

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

TWENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 1, 1987

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

Prayer was offered by Father Thomas Hunstiger, Parish of the Holy Spirit, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Blatz and Himle were excused.

Uphus was excused until 3:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Minne 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. 737, 889, 450, 651, 799, 750, 564 and 469 and S. F. Nos. 128, 397, 133, 291, 73, 440, 333 and 403 have been placed in the members' files.

S. F. No. 291 and H. F. No. 603, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Tunheim moved that S. F. No. 291 be substituted for H. F. No. 603 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 128 and H. F. No. 447, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jaros moved that the rules be so far suspended that S. F. No. 128 be substituted for H. F. No. 447 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 397 and H. F. No. 651, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Scheid moved that the rules be so far suspended that S. F. No. 397 be substituted for H. F. No. 651 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 26, A bill for an act relating to workers' compensation; providing for the organization and powers of the state compensation insurance fund; appropriating money; amending Minnesota Stat-

utes 1986, sections 11A.24, subdivision 6; 176A.02, subdivision 1; 176A.04; and 176A.11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. 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, and guaranty fund certificates, surplus notes, or debentures of domestic mutual insurance companies 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;

(b) certificates of deposit shall be limited to those issued by 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;

(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;

(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. 2. Minnesota Statutes 1986, section 176A.02, subdivision 1, is amended to read:

Subdivision 1. [FUND CREATED.] The fund is created as a nonprofit independent public corporation for the purpose of insuring employers against liability for personal injuries for which their employees may be entitled to benefits under chapter 176. The fund shall be organized as a domestic mutual insurance company.

Sec. 3. Minnesota Statutes 1986, section 176A.02, subdivision 2, is amended to read:

Subd. 2. [BOARD OF DIRECTORS.] The board of directors consists of seven members and the commissioner of labor and industry and manager of the fund who shall be an ex officio member members. Each director shall hold office until a successor is appointed and qualifies. Each director shall represent a policyholder and may be an employee of a policyholder. A policyholder may designate a person to represent them on the board. The initial board of directors shall be appointed by the governor and shall consist of seven members, and the commissioner of labor and industry. Each member of the initial board shall be either an employer or employee. If the fund is operational and issuing policies upon the expiration of the terms of the initial board and thereafter, the governor shall appoint every other director until the governor has made four appointments. The remaining three directors shall be chosen by the fund's policyholders. In addition to the commissioner, no more than one member of the board shall be a representative of a governmental entity. At least two members of the board shall represent private, for profit, enterprises. No member of the board may represent or be an employee of an insurance company.

The membership terms shall be as provided in section 15.0575. The membership compensation shall be set by the board.

The board shall annually elect a chair from among its members and other officers it deems necessary for the performance of its duties.

Sec. 4. Minnesota Statutes 1986, section 176A.04, is amended to read:

176A.04 [GENERAL POWERS.]

For the purpose of exercising the specific powers granted in this chapter and effectuating the other purposes of this chapter, the fund:

- (a) may sue and be sued;
- (b) may have a seal and alter it at will;
- (c) may make, amend, and repeal rules relating to the conduct of the business of the fund;
- (d) may enter into contracts relating to the administration of the fund;
- (e) may rent, lease, buy, or sell property in its own name and may construct or repair buildings necessary to provide space for its operations;
- (f) may declare a dividend when there is an excess of assets over liabilities, and minimum surplus requirements as consistent with chapter 60A;
- (g) may pay medical expenses, rehabilitation expenses, compensation due claimants of insured employers, pay salaries, and pay administrative and other expenses;
- (h) may hire personnel and set salaries and compensation; and
- (i) may perform all other functions and exercise all other powers of a domestic mutual insurance company that are necessary or appropriate, or convenient to administer the fund.

Amend the title as follows:

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

Page 1, line 6, delete "6" and insert "4" and delete "subdivision 1;" and insert "subdivisions 1 and 2; and" and delete "; and 176A.11"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 234, A bill for an act relating to employment; establishing unpaid leave of absences for new parents; setting conditions on return from leave; creating a cause of action; prohibiting cost of parental leave from increasing unemployment insurance experience rating; amending Minnesota Statutes 1986, section 268.06; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [181.93] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 1 to 6, the following terms have the meanings given to them in this section.

Subd. 2. [EMPLOYEE.] “Employee” means a person who performs services for hire, whether full time or less than full time on a regular basis, for an employer, unless the services are performed by an independent contractor.

Subd. 3. [EMPLOYER.] “Employer” means a person or entity which employs ten or more individuals to perform a service for hire and includes individual, corporation, partnership, association, non-profit organization, group of persons, state, county, town, city, school district, or other governmental subdivision.

Sec. 2. [181.94] [PARENTING LEAVE.]

Subdivision 1. [ONE-YEAR LEAVE; BIRTH OR ADOPTION.] An employer must grant an unpaid leave of absence to an employee who is a natural or adoptive parent in conjunction with the birth or adoption of a child. The length of the leave shall be determined by the employee, but may not exceed 26 weeks.

Subd. 2. [30-DAY LEAVE; MISCARRIAGE; DEATH.] An employer must grant an unpaid leave of absence of up to 30 days, as determined by the employee, to an employee who is a prospective or new parent in conjunction with a miscarriage or stillbirth during the pregnancy or neonatal death within 90 days of birth.

Subd. 3. [START OF LEAVE.] The leave shall begin at a time requested by the employee. The employer may adopt reasonable policies governing the timing of requests for unpaid leave. The leave may begin not more than six months after the birth or adoption.

Subd. 4. [NO EMPLOYER RETRIBUTION.] An employer shall not penalize an employee for requesting or obtaining a leave of absence as provided by this section.

Subd. 5. [CONTINUED INSURANCE.] The employer shall continue to make coverage available to the employee, while on leave of absence, under any group insurance policy, group subscriber contract, or health care plan for the employee and any dependents. Nothing in this section requires the employer to pay the costs of the insurance or health care while the employee is on leave of absence.

Sec. 3. [181.95] [REINSTATEMENT AFTER LEAVE.]

Subdivision 1. [COMPARABLE POSITION.] An employee returning from a leave of absence shall be entitled to return to employment in the employee's former position or in a position of comparable duties, number of hours, and pay. An employee returning from a leave of absence longer than one month must notify a supervisor at least two weeks prior to return from leave.

If, during the leave, the employer experiences a layoff and the employee would have lost a position had the employee not been on leave, pursuant to the good faith operation of a bona fide seniority system under a collective bargaining agreement, the employee is not entitled to reinstatement in the former or comparable position. In such circumstances, the employee retains all rights under the collective bargaining agreement as if the employee had not taken the leave.

Subd. 2. [PAY; BENEFITS; ON RETURN.] An employee returning from a leave of absence shall return to work at the same rate of pay the employee had been receiving when the leave commenced, plus any automatic adjustments in the employee's pay scale that occurred during leave period. The employee returning from a leave shall retain all accrued preleave benefits of employment and seniority, as if there had been no interruption in service; provided that nothing in sections 1 to 5 prevents the accrual of benefits or seniority during the leave pursuant to a collective bargaining or other agreement between the employer and employees.

Subd. 3. [PART-TIME RETURN.] An employee, by agreement with the employer, may return to work part-time during the leave period without forfeiting the right to return to employment at the end of the leave period, as provided in sections 1 to 6.

Sec. 4. [181.96] [USE OF SICK LEAVE.]

An employee may use sick leave benefits for absences due to the illness of a minor or dependent child on the same terms that the employee may use sick leave benefits for the employee's own illness. For the purposes of this section, the term "sick leave benefits" does not mean short or long term disability benefits.

Sec. 5. [181.97] [RELATIONSHIP TO OTHER LEAVE.]

The length of leave provided by this law may be reduced by any period of paid parental or disability leave provided by the employer, so that the total leave does not exceed 26 weeks.

Nothing in sections 1 to 5 prevents any employer from providing parental leave benefits in addition to those provided in sections 1 to 5 or otherwise affects an employee's rights with respect to any other employment benefit.

Sec. 6. [181.98] [INDIVIDUAL REMEDIES.]

In addition to any remedies otherwise provided by law, any person injured by a violation of sections 1 to 5 may bring a civil action to recover any and all damages recoverable at law, together with costs and disbursements, including reasonable attorney's fees, and may receive injunctive and other equitable relief as determined by a court.

Sec. 7. Minnesota Statutes 1986, section 268.06, subdivision 5, is amended to read:

Subd. 5. [BENEFITS CHARGED AS AND WHEN PAID.] Benefits paid to an individual pursuant to a valid claim shall be charged against the account of the individual's employer as and when paid, except that benefits paid to an individual who earned base period wages for part-time employment shall not be charged to an employer that is liable for payments in lieu of contributions or to the experience rating account of an employer if the employer: (1) provided weekly base period part-time employment; (2) continues to provide weekly employment equal to at least 90 percent of the part-time employment provided in the base period; and (3) is an interested party because of the individual's loss of other employment. The amount of benefits so chargeable against each base period employer's account shall bear the same ratio to the total benefits paid to an individual as the base period wage credits of the individual earned from such employer bear to the total amount of base period wage credits of the individual earned from all the individual's base period employers.

In making computations under this provision, the amount of wage credits if not a multiple of \$1, shall be computed to the nearest multiple of \$1.

