

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION — 1987

TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 16, 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 Thomas Heyd, First Evangelical Lutheran Church, White Bear Lake, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Bennett, Jaros and Murphy were excused.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 527, 557, 687, 3, 432, 470, 542, 123, 318, 336, 526, 141 and 227 and S. F. Nos. 53 and 184 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 11, A bill for an act relating to tax forfeited land; providing for the sale of a certain tract.

Reported the same back with the following amendments:

Page 1, line 11, delete the second "The"

Page 1, delete line 12, and insert "St. Louis county may sell in accordance with Minnesota Statutes, chapter 282."

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 29, A bill for an act relating to traffic regulations; requiring motor vehicle operators to use child passenger restraint system when transporting child under age of four; assessing court costs to violator under certain conditions; imposing penalty; amending Minnesota Statutes 1986, section 169.685, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 169.685, subdivision 5, is amended to read:

Subd. 5. (a) Every ~~parent or legal guardian of a child under the age of four years residing in this state~~ motor vehicle operator, when transporting ~~the a child under the age of four~~ on the streets and highways of this state in a motor vehicle that is owned by the parent or guardian and was equipped with factory-installed seat belts, shall

equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards.

(b) No parent or legal guardian of a child under the age of four years residing in this state motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport the a child under the age of four in a seat of the a motor vehicle that was equipped with a factory-installed seat belt, unless the child is securely properly fastened in the child passenger restraint system. Any parent or legal guardian motor vehicle operator who violates the provisions of this subdivision is guilty of a petty misdemeanor. No penalty under clause (a) of this subdivision may be applied to a person who shows satisfactory evidence to the county court or violations bureau, in person or by mail, of having purchased or otherwise obtained the use of a child restraint system meeting federal motor vehicle safety standards, within 30 days of the violation. No fine may be imposed for a violation which is not a second or subsequent violation within a one year period. A fine for a violation of A person who violates this subdivision which is guilty of a petty misdemeanor may punishable by fine not to exceed \$25.

Sec. 2. Minnesota Statutes 1986, section 169.685, is amended by adding a subdivision to read:

Subd. 6. This section does not apply to:

(1) a person transporting a child who, because of a medical condition, body size, or physical disability, is incapable of being transported in a child passenger restraint system, providing the motor vehicle operator possesses a statement by a licensed physician, typewritten and dated not earlier than the previous six months on the physician's letterhead or on a paper containing the physician's typewritten name, address, and telephone number, and attesting that, in the physician's professional judgment, the child may not be safely transported in a child passenger restraint system;

(2) a person transporting a child in an emergency medical vehicle while in the performance of official duties and when the physical or medical needs of the child make the use of a child passenger restraint system unreasonable or when a child passenger restraint system is not available;

(3) a peace officer transporting a child while in the performance of official duties and when a child passenger restraint system is not available, provided that a seat belt must be substituted; and

(4) a person while operating a motor vehicle for hire, including a taxi, airport limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle."

Amend the title as follows:

Page 1, line 7, before the period insert “, and by adding a subdivision”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 254, A bill for an act relating to local government; granting the city of Brainerd the authority to establish a port authority; authorizing the port authority to exercise the power of a municipal housing and redevelopment authority; authorizing the city to impose restrictions and limitations upon the powers and procedures of the port authority; permitting the city to choose the name of the port authority; providing for removal of port authority commissioners; requiring local approval.

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

The report was adopted.

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

H. F. No. 257, A bill for an act relating to state employees; providing that certain state employees who are eligible to retire are eligible for state-paid life insurance and other benefits; amending Minnesota Statutes 1986, section 43A.24, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 11A.04, is amended to read:

11A.04 [DUTIES AND POWERS.]

The state board shall:

(1) Act as trustees for each fund for which it invests or manages money in accordance with the standard of care set forth in section 11A.09.

(2) Formulate policies and procedures deemed necessary and appropriate to carry out its functions. Procedures adopted by the

board shall allow fund beneficiaries and members of the public to become informed of proposed board actions. Procedures and policies of the board shall not be subject to the administrative procedure act.

(3) Employ an executive director as provided in section 11A.07.

(4) Employ investment advisors and consultants as it deems necessary.

(5) Prescribe policies concerning personal investments of all employees of the board to prevent conflicts of interest.

(6) Maintain a record of its proceedings.

(7) As it deems necessary, establish advisory committees subject to the provisions of section 15.059 to assist the board in carrying out its duties.

(8) Not permit state funds to be used for the underwriting or direct purchase of municipal securities from the issuer or the issuer's agent.

(9) Direct the state treasurer to sell property other than money which has escheated to the state when the board determines that sale of the property is in the best interest of the state. Escheated property shall be sold to the highest bidder in the manner and upon terms and conditions prescribed by the board.

(10) Undertake any other activities necessary to implement the duties and powers set forth in this section.

(11) Establish a formula or formulas to measure management performance and return on investment. All public pension funds in the state shall utilize the formula or formulas developed by the state board.

(12) Except as otherwise provided in article XI, section 8 of the constitution of the state of Minnesota, employ, at its discretion, qualified private firms to invest and manage the assets of funds over which the state board has investment management responsibility. There is annually appropriated to the state board, from the assets of the funds for which the state board utilizes a private investment manager, sums sufficient to pay the costs therefor. Each year, by January 15, the board shall report to the governor and legislature on the cost and the investment performance of each investment manager employed by the board.

(13) Adopt an investment policy statement that includes investment objectives, asset allocation, and the investment management structure for the retirement fund assets under its control. The

statement may be revised at the discretion of the state board. The state board shall seek the advice of the council regarding its investment policy statement. Adoption of the statement is not subject to chapter 14.

Sec. 2. Minnesota Statutes 1986, section 11A.24, subdivision 2, is amended to read:

Subd. 2. [GOVERNMENT OBLIGATIONS.] The state board may invest funds in governmental bonds, notes, bills, mortgages and other ~~fixed obligations, including evidences of indebtedness provided the issue is backed by the full faith and credit of the issuer or the issue is rated among the top four quality rating categories by a nationally recognized rating agency.~~ The obligations in which the board may invest under this subdivision include guaranteed or insured issues of (a) the United States, its agencies, its instrumentalities, or organizations created and regulated by an act of Congress; (b) Canada and its provinces, provided the principal and interest is payable in United States dollars; (c) the states and their municipalities, political subdivisions, agencies or instrumentalities, where backed by the state's full faith and credit or if the issuer has not been in default in payments of principal or interest within the past ten years or in the case of revenue bonds the obligor has been completely self-supporting for the five prior years; (d) the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, or any other United States Government sponsored organization of which the United States is a member, provided the principal and interest is payable in United States dollars and the issues are rated in the highest quality category by a nationally recognized rating agency.

Sec. 3. Minnesota Statutes 1986, section 11A.24, subdivision 4, is amended to read:

Subd. 4. [OTHER OBLIGATIONS.] The state board may invest funds in bankers acceptances, certificates of deposit, commercial paper, mortgage participation certificates and pools, repurchase agreements and reverse repurchase agreements, guaranteed investment contracts, and savings accounts if they conform to the following provisions:

(a) bankers acceptances of United States banks shall be limited to those eligible for purchase by the Federal Reserve System issued by banks rated in the highest four quality categories by a nationally recognized rating agency;

(b) certificates of deposit shall be limited to those issued by United States banks and savings institutions that meet the collateral requirements established in section 9.031, unless sufficient volume is unavailable at competitive interest rates. In that event,

noncollateralized certificates of deposit may be purchased from United States banks and savings institutions that are rated in the highest quality category by a nationally recognized rating agency are rated in the highest four quality categories by a nationally recognized rating agency or whose certificates of deposit are fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. Sections 16A.58 and 16B.06 do not apply to certifications of deposit and collateralization agreements executed by the state board;

(c) commercial paper shall be limited to those issued by United States corporations or their Canadian subsidiaries; shall be of ~~the highest quality and mature in 270 days or less~~ rated in the highest two quality categories by a nationally recognized rating agency;

(d) mortgage participation or pass through certificates evidencing interests in pools of first mortgages or trust deeds on improved real estate located in the United States where the loan to value ratio for each loan as calculated in accordance with section 61A.28, subdivision 3 does not exceed 80 percent for fully amortizable residential properties and in all other respects meets the requirements of section 61A.28, subdivision 3. In addition the state board may purchase from the Minnesota housing finance agency all or any part of any pool of residential mortgages, not in default, which has previously been financed by the issuance of bonds or notes of the agency. The state board may also enter into a commitment with the agency, at the time of any issue of bonds or notes, to purchase at a specified future date, not exceeding 12 years from the date of the issue, the amount of mortgage loans then outstanding and not in default, which have been made or purchased from the proceeds of the bonds or notes. The state board may charge reasonable fees for any such commitment, and may agree to purchase the mortgage loans at a price such that the yield thereon to the state board will, in its judgment, be comparable to that available on similar mortgage loans at the date of the bonds or notes. The state board may also enter into agreements with the agency for the investment of any portion of the funds of the agency for such period, with such withdrawal privileges, and at such guaranteed rate of return, if any, as may be agreed between the state board and the agency.

(e) collateral for repurchase agreements and reverse repurchase agreements shall be limited to letters of credit and securities authorized in this section;

(f) guaranteed investment contracts shall be limited to those issued by insurance companies rated in the top four quality categories by a nationally recognized rating agency;

(g) savings accounts shall be limited to those fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Sec. 4. Minnesota Statutes 1986, section 11A.24, subdivision 5, is amended to read:

Subd. 5. [CORPORATE STOCKS.] The state board may invest funds in stocks or convertible issues of any corporation organized under the laws of the United States or the states thereof, the Dominion of Canada or its provinces, or any corporation listed on the New York Stock Exchange or the American Stock Exchange, if they conform to the following provisions:

(a) The aggregate value of corporate stock investments, as adjusted for realized profits and losses, shall not exceed ~~75~~ 85 percent of the market or book value, whichever is less, of a fund, less the aggregate value of investments according to subdivision 6;

(b) Investments shall not exceed five percent of the total outstanding shares of any one corporation.

Sec. 5. Minnesota Statutes 1986, section 11A.24, subdivision 6, is amended to read:

Subd. 6. [OTHER INVESTMENTS.] (a) In addition to the investments authorized in subdivisions 1 to 5, and subject to the provisions in clause (b), the state board may invest funds in:

(1) Venture capital investment businesses through participation in limited partnerships and corporations;

(2) Real estate ownership interests or loans secured by mortgages or deeds of trust through investment in limited partnerships, bank sponsored collective funds, trusts, and insurance company commingled accounts, including separate accounts;

(3) Regional and mutual funds through bank sponsored collective funds and open-end investment companies registered under the Federal Investment Company Act of 1940; and

(4) Resource investments through limited partnerships, private placements and corporations.

(b) The investments authorized in clause (a) may only be made if they conform to the following provisions:

(1) The aggregate value of all investments made according to clause (a) shall not exceed ~~20~~ 35 percent of the market value of the fund for which the state board is investing;

(2) There shall be at least four unrelated owners of the investment other than the state board;

(3) State board participation in an investment vehicle shall be limited to 20 percent thereof; and

(4) State board participation in a limited partnership does not include a general partnership interest or other interest involving general liability. The state board shall not engage in any activity as a limited partner which creates general liability.

Sec. 6. Minnesota Statutes 1986, section 11A.25, is amended to read:

11A.25 [ADDITIONAL INVESTMENT PROVISIONS.]

When investing assets of any funds or accounts specifically made subject to this section or not otherwise referred to in sections 11A.01 to 11A.25, all securities shall be debt obligations maturing within three years of the date of purchase and shall conform to the applicable provisions of section 11A.24.

Sec. 7. Minnesota Statutes 1986, section 43A.24, subdivision 2, is amended to read:

Subd. 2. [OTHER ELIGIBLE PERSONS.] The following persons are eligible for state paid life insurance and hospital, medical and dental benefits as determined in applicable collective bargaining agreements or by the commissioner or by plans pursuant to section 43A.18, subdivision 6, or by the board of regents for employees of the University of Minnesota not covered by collective bargaining agreements.

