to waters; changing the posting and publication of notice requirements for aeration operations by a permittee of the commissioner of natural resources; providing an exclusion from government tort liability; amending Minnesota Statutes 1986, sections 3.736, subdivision 3; and 378.22, subdivisions 2 and 3.

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

McDonald introduced:

H. F. No. 910, A bill for an act relating to elections; providing a means for voters to inform the legislature on certain policy issues; proposing coding for new law in Minnesota Statutes, chapter 204D.

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

Frerichs; Brown; Carlson, D.; Neuenschwander and Haukoos introduced:

H. F. No. 911, A bill for an act relating to drivers' licenses; providing that person in charge of visiting minor foreign student may verify written permission of the student's parents for purpose of applying for a driver's license or instruction permit; amending Minnesota Statutes 1986, section 171.04.

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

Wynia, Greenfield, Kelso, Stanius and Gruenes introduced:

H. F. No. 912, A bill for an act relating to human services; providing for eligibility requirements for receiving medical assistance and general assistance medical care; allowing recovery of benefits paid after death of recipient; requiring assignment of benefits; providing services for pregnant women; allowing certain agencies to collect personal property by affidavit; amending Minnesota Statutes 1986, sections 256B.02, subdivision 8; 256B.06, subdivision 1, and by adding a subdivision; 256B.15; 256B.17, subdivisions 4 and 5; 256B.35, subdivisions 1 and 2; 256D.03, subdivision 3, and by adding a subdivision; and 524.3-1201; repealing Minnesota Statutes 1986, sections 256B.07; and 256D.051, subdivision 12.

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

Simoneau, Murphy and Begich introduced:

H. F. No. 913, A bill for an act relating to workers' compensation; making technical changes in benefit levels; authorizing the commissioner of labor and industry to perform various tasks; providing for the determination of medical causation; imposing a filing fee for certain appeals; making various administrative changes; providing penalties; amending Minnesota Statutes 1986, sections 176.011, subdivisions 2 and 7a; 176.101, subdivisions 3a, 3b and 3j; 176.102, subdivisions 2, 3, and 3a; 176.103, subdivisions 2 and 3; 176.105, subdivision 4; 176.129, subdivisions 11 and 13; 176.131, subdivisions 1, 1a, and 8; 176.139; 176.179; 176.181, subdivision 3; 176.182; 176.191, subdivisions 1 and 2; 176.225, subdivision 2; 176.2421, subdivision 1; 176.511, subdivisions 1 and 3; repealing Minnesota Statutes 1986, section 176.243.

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

Dorn; Gruenes; Pelowski; Johnson, R., and Kludt introduced:

H. F. No. 914, A bill for an act relating to education; changing funding and construction of new facilities on state university campuses; giving the state university board greater flexibility to purchase and trade land; allowing the board to keep litigation proceeds; proposing coding for new law in Minnesota Statutes, chapter 136.

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

Trimble, Rukavina, Munger and Johnson, R., introduced:

H. F. No. 915, A bill for an act relating to environment; authorizing an assessment against public utilities to finance the state costs of controlling acid deposition; amending Minnesota Statutes 1986, section 116C.69, subdivision 3.

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

Lasley, Simoneau, Larsen and Bertram introduced:

H. F. No. 916, A bill for an act relating to the department of administration; amending, creating, and deleting various duties of the commissioner of administration; creating the productivity loan fund; providing definitions; amending Minnesota Statutes 1986, sections 4.31, subdivisions 1 and 5; 14.04; 16B.08, subdivisions 3 and 7; 16B.09, subdivision 1; 16B.24, subdivision 6; 16B.29; 16B.51, subdivision 3; 138.17, subdivision 7; and 139.19; amending Laws 1979, chapter 333, section 18; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1986, section 138.22.

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

Rest, Carruthers, Blatz, McDonald and Miller introduced:

H. F. No. 917, A bill for an act relating to obscenity; prohibiting the distribution and exhibition of obscene materials and performances; prescribing penalties; amending Minnesota Statutes 1986, section 617.241.

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

Rukavina, Battaglia and Jaros introduced:

H. F. No. 918, A bill for an act relating to human services; allowing local agencies to make additional payments to certain assistance recipients; amending Minnesota Statutes 1986, section 256D.03, subdivision 2.

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

Voss; Munger; Nelson, D.; Knickerbocker and Redalen introduced:

H. F. No. 919, A bill for an act relating to recreation and natural resources; authorizing grants to local government units for park acquisition and betterment; authorizing dam safety projects; authorizing the acquisition of natural habitat; authorizing acquisition and betterment of units of the outdoor recreation system including, but not limited to, state parks, trails, forests, fishing management lands, wildlife management areas, scientific and natural areas, wild, scenic, and recreational rivers, canoe and boating routes, and public water access; authorizing acquisition and development of amateur athletic training facilities; imposing the sales tax on certain clubs dues; providing for deposit and expenditures of certain sales tax revenues; authorizing the issuance of state bonds; appropriating money; amending Minnesota Statutes 1986, sections 297A.01, subdivision 3; and 297A.44, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Simoneau, Reding, Clark, Knickerbocker and Johnson, R., introduced:

H. F. No. 920, A bill for an act relating to retirement; judges' retirement benefits; amending Minnesota Statutes 1986, sections 490.123, subdivision 1; and 490.129.