Benefits shall not be charged to an employer that is liable for payments in lieu of contributions or to the experience rating account of an employer for unemployment, (1) that is directly caused by a major natural disaster declared by the president pursuant to section 102(2) of the Disaster Relief Act of 1974 (United States Code, title 42, section 5122(2)), if the unemployed individual would have been eligible for disaster unemployment assistance with respect to that unemployment but for the individual's receipt of unemployment insurance benefits; or (2) that is directly caused by a fire, flood, or act of God where 70 percent or more of the employees employed in the affected location become unemployed as a result and the employer substantially reopens its operations in that same area within 360 days of the fire, flood, or act of God; provided that benefits shall be charged to the employer's account, under clause (2), where the unemployment is caused by the willful act of the employer or a person acting on behalf of the employer; or (3) that results from the termination of an individual who was hired to replace an employee who was on a parental leave of absence granted under section 2, if the replacement worker was terminated because of, and within ten days of, the employee's return to work after the leave."

Amend the title as follows:

Page 1, line 7, after "268.06" insert " subdivision 5"

With the recommendation that when so amended the bill pass.

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 235, A bill for an act relating to independent school district No. 763; permitting the district to mail certain information instead of publishing it.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 123.33, is amended by adding a subdivision to read:

Subd. 11a. [MAILING OF PROCEEDINGS.] If a school board of a district that has no newspaper with its known office of issue or a secondary office located within the boundaries of the district, and no newspaper that is distributed to more than one-third of the residences in the district determines that mailing a summary of its proceedings would be more economical than publication of the

proceedings and that it would adequately inform the public, it may mail a summary of its proceedings to each residence in the district that can be identified as a homestead from the property tax records and to each other residence in the district that the board can identify. The county shall make the property tax records available to the board for this purpose. The board shall keep a copy of the summary of the proceedings as part of its records. The decision of a school board to mail summaries, rather than publish the proceedings under this subdivision shall be presumed valid, subject to challenge by a court action."

Delete the title and insert:

"A bill for an act relating to education; allowing certain districts to mail summaries of the school board proceedings rather than publish them; amending Minnesota Statutes 1986, section 123.33, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 238, A bill for an act relating to retirement; removing age limits on commencement of membership in firefighters relief associations; amending Minnesota Statutes 1986, section 424.04.

Reported the same back with the recommendation that 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. 485, A bill for an act relating to agriculture; strengthening the pesticide laws; imposing penalties; appropriating money; amending Minnesota Statutes 1986, sections 18A.21, subdivisions 1, 4, 5, 7, 8, 10, 12, 16, 19, 20, 21, 22, 23, 27, 29, 30, 31, 32, 33, 34, 35, 36, and by adding subdivisions; 18A.22, subdivisions 1, 2, 5, 7, and 8; 18A.23; 18A.24; 18A.25; 18A.27; 18A.28, subdivisions 1, 2, 3, 4, and by adding a subdivision; 18A.29, subdivisions 1, 3, and by adding subdivisions; 18A.30; 18A.31; 18A.32; 18A.33; 18A.34; 18A.35; 18A.37; 18A.39; 18A.41; 18A.42; 18A.43; 18A.44; and 18A.45; proposing coding for new law in Minnesota Statutes, chap-

ter 18A; repealing Minnesota Statutes 1986, sections 18A.26; 18A.28, subdivisions 5 and 6; 18A.29, subdivision 2; and 18A.36.

Reported the same back with the following amendments:

Page 1, line 30, delete "may" and insert "shall"

Page 2, after line 10, insert:

"It is not the intent of this subdivision to preempt local responsibilities for zoning, fire codes, or hazardous waste disposal."

Page 6, line 12, before the period insert "or as a traditional exchange of services without financial compensation"

Page 15, line 26, delete "public" and insert "surface"

Page 20, line 32, after the period insert "The commissioner shall make available a standard, single page, recordkeeping form which may be used by persons with responsibility for record keeping."

Page 24, after line 22, insert:

"The commissioner shall set forth a minimum period of suspension of license or certification for the application of pesticides by overspray, drift, or target site spray upon humans done in a grossly negligent or intentional manner."

Page 25, after line 5, insert:

"Persons applying pesticides through an irrigation system must obtain a permit from the commissioner. Applications must be on forms provided by the commissioner. The initial application for a permit must be accompanied by a fee of \$50 for each well to be used in chemigation. In case of two or more wells protected by the same anti-pollution devices, a single permit is required. The fee is not refundable. The commissioner shall, by rule, develop specific requirements for implementation of a program to regulate chemigation."

Page 25, line 28, delete "conform" and insert "be in concurrence"

Page 26, after line 24, insert:

"Sec. 63. [18A.315] [PESTICIDE APPLICATION IN CITIES.]

Subdivision 1. [DEFINITION.] For purposes of this section "city" means statutory and home rule charter cities of the first and second class as defined under section 410.01, or cities within the metropolitan area as defined under section 473.121, subdivision 2.

Subd. 2. [AUTHORITY.] A city may enact an ordinance containing the pesticide application warning information contained in subdivision 3, including their own licensing, warning time, penalty, and enforcement provisions. No city may enact an ordinance that contains more restrictive or less restrictive pesticide application warning information than is contained in subdivision 3.

Subd. 3. [WARNING SIGNS FOR PESTICIDE APPLICATION.]

(a) All commercial or noncommercial applicators who apply pesticides to turf areas outdoors are required to post or affix warning signs, valid for up to 72 hours following application, on the street frontage of the property so treated.

(b) Warning signs must project a minimum of 18 inches above the top of the grass line. The warning signs must be of a material rain-resistant for at least a 72-hour period.

(c) The following information must be printed on the sign in contrasting colors and capitalized letters measuring at least one-half inch, or in a similar format as may be approved by the commissioner. The sign shall provide the following information:

(1) The name of the company applying the pesticide or if not applied by a company, the name of the person, firm, corporation, business, governmental unit or agency thereof, or educational institution.

(2) The following language: "This area chemically treated. Keep children and pets off until" (Time as required by local ordinance), or a universally accepted symbol and text approved by the commissioner which is recognized as having the same meaning or intent as specified in this subdivision. In addition, the sign may include the name of the pesticide used.

(d) The sign shall be posted on a lawn or yard no closer than two feet from the sidewalk or right-of-way and no further than five feet from the sidewalk or right-of-way. In the case of parks, golf courses, athletic fields, or other similar property the warning signs shall also be posted immediately adjacent to areas within the property where pesticides have been applied and at or near the entrance to the property."

Page 29, line 30, after "dealers" insert "or persons employed by them or otherwise working under their supervision"

Page 29, line 32, delete everything after "chapter" and insert a period

Page 29, delete line 33

Page 36, after line 14, insert:

"All money paid as just compensation under clause (2) shall be deposited into the game and fish fund pursuant to section 97A.055."

Renumber the sections in sequence

Correct internal references

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

The report was adopted.

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

H. F. No. 602, A bill for an act relating to health; creating an exception to the nursing home moratorium for a facility operated on the Red Lake Indian Reservation; amending Minnesota Statutes 1986, section 144A.071, subdivision 3.

Reported the same back with the following amendments:

Page 3, delete lines 9 to 15, and insert:

"(g) to certify or license new beds in a new facility on the Red Lake Indian Reservation for which payments will be made under the Indian Health Care Improvement Act, Public Law Number 94-437, at the rates specified in United States Code, title 42, section 1396d(b)."

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. 626, A bill for an act relating to natural resources; establishing a program for the management and enhancement of native prairie land; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [84.961] [PRAIRIE LAND MANAGEMENT.]

Subdivision 1. [NATIVE PRAIRIE VALUES.] The commissioner of natural resources must recognize the value of native prairie land by taking into consideration the wildlife, scientific, erosion control, educational, and recreational benefits of native prairie.

Subd. 2. [PLANNING.] The commissioner must plan for management, development, and restoration of:

(1) prairie land under the commissioner's jurisdiction; and

(2) prairie landscape reserves, comprised of an integrated network of protected prairie lands, prairie restoration sites, and private prairie lands.

Subd. 3. [PRAIRIE LANDSCAPE RESERVES.] The commissioner must develop and manage permanent prairie landscape reserves to maintain the native plant and animal populations, landscape features, and habitat types that are characteristic of intact native prairie ecosystems. Management practices may include haying and grazing.

Subd. 4. [PRAIRIE BIOLOGIST.] The position of prairie biologist is established in the department of natural resources to plan, develop, and manage native prairie reserves and prairie land under this section. The prairie biologist shall be located within the central part of the prairie region and be under the supervision of the scientific and natural areas program.

Sec. 2. [84.963] [PRAIRIE PLANT SEED PRODUCTION AREAS.]

The commissioner of natural resources shall study the feasibility of establishing private or public prairie plant seed production areas within prairie land locations. If prairie plant seed production is feasible, the commissioner may aid the establishment of production areas. The commissioner may enter cost-share or sharecrop agreements with landowners having easements for conservation purposes of ten or more years on their land to commercially produce prairie plant seed of Minnesota origin. The commissioner may only aid prairie plant seed production areas on agricultural land used to produce crops before December 23, 1985, and cropped three out of five years between 1981 and 1985.”

Delete the title and insert:

“A bill for an act relating to natural resources; establishing a program for the management and enhancement of prairie land and

native prairie reserves; proposing coding for new law in Minnesota Statutes, chapter 84.”

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 326.461, subdivision 2, is amended to read:

Subd. 2. [HIGH PRESSURE PIPING.] “High pressure piping” means all high pressure piping used in the installation of hot water or steam heating boilers, any systems of piping hot water or other medium used for heating that exceed 30 p.s.i. gage and or 250 degrees Fahrenheit, or any system of high pressure steam piping, but shall not include any high pressure piping under the direct jurisdiction of the United States.