(a) A member of the state legislature, provided that changes in benefits resulting in increased costs to the state shall not be effective until expiration of the term of the members of the existing house of representatives. An eligible member of the state legislature may decline to be enrolled for state paid coverages by filing a written waiver with the commissioner. The waiver shall not prohibit the member from enrolling the member or dependents for optional coverages, without cost to the state, as provided for in section 43A.26. A member of the state legislature who returns from a leave of absence to a position previously occupied in the civil service shall be eligible to receive the life insurance and hospital, medical and dental benefits to which the position is entitled;

(b) A permanent employee of the legislature or a permanent employee of a permanent study or interim committee or commission or a state employee on leave of absence to work for the legislature, during a regular or special legislative session;

(c) A judge of the appellate courts or an officer or employee of these courts; a judge of the district court, a judge of county court, a judge

of county municipal court, or a judge of probate court; a district administrator; and an employee of the office of the district administrator of the fifth or the eighth judicial districts;

(d) A salaried employee of the public employees retirement association;

(e) A full-time military or civilian officer or employee in the unclassified service of the department of military affairs whose salary is paid from state funds;

(f) A salaried employee of the Minnesota historical society, whether paid from state funds or otherwise, who is not a member of the governing board;

(g) An employee of the regents of the University of Minnesota; and

(h) Notwithstanding section 43A.27, subdivision 3, an employee of the state of Minnesota or the regents of the University of Minnesota who is at least 60 and not yet 65 years of age on July 1, 1982 who is otherwise eligible for employee and dependent insurance and benefits pursuant to section 43A.18 or other law, who has at least 20 years of service and retires, earlier than required, within 60 days of March 23, 1982; or an employee who is at least 60 and not yet 65 years of age on July 1, 1982 who has at least 20 years of state service and retires, earlier than required, from employment at Rochester state hospital after July 1, 1981; or an employee who is at least 55 and not yet 65 years of age on July 1, 1982 and is covered by the Minnesota state retirement system correctional employee retirement plan or the state patrol retirement fund, who has at least 20 years of state service and retires, earlier than required, within 60 days of March 23, 1982. For purposes of this clause, a person retires when the person terminates active employment in state or University of Minnesota service and applies for a retirement annuity. Eligibility shall cease when the retired employee attains the age of 65, or when the employee chooses not to receive the annuity that the employee has applied for. The retired employee shall be eligible for coverages to which the employee was entitled at the time of retirement, subject to any changes in coverage through collective bargaining or plans established pursuant to section 43A.18, for employees in positions equivalent to that from which retired, provided that the retired employee shall not be eligible for state-paid life insurance. Coverages shall be coordinated with relevant health insurance benefits provided through the federally sponsored medicare program; and

(i) An employee of an agency of the state of Minnesota identified through the process provided in this paragraph who is eligible to retire prior to age 65. The commissioner and the exclusive representative of state employees shall enter into agreements under section 179A.22 to identify employees whose positions are in programs that

are being permanently eliminated or reduced due to federal or state policies or practices. Failure to reach agreement identifying these employees is not subject to impasse procedures provided in chapter 179A. The commissioner must prepare a plan identifying eligible employees not covered by a collective bargaining agreement in accordance with the process outlined in section 43A.18, subdivisions 2 and 3. For purposes of this paragraph, a person retires when the person terminates active employment in state service and applies for a retirement annuity. Eligibility ends as provided in the agreement or plan, but must cease at the end of the month in which the retired employee attains age 65, the employee chooses not to receive an annuity, or the employee is eligible for employer-paid health insurance from a new employer. The retired employees shall be eligible for coverages to which they were entitled at the time of retirement, subject to any changes in coverage through collective bargaining or plans established under section 43A.18 for employees in positions equivalent to that from which they retired, provided that the retired employees shall not be eligible for state-paid life insurance.

Sec. 8. Minnesota Statutes 1986, section 179A.03, subdivision 19, is amended to read:

Subd. 19. [TERMS AND CONDITIONS OF EMPLOYMENT.] "Terms and conditions of employment" means the hours of employment, the compensation therefor including fringe benefits except retirement contributions or benefits, and the employer's personnel policies affecting the working conditions of the employees. In the case of professional employees the term does not mean educational policies of a school district. "Terms and conditions of employment" is subject to section 179A.07. For purposes of this subdivision, "retirement contributions or benefits" does not include insurance benefits paid for by public employers on behalf of retired employees up to age 65."

Delete the title and insert:

"A bill for an act relating to state government; requiring the board of investments to adopt an investment policy; authorizing certain investments by the board of investments; providing that certain state employees who are eligible to retire are eligible for state-paid insurance benefits; modifying definition of terms and conditions of employment for public employees; amending Minnesota Statutes 1986, sections 11A.04; 11A.24, subdivisions 2, 4, 5, and 6; 11A.25; 43A.24, subdivision 2; and 179A.03, subdivision 19."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 269, A bill for an act relating to traffic regulations; extending prohibition against wearing headphones while operating motor vehicle to include bicycles; amending Minnesota Statutes 1986, section 169.471, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 11, after the comma insert "or while traveling on a roadway or shoulder on rollerskates or skate boards or on foot."

Amend the title as follows:

Page 1, line 4, after "bicycles" insert "and persons on foot or on rollerskates"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 323, A bill for an act relating to transportation; providing for reduced speeds in work zones; providing for payment of administrative, filing, and plate fees; restricting unauthorized use of motor vehicles on public airport property; describing prohibited acts against aircraft; defining peace officer; describing qualifications for aircraft dealers license; amending Minnesota Statutes 1986, sections 168.012, subdivision 1c; 169.14, by adding a subdivision; 360.018, subdivision 6, and by adding a subdivision; 360.075, subdivision 1; 360.0751, subdivision 1; and 360.63, subdivision 1.

Reported the same back with the following amendments:

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1986, section 169.14, is amended by adding a subdivision to read:

Subd. 5d. [SPEED ZONING IN WORK ZONES.] The commissioner, on trunk highways and temporary trunk highways, and local authorities, on streets and highways under their jurisdiction, may authorize the use of reduced maximum speed limits in highway work zones. The commissioner or local authority is not required to

conduct an engineering and traffic investigation before authorizing a reduced speed limit in a highway work zone.

The minimum highway work zone speed limit is 20 miles per hour. The work zone speed limit must not reduce the established speed limit on the affected street or highway by more than 15 miles per hour, except that the highway work zone speed limit shall not exceed 40 miles per hour. Highway work zone speed limits are effective on erection of appropriate regulatory speed limit signs designating the beginning and end of the affected work zone. The signs must be removed or covered when they are not required. A speed greater than the posted highway work zone speed limit is unlawful.

For purposes of this subdivision, "highway work zone" means a segment of highway or street where a road authority or its agent is constructing, reconstructing, or maintaining the physical structure of the roadway, its shoulders, or features adjacent to the roadway, including underground and overhead utilities and highway appurtenances."

Pages 3 to 6, delete section 5

Page 6, line 17, after "patrol" insert ", but does not include employees of the department of natural resources"

Renumber the remaining sections

Amend the title as follows:

Page 1, lines 6 and 7, delete "describing prohibited acts against aircraft,"

Page 1, lines 11 and 12, delete "360.075, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 332, A bill for an act relating to environment; authorizing the pollution control agency to issue administrative orders assessing penalties; establishing a hearing procedure; providing for the distribution and expenditure of monetary penalties; amending

Minnesota Statutes 1986, section 115B.20, subdivisions 2, 3, and 4; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [116.072] [ADMINISTRATIVE PENALTIES.]

Subdivision 1. [AUTHORITY TO ISSUE PENALTY ORDERS.] The director may issue an order requiring violations to be corrected and administratively assessing monetary penalties for violations of any provision of chapters 115 and 116 relating to hazardous waste, or any standard, rule, variance, order, stipulation agreement, permit, or material term or conditions of a permit relating to hazardous waste issued or adopted by the agency under those chapters. An order shall be issued as provided in this section.

Subd. 2. [AMOUNT OF PENALTY; CONSIDERATIONS.] The director may issue an order assessing a penalty in an amount not to exceed \$10,000 for all violations identified during an inspection. In the case of repeat violations, the director shall issue an order assessing a penalty in an amount not to exceed \$25,000.

(a) In determining the amount of a penalty to be assessed, the director shall 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 ability of the person to whom the order is issued to pay the penalty;
- (4) the history of past violations;
- (5) the number of violations; and
- (6) other factors as justice may require, if the director specifically identifies the additional factors in the director's order.

(b) In determining the amount of a penalty to be assessed in the case of repeat violations, the director shall consider:

- (1) how similar the previous violation was to the current one;
- (2) how recent was the previous violation;

(3) the number of previous violations; and

(4) the violator's response to the previous violation.

Subd. 3. [CONTENTS OF ORDER.] An order assessing an administrative penalty under this section shall include the following:

(1) a concise statement of the facts alleged to constitute a violation;

(2) a reference to the section of the statute, rule, variance, order, stipulation agreement, permit, or term or condition of a permit that has been violated;

(3) a statement of the amount of the administrative penalty to be imposed and the factors upon which the penalty is based; and

(4) a statement of the person's right to a hearing.

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

(b) The person to whom the order was issued shall provide information to the director on or before the 30th day after the order was received demonstrating that the violation has been corrected or that appropriate steps toward correcting the violation have been undertaken. The director shall make a determination as to whether the violation has been corrected and shall notify the person subject to the order of the director's determination. The penalty set forth in the order is due and payable on the 31st day after the order was received if the person subject to the order fails to provide information to the director showing that the violation has been corrected or that appropriate steps have been taken toward correcting the violation, unless the person subject to the order has requested a review of the order under subdivision 5. If the person subject to the order has provided information to the director that the director determines is not sufficient to show the violation has been corrected or that appropriate steps have been taken toward correcting the violation, the penalty set forth in the order is due and payable within 20 days after notice of the director's determination is received, unless the person subject to the order has sought review of the order under subdivision 5 prior to the end of the 20-day period.

(c) In the case of repeated or serious violations the director may, in lieu of the procedure in paragraph (a), issue an order that immediately assesses a penalty. The penalty shall be paid within 30 days from the date the order is received unless review of the order under subdivision 5 has been sought.

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

Subd. 5. [REVIEW OF ORDERS.] A person subject to an order under this section may seek review of the order under paragraph (a) or (b).

(a) Within 30 days of the receipt of an order or within 20 days of receipt of notice that the director has determined that a violation has not been corrected, the person subject to an order under this section may request an expedited hearing. The procedure for the expedited hearing shall include the following:

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

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

(iii) The director 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.

(iv) 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 circumstances require a lengthier hearing.

(v) All written arguments must be submitted within ten days following the close of the hearing.

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

(vii) The administrative law judge shall not recommend a change in the amount of the proposed penalty unless the administrative law judge determines that, based on the factors in subdivision 2, the director has committed an abuse of discretion in setting the amount of the penalty.

(viii) 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 agency, adopt rules specifically applicable to cases under this section.

(b) Within 30 days of the receipt of an order or within 20 days of receipt of notice that the director has determined that a violation

has not been corrected, the person subject to an order under this section may file a petition in district court for review of the order. The petition shall be filed with the court administrator together with proof of service on the director.

The petition shall be captioned in the name of the person making the petition as petitioner and the director as respondent. The petition shall state with specificity the grounds upon which the petitioner seeks rescission of the order, including the facts upon which each claim is based.

Subd. 6. [FINAL ORDERS.] (a) If a hearing has been held, the director 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 director on the recommendations and the director will 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 solely for purposes of delay or that the hearing request was frivolous, the director may add to the amount of the penalty the costs charged to the agency by the office of administrative hearings for the hearing.

(c) If a hearing has been held and a final order issued by the director, 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.

Subd. 7. [ENFORCEMENT.] The attorney general may proceed on behalf of the state to enforce penalties that are due and payable under this section in any manner provided by law for the collection of debts. The 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 same manner as a final judgment of the district court.

(b) If a party liable to pay a penalty imposed under this section 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 the office of the registrar of titles of the county in which the property is located.

(c) The lien created under this subdivision 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 on 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 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 a 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 fees, costs, and interest.

(f) Failure to pay a penalty due and payable under this section constitutes grounds for the agency to revoke or refuse to reissue or renew a permit issued by the agency.

Subd. 8. [CUMULATIVE REMEDY.] The authority to issue an order assessing penalties is in addition to other remedies available under statutory or common law. The payment of a penalty does not preclude the use of any other enforcement provisions in connection with the violation for which the penalty was assessed."

Delete the title and insert:

"A bill for an act relating to environment; authorizing the pollution control agency to issue administrative orders assessing penalties; establishing a hearing procedure; providing for the distribution and expenditure of monetary penalties; proposing coding for new law in Minnesota Statutes, chapter 116."

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

The report was adopted.

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

H. F. No. 345, A bill for an act relating to local government; allowing certain cities to appropriate money for advertising; amending Minnesota Statutes 1986, section 465.56, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 10, after "the" insert "second,"

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

The report was adopted.

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

H. F. No. 401, A bill for an act relating to environment; providing criminal penalties for violation of laws and rules relating to hazardous waste; providing for the distribution and expenditure of monetary penalties; amending Minnesota Statutes 1986, sections 115.071, subdivision 2; 115B.20, subdivisions 2, 3, and 4; and 609.531; proposing coding for new law in Minnesota Statutes, chapter 115; repealing Minnesota Statutes 1986, section 115.071, subdivisions 2a and 2b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 115.071, subdivision 2, is amended to read:

Subd. 2. [CRIMINAL PENALTIES.] (a) [VIOLATIONS OF LAWS; ORDERS; PERMITS.] (1) Except as provided in subdivisions 2a and 2b section 2, any person who willfully or negligently violates any provision of this chapter or chapter 116, or any standard, rule, variance, order, stipulation agreement, schedule of compliance or permit issued or adopted by the agency thereunder, which violation is not included in clause (2), shall upon conviction be guilty of a misdemeanor.