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

Ozment, Greenfield, Wynia, Swenson and Clausnitzer introduced:

H. F. No. 921, A bill for an act relating to human services; raising asset limit in medical assistance program; amending Minnesota Statutes 1986, section 256B.06, subdivision 1.

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

Redalen introduced:

H. F. No. 922, A bill for an act relating to education; authorizing a fund transfer in the Wykoff school district.

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

Dauner, Cooper, Greenfield, Rodosovich and Kelso introduced:

H. F. No. 923, A bill for an act relating to human services; regulating budgets and procedures of human services boards; amending Minnesota Statutes 1986, sections 402.02, subdivision 2; 402.05, subdivision 1a; and 402.062, subdivisions 1 and 2; repealing Minnesota Statutes 1986, section 402.095.

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

Simoneau, Knickerbocker, Kludt and Bertram introduced:

H. F. No. 924, A bill for an act relating to corrections; removing the Minnesota correctional industries from state competitive bidding requirements; amending Minnesota Statutes 1986, section 241.27, subdivision 2.

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

Carruthers, Blatz, Long and Forsythe introduced:

H. F. No. 925, A bill for an act relating to probate; requiring the court administrator to mail notice of certain claims to personal representatives; amending Minnesota Statutes 1986, section 524.3-804.

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

Clark, Battaglia, McLaughlin, Redalen and Vellenga introduced:

H. F. No. 926, A bill for an act relating to occupations and professions; authorizing physical therapy treatment without referral by a physician; prohibiting certain business relationships in the

practice of physical therapy; amending Minnesota Statutes 1986, sections 148.75; and 148.76, subdivision 2.

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

Clark; Price; Nelson, K., and McEachern introduced:

H. F. No. 927, A bill for an act relating to education; requiring a school district to establish a consumer education advisory committee; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Richter introduced:

H. F. No. 928, A bill for an act relating to economic development; creating an enterprise zone to be designated by the city of Wadena.

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

Otis introduced:

H. F. No. 929, A bill for an act relating to economic development; authorizing the energy and economic development authority to make loans and grants and to guarantee loans to small business investment companies; authorizing the issuance of general obligation bonds of the state; appropriating money; amending Minnesota Statutes 1986, sections 116M.03, subdivisions 10, 11, and by adding subdivisions; 116M.06, subdivisions 1, 2, and 4; and 116M.07, subdivision 1, and by adding a subdivision.

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

Otis introduced:

H. F. No. 930, A bill for an act relating to economic development; authorizing the energy and economic development authority to make grants for the creation of seed capital funds; appropriating

money; proposing coding for new law in Minnesota Statutes, chapter 116M.

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

Long, Kelly, Greenfield, Forsythe and Vellenga introduced:

H. F. No. 931, A bill for an act relating to public guardianship; modifying standards and procedures for the appointment of public guardians for mentally retarded persons; providing for powers and duties of public guardians; amending Minnesota Statutes 1986, sections 252.291, subdivision 3; 252A.01; 252A.02, subdivisions 2, 4, 6, 7, 8, 11, 12, and by adding subdivisions; 252A.03, subdivisions 2 and 3; 252A.04, subdivisions 1 and 3; 252A.05; 252A.06; 252A.07, subdivisions 1 and 3; 252A.14; 252A.16; 252A.17; 252A.19, subdivisions 1, 2, and 3, and by adding a subdivision; 252A.20, subdivision 1; 252A.21, subdivision 2; 253B.03, subdivisions 1 and 6; and 525.56, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 252A; repealing Minnesota Statutes 1986, sections 252A.08; 252A.10; 252A.11; 252A.13; 252A.15; and 252A.18.

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

Olson, E.; Anderson, G.; Olson, K., and Brown introduced:

H. F. No. 932, A bill for an act relating to education; providing for disparity reduction aid and levies; amending Minnesota Statutes 1986, section 124A.01; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Knickerbocker introduced:

H. F. No. 933, A bill for an act relating to elections; changing precinct caucus date; changing the date of the state primary; amending Minnesota Statutes 1986, sections 202A.14, subdivision 1; 204B.21, subdivision 1; 204B.33; 204D.03, subdivision 1.

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

Scheid and Otis introduced:

H. F. No. 934, A bill for an act relating to housing and redevelopment; revising interest reduction programs; allowing authorities economic development powers; changing the allowable tax levy for authorities; amending Minnesota Statutes 1986, sections 462.445, subdivisions 10, 12, and by adding a subdivision; and 465.545, subdivision 6; repealing Minnesota Statutes 1986, section 462.445, subdivision 13.

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

Kostohryz, Valento, Osthoff and Trimble introduced:

H. F. No. 935, A bill for an act relating to Ramsey county; authorizing the issuance of bonds for capital improvements and an annual levy for capital improvements and debt retirement; proposing coding for new law in Minnesota Statutes, chapter 383A.