Sec. 2. Minnesota Statutes 1986, section 326.47, subdivision 3, is amended to read:

Subd. 3. [SURCHARGE.] For the purpose of defraying the cost of administering sections 326.46 to ~~326.48~~ 326.52, there is imposed on all municipalities except municipalities which have a letter of agreement with the department of labor and industry to perform inspections, a surcharge on the filing fees, inspection fees and permits issued after December 31, 1984, in connection with the construction or installation of high pressure piping systems. The surcharge shall be ~~two percent of the fees collected set by the commissioner pursuant to section 16A.128,~~ but shall not be less than \$10 \$25, nor greater than ~~\$2,000~~ \$5,000. All surcharges collected under this section must be paid to the commissioner for deposit in the state treasury for credit to the special revenue fund.

Sec. 3. Minnesota Statutes 1986, section 326.48, subdivision 1, is amended to read:

Subdivision 1. No person, firm, or corporation shall engage in or work at the business of a contracting pipefitter or journeyman pipefitter unless licensed to do so by the department of labor and industry. No license shall be required for repairs on existing installations. A contracting pipefitter may also work as a journeyman pipefitter.

No person, firm, or corporation shall engage in the business of installing high pressure piping, nor install high pressure piping in connection with the dealing in and selling of high pressure pipe material and supplies, unless, at all times, a licensed pipefitter, who shall be responsible for proper installation, is in charge of the high pressure pipefitting work of the person, firm, or corporation.

The department of labor and industry shall prescribe rules, not inconsistent herewith, for the examination and licensing of pipefitting pipefitters and for issuance of permits for the installation of high pressure piping.

An employee performing the duties of inspector for the department of labor and industry in regulating pipefitting shall not receive time credit for the inspection duties when making an application for a license required by this section.

Sec. 4. Minnesota Statutes 1986, section 326.50, is amended to read:

326.50 [APPLICATION; FEES.]

Application for a pipefitter's license shall be made to the department of labor and industry, with fees. Unless entitled to a renewal, The applicant shall be licensed only after passing a satisfactory an examination by the examiners showing fitness department of labor and industry. Fees for journeymen for examination and renewal, and for master pipefitters for examination and renewal and conditions for renewal of journeyman and contracting pipefitter's licenses shall be set by the commissioner under chapter 14 and section 16A.128. Licenses shall expire December 31, but may be renewed upon application made the following January or February; but, if in February, only upon payment of an additional fee set by the commissioner under section 16A.128.

The commissioner may issue a temporary license to a qualified individual with specific skills that a contractor or employer requires to construct or install a high pressure piping system. A temporary license must be renewed every 12 months. No individual may hold a temporary license for high pressure pipefitting for more than 36 months. The fee for a temporary license and for renewal of a

temporary license shall be set by the commissioner under section 16A.128.

Sec. 5. Minnesota Statutes 1986, section 326.51, is amended to read:

326.51 [DEPARTMENT MAY REVOKE LICENSES.]

The department may revoke or suspend, for cause, any license obtained through error or fraud, or if the licensee is shown to be incompetent, or for a second willful violation of any of its rules and regulations applicable to such work. The licensee shall have notice, in writing, enumerating the charges, and be entitled to a hearing by the commissioner on at least five ten days' notice, with the right to produce testimony. The commissioner may appoint, in writing, any competent person to take testimony, who shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the commissioner shall be based on the testimony and records. The hearing shall be held pursuant to chapter 14. The commissioner shall issue a final order based on testimony and the record at hearing. One year from the date of revocation application may be made for a new license.

Sec. 6. [326.521] [VIOLATIONS; PENALTY PROVISIONS.]

Unless otherwise specifically provided, any violation of any provision or requirement of sections 326.46 to 326.52 is a misdemeanor.

Sec. 7. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 803, A bill for an act relating to commerce; creating a legislative commission to study government and business competition; prescribing its duties.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 816, A bill for an act relating to drivers' licenses; traffic regulations; requiring courts to furnish information relating to previous convictions without charge in gross misdemeanor prosecutions of the driving while under the influence law; imposing a penalty on person who violates conditions attached to limited driver's license; amending Minnesota Statutes 1986, sections 169.121, subdivision 3; 171.17; and 171.30, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 849, A bill for an act relating to Indian child welfare; establishing direct grants to tribal governments, Indian social service organizations, and local social service agencies to fund Indian child welfare programs; establishing an Indian child welfare advisory council; amending Minnesota Statutes 1986, sections 257.35; and 257.351, subdivision 15, and by adding subdivisions; 257.354, subdivision 4, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 257; repealing Minnesota Statutes 1986, section 245.76.

Reported the same back with the following amendments:

Page 5, line 11, delete the first comma and insert "and" and delete "and chemical abuse"

Page 6, delete lines 13 to 16

Page 7, line 16, delete "two-thirds" and insert "four-fifths"

Page 7, line 35, delete "and" and insert "or"

Page 8, line 2, delete "A grant must not be greater than \$100,000."

Page 8, line 10, delete "one-third" and insert "one-fifth"

Page 8, line 21, delete "create" and insert "appoint"

Page 8, line 27, before the period insert "who are authorized by tribal resolution, one representative from the Duluth Urban Indian Community, three representatives from the Minneapolis Urban Indian Community, and two representatives from the St. Paul Urban

Indian Community. Representatives from the urban Indian communities must be selected through an open appointments process under section 15.0597"

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

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

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

The report was adopted.

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

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

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

The report was adopted.

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

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

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. 947, A bill for an act relating to state lands; authorizing a private sale of certain tax-forfeited land in St. Louis county.

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

The report was adopted.

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

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.

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

The report was adopted.

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

H. F. No. 1049, A bill for an act relating to labor; regulating the administration of the occupational safety and health act; clarifying employee rights to sue; amending Minnesota Statutes 1986, sections 182.659, subdivisions 6 and 8; 182.661, by adding a subdivision; 182.666, subdivisions 1, 2, 4, 5, and 6; and 182.669, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 12, after "refusal" insert "or anticipated refusal, based on an employer's refusal to permit entrance on a prior occasion,"

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. 1097, A bill for an act relating to Dakota county; authorizing the issuance of bonds for capital improvements and an annual levy for capital improvements and debt retirement.

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. 1119, A bill for an act relating to state lands; permitting the sale of certain land in St. Louis county.

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

The report was adopted.

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

H. F. No. 1163, A bill for an act relating to local government; authorizing cities to impose a street access charge and providing for its collection; proposing coding for new law in Minnesota Statutes, chapter 471.

Reported the same back with the following amendments:

Page 1, line 17, delete "shall" and insert "may"

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1197, A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws; amending Minnesota Statutes 1986, chapters 84A; 105; 112; 274; 276; 352; 352B; 365; 430; and 447.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 26, 234, 235, 238, 602, 656, 816, 923, 946, 947, 955, 1049, 1119 and 1197 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 291, 128 and 397 were read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Carruthers, Greenfield, Orenstein, Seaberg and McKasy introduced:

H. F. No. 1392, A bill for an act relating to business corporations; regulating the organization and operation of business corporations; providing for indemnification; providing voting rights; providing for the value, issuance, pledging, and acquisition of shares; and providing for payment on the return of shares; amending Minnesota Statutes 1986, sections 302A.011, subdivision 40; 302A.111, subdivisions 2 and 3; 302A.137; 302A.161, subdivision 22; 302A.201, subdivision 2; 302A.255, subdivision 1; 302A.405, subdivisions 1 and 2; 302A.409, subdivision 3; 302A.413, subdivision 5; 302A.433, subdivision 3; 302A.435, subdivision 2; 302A.437, subdivision 2; 302A.447, subdivision 7; 302A.455; 302A.457, subdivisions 1 and 2; 302A.473, subdivisions 1, 5, 6, and 7; 302A.501, subdivision 1; 302A.521, subdivisions 1, 8, and by adding a subdivision; and 302A.553, subdivision 1.

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

Carruthers, Greenfield, Orenstein, Seaberg and McKasy introduced:

H. F. No. 1393, A bill for an act relating to business corporations; regulating mergers and exchanges; amending Minnesota Statutes 1986, sections 302A.471, subdivisions 1 and 3; 302A.601, subdivision 2; 302A.611; 302A.613; 302A.615; 302A.631; and 302A.641, subdivision 1.

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

Nelson, D.; Skoglund; Clark; Ozment and Rose introduced:

H. F. No. 1394, A bill for an act relating to public safety; establishing the fire safety cigarette act; prohibiting the sale of

cigarettes and little cigars that do not meet certain standards for fire safety; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Simoneau, Pappas and Blatz introduced:

H. F. No. 1395, A bill for an act relating to children; creating an office for children in the state planning agency; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116K.

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

Carruthers, Blatz, Vanasek and Kelly introduced:

H. F. No. 1396, A bill for an act relating to civil actions; clarifying the statute of limitations applicable to actions regarding manufacturers or suppliers of material containing asbestos; 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.

Rice, Sarna, Begich and Riveness introduced:

H. F. No. 1397, A bill for an act relating to transportation; providing that private carriers in the construction industry comply with certain rules regarding drivers and vehicles; prescribing certain lease agreements; amending Minnesota Statutes 1986, sections 221.025; and 221.031, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Skoglund and Long introduced:

H. F. No. 1398, A bill for an act relating to taxation; increasing the rate of taxes on cigarettes and tobacco products; amending Minne-

sota Statutes 1986, sections 297.02, subdivision 1; 297.03, subdivision 5; 297.32, subdivisions 1 and 2; and 297.35, subdivision 1.

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

Otis and Trimble introduced:

H. F. No. 1399, A bill for an act relating to economic development; authorizing certain entities involved in economic development to participate in secondary markets; authorizing the use of appropriated money for secondary market purposes; amending Minnesota Statutes 1986, sections 116M.04, by adding a subdivision; 116M.08, by adding a subdivision; 362A.03, by adding a subdivision; 458.192, by adding a subdivision; 458C.14, by adding a subdivision; and 462.445, subdivision 4.