(2) Any person who willfully or negligently violates any effluent standard and limitation or water quality standard adopted by the agency, any National Pollutant Discharge Elimination System permit or any term or condition thereof, any duty to permit or carry out any recording, reporting, monitoring, sampling, information entry,

access, copying, or other inspection or investigation requirement as provided under applicable provisions of this chapter and, with respect to the pollution of waters of the state, chapter 116, or any National Pollutant Discharge Elimination System filing requirement, shall upon conviction be punished by a fine of not less than \$2,500 in the event of a willful violation or not less than \$300 in the event of a negligent violation. In any case the penalty shall not be more than \$40,000 per day of violation or by imprisonment for not more than one year, or both. If the conviction is for conduct committed after a first conviction of such person under this subdivision, punishment shall be by fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two years, or both.

(b) [INFORMATION AND MONITORING.] Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this chapter and, with respect to the pollution of the waters of the state, chapter 116, or standards, rules, orders, stipulation agreements, schedule of compliance or permits pursuant hereto, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards, rules, variances, orders, stipulation agreements, schedules of compliance, or permits pursuant thereto, shall upon conviction, be punished by a fine of not more than \$20,000 per day of violation, or by imprisonment for not more than six months, or both.

(c) [DUTY OF LAW ENFORCEMENT OFFICIALS.] It shall be the duty of all county attorneys, sheriffs and other peace officers, and other officers having authority in the enforcement of the general criminal laws to take all action to the extent of their authority, respectively, that may be necessary or proper for the enforcement of said provisions, rules, standards, orders, stipulation agreements, variances, schedule of compliance, or permits.

Sec. 2. [115.073] [HAZARDOUS WASTE; CRIMINAL PENALTIES.]

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Deliver" or "delivery" means the transfer of possession of hazardous waste, with or without consideration.

(b) "Hazardous waste" means any substance identified or listed as a hazardous waste under the rules adopted under chapter 115, 116, or 221.

(c) "Know" has the meaning given it in section 609.02.

(d) "Permit" means a permit issued by the agency or a facility that qualified for interim status under the agency rules specifying the qualifications for that status.

(e) "Serious bodily injury" means:

(1) bodily injury that involves a substantial risk of death;

(2) unconsciousness;

(3) extreme physical pain;

(4) protracted and obvious disfigurement; or

(5) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

Subd. 2. [PROOF OF KNOWING STATE OF MIND.] Knowledge possessed by a person other than the defendant but not by the defendant may not be attributed to the defendant.

In proving a defendant's actual knowledge, circumstantial evidence may be used, including evidence that the defendant took affirmative steps to shield the defendant from relevant information.

Proof of a defendant's knowledge of the existence or constitutionality of chapter 115, 116, or 221 or the rules adopted under those chapters under which the defendant is prosecuted, or the scope or meaning of the terms used in those chapters or rules, is not required.

Subd. 3. [FELONY PENALTY FOR KNOWING ENDANGERMENT.] A person who knowingly, or with reason to know, transports, treats, stores, or disposes of hazardous waste in violation of subdivision 4 or 5, and who knowingly at the time of the violation places or has reason to know that the person's conduct places another person in immediate danger of death or serious bodily injury, is guilty of a felony and shall be punished by a fine of not more than \$100,000 or by imprisonment for not more than ten years, or both, except that a person that is other than an individual shall be punished by a fine of not more than \$1,000,000.

Subd. 4. [FELONY PENALTY FOR UNLAWFUL DISPOSAL.] A person who knowingly, or with reason to know, disposes of hazardous waste or arranges for the disposal of hazardous waste at a location other than one permitted by the agency or the United States Environmental Protection Agency, or in violation of any material condition of a permit, is guilty of a felony and shall be punished by a fine of not more than \$50,000 or by imprisonment of not more than five years, or both.

Subd. 5. [FELONY PENALTY FOR UNLAWFUL TREATMENT, STORAGE, TRANSPORTATION, OR DELIVERY; FALSE STATEMENTS.] A person who knowingly, or with reason to know, does any of the following is guilty of a felony and shall be punished by a fine of not more than \$25,000 or by imprisonment of not more than three years, or both, and a second or subsequent offense is punishable by a fine of not more than \$50,000 or by imprisonment of not more than five years, or both:

(1) delivers hazardous waste to another person except as authorized by chapter 115, 116, or 221 and the rules adopted under any of them or the federal Resource Conservation and Recovery Act, and the regulations adopted under that act;

(2) treats or stores hazardous waste without a permit if a permit is required, or in violation of the material terms or conditions of a permit held by the person, unless the violation resulted from the acts of a third party that were not reasonably foreseeable and the agency was immediately notified of circumstances causing the violation;

(3) transports hazardous waste to any location other than a facility that is authorized to receive, treat, store, or dispose of the hazardous waste;

(4) transports hazardous waste without a manifest;

(5) makes a false material statement, representation, or omission in an application for a permit or license required by chapter 115, 116, or 221 to treat, transport, store, or dispose of hazardous waste;
or

(6) makes a false material statement, representation, or omission in or on a label, manifest, record, report, or other document filed, maintained, or used for purpose of compliance with chapter 115, 116, or 221 in connection with the generation, transportation, disposal, treatment, or storage of hazardous waste.

Subd. 6. [NEGLIGENT VIOLATION AS GROSS MISDEMEANOR.] A person who negligently commits any of the violations set forth in subdivision 4 or 5 is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$15,000, or by imprisonment for not more than one year, or both. Each day of violation shall be considered a separate violation.

Subd. 7. [DUTY OF LAW ENFORCEMENT OFFICIALS.] It is the duty of all county attorneys, sheriffs, and other peace officers, and other officers having authority for the enforcement of the general criminal laws to take action, to the extent of their authority, necessary to enforce subdivisions 1 to 7.

Subd. 8. [LIMITATIONS; AGGREGATIONS.] (a) Notwithstanding the provisions of section 628.20, or any other provision of the criminal laws of this state, an indictment may be found or a complaint may be filed for violations of subdivisions 1 to 6 in the proper court within six years after the commission of the offense.

(b) When two or more offenses in violation of subdivisions 1 to 6 are committed by the same person in two or more counties within a two-year period, the offenses may be aggregated and the accused may be prosecuted in any county in which one of the offenses was committed.

Subd. 9. [PAYMENT OF REWARDS.] (a) The director of the agency may pay a reward to an individual, other than a peace officer or employee of the agency or county engaged in enforcement of hazardous waste regulations, for information leading to the conviction of a person for a criminal offense arising under this section. A reward must not exceed \$1,000. The director shall pay the rewards out of money appropriated under paragraph (b) or from other funds donated to the agency for that purpose.

(b) The amounts necessary to pay rewards under paragraph (a) are appropriated from the environmental response, compensation, and compliance fund to the agency for payment by the director.

Sec. 3. Minnesota Statutes 1986, section 609.531, subdivision 1, is amended to read:

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

(a) "Conveyance device" means a device used for transportation in connection with a designated offense and includes, but is not limited to, motor vehicles, trailers, snowmobiles, airplanes, and vessels. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Primary container" means a fundamental receptacle other than a conveyance device used to store or transport property.

(c) "Weapon used" means weapons used in the furtherance of a crime and defined as a dangerous weapon under section 609.02, subdivision 6.

(d) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(e) "Contraband property" means property which is illegal to possess under Minnesota law.

(f) "Appropriate agency" means either the bureau of criminal apprehension, Minnesota state patrol, county sheriffs and their deputies, or city police departments.

(g) "Designated offense" includes:

(1) For weapons used: any violation of this chapter;

(2) For all other purposes: violation of, or an attempt or conspiracy to violate, section 2, subdivisions 3 to 5; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322, subdivision 1 or 2; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.521; 609.525; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.687; 609.825; 609.86; 609.88; 609.89; or 617.246, when the violation constitutes a felony.

(h) "Communications device or component" means a device or system used to facilitate in any manner the creation, storage, dissemination, or transmission of data in connection with a designated offense and includes computers and computer-related components as defined in section 609.87 and any other device or system that by means of electric, electronic or magnetic impulses may be used to facilitate in any manner the creation, storage, dissemination, or transmission of data.

Sec. 4. [REPEALER.]

Minnesota Statutes 1986, section 115.071, subdivisions 2a and 2b, are repealed."

Delete the title and insert:

"A bill for an act relating to environment; providing criminal penalties for violation of laws and rules relating to hazardous waste; providing for the distribution and expenditure of monetary penalties; amending Minnesota Statutes 1986, sections 115.071, subdivision 2; and 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115; repealing Minnesota Statutes 1986, section 115.071, subdivisions 2a and 2b."

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 428, A bill for an act relating to transportation; railroads; requiring occupied caboose car on certain trains; requiring caboose car to be equipped with shortwave radio; imposing a penalty; amending Minnesota Statutes 1986, section 219.56; proposing coding for new law in Minnesota Statutes, chapter 219.

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

The report was adopted.

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

H. F. No. 455, A bill for an act relating to state government; providing reimbursement for certain child care expenses incurred in connection with service on state boards, councils, committees, and task forces; amending Minnesota Statutes 1986, sections 15.0575, subdivision 3; 15.059, subdivisions 3 and 6; and 214.09, subdivision 3.

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

The report was adopted.

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

H. F. No. 469, A bill for an act relating to food licenses; regulating certain vending machine inspection fees; amending Minnesota Statutes 1986, section 28A.09, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, strike "at least" and after the comma, insert "and provided that ~~nut vending machines~~ shall be subject to an annual state inspection fee of \$5 for each machine, and further"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 740, A bill for an act relating to horse racing; modifying the purse structure; providing for the representation of horsemen contracting with a licensee; modifying taxes; eliminating the payment of a percentage of the breakage to the commission; amending Minnesota Statutes 1986, sections 240.13, subdivision 5; 240.15, subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 1, line 18, delete "horsemen's" and insert "horse owners".

Page 1, line 19, delete "horsemen" and insert "horse owners".

Page 2, line 2, after the period insert "The amount of money set aside for purses by a licensee operating a racetrack located outside the seven-county metropolitan area, with an average daily handle of \$350,000 or less, shall be not less than five percent of all money in all pari-mutuel pools."

Page 2, line 6, delete "horsemen's" and insert "horse owners".

Page 2, line 10, delete "horsemen" and insert "horse owners".

Page 2, line 12, delete "horsemen's" and insert "horse owners".

Page 2, line 14, delete "horsemen's" and insert "horse owners".

Page 2, line 17, delete "horsemen's" and insert "horse owners".

Amend the title as follows:

Page 1, line 4, delete "horsemen" and insert "horse owners".

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 11, 29, 257, 269, 323, 345, 428 and 469 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Begich introduced:

H. F. No. 947, A bill for an act relating to state lands; authorizing a private sale of certain tax-forfeited land in St. Louis county.

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

Larsen, Jefferson, Simoneau, Omann and Uphus introduced:

H. F. No. 948, A bill for an act relating to state government; providing for affirmative action improvements; regulating job eligibility lists; providing for the title of state agency heads; regulating hiring and personnel practices; amending Minnesota Statutes 1986, sections 15.06, subdivision 1; 15.46; 43A.08, subdivision 1; 43A.13, subdivisions 1 and 7; 43A.18, subdivision 4; 43A.191, subdivision 3; 43A.24, subdivision 2; 43A.30, subdivision 4; 43A.33, subdivision 3; 43A.34, subdivision 3; repealing Minnesota Statutes 1986, sections 15.45, subdivision 3; 15.47; and 43A.34, subdivisions 1 and 2.

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

Carruthers, Sarna, Solberg, McKasy and Burger introduced:

H. F. No. 949, A bill for an act relating to consumer protection; requiring registration for health, buying, and social referral clubs; providing bonding and alternative security requirements; regulating bond claims; amending Minnesota Statutes 1986, sections 325G.23, subdivisions 4, 8, and by adding a subdivision; and 325G.27.

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

Nelson, K.; Anderson, R.; Wynia; Simoneau and Greenfield introduced:

H. F. No. 950, A bill for an act relating to education; establishing demonstration sites for coordinated interagency delivery of services

for young children; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121.

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

Begich, Reding, Minne, Brown and Redalen introduced:

H. F. No. 951, A bill for an act relating to ethics in government; redefining certain terms; changing certain filing requirements; amending Minnesota Statutes 1986, sections 10A.01, subdivisions 11, 15, and 16; and 10A.20, subdivisions 1 and 3.

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

Schoenfeld and Munger introduced:

H. F. No. 952, A bill for an act relating to appropriations; appropriating funds to the city of Waseca for lake rehabilitation.