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

Simoneau, Reding, Sarna, Gutknecht and Vanasek introduced:

H. F. No. 936, A bill for an act relating to public employees; creating a statewide public employees insurance plan; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Simoneau introduced:

H. F. No. 937, A bill for an act relating to health; establishing a board of mental health practitioners; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 13.41, subdivision 1; 144.335, subdivision 1; 148.01, subdivision 5; 214.01, subdivision 2; and 609.341, subdivision 17; proposing coding for new law as Minnesota Statutes, chapter 148B.

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

Simoneau, Knickerbocker, Reding, Clark and Johnson, R., introduced:

H. F. No. 938, A bill for an act relating to retirement; regulating workers' compensation offsets to public employee retirement association benefits; amending Minnesota Statutes 1986, sections 353.29, subdivision 2; 353.33, subdivision 5, and by adding a subdivision; 353.651, subdivision 2; 353.656, subdivision 2, and by adding a subdivision.

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

Ogren; Greenfield; Anderson, G.; Clausnitzer and Rodosovich introduced:

H. F. No. 939, A bill for an act relating to occupations and professions; providing for the regulation of the practice of chiropractic; providing for peer review of services and fees; providing grounds for license revocation; prescribing penalties; appropriating money; amending Minnesota Statutes 1986, sections 148.06, subdivision 1; 148.07, subdivision 2; 148.08, subdivision 3; 148.10, subdivisions 1, 3, and by adding a subdivision; and 319A.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1986, section 148.101.

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

Clark, Rest, Kludt and Simoneau introduced:

H. F. No. 940, A bill for an act relating to retirement; various public employee pension plans; specifying that exemptions from legal process do not include marital property divisions; requiring the provision of certain public pension plan information in marriage dissolution actions; providing for court appointed actuaries in marriage dissolution actions; amending Minnesota Statutes 1986, sections 69.51; 352.15, subdivision 1; 352B.071; 353.15; 354.10; 354A.11; 422A.24; 423.39; 423.61; 423.813; 424.27; 518.54, subdivision 5, and by adding subdivisions; and 518.58; proposing coding for new law in Minnesota Statutes, chapters 356 and 518.

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

Carruthers, Rest, Seaberg, Bennett and Milbert introduced:

H. F. No. 941, A bill for an act relating to crimes; prohibiting killing or injuring a police dog involved in law enforcement inves-

tigation or apprehension; prescribing penalties; amending Minnesota Statutes 1986, section 609.595, by adding a subdivision.

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

Voss introduced:

H. F. No. 942, A bill for an act relating to taxation; changing certain property tax refund definitions; changing the eligibility for property tax refund claimant to only homeowners; providing new property tax refund benefit schedules; directing the commissioner to reduce certain renter's credit; changing and eliminating property tax classifications; eliminating homestead credit, local government aid, agricultural school credit, native prairie credit and reimbursement, wetlands credit and reimbursement, attached machinery aid, supplemental homestead credit, taconite aid reimbursement, and regional transit board reimbursement; providing a state education property tax credit; transferring duties to the commissioner of energy and economic development; abolishing certain levy limits; requiring a referendum on certain levy authorizations; abolishing the equalization aid review committee; transferring responsibilities to commissioner of revenue; eliminating the rental factor in determining adjusted assessed value of agricultural lands; imposing and increasing fees; making administrative, technical, and miscellaneous property tax changes; amending Minnesota Statutes 1986, sections 6.62, subdivision 1; 13.58; 16B.60, subdivision 5; 18.023, subdivision 8; 38.27, subdivision 3; 41.62, subdivision 6; 41B.19, subdivision 8; 47.58, subdivisions 2 and 3; 84.0895, subdivision 2; 88.49, subdivision 6; 110A.28, subdivisions 11 and 12; 110B.15, subdivision 4; 115.34, subdivision 1; 115A.191, subdivisions 2 and 4; 116C.63, subdivision 4; 124.155; 124.2131, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, and 11; 124.38, subdivision 8; 124A.02, subdivisions 3a, 8, 11, and 12; 124A.03, by adding a subdivision; 124A.035, subdivision 5; 124A.08, subdivision 5; 129A.06, subdivision 2; 134.33, subdivision 1; 134.34, subdivisions 1, 2, and 5; 164.041; 169.86, by adding a subdivision; 270.12, subdivision 3; 272.02, subdivision 1a; 272.115, subdivisions 2 and 4; 272.67, subdivision 7; 273.01; 273.1102; 273.1103; 273.1104, subdivision 1; 273.119, subdivision 1; 273.123, subdivisions 4, 5, and 7; 273.124, subdivision 11; 273.1311; 273.1313, subdivisions 1, 2, and 3; 273.133, subdivisions 1 and 3; 273.1392; 273.1393; 273.165, subdivision 2; 273.40; 273.42, subdivision 2; 275.125, subdivisions 9, 9b, and 15; 275.14; 275.15; 275.16; 275.51, subdivision 3i; 275.55; 276.04; 277.01; 278.01, subdivision 2; 278.05, subdivisions 4 and 5; 279.01; 279.06; 279.37, subdivision 1a; 282.01, subdivision 1; 282.014; 282.02; 282.241; 282.33, subdivision 1; 290A.02; 290A.03, subdivisions 3, 6, 8, and 14; 290A.04, subdivisions 1 and 2; 290A.05; 290A.06; 290A.07, subdivision 3; 290A.08; 290A.09; 290A.18; 297A.01, subdivision 14; 298.28, subdivision 12; 298.282, subdivisions 2 and 3; 298.39; 298.396; 360.037, subdivision