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

Rest, Scheid, Pappas and Jaros introduced:

H. F. No. 1400, A bill for an act relating to taxation; property tax refund; updating references to federal law; expanding the definition of household income; requiring filing with the income tax return; requiring additional reporting by landlords; requiring auditing of claims; allowing the right to the refund to lapse if the claimant cannot be located; repealing obsolete provisions; increasing penalties; appropriating money; amending Minnesota Statutes 1986, sections 290A.03, subdivisions 3, 8, and by adding a subdivision; 290A.06; 290A.18; and 290A.19; repealing Minnesota Statutes 1986, section 290A.04, subdivisions 2e and 2g.

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

Reding, Simoneau and Gutknecht introduced:

H. F. No. 1401, A bill for an act relating to retirement; excluding volunteer firefighters from membership in the public employees retirement association and the police and fire fund; amending Minnesota Statutes 1986, sections 353.01, subdivisions 2b, 10, and by adding a subdivision; and 353.64, subdivision 1.

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

Kelso, Vellenga, Orenstein and Jefferson introduced:

H. F. No. 1402, A bill for an act relating to human services; changing the limitation on residential services; amending Minnesota Statutes 1986, section 252.291, subdivision 2.

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

Scheid, O'Connor and Begich introduced:

H. F. No. 1403, A bill for an act relating to firefighters; requiring payment of death, disability, and survivor benefits to firefighters suffering from occupationally related cancer.

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

Gruenes introduced:

H. F. No. 1404, A bill for an act relating to commerce; franchises; regulating nonrenewals; requiring prior notice of nonrenewal; amending Minnesota Statutes 1986, section 80C.14.

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

Peterson introduced:

H. F. No. 1405, A bill for an act relating to the city of Princeton; providing for the apportionment of certain sale proceeds constituting delinquent tax increment revenues to the city.

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

McLaughlin and Wagenius introduced:

H. F. No. 1406, A bill for an act relating to metropolitan government; providing for fees at the international airport; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Kahn; Nelson, K.; Schafer and Sparby introduced:

H. F. No. 1407, A bill for an act relating to environment; establishing a siting process for a low-level radioactive waste facility; providing for volunteer sites and an alternative site selection process; establishing a siting board; appropriating money; amending Minnesota Statutes 1986, sections 116C.832, subdivision 1, and by adding subdivisions; 116C.834, subdivision 1; and 116C.842, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 116C.

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

Schafer and Olsen, S., introduced:

H. F. No. 1408, A bill for an act relating to education; increasing the aid and levy for programs for handicapped adults; appropriating money; amending Minnesota Statutes 1986, sections 121.88, subdivision 7; 124.271, subdivisions 2b and 7; and 275.125, subdivision 8.

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

Rose; Sparby; Munger; Johnson, R., and Kostohryz introduced:

H. F. No. 1409, A bill for an act relating to game and fish; designation and use of waterfowl feeding or resting areas; amending Minnesota Statutes 1986, section 97A.095, subdivision 2.

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

Jacobs; Ogren; Bennett; Olsen, S., and Quinn introduced:

H. F. No. 1410, A bill for an act relating to utilities; establishing citizen commission to study competition between utilities and private business in the sale and service of gas and electric appliances; appropriating money.

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

Rest, Long, McPherson, Wagenius and Skoglund introduced:

H. F. No. 1411, A bill for an act relating to wild animals; directing a report to the legislature on raptor population; appropriating funds.

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

Battaglia introduced:

H. F. No. 1412, A bill for an act relating to state land; authorizing private sale of certain tax-forfeited land in Lake county to city of Two Harbors.

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

Miller introduced:

H. F. No. 1413, A bill for an act relating to the city of Redwood Falls; authorizing an economic development authority to construct and furnish buildings; authorizing the authority to issue general obligation bonds subject to a reverse referendum; authorizing the establishment of certain economic development districts.

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

Miller introduced:

H. F. No. 1414, A bill for an act relating to the city of Redwood Falls; authorizing all property in the city to be assessed at a flat dollar amount per parcel for an infrastructure fund levy.

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

Schafer, Hugoson and Dempsey introduced:

H. F. No. 1415, A bill for an act relating to taxation; sales; changing the requirements for designation of a distressed county for purposes of the capital equipment exemption; amending Minnesota Statutes 1986, section 297A.257, subdivision 1.

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

Nelson, K., introduced:

H. F. No. 1416, A bill for an act relating to the city of Minneapolis; providing for the appointment of the director of the office of emergency preparedness; amending Laws 1969, chapter 937, section 1, by adding a subdivision.

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

Segal and Clark introduced:

H. F. No. 1417, A bill for an act relating to human services; providing for hospice care payments under medical assistance; amending Minnesota Statutes 1986, section 256B.02, subdivision 8.

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

Sviggum, Heap and McDonald introduced:

H. F. No. 1418, A bill for an act relating to crimes; imposing criminal penalties on persons who advocate or promote the doctrine of criminal syndicalism and incite imminent lawless activity; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Orenstein, Dempsey, Clark, McLaughlin and Norton introduced:

H. F. No. 1419, A bill for an act relating to human rights; requiring certain boards and commissions to develop certain programs for persons subject to prejudice and discrimination; changing certain procedures in cases before the department of human rights; amending Minnesota Statutes 1986, sections 3.922, subdivision 6; 3.9222, by adding a subdivision; 3.9223, subdivision 3; 3.9225, subdivision 3; 3.9226, subdivision 3; 256.482, subdivision 5; 363.05, subdivision 1; 363.06, subdivisions 1 and 4; 363.071; 363.072, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

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

McDonald and Valento introduced:

H. F. No. 1420, A bill for an act relating to public safety; allowing bureau of criminal apprehension to permit amateur radio operators to use radio equipment capable of receiving police emergency radio frequency; amending Minnesota Statutes 1986, section 299C.37, subdivision 3.

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

Carruthers, Skoglund, Hartle and Quinn introduced:

H. F. No. 1421, A bill for an act relating to insurance; regulating the formation and operation of risk retention groups; prescribing the powers and duties of the commissioner; defining terms; prescribing penalties; proposing coding for new law as Minnesota Statutes, chapter 60E.

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

Simoneau, Kahn, Carruthers, Kelly and Bishop introduced:

H. F. No. 1422, A bill for an act relating to courts; authorizing additional judgeships in certain judicial districts; authorizing imposition of a judicial fee in civil actions; increasing the amount of penalty assessment levied for traffic offenses; amending Minnesota Statutes 1986, sections 2.722, subdivision 1; and 626.861, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 480.

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

McEachern, Jensen, Bauerly and Johnson, A., introduced:

H. F. No. 1423, A bill for an act relating to traffic regulations; requiring school buses on one-way, separated roads with shoulders to load and unload without flashing lights; amending Minnesota Statutes 1986, section 169.44, subdivision 2.

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

Greenfield introduced:

H. F. No. 1424, A bill for an act relating to human services; improving the availability of special needs payments for child care provided to AFDC recipients; amending Minnesota Statutes 1986, section 256.736, subdivision 8.

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

Murphy; Scheid; Johnson, A., and Pappas introduced:

H. F. No. 1425, A bill for an act relating to state contracts; requiring bidders on state construction contracts to submit lists of subcontractors and prohibiting subcontracts with persons not listed; providing penalties; amending Minnesota Statutes 1986, sections 16B.07, by adding a subdivision; and 161.32, by adding a subdivision.

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

Dempsey, Haukoos, Battaglia, Munger and Jennings introduced:

H. F. No. 1426, A bill for an act relating to taxation; allowing certain persons to claim property tax refunds due to decedents; amending Minnesota Statutes 1986, section 290A.18.

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

Jefferson introduced:

H. F. No. 1427, A bill for an act relating to health care; regulating prepayment demonstration projects; requiring demonstration providers to follow certain claims settlement practices when contracting with other health care and social service practitioners to provide services to enrollees; regulating appeals; amending Minnesota Statutes 1986, section 256B.69, subdivisions 6 and 11.

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

Jefferson introduced:

H. F. No. 1428, A bill for an act relating to human services; providing a five-day deadline for expedited issuance of food stamps; amending Minnesota Statutes 1986, section 393.07, subdivision 10a.

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

Nelson, K., introduced:

H. F. No. 1429, A bill for an act relating to education; providing tier revenue for learning year programs; appropriating money; amending Minnesota Statutes 1986, sections 124.223; 124.225, subdivision 1; 124A.01; and 275.125, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Rukavina, Jaros, Munger, Battaglia and Begich introduced:

H. F. No. 1430, A bill for an act relating to utilities; requiring the public utilities commission to annually review authorized rates of return; requiring the commission to consider nonutility income under certain circumstances; amending Minnesota Statutes 1986, section 216B.16, by adding subdivisions.

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

Sviggum and McEachern introduced:

H. F. No. 1431, A bill for an act relating to education; eliminating comparable high school courses from eligible courses under the post-secondary enrollment options program; amending Minnesota Statutes 1986, section 123.3514, subdivision 6, and by adding subdivisions.

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

Rest, McPherson and Nelson, K., introduced:

H. F. No. 1432, A bill for an act relating to education; directing the Minnesota academic excellence foundation to establish a state academic league; appropriating money; amending Minnesota Stat-

utes 1986, section 121.612, subdivisions 3 and 5; 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.

Otis; Nelson, K.; Olsen, S.; Bennett and Segal introduced:

H. F. No. 1433, A bill for an act relating to education; creating a Minnesota challenger memorial math and science teaching scholarship fund; providing state matching funds for private contributions; appropriating money; 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.