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

Skoglund, Wagenius and Rose introduced:

H. F. No. 953, A bill for an act relating to environment; requiring the pollution control agency to finance its aircraft noise control program by an assessment against the metropolitan airports commission; amending Minnesota Statutes 1986, section 473.612.

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

Jaros introduced:

H. F. No. 954, A bill for an act relating to motor vehicles; allowing tax-exempt license plates for vehicles owned by nonprofit charities and used for educational purposes; amending Minnesota Statutes 1986, section 168.012, subdivision 1.

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

Valento and Rose introduced:

H. F. No. 955, A bill for an act relating to port authority powers for the city of Roseville; amending Laws 1985, chapter 301, section 3.

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

Segal introduced:

H. F. No. 956, A bill for an act relating to transportation; requiring the regional transit board to advise local governments of certain plans; amending Minnesota Statutes 1986, section 473.384, by adding a subdivision.

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

Rukavina and Begich introduced:

H. F. No. 957, A bill for an act relating to education; increasing the special operating debt levy in independent school district No. 712, Mountain Iron-Buhl; amending Laws 1984, chapter 463, article 6, section 15, subdivision 1.

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

Welle introduced:

H. F. No. 958, A bill for an act relating to Kandiyohi county; permitting the county board to assign certain duties to the county recorder.

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

Boo introduced:

H. F. No. 959, A bill for an act relating to the city of Duluth; authorizing the acquisition of banks for operation as detached banking facilities in the city of Duluth and adjacent municipalities.

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

Clark; Anderson, R.; Sarna; Frerichs and Rice introduced:

H. F. No. 960, A bill for an act relating to human services; requiring director of state planning agency to contract for development of client advisory committees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 252.

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

McEachern, Beard and Nelson, K., introduced:

H. F. No. 961, A bill for an act relating to education; requiring districts to cooperatively offer academic programs after cooperatively offering sports programs; proposing coding for new law in Minnesota Statutes, chapter 122.

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

McEachern and Bauerly introduced:

H. F. No. 962, A bill for an act relating to education; prohibiting private sectarian post-secondary institutions from requiring high school students participating in the post-secondary enrollment options program to sign statements of religious belief; amending Minnesota Statutes 1986, section 123.3514, subdivision 4.

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

Olsen, S.; Gruenes; Minne; Jennings and Dempsey introduced:

H. F. No. 963, A bill for an act relating to taxation; income; providing a credit for home care of the elderly; amending Minnesota Statutes 1986, section 290.06, by adding a subdivision.

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

Lasley; Greenfield; Nelson, K.; Jefferson and Dauner introduced:

H. F. No. 964, A bill for an act relating to human services; applying for waiver to require that recipients of aid to families with dependent children pursue a high school education; requiring that certain recipients of general assistance pursue a high school education; allowing counties to require work readiness recipients to

pursue a high school education; amending Minnesota Statutes 1986, sections 256D.05, subdivision 1; and 256D.051, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Milbert; Nelson, D.; Brown; Clausnitzer and Dempsey introduced:

H. F. No. 965, 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.

Sarna; Nelson, C.; Kinkel; McEachern and Anderson, R., introduced:

H. F. No. 966, A bill for an act relating to game and fish; establishing a limit for the taking of crappies; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

Rukavina; Otis; Pappas; Olsen, S., and Onnen introduced:

H. F. No. 967, A bill for an act relating to education; requiring school districts to teach Braille to blind pupils; 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.

Frederick introduced:

H. F. No. 968, A bill for an act relating to retirement; public employees retirement association; permitting the purchase of prior service by certain public elected officials; amending Minnesota Statutes 1986, section 353.36, subdivision 2.

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

Kelly, Solberg, Blatz, Pappas and Bishop introduced:

H. F. No. 969, A bill for an act relating to the sentencing guidelines commission; including a crime victim as a member of the commission; providing that terms of members appointed by the governor are coterminous with the governor; amending Minnesota Statutes 1986, section 244.09, subdivisions 2 and 3.

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

Nelson, K.; Dorn; Orenstein; Jaros and Boo introduced:

H. F. No. 970, A bill for an act relating to education; requiring the higher education coordinating board to provide education and training information; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Rukavina, Quinn, Brown, Milbert and Bishop introduced:

H. F. No. 971, A bill for an act relating to insurance; automobile; removing the dollar limitation on the mandatory arbitration of no-fault claims; requiring insurers to provide certain arbitration information to applicants and policyholders; providing a penalty; amending Minnesota Statutes 1986, section 65B.525, subdivision 1, and by adding a subdivision.

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

Rukavina, Quinn, Brown and Milbert introduced:

H. F. No. 972, A bill for an act relating to civil actions; adopting the discovery rule for statute of limitations in tort or malpractice actions; amending Minnesota Statutes 1986, section 541.07.

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

Beard, Quinn, McKasy, Seaberg and Nelson, D., introduced:

H. F. No. 973, A bill for an act relating to insurance; automobile; regulating the classification of risks of certain cities; amending Minnesota Statutes 1986, section 70A.05.

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

Rukavina, Munger, Jaros, O'Connor and Sarna introduced:

H. F. No. 974, A bill for an act relating to labor; defining a professional strikebreaker; amending Minnesota Statutes 1986, section 179.01, subdivision 16.

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

Jennings and Gruenes introduced:

H. F. No. 975, A bill for an act relating to occupations and professions; requiring the licensing of fire sprinkler system contractors; establishing a fire sprinkler systems contractor board of examiners; providing for administration and licensing; requiring rulemaking; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Dille, Bertram, Redalen, Krueger and Hugoson introduced:

H. F. No. 976, A bill for an act relating to agriculture; appropriating money for aid to county and district agricultural societies.

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

Nelson, K.; Wagenius; Olsen, S.; McEachern and Rukavina introduced:

H. F. No. 977, A bill for an act relating to education; requiring school administrators to obtain classroom experience periodically; proposing coding for new law in Minnesota Statutes, chapter 125.

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

Kostohryz, Carlson, L.; Rose, McEachern and Price introduced:

H. F. No. 978, A bill for an act relating to education; authorizing northeast metropolitan intermediate school district No. 916 to issue

certain bonds for the acquisition and betterment of a secondary vocational and special education facility.

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

Blatz, Murphy, Simoneau, Sviggum and Begich introduced:

H. F. No. 979, A bill for an act relating to workers' compensation; providing a permanent partial disability rating for certain losses; proposing coding for new law in Minnesota Statutes, chapter 176.

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

Begich, Jacobs, Carlson, D., and Wenzel introduced:

H. F. No. 980, A bill for an act relating to natural resources; providing for the establishment of an off-road vehicle recreation program; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Jennings, Quinn, Sarna and Milbert introduced:

H. F. No. 981, A bill for an act relating to consumer protection; requiring travel agencies to register with the secretary of state and maintain a bond as a condition of doing business in Minnesota; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Neuenschwander, Jennings and Solberg introduced:

H. F. No. 982, A bill for an act relating to natural resources; designating the white-tailed deer as the official state mammal; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Rukavina, Larsen, Trimble, Dorn and Heap introduced:

H. F. No. 983, A bill for an act relating to education; adding post-secondary vocational technical representation to UFARS and ESV computer councils; authorizing certain state board of vocational technical education powers; changing certain state director duties; clarifying school days; amending Minnesota Statutes 1986, sections 121.901, subdivision 1; 121.934, subdivisions 1 and 2; 123.37, subdivision 1a; 136C.04, subdivision 12, and by adding a subdivision; 136C.13, by adding a subdivision; 136C.15; 136C.29, subdivision 5; and 136C.35; repealing Minnesota Statutes 1986, section 136C.32.

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

Jennings, Stanius, Jacobs, Quinn and Milbert introduced:

H. F. No. 984, A bill for an act relating to motor vehicles; prohibiting appointments of corporations as deputy registrars and providing for transfers of appointment; making deputy registrars appointed by county auditors subject to rules of the commissioner of public safety with certain exceptions; amending Minnesota Statutes 1986, section 168.33, subdivision 2, and by adding a subdivision.

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

Segal, Trimble, McEachern and Tompkins introduced:

H. F. No. 985, A bill for an act relating to education; ensuring minimum amounts of financial support to the regional public library system; requiring county board of commissioners to appoint at least one representative to the regional public library system board; proposing coding for new law in Minnesota Statutes, chapter 134.

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

Wynia, Voss, Osthoff, McKasy and Knickerbocker introduced:

H. F. No. 986, A bill for an act relating to financial institutions; authorizing certain charges on open-end loan account arrangements; amending Minnesota Statutes 1986, section 48.185, subdivision 4.

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

Kelso, Ozment, Price, McEachern and Segal introduced:

H. F. No. 987, A bill for an act relating to education; requiring the state fire marshal to inspect a public school building every three years; amending Minnesota Statutes 1986, section 299F.11, by adding a subdivision.

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

Jaros, Munger and Boo introduced:

H. F. No. 988, A bill for an act relating to education; appropriating money for construction grants to aid desegregation plans.

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

Nelson, K.; McEachern; Olson, K.; Ozment and Pelowski introduced:

H. F. No. 989, A bill for an act relating to education; establishing clinical schools for teacher preparation; establishing professional development and assessment centers; requiring research on teacher education programs; appropriating money; amending Minnesota Statutes 1986, section 125.185, subdivision 4; 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.

Segal, Greenfield, Vellenga and Bishop introduced:

H. F. No. 990, A bill for an act relating to crimes; providing that persons convicted of a crime of violence may not ship, transport, possess, or receive a firearm for ten years following restoration of civil rights, the setting aside of a conviction, or a pardon; amending Minnesota Statutes 1986, sections 609.165, by adding a subdivision; 609.168; 624.712, subdivision 5; and 638.02, subdivision 2.

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

Olson, K.; McEachern; Dille; Johnson, R., and Winter introduced:

H. F. No. 991, A bill for an act relating to retirement; giving certain employing units an option on the rule of 85; proposing coding for new law in Minnesota Statutes, chapter 356.

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

McDonald, Stanius and McEachern introduced:

H. F. No. 992, A bill for an act relating to trap and skeet clubs or ranges; prohibiting the commissioner of natural resources and the pollution control agency from imposing a ban on lead shot; amending Minnesota Statutes 1986, section 116.53, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

McPherson, Welle and Gutknecht introduced:

H. F. No. 993, A bill for an act relating to retirement; providing for retirement at age 65 for the state patrol and state patrol retirement fund members; amending Minnesota Statutes 1986, section 43A.34, subdivision 4.

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

Munger, Jaros, Boo, Rice and Battaglia introduced:

H. F. No. 994, A bill for an act relating to port authorities; appropriating money for the Seaway port authority of Duluth.

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

Greenfield, Forsythe, Wynia, Kelso and Onnen introduced:

H. F. No. 995, A bill for an act relating to human services; clarifying chemical dependency consolidated fund administration procedures; amending Minnesota Statutes 1986, sections 246.51; 246.511; 254B.01, subdivision 5; 254B.02, subdivisions 1, 2, 3, and 5; 254B.03, subdivisions 1, 2, 3, 4, and 5; 254B.04, subdivision 2;

254B.06, subdivision 1; and 254B.09, subdivisions 3, 5, and 7; repealing Minnesota Statutes 1986, section 256.968.

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

Stanius, Munger, Rose, Brown and Anderson, G., introduced:

H. F. No. 996, A bill for an act relating to natural resources; providing a program for the control of noxious weeds; appropriating money; amending Minnesota Statutes 1986, sections 18.291; and 18.311; proposing coding for new law in Minnesota Statutes, chapter 86.

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

Burger, Shaver, Osthoff and Kludt introduced:

H. F. No. 997, A bill for an act relating to fireworks; permitting the sale and use of certain fireworks in Minnesota; amending Minnesota Statutes 1986, sections 624.20; and 624.21; proposing coding for new law in Minnesota Statutes, chapter 624.

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

McPherson, McDonald, Krueger, Rice and Redalen introduced:

H. F. No. 998, A bill for an act relating to the University of Minnesota; providing for development and research on health care delivery systems for dairy herds; appropriating money.

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

Kelso, Greenfield, Vellenga, Onnen and Rodosovich introduced:

H. F. No. 999, A bill for an act relating to health; providing for a local public health act; defining the powers and duties of boards of health; providing discretionary county ordinance power; authorizing the community health service subsidy; authorizing grants; providing penalties; amending Minnesota Statutes 1986, sections 35.67; 35.68; 144.36; 144.37; 145.075; and 145.923; and Laws 1969, chapter 235, section 3, subdivisions 2 and 4; proposing coding for new law as Minnesota Statutes, chapter 145A; repealing Minnesota Statutes 1986, sections 145.01 to 145.07; 145.08 to 145.125; 145.17 to 145.23; 145.24, subdivisions 1 and 2; 145.47 to 145.55; 145.911;

145.912, subdivisions 1 to 8, 10 to 15, 19, and 20; 145.913 to 145.92; and 145.922.