2; 375.167, subdivision 1; 383C.55; 412.251; 414.01, subdivision 15; 423.376, subdivision 3; 426.04; 444.075, subdivision 4; 447.34, subdivision 1; 447.35; 458C.22; 465.73; 471.1921; 471.572, subdivision 2; 471.74, subdivision 2; 471A.03, subdivision 4; 473.446, subdivision 1; 473.844, subdivision 5; 473.87; 473.882, subdivision 3; 473F.02, subdivisions 3, 4, and 12; 473F.08, subdivision 3a; 473H.04, subdivision 1; 473H.10, subdivision 3; 474A.04, subdivision 4; 474A.08, subdivision 1; 475.53, subdivision 4; 475.56; 475.74; 475.754; 514.03, subdivision 3; 583.02; proposing coding for new law in Minnesota Statutes, chapters 272; and 273; repealing Minnesota Statutes 1986, sections 121.904, subdivision 11c; 124.2137; 124.2139; 124.38, subdivision 10; 256E.06, subdivision 9; 273.115; 273.116; 273.13; 273.1315; 273.138; 273.1391; 275.11; 275.50; 275.51; 275.54; 275.55; 275.56; 275.561; 275.58; 282.021; 290A.03, subdivisions 11, 12, and 13; 290A.04, subdivisions 2e and 2g; 290A.07, subdivision 2a; 290A.19; 383C.552; 471A.04; 477A.011; 477A.012; 477A.013; 477A.014; 477A.015; 477A.017, subdivisions 1 and 3; 477A.03, subdivision 1; and 477A.15.

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

Milbert, Sarna, O'Connor, Ogren and Morrison introduced:

H. F. No. 943, A bill for an act relating to the attorney general; creating a consumer protection account; providing for its administration; amending Minnesota Statutes 1986, section 8.31, subdivisions 2b, 3, and by adding subdivisions.

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

Simoneau introduced:

H. F. No. 944, A bill for an act relating to retirement; Minnesota state retirement system; teachers retirement association; authorizing early unreduced retirement under the rule of 90; amending Minnesota Statutes 1986, sections 352.116, by adding a subdivision; and 354.44, subdivision 6.

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

Price introduced:

H. F. No. 945, A bill for an act relating to education; requiring a school district to consider consumer education periodically in formu-

lating its planning, evaluation and reporting policy; amending Minnesota Statutes 1986, section 126.66, subdivision 1.

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

Begich, Beard, O'Connor and Sarna introduced:

H. F. No. 946, A bill for an act relating to employment; prohibiting residency requirements for employees; proposing coding for new law in Minnesota Statutes, chapter 181.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Reding introduced:

H. A. No. 5, A proposal to study the creation of a state department of waters.

The advisory was referred to the Committee on Environment and Natural Resources.

Rose, Beard, Valento and Kelly introduced:

H. A. No. 6, A proposal to study the competition nonprofit organizations provide for profit businesses.

The advisory was referred to the Committee on Commerce.

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 Files, herewith transmitted:

S. F. Nos. 53 and 184.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 53, A bill for an act relating to municipal liability; providing for indemnification of employees for punitive damages; amending Minnesota Statutes 1986, sections 466.06; and 466.07, subdivision 1; repealing Minnesota Statutes 1986, section 466.07, subdivisions 1a, 2, and 4.

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

S. F. No. 184, A bill for an act relating to utilities; trade practices; restricting use and connection of automatic dialing-announcing devices to telephone lines; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

CONSENT CALENDAR

S. F. No. 258, A bill for an act relating to utilities; regulating certain intrastate gas pipelines; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, G.	DeBlieck	Kahn	Miller	Pauly
Anderson, R.	Dempsey	Kelly	Minne	Pelowski
Battaglia	Dille	Kelso	Morrison	Peterson
Bauerly	Dorn	Kinkel	Munger	Poppenhagen
Beard	Frederick	Kludt	Murphy	Price
Begich	Frerichs	Knuth	Nelson, C.	Quinn
Bennett	Greenfield	Kostohryz	Nelson, D.	Quist
Bertram	Gruenes	Krueger	Nelson, K.	Redalen
Bishop	Gutknecht	Larsen	O'Connor	Reding
Blatz	Hartle	Lasley	Ogren	Rest
Boo	Haukoos	Lieder	Olsen, S.	Rice
Brown	Heap	Long	Olson, E.	Richter
Burger	Hugoson	Marsh	Olson, K.	Riveness
Carlson, L.	Jacobs	McDonald	Omann	Rose
Carruthers	Jaros	McEachern	Onnen	Rukavina
Clark	Jefferson	McKasy	Orenstein	Sarna
Clausnitzer	Jennings	McLaughlin	Otis	Schafer
Cooper	Johnson, R.	McPherson	Ozment	Schoenfeld
Dauner	Johnson, V.	Milbert	Pappas	Schreiber

Seaberg	Sparby	Tompkins	Vellenga	Winter
Segal	Stanius	Trimble	Voss	Spk. Norton
Shaver	Steensma	Tunheim	Wagenius	
Simoneau	Sviggum	Uphus	Waltman	
Skoglund	Thiede	Valento	Welle	
Solberg	Tjornhom	Vanasek	Wenzel	

Those who voted in the negative were:

Rodosovich

The bill was passed and its title agreed to.