Cooper, Bishop, Greenfield, Kelly and Welle introduced:

H. F. No. 1434, A bill for an act relating to child abuse; authorizing the department of human services to establish a 24-hour toll-free hotline; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Cooper, Schoenfeld, Sparby, Steensma and Wenzel introduced:

H. F. No. 1435, A bill for an act relating to agriculture; providing for reduction of payment adjustment obligations; authorizing principal buy-down for certain loans; establishing a special fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41.

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

Rukavina; Begich; Carlson, D.; Johnson, A., and Rose introduced:

H. F. No. 1436, A bill for an act relating to game and fish; allowing elderly deer hunters to take one deer of either sex; amending Minnesota Statutes 1986, section 97A.451, by adding a subdivision.

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

Begich introduced:

H. F. No. 1437, A bill for an act relating to motor vehicles; providing for refund of excise tax on motor vehicle to manufacturer under certain circumstances; amending Minnesota Statutes 1986, section 297B.031.

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

Welle introduced:

H. F. No. 1438, A bill for an act relating to human services; establishing requirements for rate appeals for intermediate care facilities for persons with mental retardation and related conditions; amending Minnesota Statutes 1986, section 256B.501, subdivision 3, and by adding a subdivision.

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

Rice, Battaglia, Sarna and Beard introduced:

H. F. No. 1439, A bill for an act relating to labor; making collective bargaining agreements binding upon transferee employers; defining transferee employer; creating certain exclusions; requiring the disclosure of collective bargaining agreements; providing for enforcement procedures; proposing coding for new law in Minnesota Statutes, chapter 179.

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

Waltman introduced:

H. F. No. 1440, A bill for an act relating to environment; requiring certain conditions for the location of a county landfill by use of eminent domain; amending Minnesota Statutes 1986, section 400.04, subdivision 2, and by adding a subdivision.

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

McLaughlin, Orenstein and Schoenfeld introduced:

H. F. No. 1441, A bill for an act relating to human services; providing for welfare reform; requiring commissioner of human

services to establish demonstration project and seek legislative waiver.

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

McLaughlin introduced:

H. F. No. 1442, A bill for an act relating to Gillette Children's Hospital; clarifying the hospital's exemption from certain tax provisions; amending Minnesota Statutes 1986, section 250.05, by adding subdivisions.

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

Osthoff, Kelly and Trimble introduced:

H. F. No. 1443, A bill for an act relating to retirement; St. Paul police relief association and St. Paul fire department relief association; authorizing the voluntary consolidation of those local relief associations with the public employees police and fire fund; authorizing the individual election of applicable benefit coverage upon the consolidation of those relief associations; amending Minnesota Statutes 1986, sections 353.01, subdivisions 2b, 10, and 16; 353.271; 353.64, subdivision 1; and 353.65, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 353; proposing coding for new law as Minnesota Statutes, chapters 353A and 353B.

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

Solberg; Kinkel; Nelson, C.; Richter and Neuenschwander introduced:

H. F. No. 1444, A bill for an act relating to towns; providing procedures for their organization and dissolution; amending Minnesota Statutes 1986, sections 365.45; 368.47; and 379.01.

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

Winter, Frederick, DeBlicke, Schoenfeld and Redalen introduced:

H. F. No. 1445, A bill for an act relating to agriculture; appropriating money for a deficiency in the appropriation for farmer-lender mediation.

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

McLaughlin, Orenstein and Schoenfeld introduced:

H. F. No. 1446, A bill for an act relating to welfare reform; providing a corporate income tax credit for contributions to programs to reduce public assistance caseloads; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Johnson, A.; Kalis; Blatz and Kelly introduced:

H. A. No. 15, A proposal to study limited drivers' licenses.

The advisory was referred to the Committee on Transportation.

Trimble; Otis; McPherson; Nelson, K., and Kelso introduced:

H. A. No. 16, A proposal to study parent involvement in public school decision-making.

The advisory was referred to the Committee on Education.

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. 364, A bill for an act relating to cemeteries; increasing the limit on the permanent care and improvement fund; amending Minnesota Statutes 1986, section 306.41.

PATRICK E. FLAHAVEN, Secretary of 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. 400, A bill for an act relating to game and fish; authorizing commissioner to allow a person to take two deer; amending Minnesota Statutes 1986, section 97B.301, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson, D., moved that the House concur in the Senate amendments to H. F. No. 400 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 114 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Boo

DeBlicek

Osthoff

Stanius

Sviggum

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

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. 369, A bill for an act relating to human rights; changing certain requirements related to disabled persons; amending Minnesota Statutes 1986, sections 363.01, subdivision 25; 363.02, subdivision 3; and 363.03, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 369 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

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

Poppenhagen	Rodosovich	Segal	Swenson	Voss
Price	Rose	Simoneau	Thiede	Wagenius
Quinn	Rukavina	Skoglund	Tjornhom	Waltman
Redalen	Sarna	Solberg	Tompkins	Welle
Reding	Schafer	Sparby	Trimble	Wenzel
Rest	Scheid	Stanius	Tunheim	Winter
Rice	Schreiber	Steensma	Valento	Wynia
Richter	Seaberg	Svigum	Vellenga	Spk. Norton

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

Mr. Speaker:

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

S. F. Nos. 121, 324 and 420.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 121, A bill for an act relating to traffic regulations; clarifying that a child under four is not required to use a seat belt; imposing penalty for failure to wear seat belt; amending Minnesota Statutes 1986, section 169.686, subdivision 1.

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

S. F. No. 324, A bill for an act relating to traffic regulations; removing exemptions regarding alcohol- or controlled substance-related activities of persons engaged in work upon the highway; amending Minnesota Statutes 1986, section 169.03, subdivision 6.

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

S. F. No. 420, A bill for an act relating to crimes; metropolitan transit; authorizing peace officers hired by the metropolitan transit commission to make arrests within the metropolitan area; amending Minnesota Statutes 1986, section 629.40, by adding a subdivision.

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

CONSENT CALENDAR

H. F. No. 750, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in East Grand Forks, Polk county.

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, G.	Beard	Bishop	Carlson, D.	Clausnitzer
Anderson, R.	Begich	Boo	Carlson, L.	Cooper
Battaglia	Bennett	Brown	Carruthers	Dauner
Bauerly	Bertram	Burger	Clark	DeBlieck

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

Those who voted in the negative were:

Osthoff

The bill was passed and its title agreed to.

S. F. No. 403, A bill for an act relating to newspapers; providing that only qualified newspapers may accept legal notices for publication; amending Minnesota Statutes 1986, section 331A.02, 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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Rest	Schoenfeld	Stanius	Tunheim	Wenzel
Rice	Schreiber	Steensma	Valento	Winter
Richter	Seaberg	Sviggrum	Vanasek	Wynia
Rodosovich	Segal	Swenson	Vellenga	Spk. Norton
Rose	Simoneau	Thiede	Voss	
Rukavina	Skoglund	Tjornhom	Wagenius	
Sarna	Solberg	Tompkins	Waltman	
Schafer	Sparby	Trimble	Welle	

The bill was passed and its title agreed to.

CALENDAR

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 and persons on foot or on rollerskates; amending Minnesota Statutes 1986, section 169.471, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 56 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Jensen	Munger	Price	Swenson
Battaglia	Johnson, A.	Murphy	Reding	Trimble
Begich	Johnson, R.	Nelson, C.	Rice	Tunheim
Bishop	Kahn	Nelson, D.	Richter	Wagenius
Clark	Kalis	Nelson, K.	Riveness	Wenzel
DeBlicek	Kludt	Olsen, S.	Scheid	Winter
Dille	Knickerbocker	Olson, E.	Seaberg	Wynia
Dorn	Larsen	Olson, K.	Segal	Spk. Norton
Forsythe	Lieder	Orenstein	Simoneau	
Greenfield	McLaughlin	Osthoff	Skoglund	
Jaros	Milbert	Pappas	Sparby	
Jefferson	Minne	Peterson	Steensma	

Those who voted in the negative were:

Anderson, G.	Frerichs	Krueger	Onnen	Schoenfeld
Bauerly	Gruenes	Lasley	Otis	Schreiber
Beard	Gutknecht	Long	Ozment	Solberg
Bennett	Hartle	Marsh	Pauly	Stanius
Bertram	Haukoos	McDonald	Pelowski	Sviggrum
Brown	Hugoson	McEachern	Poppenhagen	Thiede
Burger	Jacobs	McKasy	Quinn	Tjornhom
Carlson, L.	Jennings	McPherson	Quist	Tompkins
Carruthers	Johnson, V.	Miller	Redalen	Valento
Clausnitzer	Kelly	Morrison	Rest	Vanasek
Cooper	Kelso	Neuenschwander	Rodosovich	Voss
Dauner	Kinkel	O'Connor	Rukavina	Waltman
Dempsey	Knuth	Ogren	Sarna	Welle
Frederick	Kostohryz	Omann	Schafer	

The bill was not passed.

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.

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 118 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hugoson	McDonald	Omam	Osthoff	Solberg
				Waltman

The bill was passed and its title agreed to.

H. F. No. 591, A bill for an act relating to human services; authorizing the commissioner to make direct payments to shelter facilities; allowing facilities providing shelter services to women and children to appeal the denial of general assistance payments; amending Minnesota Statutes 1986, sections 256.01, subdivision 2; and 256D.05, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 555 was reported to the House.

UNANIMOUS CONSENT

Carruthers requested unanimous consent to offer an amendment. The request was granted.