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

Krueger and Schoenfeld introduced:

H. F. No. 1000, A bill for an act relating to agriculture; providing a milk marketing and price stabilization plan; declaring state policy relating to milk; creating a milk stabilization board; authorizing the board to prescribe milk stabilization plans and maximum and minimum prices for marketing milk; requiring licenses for persons involved in milk marketing; prescribing milk marketing violations; authorizing enforcement of disruptive trade practices; authorizing entry, inspection, and investigation of milk marketing practices; requiring records and reports; providing remedies and penalties for milk marketing violations; authorizing local advisory boards; authorizing assessments on milk processors; authorizing a referendum on continuance of stabilized prices; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, chapter 32A.

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

McLaughlin, Voss and Scheid introduced:

H. F. No. 1001, A bill for an act relating to taxation; sales and use; limiting the exemption for advertising materials subsequently shipped out of Minnesota and providing for adjustment of the rate of tax imposed on sales of advertising materials under certain circumstances; amending Minnesota Statutes 1986, section 297A.25, subdivision 22.

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

Clark, Ogren, Jacobs, Rodosovich and Gruenes introduced:

H. F. No. 1002, A bill for an act relating to utilities; establishing program to provide communication-impaired people with devices enabling their use of telephones; creating advisory committee and requiring report; providing for payment of costs of program; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Kludt, Kostohryz, Reding and Orenstein introduced:

H. F. No. 1003, A resolution memorializing the President and Congress to enact legislation to exempt nonprofit organizations from the federal excise tax on wagering.

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

Nelson, K., and Vellenga introduced:

H. F. No. 1004, A bill for an act relating to education; extending the authorization for a desegregation levy to certain additional districts; amending Minnesota Statutes 1986, section 275.125, subdivision 6e.

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

McLaughlin, Scheid, Jacobs and Clark introduced:

H. F. No. 1005, A bill for an act relating to landlord and tenant; authorizing tenants in single-metered residential buildings to pay for gas and electric utilities and deduct the payments from rent due; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 504.

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

Osthoff, Skoglund, McKasy, Knickerbocker and Wenzel introduced:

H. F. No. 1006, A bill for an act relating to financial institutions; regulating interstate branching by certain savings and loan associations; regulating certain acquisitions by savings and loan holding companies headquartered in Minnesota; amending Minnesota Statutes 1986, section 51A.58.

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

Kludt and Nelson, D., introduced:

H. F. No. 1007, A bill for an act relating to civil actions; providing for the application of statutes of limitations to actions that involve the law of other states; enacting the uniform conflict of laws-

limitations act; proposing coding for new law in Minnesota Statutes, chapter 541.

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

Vellenga, Clark, Stanius and Ozment introduced:

H. F. No. 1008, A bill for an act relating to occupations and professions; generally revising and updating the laws relating to licensure of podiatrists; providing for definitions, licensing, practice without a license, disciplinary action, and investigations; providing penalties; amending Minnesota Statutes 1986, sections 153.01, subdivisions 2 and 3; 153.02; 153.03; 214.01; and 319A.02; proposing coding for new law in Minnesota Statutes, chapter 153; repealing Minnesota Statutes 1986, sections 153.01, subdivision 4; 153.04 to 153.09; 153.13; 153.14; and 153.15.

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

Jefferson, Osthoff and Scheid introduced:

H. F. No. 1009, A bill for an act relating to transportation; providing for standards for special transportation service; requiring standards for special transportation service in the metropolitan area; amending Minnesota Statutes 1986, sections 174.30, subdivisions 1, 2, 4, 6, 7, and by adding subdivisions; 473.386, subdivisions 1, 2, 3, 4, 6, and by adding subdivisions; repealing Minnesota Statutes 1986, section 473.386, subdivision 7.

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

Vellenga, Pappas and Orenstein introduced:

H. F. No. 1010, A bill for an act relating to the city of Saint Paul; providing for delay in increased valuation on certain rehabilitation projects.

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

Vellenga, Rest and Carruthers introduced:

H. F. No. 1011, A bill for an act relating to juveniles; exempting certain parents from the requirement of reimbursing counties for

the costs of a child's court-ordered care, examination, or treatment, or a child's court-ordered representation by an attorney or guardian ad litem; amending Minnesota Statutes 1986, section 260.251, subdivisions 1, 4, and 5.

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

Osthoff introduced:

H. F. No. 1012, A bill for an act relating to taxation; property; eliminating, restricting, and clarifying property tax exemptions; appropriating money; amending Minnesota Statutes 1986, sections 272.01, subdivisions 2 and 3; 272.011; 272.02, subdivision 1, and by adding a subdivision; 272.025, subdivision 1; 273.115, subdivisions 1, 2, and 3; 273.116, subdivisions 1 and 2; 273.13, subdivision 25, and by adding a subdivision; 273.19, subdivisions 1, 3, 4, and by adding a subdivision; 297A.01, subdivision 11; and 398A.05; proposing coding for new law in Minnesota Statutes, chapter 272; repealing Minnesota Statutes 1986, sections 272.02, subdivisions 2 and 3; 295.44, subdivision 1; 383C.48; and 473.556, subdivision 4.

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

McEachern introduced:

H. F. No. 1013, A bill for an act relating to the permanent school fund; requiring the commissioner of administration to acquire certain trust fund lands by condemnation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 92.

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

McEachern introduced:

H. F. No. 1014, A bill for an act relating to the permanent school fund; modifying the sale procedures for certain trust fund lands leased for lakeshore cabin purposes; appropriating money; amending Minnesota Statutes 1986, sections 92.46, subdivision 1; and 92.67; repealing Laws 1986, chapter 449, section 6.

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

Rest, Blatz and Kludt introduced:

H. F. No. 1015, A bill for an act relating to motorboat safety; providing for enforcement of sanctions for operation of a motorboat while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1986, section 361.121, subdivision 2, and by adding subdivisions.

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

Scheid; Schreiber; Carlson, L., and Nelson, K., introduced:

H. F. No. 1016, A bill for an act relating to agriculture; authorizing the commissioner to contract for certain services; proposing coding for new law in Minnesota Statutes, chapter 28A.

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

Scheid; Schreiber; Carlson, L., and Nelson, K., introduced:

H. F. No. 1017, A bill for an act relating to agriculture; changing certain administrative and licensing provisions related to itinerant and mobile food services; amending Minnesota Statutes 1986, section 28A.065.

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

Shaver introduced:

H. F. No. 1018, A bill for an act relating to food; authorizing certain cities and counties to administer the Minnesota consolidated food licensing law as it affects certain food handlers; proposing coding for new law in Minnesota Statutes, chapter 28A.

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

Rest introduced:

H. F. No. 1019, A bill for an act relating to occupations and professions; board of accountancy; providing for experience and education requirements; authorizing a program of quality review as a condition of relicensure; eliminating the licensure of cooperative

auditing services; amending Minnesota Statutes 1986, sections 326.19, subdivisions 1, 2, and 4; and 326.20, subdivisions 1 and 2.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Osthoff and Rest introduced:

H. A. No. 7, A proposal to study the Metropolitan Sports Facilities Commission.

The advisory was referred to the Committee on Metropolitan Affairs.

Jensen; McLaughlin; Kelso; Johnson, A., and Simoneau introduced:

H. A. No. 8, A proposal to study highways in areas with rapidly expanding populations and increasing tourism.

The advisory was referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 191, A bill for an act relating to the city of St. Stephen; authorizing the issuance of bonds for the construction of a city civic building.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 89, 279 and 296.

PATRICK E. FLAHAVEN, Secretary of the Senate

POINT OF ORDER

Schreiber raised a point of order pursuant to sections 156, 575 and 761 of "Mason's Manual of Legislative Procedure" relating to Messages between the Houses. The Speaker ruled the point of order not well taken.

Schreiber appealed the decision of the Chair.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Schreiber and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Vanasek moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Vanasek moved that those not voting be excused from voting. The motion prevailed.

There were 79 yeas and 45 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Blatz	Gutknecht	McDonald	Pauly	Stanius
Burger	Hartle	McKasy	Poppenhagen	Svigum
Clausnitzer	Haukoos	McPherson	Quist	Swenson
Dempsey	Heap	Miller	Redalen	Thiede
Dille	Himle	Morrison	Richter	Tjornhom
Forsythe	Hugoson	Olsen, S.	Rose	Tompkins
Frederick	Johnson, V.	Omamm	Schreiber	Uphus
Frerichs	Knickerbocker	Onnen	Seaberg	Valento
Gruenes	Marsh	Ozment	Shaver	Waltman

So it was the judgment of the House that the decision of the Speaker should stand.

FIRST READING OF SENATE BILLS

S. F. No. 89, A bill for an act relating to agriculture; clarifying and amending the farmer-lender mediation act; amending Minnesota Statutes 1986, sections 336.9-501; 550.365; 559.209; 581.015; 583.22, subdivisions 2 and 8, and by adding a subdivision; 583.24, subdivisions 1, 3, and by adding a subdivision; 583.26, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, and by adding a subdivision; 583.27, subdivisions 1, 3, and 4; 583.28; and 583.285; proposing coding for new law in Minnesota Statutes, chapter 583.

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

S. F. No. 279, A bill for an act relating to the city of Brook Park; raising the city debt limit.

The bill was read for the first time.

Carlson, D., moved that S. F. No. 279 and H. F. No. 483, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 296, A bill for an act relating to eminent domain; regulating relocation benefits for displaced persons; amending Minnesota Statutes 1986, section 117.52, subdivision 1.

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

CONSENT CALENDAR

H. F. No. 470 was reported to the House.

There being no objection, H. F. No. 470 was continued on the Consent Calendar for one day.

CALL OF THE HOUSE LIFTED

Vanasek moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

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.

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.	DeBlicke	Jefferson	Larsen	Nelson, D.
Anderson, R.	Dempsey	Jensen	Lasley	Nelson, K.
Battaglia	Dorn	Johnson, A.	Lieder	Neuenschwander
Bauerly	Forsythe	Johnson, R.	Long	O'Connor
Beard	Frederick	Johnson, V.	Marsh	Ogren
Begich	Frerichs	Kahn	McDonald	Olsen, S.
Bertram	Greenfield	Kalis	McEachern	Olson, E.
Blatz	Gruenes	Kelly	McKasy	Olson, K.
Brown	Gutknecht	Kelso	McLaughlin	Omann
Burger	Hartle	Kinkel	McPherson	Onnen
Carlson, L.	Haukoos	Kludt	Milbert	Orenstein
Carruthers	Heap	Knickerbocker	Minne	Otis
Clark	Himle	Knuth	Morrison	Ozment
Cooper	Hugoson	Kostohryz	Munger	Pappas
Dauner	Jacobs	Krueger	Nelson, C.	Pauly

Pelowski	Riveness	Segal	Tjornhom	Waltman
Peterson	Rodosovich	Shaver	Tompkins	Welle
Price	Rose	Simoneau	Trimble	Wenzel
Quinn	Rukavina	Skoglund	Tunheim	Winter
Quist	Sarna	Solberg	Uphus	Wynia
Redalen	Schafer	Sparby	Valento	Spk. Norton
Reding	Scheid	Stanius	Vanasek	
Rest	Schoenfeld	Steensma	Vellenga	
Rice	Schreiber	Sviggum	Voss	
Richter	Seaberg	Thiede	Wagenius	

The bill was passed and its title agreed to.

CALENDAR

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

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 107 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Hartle	Lasley	Pappas	Sparby
Anderson, R.	Haukoos	Lieder	Pauly	Stanius
Battaglia	Heap	Long	Pelowski	Steensma
Bauerly	Himle	McEachern	Peterson	Sviggum
Beard	Jacobs	McKasy	Poppenhagen	Tjornhom
Begich	Jefferson	McLaughlin	Price	Trimble
Bertram	Jennings	Milbert	Quinn	Tunheim
Blatz	Jensen	Miller	Redalen	Uphus
Brown	Johnson, A.	Minne	Reding	Valento
Burger	Johnson, R.	Morrison	Rest	Vanasek
Carlson, L.	Johnson, V.	Munger	Rice	Vellenga
Carruthers	Kahn	Nelson, C.	Riveness	Voss
Clark	Kalis	Nelson, D.	Rose	Wagenius
Clausnitzer	Kelly	Nelson, K.	Rukavina	Waltman
Cooper	Kelso	O'Connor	Sarna	Welle
Dauner	Kinkel	Ogren	Scheid	Wenzel
DeBleeck	Kludt	Olsen, S.	Schoenfeld	Winter
Dille	Knickerbocker	Olson, E.	Seaberg	Wynia
Dorn	Knuth	Omam	Segal	Spk. Norton
Forsythe	Kostohryz	Orenstein	Simoneau	
Frederick	Krueger	Otis	Skoglund	
Greenfield	Larsen	Ozment	Solberg	

Those who voted in the negative were:

Dempsey	Gutknecht	McPherson	Rodosovich	Tompkins
Frerichs	Hugoson	Onnen	Schafer	
Gruenes	McDonald	Quist	Schreiber	

The bill was passed and its title agreed to.