H. F. No. 483 was reported to the House.

There being no objection, H. F. No. 483 was continued on the Consent Calendar for one day.

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 third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 312 was reported to the House.

There being no objection, H. F. No. 312 was continued on the Calendar for one day.

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.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.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 152, A bill for an act relating to utilities; providing that telephone companies provide location for customers to pay telephone service bills; proposing coding for new law in Minnesota Statutes, chapter 325E.

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 93 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Battaglia	Beard	Bertram	Brown
Anderson, R.	Bauerly	Begich	Boo	Carlson, L.

Carruthers	Kludt	Nelson, C.	Reding	Tjornhom
Clark	Knuth	Nelson, D.	Rest	Tompkins
Cooper	Kostohryz	Nelson, K.	Rice	Trimble
Dauner	Krueger	Neuenschwander	Richter	Tumheim
DeBlieck	Larsen	O'Connor	Riveness	Uphus
Dorn	Lieder	Ogren	Rodosovich	Valento
Greenfield	Long	Olsen, S.	Rukavina	Vellenga
Gutknecht	McDonald	Olson, K.	Sarna	Voss
Haukoos	McEachern	Omann	Schoenfeld	Wagenius
Jacobs	McKasy	Orenstein	Seaberg	Waltman
Jaros	McLaughlin	Ozment	Segal	Welle
Jefferson	McPherson	Pappas	Simoneau	Wenzel
Jennings	Milbert	Pauly	Skoglund	Winter
Johnson, R.	Minne	Pelowski	Solberg	Wynia
Kahn	Morrison	Peterson	Sparby	Spk. Norton
Kelso	Munger	Price	Stensma	
Kinkel	Murphy	Quinn	Sviggum	

Those who voted in the negative were:

Bennett	Frerichs	Marsh	Quist	Shaver
Burger	Gruenes	Miller	Redalen	Stanius
Clausnitzer	Hartle	Olson, E.	Rose	Thiede
Dempsey	Heap	Onnen	Schafer	
Dille	Hugoson	Poppenhagen	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 202, A bill for an act relating to corporations; providing for modification of the personal liability of directors; amending Minnesota Statutes 1986, sections 300.45; and 300.64, 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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dempsey	Kelly	Minne	Pauly
Anderson, R.	Dille	Kelso	Morrison	Pelowski
Battaglia	Dorn	Kinkel	Munger	Peterson
Bauerly	Frerichs	Kludt	Murphy	Poppenhagen
Beard	Greenfield	Knuth	Nelson, C.	Price
Begich	Gruenes	Kostohryz	Nelson, D.	Quinn
Bennett	Gutknecht	Krueger	Nelson, K.	Quist
Bertram	Hartle	Larsen	Neuenschwander	Redalen
Blatz	Haukoos	Lasley	O'Connor	Reding
Boo	Heap	Lieder	Ogren	Rice
Brown	Himle	Long	Olsen, S.	Richter
Burger	Hugoson	Marsh	Olson, E.	Riveness
Carlson, L.	Jacobs	McDonald	Olson, K.	Rodosovich
Carruthers	Jaros	McEachern	Omann	Rose
Clark	Jefferson	McKasy	Onnen	Rukavina
Clausnitzer	Jennings	McLaughlin	Orenstein	Sarna
Cooper	Johnson, R.	McPherson	Otis	Schafer
Dauner	Johnson, V.	Milbert	Ozment	Schoenfeld
DeBlieck	Kahn	Miller	Pappas	Schreiber

Seaberg	Sparby	Tompkins	Vellenga	Wynia
Segal	Stanisus	Trimble	Voss	Spk. Norton
Shaver	Steensma	Tunheim	Waltman	
Simoneau	Sviggum	Uphus	Welle	
Skoglund	Thiede	Valento	Wenzel	
Solberg	Tjornhom	Vanasek	Winter	

The bill was passed and its title agreed to.

H. F. No. 369, A bill for an act relating to human rights; changing certain requirements related to disabled persons; amending Minnesota Statutes 1986, sections 363.01, subdivision 25; 363.02, subdivision 3; and 363.03, subdivision 5.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 493, A bill for an act relating to transportation; commercial motor vehicles; mandating development of a testing and licensing program for commercial motor vehicle drivers; requiring a report to the legislature.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 502, A bill for an act relating to counties; allowing counties to charge fees for services; providing conditions for emergency contracts; amending Minnesota Statutes 1986, sections 375.21, subdivision 1; and 375.48, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 373; repealing Minnesota Statutes 1986, section 375A.07.