Carruthers moved to amend H.F. No. 555, the first engrossment, as follows:

Page 1, line 13, delete "an" and insert "a lawful"

The motion prevailed and the amendment was adopted.

H. F. No. 555, A bill for an act relating to crimes; prohibiting giving peace officers false names; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Winter was excused between the hours of 3:20 p.m. and 3:55 p.m.
Ozment was excused at 4:30 p.m.

GENERAL ORDERS

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

REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 580, 813 and 799 were recommended to pass.

H. F. No. 454 was recommended for progress.

S. F. No. 397 was recommended for progress.

H. F. Nos. 137 and 189 were recommended for progress retaining their places on General Orders.

H. F. No. 227 was recommended for progress retaining its place on General Orders until Friday, May 8, 1987.

H. F. No. 649 was recommended for progress until Wednesday, April 15, 1987.

H. F. No. 392 was recommended for re-referral to the Committee on Appropriations.

S. F. No. 128 which it recommended to pass with the following amendment offered by Jaros:

Amend the title as follows:

Page 1, line 6, delete "repealing" and insert "and"

Page 1, line 7, before the period insert ", section 1"

H. F. No. 42, the first engrossment, which it recommended to pass with the following amendment offered by Bishop:

Page 2, line 35, after "has" insert "reason to believe" and delete the balance of the line

Page 2, delete line 36

Page 3, line 1, delete "those facts in light of experience,"

H. F. No. 450, the first engrossment, which it recommended to pass with the following amendment offered by Bertram:

Page 4, line 15, delete "subdivision" and insert "section"

H. F. No. 564, the first engrossment, which it recommended to pass with the following amendment offered by Onnen:

Page 2, line 35, after "generation" insert "which requires additional diversion of water"

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:

Clausnitzer and Dille moved to amend H. F. No. 42, the first engrossment, as follows:

Page 2, delete lines 31 to 36

Page 3, delete lines 1 to 4 and insert:

“Subdivision 1. [WRITTEN POLICY.] (a) An employer shall not require an employee or job applicant to submit to drug testing except pursuant to a written policy, which shall be provided to job applicants who have been offered employment and employees upon adoption of the policy or when the individual is offered employment, if the policy was previously adopted.

(b) The drug testing policy must, at a minimum, set forth the following information:

(1) the employees or job applicants subject to testing under the policy;

(2) the circumstances that would give rise to drug testing;

(3) the right of an employee or job applicant to refuse testing and the consequences of a refusal;

(4) any disciplinary or other adverse personnel action that may be taken following a positive test result; and

(5) the procedures for explaining the test results; the right to a retest under section 4, subdivision 2; and any other appeals procedure.”

Page 5, delete lines 3 to 20

Page 5, line 21, delete “9” and insert “8”

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

Those who voted in the affirmative were:

Anderson, G.	Bishop	Dempsey	Gruenes	Hugoson
Anderson, R.	Boo	Dille	Gutknecht	Jennings
Bauerly	Burger	Forsythe	Hartle	Jensen
Bennett	Carlson, D.	Frederick	Haukoos	Johnson, V.
Bertram	Clausnitzer	Frerichs	Heap	Kalis

Knickerbocker	Morrison	Pauly	Schafer	Swenson
Krueger	Nelson, C.	Pelowski	Schoenfeld	Thiede
Lieder	Neuenschwander	Poppenhagen	Schreiber	Tjornhom
Marsh	Olsen, S.	Quist	Seaberg	Tompkins
McDonald	Olson, E.	Redalen	Shaver	Uphus
McKasy	Omann	Richter	Sparby	Valento
McPherson	Onnen	Rodosovich	Stanisus	Waltman
Miller	Ozment	Rose	Sviggum	Wenzel

Those who voted in the negative were:

Battaglia	Jaros	Long	Osthoff	Simoneau
Beard	Jefferson	McEachern	Pappas	Skoglund
Begich	Johnson, A.	McLaughlin	Peterson	Solberg
Brown	Johnson, R.	Milbert	Price	Steensma
Carlson, L.	Kahn	Minne	Quinn	Trimble
Carruthers	Kelly	Munger	Reding	Tunheim
Clark	Kelso	Murphy	Rest	Vanasek
Cooper	Kinkel	Nelson, D.	Rice	Vellenga
Dauner	Kludt	Nelson, K.	Riveness	Voss
DeBlieck	Knuth	O'Connor	Rukavina	Wagenius
Dorn	Kostohryz	Ogren	Sarna	Welle
Greenfield	Larsen	Olson, K.	Scheid	Wynia
Jacobs	Lasley	Orenstein	Segal	Spk. Norton

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

Sviggum moved to amend H. F. No. 42, the first engrossment, as follows:

Page 2, delete section 2

Pages 2 to 3, delete section 3, subdivisions 1 to 3

Renumber the sections accordingly and correct internal cross-references

The question was taken on the Sviggum amendment and the roll was called. There were 59 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Knickerbocker	Omann	Sparby
Anderson, R.	Frerichs	Krueger	Onnen	Stanisus
Bauerly	Gruenes	Lieder	Ozment	Sviggum
Bennett	Gutknecht	Marsh	Pauly	Swenson
Bertram	Hartle	McDonald	Poppenhagen	Thiede
Brown	Haukoos	McKasy	Quist	Tjornhom
Burger	Heap	McPherson	Redalen	Tompkins
Carlson, D.	Hugoson	Miller	Richter	Uphus
Clausnitzer	Jennings	Morrison	Rose	Valento
Dempsey	Jensen	Nelson, C.	Schafer	Waltman
Dille	Johnson, V.	Neuenschwander	Schreiber	Wenzel
Forsythe	Kalis	Olsen, S.	Shaver	

Those who voted in the negative were:

Battaglia	Carlson, L.	Cooper	Greenfield	Jefferson
Beard	Carruthers	Dauner	Jacobs	Johnson, A.
Begich	Clark	Dorn	Jaros	Johnson, R.

Kahn	McLaughlin	Orenstein	Riveness	Trimble
Kelly	Milbert	Osthoff	Rodosovich	Tunheim
Kelso	Minne	Otis	Rukavina	Vanasek
Kinkel	Munger	Pappas	Sarna	Vellenga
Kludt	Murphy	Pelowski	Scheid	Voss
Knuth	Nelson, D.	Peterson	Schoenfeld	Wagenius
Kostohryz	Nelson, K.	Price	Segal	Welle
Larsen	O'Connor	Quinn	Simoneau	Winter
Lasley	Ogren	Reding	Skoglund	Wynia
Long	Olson, E.	Rest	Solberg	Spk. Norton
McEachern	Olson, K.	Rice	Steensma	

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

The question was taken on the motion to recommend passage of H. F. No. 42, the first engrossment, as amended, and the roll was called. There were 84 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Jefferson	Minne	Peterson	Sparby
Battaglia	Jensen	Morrison	Price	Stanius
Beard	Johnson, A.	Munger	Quinn	Steensma
Begich	Johnson, R.	Murphy	Reding	Swenson
Bishop	Kahn	Nelson, C.	Rest	Tompkins
Brown	Kelly	Nelson, D.	Rice	Trimble
Burger	Kelso	Nelson, K.	Riveness	Tunheim
Carlson, L.	Kinkel	Neuenschwander	Rodosovich	Vanasek
Carruthers	Kludt	O'Connor	Rukavina	Vellenga
Clark	Knuth	Ogren	Sarna	Voss
Cooper	Kostohryz	Olson, E.	Scheid	Wagenius
Dauner	Krueger	Olson, K.	Schoenfeld	Welle
DeBlick	Larsen	Orenstein	Seaberg	Wenzel
Dorn	Lasley	Osthoff	Segal	Winter
Greenfield	Long	Otis	Simoneau	Wynia
Jacobs	McLaughlin	Pappas	Skoglund	Spk. Norton
Jaros	Milbert	Pelowski	Solberg	

Those who voted in the negative were:

Anderson, G.	Forsythe	Johnson, V.	Olsen, S.	Rose
Bauerly	Frederick	Kalis	Omann	Schafer
Bennett	Frerichs	Knickerbocker	Onnen	Schreiber
Bertram	Gruenes	Lieder	Ozment	Sviggum
Boo	Gutknecht	Marsh	Pauly	Thiede
Carlson, D.	Hartle	McDonald	Poppenhagen	Tjornhom
Clausnitzer	Haukoos	McKasy	Quist	Uphus
Dempsey	Heap	McPherson	Redalen	Valento
Dille	Hugoson	Miller	Richter	Waltman

The motion prevailed.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1

A bill for an act relating to agriculture; extending and financing the interest rate buy-down program; establishing benefit limits;

appropriating money; amending Laws 1986, chapter 398, article 23, section 1, subdivisions 5 and 6, and by adding a subdivision; and section 3, subdivision 5.

March 31, 1987

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

We, the undersigned conferees for H. F. No. 1, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 1 be further amended as follows:

Delete everything after the enacting clause and insert:

"FARM OPERATING LOAN INTEREST BUY-DOWN PROGRAM

Section 1. [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 7 and 10. The definitions in this section also apply to sections 8 and 9 unless a different definition is provided in section 8.

Subd. 2. [APPROVED ADULT FARM MANAGEMENT PROGRAM.] "Approved adult farm management program" means a farm management training program designed for persons currently engaged in farming that has been approved by the commissioner under section 4, subdivision 3.

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of commerce.

Subd. 4. [COMMISSIONER'S INTEREST INDEX.] "Commissioner's interest index" means an interest rate that is 3.3 percent above the current lending rate of the Federal Intermediate Credit Bank to production credit associations as certified each month by the commissioner.

Subd. 5. [ELIGIBLE BORROWER.] "Eligible borrower" means a farmer who applies to a lender for a farm operating loan and meets all qualifications established in section 2 and any further qualifications that may be established in the guidelines adopted by the commissioner under section 4, subdivision 1.

An eligible borrower must complete a loan application with a participating lender between January 1, 1987, and December 31, 1987.

Subd. 6. [FARM OPERATING LOAN.] "Farm operating loan" means an original, extended, or renegotiated loan or line of credit obtained by a farmer from a lender for the purpose of financing the operations of a farm. A farm operating loan includes an open line of credit even though the maximum principal amount of the line of credit may not be drawn at any one time. A farm operating loan eligible for interest rate buy-down must have a maturity date of June 30, 1988, or earlier.

Subd. 7. [FARMER.] "Farmer" means a state resident or a domestic family farm corporation as defined in Minnesota Statutes, section 500.24, subdivision 2, operating a farm within the state.

Subd. 8. [INTEREST RATE BUY-DOWN.] "Interest rate buy-down" means a reduction in the effective interest rate on a farm operating loan to an eligible borrower due to partial payment of interest costs by the commissioner and partial reduction of interest costs by the participating lender.

Subd. 9. [LENDER.] "Lender" means a bank, a credit union, or a savings and loan association chartered by the state or federal government, a unit of the farm credit system, the Federal Deposit Insurance Corporation, or another financial institution approved by the commissioner.

Subd. 10. [PARTICIPATING LENDER.] "Participating lender" means a lender who has been granted participating lender status by the commissioner.

Sec. 2. [FARMER ELIGIBILITY.]

Subdivision 1. [DEBT-TO-ASSET RATIO.] Only a farmer with a debt-to-asset ratio exceeding 50 percent at the time of application for a farm operating loan is an eligible borrower for purposes of interest rate buy-down. The debt-to-asset ratio of a farmer must be determined by the lender. A debt-to-asset ratio determined by a lender is deemed to be reasonable and accurate without further audit or substantiation.

Subd. 2. [ASSESSMENT OF CONTINUED VIABILITY.] Only a farmer determined by the lender to have a reasonable opportunity for long-term financial viability in the farmer's current farm operation is an eligible borrower. A determination of financial viability by a lender is deemed to be reasonable and accurate without further audit or substantiation.

Subd. 3. [ENROLLMENT IN ADULT FARM MANAGEMENT PROGRAM.] To be an eligible borrower, a farmer shall agree to enroll in an approved adult farm management program if enrollment is required by the lender and an approved program is offered not more than 50 miles from the farmer's residence. The approved adult farm management program must bill the lender for one-half of the course tuition.

Sec. 3. [LENDER ELIGIBILITY; OBLIGATIONS.]

Subdivision 1. [ELIGIBLE PARTICIPATING LENDER STATUS.] A lender who meets the requirements established by the commissioner must be certified as a participating lender.

Subd. 2. [PARTIAL PAYMENT FOR ADULT FARM MANAGEMENT TRAINING.] A participating lender shall require an eligible borrower to enroll in an approved adult farm management program and agree to pay one-half of the enrollment and tuition costs of the program for an eligible borrower approved by the commissioner for interest rate buy-down unless the participating lender determines an approved adult farm management program would not benefit the borrower. A participating lender is not required to assist with enrollment or tuition costs for a period longer than the term of the farm operating loan, and a lender is not required to assist with the enrollment and tuition costs for more than one individual for each farm operating loan.

If a participating lender determines that enrollment in an adult farm management program would not benefit the borrower or an approved adult farm management program is not located within 50 miles from the debtor's residence, the lender shall explain the reasons to the borrower in writing and indicate the determination on the application for Program A or Program B.

Subd. 3. [RECEIPT OF APPLICATIONS FOR INTEREST RATE BUY-DOWN.] (a) A participating lender shall receive and evaluate loan applications from a farmer:

(1) who has transacted farm-related borrowing with a lender within the previous three years;

(2) who has not previously established farm-related borrowing; or

(3) whose previous lender is no longer in the business of making farm-related loans.

(b) In determining whether to make a farm operating loan to a farmer, the participating lender may use criteria in addition to those in section 2.

Subd. 4. [MAXIMUM INTEREST RATE.] To qualify for interest rate buy-down payments, a participating lender shall offer to make a farm operating loan to an eligible borrower at a rate of interest equivalent to that offered to other farmers having similar security and financial status, but the interest rate may not exceed the current commissioner's interest index. The commissioner may use appropriate means to verify that the operating loan interest rate available to an eligible borrower is substantially the same as that available to other borrowers.

Sec. 4. [RESPONSIBILITIES OF THE COMMISSIONER.]

Subdivision 1. [ADOPTION OF PROGRAM GUIDELINES.] Within 30 days after the effective date of sections 1 to 9, the commissioner shall adopt and make available to the public guidelines for Programs A and B. The commissioner shall adopt guidelines for Program B, coordinate Program B with the Federal Operating Loan Program, and make the benefits of Program B additive to the Federal Operating Loan Program. Adoption of the program guidelines is not subject to Minnesota Statutes, chapter 14.

Subd. 2. [PREPARATION AND DISTRIBUTION OF LENDER PARTICIPATION FORMS.] The commissioner shall prepare and distribute forms and instructions for Programs A and B to all lenders in the state.

Subd. 3. [APPROVAL OF ADULT FARM MANAGEMENT PROGRAMS.] The commissioner, in consultation with the commissioner of agriculture, shall prepare a list of adult farm management training programs approved for eligible borrowers and distribute the list to all participating lenders.

Subd. 4. [APPROVAL OF APPLICATIONS FOR BUY-DOWN PAYMENT.] (a) The commissioner shall review within five working days of submission by a participating lender a properly completed application for interest rate buy-down payments on a farm operating loan made to a farmer. If a qualified lender does not receive written notice that the commissioner has denied interest rate buy-down payments within seven working days, the farmer is an eligible borrower and interest rate buy-down payments on the farm operating loan are approved by the commissioner.

(b) The commissioner shall not approve concurrent participation of an eligible borrower under both Program A and Program B.

(c) All applications received by the commissioner after appropriated interest rate buy-down program funds for Program A or Program B have been encumbered must be returned immediately to the lender with an explanation that interest buy-down payments are denied due to prior commitment of available program funds.

(d) For an application for Program B, the commissioner shall send the lender a preliminary commitment for the interest payment within ten days after receiving the Program B application. The preliminary commitment may be used by the lender to qualify for the Federal Operating Loan Program. A preliminary commitment is for the 1987 and 1988 crop years. The commitment for the 1988 crop year is dependent on approval of the lender's and borrower's application to the Federal Operating Loan Program for at least crop years 1987 and 1988.

Subd. 5. [BUY-DOWN PAYMENTS TO PARTICIPATING LENDERS.] The commissioner shall pay one-half of the expected interest rate buy-down amount when requested by the participating lender, but not more than 60 days after the loan was approved by the commissioner, and the balance within 30 days after the loan matures. All interest buy-down payments under this act must be made by joint-payee checks in the name of the participating lender and the eligible borrower.

If a participating lender obtains a conditional commitment for guarantee or contract for guarantee from the FmHA, the commissioner shall make the state Program B interest buy-down payment as necessary to accommodate the FmHA commitment or contract.

PROGRAM A; STATE-LENDER INTEREST RATE BUY-DOWN

Sec. 5. [PROGRAM A; STATE-LENDER INTEREST RATE BUY-DOWN.]

Subdivision 1. [APPLICATION.] To be eligible for state interest rate buy-down payments under Program A, a participating lender must submit to the commissioner a properly completed application form for each eligible farm operating loan.

Sec. 6. [STATE CONTRIBUTION TO INTEREST BUY-DOWN; PROGRAM A.]

As provided in section 4, subdivision 7, the commissioner shall pay under Program A to a participating lender for the first \$60,000 of an approved farm operating loan made to an eligible borrower an amount equal to an annual rate of 2.8 percent interest on the loan, but the payment may not exceed \$2,520 per farm operating loan.

Sec. 7. [LENDER CONTRIBUTION TO INTEREST BUY-DOWN; PROGRAM A.]

A participating lender shall provide a reduction in interest rate for the first \$60,000 of an approved farm operating loan made to an eligible borrower in an amount equal to an annual rate of at least 1.7 percent interest on the loan.

PROGRAM B; STATE LENDER-FmHA
INTEREST RATE BUY-DOWN

Sec. 8. [DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section apply to sections 8 and 9.

Subd. 2. [ELIGIBLE BORROWER.] "Eligible borrower" means a farmer who applies to a lender for a farm operating loan between the dates January 1, 1987, and December 31, 1988, and who meets all qualifications established in section 2 and any further qualifications that may be established in the program guidelines adopted by the commissioner under section 4, subdivision 1.

Subd. 3. [FARM OPERATING LOAN.] "Farm operating loan" means an original, extended, or renegotiated loan or line of credit obtained by a farmer from a lender to finance the operations of a farm for one operating season. A farm operating loan includes an open line of credit even though the maximum principal amount of the line of credit may not be drawn at any one time. A farm operating loan eligible for interest rate buy-down must have a maturity date of June 30, 1989, or earlier.

Subd. 4. [FEDERAL OPERATING LOAN PROGRAM.] "Federal Operating Loan Program" means the Guaranteed Operating Loan Program together with the Interest Rate Buy-Down Program administered by the FmHA as described in Code of Federal Regulations, title 7, section 1980, subpart B.

Subd. 5. [FmHA.] "FmHA" means the Farmers Home Administration of the United States Department of Agriculture.