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

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Haukoos	Larsen	Onnen	Schreiber
Anderson, R.	Heap	Lasley	Orenstein	Seaberg
Battaglia	Himle	Lieder	Otis	Shaver
Bauerly	Hugoson	Long	Ozment	Solberg
Beard	Jacobs	McDonald	Pauly	Sparby
Begich	Jefferson	McEachern	Pelowski	Stanius
Bertram	Jennings	McKasy	Peterson	Steensma
Blatz	Jensen	McLaughlin	Poppenhagen	Swenson
Brown	Johnson, A.	McPherson	Price	Tjornhom
Burger	Johnson, R.	Milbert	Quinn	Tompkins
Carruthers	Johnson, V.	Minne	Quist	Trimble
Cooper	Kahn	Morrison	Rest	Tunheim
Dauner	Kalis	Munger	Rice	Uphus
DeBlicek	Kelly	Nelson, C.	Richter	Valento
Dempsey	Kelso	Nelson, K.	Riveness	Vanasek
Dille	Kinkel	Neuenschwander	Rodosovich	Vellenga
Forsythe	Kludt	O'Connor	Rose	Voss
Frederick	Knickerbocker	Ogren	Rukavina	Waltman
Greenfield	Knuth	Olsen, S.	Sarna	Wenzel
Gruenes	Kostohryz	Olson, E.	Schafer	Winter
Hartle	Krueger	Olson, K.	Scheid	Wynia
				Spk. Norton

Those who voted in the negative were:

Carlson, L.	Dorn	Nelson, D.	Redalen	Sviggum
Clark	Frerichs	Omann	Reding	Wagenius
Clausnitzer	Gutknecht	Pappas	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 141, A bill for an act relating to liability; authorizing the elimination or limitation of a director's personal liability to a cooperative association or its members; exempting certain directors, members, and agents of nonprofit corporations from civil liability; exempting certain members of hospital district boards from certain civil liability; amending Minnesota Statutes 1986, sections 317.201; and 447.32, by adding a subdivision; and proposing coding for new law in Minnesota Statutes, chapter 308.

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

The bill was passed and its title agreed to.

H. F. No. 270, A bill for an act relating to adoption; providing for notice of an adopted child or genetic parent's death; proposing coding for new law in Minnesota Statutes, chapter 259.

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 94 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Greenfield	Knickerbocker	Nelson, C.	Pelowski
Battaglia	Hartle	Knuth	Nelson, D.	Peterson
Bauerly	Haukoos	Kostohryz	Nelson, K.	Price
Beard	Himle	Krueger	Neuenschwander	Quinn
Blatz	Jacobs	Larsen	O'Connor	Reding
Carlson, L.	Jefferson	Lasley	Ogren	Rest
Carruthers	Jennings	Lieder	Olsen, S.	Rice
Clark	Jensen	Long	Olson, E.	Riveness
Cooper	Johnson, A.	McEachern	Olson, K.	Rodosovich
Dauner	Johnson, R.	McKasy	Onnen	Rose
Dempsey	Kahn	Milbert	Orenstein	Rukavina
Dille	Kalis	Miller	Otis	Sarna
Dorn	Kelly	Minne	Ozment	Scheid
Forsythe	Kinkel	Morrison	Pappas	Schoenfeld
Frederick	Kludt	Munger	Pauly	Schreiber

Seaberg	Solberg	Tjornhom	Uphus	Welle
Shaver	Sparby	Tompkins	Valento	Winter
Simoneau	Stanius	Trimble	Vellenga	Wynia
Skoglund	Swenson	Tunheim	Wagenius	

Those who voted in the negative were:

Anderson, G.	DeBlieck	Johnson, V.	Quist	Waltman
Begich	Frerichs	Marsh	Redalen	Wenzel
Bertram	Gruenes	McDonald	Schafer	
Brown	Gutknecht	McPherson	Steensma	
Burger	Heap	Omann	Sviggum	
Clausnitzer	Hugoson	Poppenhagen	Vanasek	

The bill was passed and its title agreed to.

S. F. No. 302, A bill for an act relating to crimes; repealing the crime of criminal syndicalism; repealing Minnesota Statutes 1986, section 609.405.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Frerichs	McDonald
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The bill was passed and its title agreed to.

H. F. No. 436, A bill for an act relating to agriculture; providing minimum standards for seed potatoes; proposing coding for new law in Minnesota Statutes, chapter 21.

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 87 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jennings	McKasy	Pappas	Sparby
Battaglia	Johnson, A.	McLaughlin	Pelowski	Steensma
Beard	Johnson, R.	Milbert	Peterson	Swenson
Begich	Kahn	Minne	Price	Tompkins
Bertram	Kelly	Munger	Quinn	Trimble
Brown	Kelso	Nelson, C.	Redalen	Tunheim
Carlson, L.	Kinkel	Nelson, D.	Rest	Uphus
Carruthers	Kludt	Nelson, K.	Rice	Vellenga
Clark	Knickerbocker	Neuenschwander	Riveness	Voss
Cooper	Knuth	O'Connor	Rodosovich	Wagenius
Dauner	Kostohryz	Ogren	Rukavina	Welle
DeBlicek	Krueger	Olsen, S.	Sarna	Wenzel
Dille	Larsen	Olson, E.	Scheid	Winter
Greenfield	Lasley	Olson, K.	Seaberg	Wynia
Gruenes	Lieder	Omann	Segal	Spk. Norton
Heap	Long	Orenstein	Simoneau	
Jacobs	McDonald	Otis	Skoglund	
Jefferson	McEachern	Ozment	Solberg	

Those who voted in the negative were:

Anderson, R.	Frederick	Johnson, V.	Poppenhagen	Stanius
Bauerly	Frerichs	Kalis	Quist	Sviggum
Blatz	Gutknecht	Marsh	Reding	Thiede
Burger	Hartle	McPherson	Richter	Tjornhom
Clausnitzer	Haukoos	Miller	Schafer	Valento
Dempsey	Himle	Morrison	Schoenfeld	Waltman
Dorn	Hugoson	Onnen	Schreiber	
Forsythe	Jensen	Pauly	Shaver	

The bill was passed and its title agreed to.

S. F. No. 402, A bill for an act relating to courts; setting uniform fees in probate proceedings; amending Minnesota Statutes 1986, section 525.033.

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

The bill was passed and its title agreed to.

H. F. No. 362, A bill for an act relating to Hennepin county; creating a county housing and redevelopment authority; applying the municipal housing and redevelopment act to Hennepin county; providing for local approval of projects; proposing coding for new law in Minnesota Statutes, chapter 383B.

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 95 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Heap	Lieder	Onnen	Segal
Anderson, R.	Hugoson	Long	Orenstein	Simoneau
Battaglia	Jacobs	McEachern	Otis	Skoglund
Bauerly	Jefferson	McKasy	Ozment	Solberg
Beard	Jensen	McLaughlin	Pappas	Sparby
Begich	Johnson, A.	Milbert	Pelowski	Steensma
Bertram	Johnson, R.	Minne	Peterson	Swenson
Brown	Johnson, V.	Morrison	Price	Tompkins
Burger	Kahn	Munger	Quinn	Trimble
Carlson, L.	Kalis	Nelson, C.	Redalen	Tunheim
Carruthers	Kelly	Nelson, D.	Reding	Uphus
Clark	Kelso	Nelson, K.	Rest	Vanasek
Cooper	Kinkel	Neuenschwander	Rice	Vellenga
DeBlick	Knickerbocker	O'Connor	Riveness	Voss
Dille	Knuth	Ogren	Rodosovich	Wagenius
Dorn	Kostohryz	Olsen, S.	Sarna	Welle
Frederick	Krueger	Olson, E.	Scheid	Wenzel
Greenfield	Larsen	Olson, K.	Schoenfeld	Wynia
Gruenes	Lasley	Omann	Seaberg	Spk. Norton

Those who voted in the negative were:

Blatz	Hartle	Miller	Schafer	Tjornhom
Clausnitzer	Haukoos	Pauly	Schreiber	Valento
Dempsey	Himle	Poppenhagen	Shaver	Waltman
Forsythe	Kludt	Quist	Stanius	
Frerichs	McDonald	Richter	Sviggum	
Gutknecht	McPherson	Rose	Thiede	

The bill was passed and its title agreed to.

H. F. No. 489, A bill for an act relating to local government; authorizing annexation proceedings for certain land between the city of Nashwauk and the town of Nashwauk.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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. Anderson, G., 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. 510, 318, 336 and 432 were recommended to pass.

H. F. Nos. 3 and 123 were recommended for progress.

H. F. Nos. 137 and 227 were recommended for progress retaining their places on General Orders.

H. F. No. 134 which it recommended to pass with the following amendment offered by Price:

Page 1, line 11, delete "if" and insert "that"

Page 1, line 15, delete "if" and insert "that"

Page 1, line 21, delete "gross"

H. F. No. 28, the first engrossment, which it recommended to pass with the following amendment offered by Skoglund:

Page 1, line 17, after "telephone" insert "or an electronic information processing device that is used internally by a financial institution to conduct the business activities of the institution"

Page 1, after line 24, insert:

"Sec. 2. Minnesota Statutes 1986, section 47.63, is amended to read:

47.63 [FUNCTIONS OF AN ELECTRONIC FINANCIAL TERMINAL.]

Financial transactions which may be performed by an electronic financial terminal shall be limited to the disbursement of funds under a preauthorized credit agreement, the withdrawal of funds from a customer's account, the deposit of funds in a customer's account, the receiving of cash or checks, the disbursement of cash, the payment of loan payments, and the transfer of funds to or from one or more accounts in one or more financial institutions. All permitted transactions must be made pursuant to a preexisting

contractual agreement between the financial institution and an account holder. Accounts may not be opened at such facilities an electronic financial terminal located separate and apart from a financial institution's principal office, branch, or detached facility. Any retailer may also operate a device which is capable of performing the functions of an electronic financial terminal for any internal business activity of that retailer."

Page 2, line 35, after "customers;" insert "or,"

Page 3, line 1, after "make" insert "some or"

Page 3, line 3, delete "of similar type"

Page 3, line 4, delete "; or (3) make all of the"

Page 3, delete lines 5 and 6

Page 3, line 7, delete "paragraph (a)"

Page 3, after line 25, insert:

"Sec. 5. Minnesota Statutes 1986, section 47.64, subdivision 4, is amended to read:

Subd. 4. An electronic financial terminal located separate and apart from a financial institution's principal office, branch, or detached facility, if staffed, shall be operated exclusively by a person who is not employed by any financial institution, any financial institution holding company, or subsidiary thereof. However, persons assisting customers of financial institutions at the site of the terminal may be trained by employees of a financial institution, financial institution holding company, or subsidiary thereof, and nothing in this section shall be construed to prohibit periodic servicing of an electronic financial terminal by an employee of a financial institution, financial institution holding company, or subsidiary thereof."