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.	Begich	Boo	Clark	Dille
Anderson, R.	Bennett	Brown	Clausnitzer	Dorn
Battaglia	Bertram	Burger	Cooper	Frederick
Bauerly	Bishop	Carlson, L.	DeBlieck	Frerichs
Beard	Blatz	Carruthers	Dempsey	Greenfield

Gruenes	Krueger	Neuenschwander	Reding	Sviggum
Gutknecht	Larsen	O'Connor	Rest	Thiede
Hartle	Lasley	Ogren	Rice	Tjornhom
Haukoos	Lieder	Olsen, S.	Richter	Tompkins
Heap	Long	Olson, E.	Riveness	Trimble
Himle	Marsh	Olson, K.	Rodosovich	Tunheim
Hugoson	McDonald	Omann	Rukavina	Uphus
Jacobs	McEachern	Onnen	Sarna	Valento
Jaros	McKasy	Orenstein	Schafer	Vanasek
Jefferson	McLaughlin	Otis	Schoenfeld	Vellenga
Jennings	McPherson	Ozment	Schreiber	Voss
Johnson, R.	Milbert	Pappas	Seaberg	Wagenius
Johnson, V.	Miller	Pauly	Segal	Waltman
Kahn	Minne	Pelowski	Shaver	Welle
Kelly	Morrison	Peterson	Simoneau	Wenzel
Kelso	Munger	Poppenhagen	Skoglund	Winter
Kinkel	Murphy	Price	Solberg	Wynia
Kludt	Nelson, C.	Quinn	Sparby	Spk. Norton
Knuth	Nelson, D.	Quist	Stanius	
Kostohryz	Nelson, K.	Redalen	Steensma	

The bill was passed and its title agreed to.

Kelly was excused at 3:50 p.m. Beard and Knuth were excused at 4:00 p.m. Olson, E., and Olson, K., were excused at 4:30 p.m. Minne and Skoglund were excused at 4:40 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. Long presided during a portion of the meeting of the Committee of the Whole. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 102, 270, 436, 362 and 489 were recommended to pass.

S. F. Nos. 302 and 402 were recommended to pass.

H. F. No. 510 was recommended for progress.

H. F. Nos. 137, 134 and 28 were recommended for progress retaining their places on General Orders.

H. F. No. 141, the first engrossment, which it recommended to pass with the following amendments:

Offered by Anderson, R., and Ogren:

Page 3, after line 12, insert:

"Sec. 3. Minnesota Statutes 1986, section 447.32, is amended by adding a subdivision to read:

Subd. 8a. [LIABILITY FOR DAMAGES.] Except as otherwise provided in this subdivision, no person who serves without compensation as a member of the board of a hospital district created or organized under sections 447.31 to 447.37 shall be held civilly liable for an act or omission by that person if the act or omission was in good faith, was within the scope of the person's responsibilities as a member of the board, and did not constitute willful or reckless misconduct. This subdivision does not apply to:

- (1) an action or proceeding brought by a governmental entity;
- (2) an action brought by or on behalf of the hospital district;
- (3) a cause of action to the extent it is based on federal law; or
- (4) a cause of action based on the board member's express contractual obligation.

Nothing in this subdivision shall be construed to limit the liability of a member of the board for physical injury to the person of another or for wrongful death which is personally and directly caused by the board member.

For purposes of this subdivision the term "compensation" means any thing of value received for services rendered, except:

- (1) reimbursement for expenses actually incurred;
- (2) a per diem in an amount not to exceed the per diem authorized for state advisory councils and committees pursuant to section 15.059, subdivision 3; or
- (3) payment by the hospital district of insurance premiums on behalf of a member of the board."

Renumber the remaining section

Page 3, line 14, delete "and 2" and insert "2, and 3"

Amend the title as follows:

Page 1, line 2, delete "corporations" and insert "liability"

Page 1, line 6, after the semicolon insert "exempting certain members of hospital district boards from certain civil liability;"

Page 1, line 7, delete "section" and insert "sections"

Page 1, line 7, after the semicolon insert "and 447.32 by adding a subdivision;"

Offered by Carruthers:

Page 2, line 26, delete "or"

Page 2, line 28, delete the period and insert "; or"

Page 2, after line 28, insert:

"(5) an action or proceeding based on a breach of public pension plan fiduciary responsibility."

H. F. No. 227, the first engrossment, which it recommended for progress with the following amendment offered by McDonald:

Page 1, after line 15, insert:

"Sec. 2. Minnesota Statutes 1986, section 15.50, is amended by adding a subdivision to read:

Subd. 9. Tobacco products must not be used on the premises of the Capitol or the State Office Building."

Amend the title as follows:

Page 1, line 2, after "education," insert "prohibiting use of tobacco products at the Capitol or the State Office Building;"

Page 1, line 5, before "proposing" insert "amending Minnesota Statutes 1986, section 15.50, by adding a subdivision;"

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:

McDonald moved to amend H. F. No. 227, the first engrossment, as follows:

Page 1, after line 15, insert:

"Sec. 2. Minnesota Statutes 1986, section 15.50, is amended by adding a subdivision to read:

Subd. 9. Tobacco products must not be used on the premises of the Capitol or the State Office Building."