Subd. 6. [FmHA BUY-DOWN AGREEMENT.] "FmHA Buy-Down Agreement" means Form FmHA 1980-58 or a replacement of that form, which is an agreement between a lending institution, a farmer, and the FmHA under which the FmHA agrees to give the lending institution an interest buy-down grant in partial reimbursement of a write-down by the lending institution of the interest rate on the farmer's operating loan under the Federal Operating Loan Program.

Sec. 9. [STATE-LENDER-FmHA INTEREST RATE BUY-DOWN.]

Subdivision 1. [APPLICATION.] To be eligible for Program B, a participating lender shall submit an application for Program B to the commissioner and an application to FmHA under subdivision 2. The lender may indicate on the application for Program B that the lender and borrower will apply to the FmHA Federal Operating Loan Program for more than one year and would desire a commit-

ment for Program B for more than one crop year, ending December 31, 1988.

Subd. 2. [APPLICATION TO FmHA.] (a) The lender and an eligible borrower shall apply to FmHA for a guarantee of the proposed farm operating loan under the Federal Operating Loan Program.

(b) If the application is approved, the lender shall submit a copy of the FmHA buy-down agreement to the commissioner. Upon receipt of the FmHA buy-down agreement, the commissioner shall pay the lender \$50 for preparation costs. If the loan preparation was done by a person or entity not otherwise compensated by the lender for preparing the loan application, the lender shall remit the \$50 to the person or entity actually preparing the loan application. If the application is denied, the lender shall submit a copy of the denial to the commissioner. If the application is denied, the commissioner shall consider the Program B application as an application for Program A and make interest buy-down payments to the lender and eligible borrower as if the application were originally submitted for Program A, unless the lender has indicated that the loan is not to be considered under Program A.

Subd. 3. [STATE CONTRIBUTION TO PROGRAM B INTEREST BUY-DOWN.] Under Program B, the commissioner shall pay to a participating lender interest at a rate of 2.8 percent per year for the first \$60,000 of a farm operating loan made to an eligible borrower during the term of the loan, if the loan is approved under the Federal Operating Loan Program. The payment to a participating lender may not exceed \$2,520 per eligible borrower per calendar year, exclusive of the loan preparation fee.

Subd. 4. [LENDER CONTRIBUTION TO PROGRAM B INTEREST BUY-DOWN.] A participating lender shall reduce the interest charged to an eligible borrower on a farm operating loan so that the reduction in interest rate provided by the lender and the FmHA together is at least 1.7 percent per year for the first \$60,000 of the loan.

Sec. 10. [APPROPRIATION.]

Subdivision 1. [APPROPRIATION.] \$17,000,000 is appropriated from the general fund for fiscal year 1987 to the commissioner of commerce for the interest rate buy-down program. The appropriation is available for the fiscal year ending June 30 in the years indicated to pay amounts due under approved applications received during that calendar year. Any unencumbered balance remaining in a fiscal year must not be canceled and remains available to pay amounts due under approved applications received during the rest of that calendar year. The appropriation for Program B is available until June 30, 1989, to pay amounts due under approved applica-

tions received during calendar year 1987 or 1988.

	<u>1987</u>	<u>1988</u>
<u>(a) Program B, including loan preparation costs under section 5, subdivision 2</u>	<u>\$ 1,500,000</u>	<u>\$1,500,000</u>
<u>(b) Program A, including up to \$100,000 for administrative costs of the commissioner of commerce for Programs A and B</u>	<u>\$14,000,000</u>	

Subd. 2. [PRIORITIES; LIMITATION.] Applications take priority in the order they were received by the commissioner. The commissioner shall not approve an application for a program once the appropriation for that program has been committed.

Subd. 3. [SPILLOVER.] If, at any time more than 180 days after the effective date of this act, the appropriation for either Program A or Program B for calendar year 1987 is insufficient, the appropriation for the other program is available for it. Any unencumbered balance remaining at the end of a calendar year must not be canceled but must be added to the appropriations for Program B in the next calendar year.

Subd. 4. [OTHER APPROPRIATIONS ADDED.] Any unencumbered balance from the interest buy-down program under Laws 1986, chapter 398, article 29, section 1, subdivision 3, or from any appropriation added to it, remaining on August 1, 1987, must not be canceled but must be transferred and added equally to the appropriations for Program A and Program B that are available for the rest of calendar year 1987.

Subd. 5. [FARM LOAN INTEREST BUY-DOWN.] \$14,000,000 is appropriated from the general fund for fiscal year 1987 to the commissioner of commerce to make payments under the farm loan interest buy-down program under Laws 1986, chapter 398, article 23. This appropriation is added to the appropriation in Laws 1986, chapter 398, article 29, section 1, subdivision 3. Payment from the commissioner must be made by joint-payee check in the name of the participating lender and the borrower.

Sec. 11. Laws 1986, chapter 398, article 23, section 4, is amended by adding a subdivision to read:

Subd. 7. [COMMISSIONER'S DISCRETION FOR CERTAIN BORROWERS.] Notwithstanding section 1, subdivision 5, the commissioner may consider a farmer an eligible borrower if the farmer applies to the lender before January 1, 1986, and complies with the remaining provisions of this article.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 11 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; extending and financing the interest rate buy-down program; establishing benefit limits; appropriating money; amending Laws 1986, chapter 398, article 23, section 4, by adding a subdivision."

We request adoption of this report and repassage of the bill.

House Conferees: KATY OLSON, STEVE WENZEL, VIRGIL J. JOHNSON, GLEN H. ANDERSON AND JERRY SCHOENFELD.

Senate Conferees: C. R. (CHUCK) DAVIS, GARY DeCRAMER AND LeROY STUMPF.

Olson, K., moved that the report of the Conference Committee on H. F. No. 1 be adopted and that the bill be repassed as amended by the Conference Committee.

POINT OF ORDER

Schreiber raised a point of order pursuant to rule 6.11, paragraph 3, relating to Conference Committees. The Speaker ruled the point of order well taken.

SUSPENSION OF RULES

Vanasek moved that rule 6.11 be so far suspended that the Conference Committee report on H. F. No. 1 be now considered. The motion prevailed.

The question recurred on the Olson, K., motion that the report of the Conference Committee on H. F. No. 1 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1, A bill for an act relating to agriculture; extending and financing the interest rate buy-down program; establishing benefit limits; appropriating money; amending Laws 1986, chapter 398, article 23, section 1, subdivisions 5 and 6, and by adding a subdivision; and section 3, subdivision 5.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

MOTION FOR RECONSIDERATION

Vanasek moved that the vote whereby H. F. No. 269 was not passed earlier today on the Calendar be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Vanasek motion and the roll was called. There were 116 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Carruthers	Hartle	Kahn	Lieder
Battaglia	Clark	Haukoos	Kalis	Long
Bauerly	Cooper	Heap	Kelly	McDonald
Beard	Dauner	Hugoson	Kelso	McEachern
Begich	DeBlieck	Jacobs	Kinkel	McLaughlin
Bennett	Dille	Jaros	Kludt	McPherson
Bertram	Dorn	Jefferson	Knickerbocker	Milbert
Bishop	Forsythe	Jennings	Knuth	Minne
Brown	Frederick	Jensen	Kostohryz	Morrison
Burger	Greenfield	Johnson, A.	Krueger	Munger
Carlson, D.	Gruenes	Johnson, R.	Larsen	Murphy
Carlson, L.	Gutknecht	Johnson, V.	Lasley	Nelson, C.

Nelson, D.	Pauly	Rose	Sparby	Voss
Nelson, K.	Pelowski	Rukavina	Stanius	Wagenius
O'Connor	Peterson	Sarna	Steensma	Waltman
Ogren	Price	Schafer	Svigum	Welle
Olsen, S.	Quinn	Scheid	Swenson	Wenzel
Olson, E.	Redalen	Schoenfeld	Tompkins	Winter
Olson, K.	Reding	Seaberg	Trimble	Wynia
Omann	Rest	Segal	Tunheim	Spk. Norton
Orenstein	Rice	Shaver	Uphus	
Osthoff	Richter	Simoneau	Valento	
Otis	Riveness	Skoglund	Vanasek	
Pappas	Rodosovich	Solberg	Vellenga	

Those who voted in the negative were:

Clausnitzer	Frerichs	Miller	Schreiber	Tjornhom
Dempsey	Marsh	Onnen	Thiede	

The motion prevailed.

H. F. No. 269 was reported to the House.

Kahn moved that H. F. No. 269 be returned to General Orders. The motion prevailed.

MOTIONS AND RESOLUTIONS

Tunheim moved that the name of Trimble be added as an author on H. F. No. 879. The motion prevailed.

Skoglund moved that his name be stricken as an author on H. F. No. 953. The motion prevailed.

Osthoff moved that the name of Sarna be added as an author on H. F. No. 1138. The motion prevailed.

Pappas moved that the name of Rest be added as an author on H. F. No. 1214. The motion prevailed.

Jefferson moved that the name of Quist be added as an author on H. F. No. 1323. The motion prevailed.

Shaver moved that the name of Neuenschwander be added as an author on H. F. No. 1333. The motion prevailed.

Kinkel moved that the name of Neuenschwander be added as an author on H. F. No. 1345. The motion prevailed.

Kelly moved that the name of Simoneau be added as an author on H. F. No. 1348. The motion prevailed.

Clark moved that the name of Otis be added as an author on H. F. No. 1378. The motion prevailed.

Reding moved that the name of Heap be added as an author on H. F. No. 1380. The motion prevailed.

McPherson moved that H. F. No. 998 be recalled from the Committee on Higher Education and be re-referred to the Committee on Agriculture. The motion prevailed.

ADJOURNMENT

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

EDWARD A. BURDICK, Chief Clerk, House of Representatives