Renumber the sections in sequence

Amend the title accordingly

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:

Price moved to amend H. F. No. 432, the first engrossment, as follows:

Page 2, line 21, after "meet" delete "at least one of"

The question was taken on the Price amendment and the roll was called. There were 21 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	Munger	Pappas	Welle
Anderson, R.	Kelly	Nelson, C.	Price	
Carruthers	Knuth	Nelson, D.	Rukavina	
Clark	Lasley	Orenstein	Scheid	
Cooper	Long	Osthoff	Simoneau	

Those who voted in the negative were:

Battaglia	Gutknecht	Lieder	Ozment	Sparby
Bauerly	Hartle	Marsh	Pauly	Stanius
Beard	Haukoos	McDonald	Pelowski	Steensma
Begich	Heap	McEachern	Peterson	Sviggum
Bertram	Himle	McKasy	Poppenhagen	Swenson
Blatz	Hugoson	McLaughlin	Quinn	Thiede
Boo	Jefferson	McPherson	Quist	Tjornhom
Brown	Jennings	Milbert	Redalen	Tompkins
Burger	Jensen	Miller	Reding	Trimble
Carlson, D.	Johnson, A.	Minne	Rest	Tunheim
Carlson, L.	Johnson, R.	Morrison	Rice	Uphus
Clausnitzer	Johnson, V.	Nelson, K.	Richter	Valento
Dauner	Kahn	Neuenschwander	Riveness	Vanasek
DeBlieck	Kalis	O'Connor	Rodosovich	Vellenga
Dempsey	Kelso	Ogren	Rose	Voss
Dille	Kinkel	Olsen, S.	Sarna	Wagenius
Dorn	Kludt	Olson, E.	Schafer	Waltman
Forsythe	Knickerbocker	Olson, K.	Schreiber	Wenzel
Frederick	Kostohryz	Omann	Seaberg	Winter
Greenfield	Krueger	Onnen	Shaver	Spk. Norton
Gruenes	Larsen	Otis	Skoglund	

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

Nelson, D., moved to amend H. F. No. 432, the first engrossment, as follows:

Page 3, line 5, delete "and the person"

Page 3, delete line 6

Page 3, line 7, delete "specific" and insert "shall specify"

The question was taken on the Nelson, D., amendment and the roll was called. There were 37 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Johnson, R.	Munger	Reding	Voss
Carlson, L.	Kahn	Nelson, C.	Rest	Wagenius
Carruthers	Kludt	Nelson, D.	Rice	Welle
Clark	Krueger	Orenstein	Rose	Winter
Cooper	Lasley	Osthoff	Scheid	Wynia
Dauner	Lieder	Pappas	Segal	
Greenfield	Long	Peterson	Skoglund	
Jefferson	McLaughlin	Price	Solberg	

Those who voted in the negative were:

Battaglia	Gruenes	Larsen	Onnen	Shaver
Bauerly	Gutknecht	Marsh	Otis	Sparby
Beard	Hartle	McDonald	Ozment	Stanisus
Begich	Haukoos	McEachern	Pauly	Steenasma
Bertram	Heap	McKasy	Pelowski	Sviggum
Blatz	Himle	McPherson	Poppenhagen	Swenson
Boo	Hugoson	Milbert	Quinn	Thiede
Brown	Jacobs	Miller	Quist	Tjornhom
Burger	Jennings	Minne	Redalen	Tompkins
Carlson, D.	Jensen	Morrison	Richter	Trimble
Clausnitzer	Johnson, A.	Nelson, K.	Riveness	Tunheim
DeBlieck	Johnson, V.	O'Connor	Rodosovich	Uphus
Dempsey	Kalis	Ogren	Rukavina	Valento
Dille	Kelso	Olsen, S.	Schafer	Vellenga
Dorn	Kinkel	Olson, E.	Schoenfeld	Waltman
Forsythe	Knickerbocker	Olson, K.	Schreiber	Wenzel
Frederick	Kostohryz	Omann	Seaberg	Spk. Norton

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

Welle moved to amend H. F. No. 432, the first engrossment, as follows:

Page 2, line 34, after "8" insert "and is a high school graduate"

The question was taken on the Welle amendment and the roll was called. There were 47 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jefferson	Munger	Rest	Trimble
Anderson, R.	Jennings	Nelson, C.	Riveness	Vanasek
Battaglia	Kahn	Nelson, D.	Rukavina	Voss
Brown	Kelly	Ogren	Scheid	Wagenius
Carlson, L.	Kludt	Olson, K.	Schoenfeld	Welle
Carruthers	Knuth	Orenstein	Segal	Winter
Cooper	Larsen	Osthoff	Simoneau	Wynia
Dille	Lasley	Pappas	Skoglund	
Greenfield	Long	Peterson	Solberg	
Himle	Minne	Price	Sparby	

Those who voted in the negative were:

Bauerly	Hartle	McEachern	Pelowski	Sviggum
Begich	Haukoos	McKasy	Poppenhagen	Swenson
Bertram	Heap	McLaughlin	Quinn	Thiede
Blatz	Hugoson	McPherson	Quist	Tjornhom
Boo	Jacobs	Milbert	Redalen	Tompkins
Burger	Jensen	Miller	Reding	Tunheim
Carlson, D.	Johnson, A.	Morrison	Richter	Uphus
Clausnitzer	Johnson, R.	Nelson, K.	Rodosovich	Valento
Dauner	Johnson, V.	Neuenschwander	Rose	Vellenga
DeBlieck	Kelso	O'Connor	Sarna	Waltman
Dempsey	Kinkel	Olsen, S.	Schafer	Wenzel
Dorn	Knickerbocker	Olson, E.	Schreiber	Spk. Norton
Forsythe	Krueger	Omann	Seaberg	
Frederick	Lieder	Onnen	Shaver	
Frerichs	Marsh	Ozment	Stanius	
Gutknecht	McDonald	Pauly	Steenasma	

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 92, A bill for an act relating to taxation; providing for expenditure of proceeds of the taconite production tax; amending Minnesota Statutes 1986, sections 298.292; 298.293; 298.294; and 298.296, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 298; repealing Laws 1986, chapter 441, section 14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration H. F. No. 92.

PATRICK E. FLAHAVEN, Secretary of the Senate

Minne moved that the House accede to the request of the Senate for the return of H. F. No. 92 and that the bill be returned to the Senate for further consideration.

Schreiber moved to amend the Minne motion by inserting the following language before the period:

“and that the House requests that H. F. No. 92 again be returned to the House for further consideration by the House”

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment to the Minne motion and the roll was called. There were 49 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Blatz	Gutknecht	Knuth	Pauly	Shaver
Burger	Hartle	Marsh	Poppenhagen	Svigum
Carlson, D.	Haukoos	McDonald	Quist	Swenson
Clausnitzer	Heap	McKasy	Redalen	Thiede
Dempsey	Himle	McPherson	Rest	Tjornhom
Dille	Hugoson	Miller	Richter	Tompkins
Forsythe	Jacobs	Morrison	Rose	Uphus
Frederick	Jennings	Olsen, S.	Schafer	Valento
Frerichs	Johnson, V.	Omamm	Schreiber	Waltman
Gruenes	Knickerbocker	Onnen	Seaberg	

Those who voted in the negative were:

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

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

The question recurred on the Minne motion that the House accede to the request of the Senate for the return of H. F. No. 92 and that the bill be returned to the Senate for further consideration. The motion prevailed.

REPORT FROM THE COMMITTEE ON
RULES AND LEGISLATIVE ADMINISTRATION

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

House Concurrent Resolution No. 6, A House concurrent resolution adopting permanent Joint Rules of the Senate and House of Representatives.

Reported the same back with the following amendments:

Page 4, after line 28, insert:

“All proceedings of a conference committee must be recorded on magnetic tape or similar device. Two copies of each tape shall be delivered to the director of the legislative reference library and there maintained on file for use by any member of the public in accordance with the rules of the legislative reference library.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.”

With the recommendation that when so amended the concurrent resolution be adopted.

The report was adopted.

Vanasek moved that House Concurrent Resolution No. 6 and the proposed permanent Joint Rules of the Senate and House of Representatives be now adopted.

Himle moved to amend House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration, as follows:

Page 1 of the committee report, line 10, after “committee” insert “public or private.”

A roll call was requested and properly seconded.

The question was taken on the Himle amendment to the proposed Joint Rules and the roll was called. There were 48 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Blatz	Gruenes	McDonald	Poppenhagen	Swiggum
Boo	Gutknecht	McKasy	Quist	Swenson
Burger	Hartle	McPherson	Redalen	Thiede
Carlson, D.	Haukoos	Miller	Richter	Tjornhom
Clausnitzer	Heap	Morrison	Rose	Tompkins
Cooper	Himle	Olsen, S.	Schafer	Uphus
Dempsey	Hugoson	Omamn	Schreiber	Valento
Forsythe	Johnson, V.	Onnen	Seaberg	Waltman.
Frederick	Knickerbocker	Ozment	Shaver	
Frerichs	Marsh	Pauly	Stanius	

Those who voted in the negative were:

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

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

Thiede moved to amend House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration, as follows:

Page 5, after line 6, insert:

“(4) Rule 3.04 is adopted to read:

DUTIES OF MEMBERS

Rule 3.04. A member of the Senate and House of Representatives may not solicit or accept funds from a lobbyist or political action committee registered under Minnesota Statutes, chapter 10A, from the time the Legislature convenes in regular or special session until it either adjourns to the next year or adjourns sine die. This rule does not prohibit fundraising efforts during legislative sessions by the political party caucuses of the Senate or House or bar any fundraising for a special election to fill a vacancy in the Senate or House of Representatives.”

Simoneau moved to lay the Thiede amendment to the proposed Joint Rules on the table.

A roll call was requested and properly seconded.

The question was taken on the Simoneau motion to lay the Thiede amendment to the proposed Joint Rules on the table and the roll was called. There were 68 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jennings	Long	Pelowski	Steensma
Battaglia	Jensen	McEachern	Peterson	Trimble
Bauerly	Johnson, A.	McLaughlin	Price	Tunheim
Beard	Johnson, R.	Milbert	Quinn	Vanasek
Begich	Kahn	Minne	Reding	Vellenga
Bertram	Kalis	Nelson, C.	Rice	Voss
Carruthers	Kelly	Nelson, K.	Rodosovich	Wagenius
Clark	Kelso	Neuenschwander	Rukavina	Welle
Dauner	Kinkel	O'Connor	Sarna	Wenzel
DeBlicck	Kostohryz	Ogren	Schoenfeld	Winter
Dorn	Krueger	Olson, K.	Segal	Wynia
Greenfield	Larsen	Osthoff	Simoneau	Spk. Norton
Jacobs	Lasley	Otis	Solberg	
Jefferson	Lieder	Pappas	Sparby	

Those who voted in the negative were:

Anderson, R.	Frederick	Knuth	Ozment	Shaver
Blatz	Frerichs	Marsh	Pauly	Skoglund
Boo	Gruenes	McDonald	Poppenhagen	Stanius
Brown	Gutknecht	McKasy	Quist	Svigum
Burger	Hartle	McPherson	Redalen	Swenson
Carlson, D.	Haukoos	Miller	Rest	Thiede
Carlson, L.	Heap	Morrison	Richter	Tjornhom
Clausnitzer	Himle	Olsen, S.	Rose	Tompkins
Cooper	Hugoson	Olson, E.	Schafer	Uphus
Dempsey	Johnson, V.	Omann	Scheid	Valento
Dille	Kludt	Onnen	Schreiber	Waltman
Forsythe	Knickerbocker	Orenstein	Seaberg	

The motion prevailed and the Thiede amendment to the proposed Joint Rules was laid on the table.

Krueger was excused for the remainder of today's session.

Schreiber moved to amend House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration, as follows:

Page 5, after line 15, insert:

“(4) Rule 3.04 is adopted to read:

BUDGET RESOLUTIONS BINDING ON BOTH HOUSES

Rule 3.04. Both houses shall provide by rule for the development and adoption of a budget resolution that sets a limit on expenditures and taxes for the coming fiscal biennium. Each house shall act upon a budget resolution not later than 15 days prior to the deadline for

committee reports on bills favorably acted upon by a committee in the house of origin set forth in rule 2.03. The limit is effective upon adoption unless that house adopts a different limitation in a subsequent budget resolution or in a concurrent resolution adopted by the other house. No bill shall be given its third reading in either of the houses if it is in violation of rules of that house adopted pursuant to this rule. No bill carrying an appropriation shall be passed by either house until a bill affecting state tax policy has passed that house providing sufficient revenue to cover any appropriations contained in the appropriations bill."

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment to the proposed Joint Rules and the roll was called. There were 52 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Ferichs	McDonald	Poppenhagen	Stanius
Blatz	Gruenes	McKasy	Quist	Sviggum
Boo	Gutknecht	McPherson	Redalen	Swenson
Burger	Hartle	Morrison	Rest	Thiede
Carlson, D.	Haukoos	Olsen, S.	Richter	Tjornhom
Clausnitzer	Heap	Omann	Rose	Uphus
Cooper	Himle	Onnen	Schafer	Valento
Dempsey	Hugson	Orenstein	Scheid	Waltman
Dille	Johnson, V.	Osthoff	Schreiber	
Forsythe	Knickerbocker	Ozment	Seaberg	
Frederick	Marsh	Pauly	Shaver	

Those who voted in the negative were:

Anderson, G.	Jefferson	Long	Pelowski	Sparby
Battaglia	Jensen	McEachern	Peterson	Steenasma
Bauerly	Johnson, A.	McLaughlin	Price	Trimble
Beard	Johnson, R.	Milbert	Quinn	Tunheim
Begich	Kahn	Minne	Reding	Vanasek
Bertram	Kalis	Munger	Rice	Vellenga
Brown	Kelly	Nelson, C.	Riveness	Voss
Carlson, I.	Kelso	Nelson, D.	Rodosovich	Wagenius
Carruthers	Kinkel	Nelson, K.	Rukavina	Welle
Clark	Kludt	Neuenschwander	Sarna	Wenzel
Dauner	Knuth	O'Connor	Schoenfeld	Winter
DeBlicek	Kostohryz	Ogren	Segal	Wynia
Dorn	Larsen	Olson, E.	Simoneau	Spk. Norton
Greenfield	Lasley	Otis	Skoglund	
Jacobs	Lieder	Pappas	Solberg	

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

Valento moved to amend House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration, as follows:

Page 4, lines 16 to 22, delete the new language and insert "A conference committee report on any bill must be limited to the

matters contained in that bill and matters directly related to the remaining substantive differences between the houses on that bill at the time each house originally passed it.

A roll call was requested and properly seconded.

The question was taken on the Valento amendment to the proposed Joint Rules and the roll was called. There were 48 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Blatz	Frerichs	Marsh	Ozment	Swiggum
Boo	Gruenes	McDonald	Pauly	Swenson
Burger	Gutknecht	McKasy	Poppenhagen	Thiede
Carlson, D.	Hartle	McPherson	Redalen	Tjornhom
Clausnitzer	Haukoos	Miller	Richter	Tompkins
Cooper	Heap	Morrison	Rose	Uphus
Dempsey	Himle	Olsen, S.	Schafer	Valento
Dille	Hugoson	Omann	Schreiber	Waltman
Forsythe	Johnson, V.	Onnen	Seaberg	
Frederick	Knickerbocker	Orenstein	Shaver	

Those who voted in the negative were:

Anderson, G.	Jefferson	Lieder	Otis	Solberg
Battaglia	Jennings	Long	Pappas	Sparby
Bauerly	Jensen	McEachern	Pelowski	Steensma
Beard	Johnson, A.	McLaughlin	Peterson	Trimble
Begich	Johnson, R.	Milbert	Price	Tunheim
Bertram	Kahn	Minne	Quinn	Vanasek
Brown	Kalis	Munger	Reding	Vellenga
Carlson, L.	Kelly	Nelson, C.	Rest	Voss
Carruthers	Kelso	Nelson, K.	Rice	Wagenius
Clark	Kinkel	Neuenschwander	Riveness	Welle
Dauner	Kludt	O'Connor	Rodosovich	Wenzel
DeBlicke	Knuth	Ogren	Rukavina	Winter
Dorn	Kostohryz	Olson, E.	Scheid	Wynia
Greenfield	Larsen	Olson, K.	Schoenfeld	Spk. Norton
Jacobs	Lasley	Osthoff	Skoglund	

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

Osthoff moved to amend House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration, as follows:

Page 4, line 17, delete “that are germane to the bill and amendment” and insert “included in the bill passed by either the House or the Senate”

Page 4, line 18, delete “A provision is”

Page 4, delete lines 19 to 21

Page 4, line 22, delete “conference committee.”

A roll call was requested and properly seconded.

The question was taken on the Osthoff amendment to the proposed Joint Rules and the roll was called. There were 57 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Marsh	Osthoff	Shaver
Bauerly	Frerichs	McDonald	Ozmet	Stanius
Blatz	Gruenes	McKasy	Pauly	Sviggum
Boo	Gutknecht	McPherson	Poppenhagen	Swenson
Brown	Hartle	Miller	Redalen	Thiede
Burger	Haukoos	Morrison	Rest	Tjornhom
Carlson, D.	Heap	Neuenschwander	Richter	Uphus
Carruthers	Himle	O'Connor	Rose	Valento
Clausnitzer	Hugoson	Olsen, S.	Schafer	Waltman
Dempsey	Jensen	Omann	Scheid	
Dille	Johnson, V.	Onnen	Schreiber	
Forsythe	Knickerbocker	Orenstein	Seaberg	

Those who voted in the negative were:

Anderson, G.	Jennings	McLaughlin	Reding	Trimble
Battaglia	Johnson, A.	Milbert	Rice	Tunheim
Beard	Johnson, R.	Minne	Riveness	Vanasek
Begich	Kahn	Munger	Rodosovich	Vellenga
Bertram	Kalis	Nelson, C.	Rukavina	Voss
Carlson, L.	Kinkel	Nelson, K.	Sarna	Wagenius
Clark	Kludt	Ogren	Schoenfeld	Welle
Cooper	Knuth	Olson, E.	Segal	Wenzel
Dauner	Kostohryz	Olson, K.	Simoneau	Winter
DeBlieck	Larsen	Otis	Skoglund	Wynia
Dorn	Lasley	Pelowski	Solberg	Spk. Norton
Greenfield	Lieder	Peterson	Sparby	
Jacobs	Long	Price	Steensma	
Jefferson	McEachern	Quinn	Tompkins	

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

Schreiber moved to amend House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration, as follows:

Page 4, line 19, delete "substantially"

Page 4, line 20, delete "substantially"

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment to the proposed Joint Rules and the roll was called. There were 59 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Forsythe	Knickerbocker	Osthoff	Seaberg
Bauerly	Frederick	Marsh	Ozment	Shaver
Bertram	Frerichs	McDonald	Pauly	Stanius
Blatz	Gruenes	McKasy	Pelowski	Sviggun
Boo	Gutknecht	McPherson	Poppenhagen	Swenson
Burger	Hartle	Miller	Redalen	Thiede
Carlson, D.	Haukoos	Morrison	Rest	Tjornhom
Clausnitzer	Heap	Nelson, D.	Richter	Tompkins
Cooper	Himle	Olsen, S.	Rose	Uphus
Dauner	Hugoson	Omann	Schafer	Valento
Dempsey	Johnson, V.	Onnen	Scheid	Waltman
Dille	Kludt	Orenstein	Schreiber	

Those who voted in the negative were:

Anderson, G.	Jensen	McEachern	Peterson	Sparby
Battaglia	Johnson, A.	McLaughlin	Price	Steensma
Beard	Johnson, R.	Milbert	Quinn	Trimble
Begich	Kahn	Minne	Reding	Tunheim
Brown	Kalis	Munger	Rice	Vanasek
Carlson, L.	Kelly	Nelson, C.	Riveness	Vellenga
Carruthers	Kelso	Nelson, K.	Rodosovich	Voss
Clark	Kinkel	Neuenschwander	Rukavina	Wagenius
DeBlieck	Knuth	O'Connor	Sarna	Welle
Dorn	Kostohryz	Ogren	Schoenfeld	Wenzel
Greenfield	Larsen	Olson, E.	Segal	Winter
Jacobs	Lasley	Olson, K.	Simoneau	Wynia
Jefferson	Lieder	Otis	Skoglund	Spk. Norton
Jennings	Long	Pappas	Solberg	

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

Himle offered an amendment to House Concurrent Resolution No. 6, as amended by the Committee on Rules and Legislative Administration.

POINT OF ORDER

Simoneau raised a point of order pursuant to section 401, paragraph 4, of "Mason's Manual of Legislative Procedure" relating to frivolous and improper amendments that the Himle amendment was not in order. The Speaker ruled the point of order well taken and the Himle amendment out of order.

The question recurred on the adoption of House Concurrent Resolution No. 6 and the proposed permanent Joint Rules of the Senate and House of Representatives and the roll was called. There were 120 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brown	McDonald	Poppenhagen	Thiede
Frerichs	Miller	Richter	Waltman

The motion prevailed and House Concurrent Resolution No. 6 and the proposed permanent Joint Rules of the Senate and House of Representatives were adopted as follows:

HOUSE CONCURRENT RESOLUTION NO. 6

A House concurrent resolution adopting permanent Joint Rules of the Senate and House of Representatives.

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring that the Joint Rules of the Senate and House of Representatives for the 75th Legislature shall be the Joint Rules of the 74th Legislature but amended as follows:

(1) Rule 2.02 is amended to read:

APPROPRIATING MONEY

Rule 2.02. The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions. All resolutions authorizing the issuing of

abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

In odd-numbered years, at least twenty calendar days prior to the last day the Legislature can meet in regular session [~~April 30, 1985~~ Tuesday, April 28, 1987], the Committee on Finance of the Senate and the Committee on Appropriations of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, eight separate appropriation bills as follows:

(a) A bill appropriating money for the general administrative and judicial expenses of the State government for the succeeding two fiscal years including salaries, office expenses and supplies and other necessary expenses connected therewith;

(b) A bill covering all appropriations relating to public welfare, health and corrections for the support and maintenance of all State penal and charitable institutions, and other institutions of the State except educational for the two succeeding fiscal years;

(c) A bill appropriating money for the support and maintenance of all State educational institutions for the two succeeding fiscal years;

(d) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the Finance Committee of the Senate or the Appropriations Committee of the House;

(e) A bill covering all appropriations made for semi-state activities;

(f) A bill covering all appropriations for construction and major rehabilitation of public buildings to be financed by issuance of bonds;

(g) A bill covering all appropriations for maintenance, repair, and minor rehabilitation and construction of public buildings; and

(h) A bill covering appropriations for the department of transportation.

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

(2) Rule 2.03 is amended to read:

DEADLINES

Rule 2.03. (a) In odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after ~~April 4, 1985~~ April 10, 1987, and committee reports on bills originating in the other house favorably acted upon by a committee after ~~April 19, 1985~~ April 28, 1987, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after the earlier date and by the later date set by this paragraph acts on a bill that is a companion to a bill that has met the earlier deadline in the other house. This rule does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes.

Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by the last Thursday on which the Legislature can meet in regular session [~~May 16, 1985~~ May 14, 1987]. After the last Friday on which the Legislature can meet in regular session [~~May 17, 1985~~ May 15, 1987], neither house shall act on bills other than those contained in:

(1) Reports of conference committees;

(2) Messages from the other house;

(3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or

(4) Messages from the Governor.

(b) In even-numbered years the Legislature shall establish by concurrent resolution deadlines based on the date intended to be the date of adjournment sine die.

(3) Rule 2.06 is amended to read:

CONFERENCE COMMITTEES

Rule 2.06. In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a conference committee consisting of not less than three members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.

The manner of procedure shall be as follows: The house of origin passes a bill and transmits it to the other body. If the other body

adopts an amendment to the bill and passes it as amended, it shall return the bill with a record of its actions to the house of origin. If the house of origin refuses to concur in the amendment, it shall ask for a conference committee, appoint such a committee on its part, and transmit the bill with a record of its action to the other house. If the other house adheres to its amendment, it shall appoint a like committee and return the bill to the house of origin.

At an agreed upon hour the conference committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon and shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement.

If an agreement is reported, the house of origin shall act first upon the report. A conference committee report must be limited to provisions that are germane to the bill and amendment that were referred to the conference committee. A provision is not germane if it relates to a substantially different subject or is intended to accomplish a substantially different purpose from that of the bill and amendment that were referred to the conference committee. If the report is adopted and repassed as amended by the conference committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

All conference committees shall be open to the public. Meetings of conference committees shall be announced as far in advance as practical.

All proceedings of a conference committee must be recorded on magnetic tape or similar device. Two copies of each tape shall be delivered to the director of the legislative reference library and there maintained on file for use by any member of the public in accordance with the rules of the legislative reference library.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

Except after the last Thursday on which the Legislature can meet in regular session in odd-numbered years [May 16, 1985 May 14, 1987], and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Rule 2.03, paragraph (b), to meet in regular session in even-numbered years, a written copy of a report of a conference committee shall be placed on the desk of each member of a house twelve hours before action on the report by that house. If the report has been reprinted in the Journal of either house for a preceding day and is available to the members, the Journal copy shall serve as the written report. The member presenting the conference committee report to the body

shall disclose, either in writing or orally, the substantial changes from the bill or the amendment as they were last before the body.

MOTIONS AND RESOLUTIONS

Solberg moved that the name of Johnson, R., be stricken and the name of Olsen, S., be added as an author on H. F. No. 342. The motion prevailed.

Blatz moved that her name be shown as second author and the name of Kelly be shown as chief author on H. F. No. 374. The motion prevailed.

Skoglund moved that the name of Rodosovich be stricken and the name of Otis be added as an author on H. F. No. 392. The motion prevailed.

Peterson moved that the name of Price be stricken and the name of McDonald be added as an author on H. F. No. 487. The motion prevailed.

Bertram moved that the name of Omann be added as an author on H. F. No. 670. The motion prevailed.

Schoenfeld moved that the name of Frederick be added as an author on H. F. No. 685. The motion prevailed.

Solberg moved that the names of Kinkel, Poppenhagen and Johnson, R., be added as authors on H. F. No. 834. The motion prevailed.

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

Simoneau moved that the name of Segal be added as an author on H. F. No. 882. The motion prevailed.

Knuth moved that the name of Brown be added as an author on H. F. No. 887. The motion prevailed.

McPherson moved that the name of Tjornhom be added as an author on H. F. No. 893. The motion prevailed.

Otis moved that the name of Clark be added as an author on H. F. No. 929. The motion prevailed.

Otis moved that the name of Clark be added as an author on H. F. No. 930. The motion prevailed.

Simoneau moved that the name of Clark be added as an author on H. F. No. 944. The motion prevailed.

Dorn moved that H. F. No. 511 be recalled from the Committee on Higher Education and be re-referred to the Committee on Agriculture. The motion prevailed.

Bertram introduced:

House Resolution No. 34, A House resolution congratulating the Bulldogs Wrestling Team from Paynesville High School for winning the 1987 Class A State High School Wrestling Tournament Championship.

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

Rest introduced:

House Resolution No. 35, A House resolution congratulating Dan Bartle on receiving the Medal of Merit from the Boy Scouts of America.

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

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 19, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 19, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