Amend the title as follows:

Page 1, line 2, after "education;" insert "prohibiting use of tobacco products at the Capitol or the State Office Building;"

Page 1, line 5, before "proposing" insert "amending Minnesota Statutes 1986, section 15.50, by adding a subdivision;"

The question was taken on the McDonald amendment and the roll was called. There were 63 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Lieder	Onnen	Skoglund
Battaglia	Frerichs	Marsh	Ozment	Sparby
Beard	Gutknecht	McDonald	Poppenhagen	Stanius
Bennett	Hartle	McEachern	Price	Sviggum
Bishop	Himle	McKasy	Quist	Thiede
Blatz	Hugoson	McPherson	Rice	Tjornhom
Burger	Jennings	Miller	Richter	Tompkins
Carlson, L.	Johnson, A.	Morrison	Rodosovich	Tunheim
Clark	Johnson, V.	Murphy	Rose	Uphus
Clausnitzer	Kahn	Nelson, K.	Sarna	Valento
Dauner	Kelso	Neuenschwander	Schafer	Waltman
Dempsey	Knuth	O'Connor	Seaberg	
Dille	Lasley	Olson, E.	Segal	

Those who voted in the negative were:

Bauerly	Gruenes	Long	Orenstein	Simoneau
Begich	Haukoos	McLaughlin	Pappas	Solberg
Bertram	Jefferson	Milbert	Pauly	Steensma
Boo	Johnson, R.	Minne	Pelowski	Trimble
Brown	Kelly	Munger	Peterson	Vellenga
Carruthers	Kinkel	Nelson, C.	Reding	Voss
Cooper	Kludt	Nelson, D.	Rest	Wagenius
DeBlicck	Kostohryz	Ogren	Riveness	Welle
Dorn	Krueger	Olson, K.	Schreiber	Wenzel
Greenfield	Larsen	Omann	Shaver	Winter

The motion prevailed and the amendment was adopted.

Schoenfeld moved to amend H. F. No. 436, the second engrossment, as follows:

Page 1, line 9, delete "the state" and insert "Minnesota potato research and promotion areas one, two, and four"

Further, amend the title as follows:

Page 1, line 3, before the semicolon insert "planted in certain areas of the state".

Schreiber moved to amend the Schoenfeld amendment to H. F. No. 436, the second engrossment, as follows:

In the Schoenfeld amendment, page 1, line 3, after "one" delete the comma and insert "and"

Page 1, line 3, after "two" delete ", and four"

The question was taken on the amendment to the amendment and the roll was called. There were 46 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Bauerly	Frerichs	McDonald	Quist	Sviggum
Bennett	Gruenes	McKasy	Redalen	Thiede
Bishop	Gutknecht	McPherson	Richter	Tjornhom
Blatz	Hartle	Miller	Rose	Uphus
Boo	Haukoos	Morrison	Sarna	Valento
Burger	Heap	Olsen, S.	Schafer	Waltman
Dempsey	Himle	Omann	Schoenfeld	
Dille	Hugoson	Onnen	Schreiber	
Dorn	Johnson, V.	Pauly	Shaver	
Frederick	Marsh	Poppenhagen	Stanius	

Those who voted in the negative were:

Anderson, G.	Jaros	Long	Otis	Simoneau
Anderson, R.	Jefferson	McEachern	Pappas	Solberg
Battaglia	Jennings	McLaughlin	Pelowski	Sparby
Begich	Johnson, A.	Milbert	Peterson	Steensma
Bertram	Johnson, R.	Minne	Price	Tompkins
Brown	Kahn	Murphy	Quinn	Trimble
Carlson, L.	Kelso	Nelson, C.	Reding	Tunheim
Carruthers	Kinkel	Nelson, D.	Rest	Vanasek
Clark	Kludt	Neuenschwander	Rice	Vellenga
Cooper	Kostohryz	O'Connor	Riveness	Voss
Dauner	Krueger	Ogren	Rodosovich	Wagenius
DeBlieck	Larsen	Olson, E.	Rukavina	Welle
Greenfield	Lasley	Olson, K.	Seaberg	Wenzel
Jacobs	Lieder	Orenstein	Segal	Winter
				Wynia
				Spk. Norton

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

The question recurred on the Schoenfeld amendment and the roll was called. There were 48 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Bennett	Gutknecht	McKasy	Quist	Sviggum
Bishop	Hartle	McPherson	Reding	Thiede
Blatz	Haukoos	Miller	Richter	Tjornhom
Boo	Heap	Morrison	Rose	Trimble
Burger	Himle	Neuenschwander	Schafer	Uphus
Dempsey	Hugoson	Omann	Schoenfeld	Valento
Dorn	Jennings	Onnen	Schreiber	Waltman
Frederick	Johnson, V.	Pappas	Shaver	Winter
Frerichs	Marsh	Pauly	Stanius	
Gruenes	McDonald	Poppenhagen	Steenasma	

Those who voted in the negative were:

Anderson, G.	Jaros	McLaughlin	Pelowski	Solberg
Anderson, R.	Jefferson	Milbert	Peterson	Sparby
Battaglia	Johnson, A.	Mimne	Price	Tompkins
Bauerly	Johnson, R.	Munger	Quinn	Tunheim
Begich	Kahn	Murphy	Redalen	Vanasek
Bertram	Kelso	Nelson, C.	Rest	Vellenga
Brown	Kinkel	Nelson, D.	Rice	Voss
Carlson, L.	Kludt	Nelson, K.	Riveness	Wagenius
Carruthers	Kostohryz	O'Connor	Rodosovich	Welle
Clark	Krueger	Ogren	Rukavina	Wenzel
Cooper	Larsen	Olsen, S.	Sarna	Wynia
Dauner	Lasley	Olson, E.	Seaberg	Spk. Norton
DeBlicek	Lieder	Olson, K.	Segal	
Greenfield	Long	Orenstein	Simoneau	
Jacobs	McEachern	Otis	Skoglund	

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

The question was taken on the motion to recommend passage of H. F. No. 362 and the roll was called. There were 88 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dille	Kinkel	Nelson, C.	Peterson
Anderson, R.	Dorn	Kludt	Nelson, K.	Poppenhagen
Battaglia	Frederick	Kostohryz	Neuenschwander	Price
Bauerly	Greenfield	Krueger	O'Connor	Quinn
Begich	Gruenes	Larsen	Ogren	Reding
Bennett	Hugoson	Lasley	Olsen, S.	Rest
Bertram	Jacobs	Lieder	Omann	Rice
Brown	Jaros	Long	Onnen	Riveness
Carlson, L.	Jefferson	McEachern	Orenstein	Rodosovich
Carruthers	Johnson, A.	McLaughlin	Otis	Rose
Clark	Johnson, R.	Milbert	Ozment	Rukavina
Cooper	Johnson, V.	Morrison	Pappas	Sarna
Dauner	Kahn	Munger	Pauly	Schoenfeld
DeBlicek	Kelso	Murphy	Pelowski	Seaberg

Segal	Steensma	Uphus	Wagenius	Wynia
Simoneau	Tompkins	Vanasek	Welle	Spk. Norton
Solberg	Trimble	Vellenga	Wenzel	
Sparby	Tunheim	Voss	Winter	

Those who voted in the negative were:

Bishop	Frerichs	Himle	Schafer	Tjornhom
Blatz	Gutknecht	McPherson	Schreiber	Valento
Burger	Hartle	Miller	Shaver	Waltman
Clausnitzer	Haukoos	Quist	Stanius	
Dempsey	Heap	Richter	Thiede	

The motion prevailed.

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. 1, A bill for an act relating to agriculture; extending and financing the interest rate buy-down program; establishing benefit limits; appropriating money; amending Laws 1986, chapter 398, article 23, section 1, subdivisions 5 and 6, and by adding a subdivision; and section 3, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Schoenfeld moved that the House refuse to concur in the Senate amendments to H. F. No. 1, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1:

Olson, K.; Anderson, G.; Wenzel; Schoenfeld and Johnson, V.

MOTIONS AND RESOLUTIONS

Pappas moved that the name of Blatz be stricken and the name of Tjornhom be added as an author on H. F. No. 455. The motion prevailed.

Jefferson moved that the name of McLaughlin be added as an author on H. F. No. 508. The motion prevailed.

Stanisus moved that the name of Clark be added as an author on H. F. No. 579. The motion prevailed.

Bauerly moved that the names of Brown and Pelowski be added as authors on H. F. No. 592. The motion prevailed.

Nelson, K., moved that the name of Segal be added as an author on H. F. No. 666. The motion prevailed.

Begich moved that the name of Johnson, V., be added as an author on H. F. No. 796. The motion prevailed.

Battaglia moved that the name of Jennings be added as an author on H. F. No. 804. The motion prevailed.

Johnson, V., moved that his name be stricken as an author on H. F. No. 837. The motion prevailed.

Begich moved that the name of O'Connor be added as an author on H. F. No. 845. The motion prevailed.

Ogren moved that the name of Redalen be added as an author on H. F. No. 847. The motion prevailed.

Clark moved that the name of Trimble be added as an author on H. F. No. 849. The motion prevailed.

Orenstein moved that the names of Milbert and Dempsey be added as authors on H. F. No. 854. The motion prevailed.

Rodosovich moved that his name be stricken and the name of Anderson, G., be shown as chief author on H. F. No. 870. The motion prevailed.

Jacobs moved that S. F. No. 139 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Regulated Industries. The motion prevailed.

House Resolution No. 33 was reported to the House.

SUSPENSION OF RULES

McDonald moved that the rules be so far suspended that House Resolution No. 33 be now considered and be placed upon its adoption.

POINT OF ORDER

Vanasek raised a point of order pursuant to rule 5.2 relating to the Introduction of Bills and Resolutions that House Resolution No. 33 was not in order. The Speaker ruled the point of order well taken and House Resolution No. 33 out of order.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following change in committee assignment:

Local and Urban Affairs: Remove the name of Krueger.

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 16, 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., Monday, March 16, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives